

Claremont Colleges

## Scholarship @ Claremont

---

Scripps Senior Theses

Scripps Student Scholarship

---

2022

### The Struggle for Land in Nineteenth-Century Bolivia: Triangulating Indigenous Demands between the Republican and Colonial States

Siena Hinshelwood

Follow this and additional works at: [https://scholarship.claremont.edu/scripps\\_theses](https://scholarship.claremont.edu/scripps_theses)



Part of the [Latin American History Commons](#)

---

#### Recommended Citation

Hinshelwood, Siena, "The Struggle for Land in Nineteenth-Century Bolivia: Triangulating Indigenous Demands between the Republican and Colonial States" (2022). *Scripps Senior Theses*. 1862.  
[https://scholarship.claremont.edu/scripps\\_theses/1862](https://scholarship.claremont.edu/scripps_theses/1862)

This Open Access Senior Thesis is brought to you for free and open access by the Scripps Student Scholarship at Scholarship @ Claremont. It has been accepted for inclusion in Scripps Senior Theses by an authorized administrator of Scholarship @ Claremont. For more information, please contact [scholarship@cuc.claremont.edu](mailto:scholarship@cuc.claremont.edu).

**THE STRUGGLE FOR LAND IN NINETEENTH-CENTURY BOLIVIA:  
TRIANGULATING INDIGENOUS DEMANDS BETWEEN THE  
REPUBLICAN AND COLONIAL STATES**

by

**SIENA K. HINSHELWOOD**

**SUBMITTED TO SCRIPPS COLLEGE IN PARTIAL FULFILLMENT  
OF THE DEGREE OF BACHELOR OF ARTS**

**PROFESSOR FORSTER  
PROFESSOR ARTEAGA  
PROFESSOR MORALES**

**APRIL 29, 2022**

## Contents

Acknowledgments.....	3
Introduction.....	4
I. Writing, History, and Legal Documents .....	9
II. Colonial Life, Continuity, and Resistance .....	19
III. Liberalism, the Tributary Pact, and Land .....	24
V. General Mariano Melgarejo and the Ascension of the <i>Apoderados</i> .....	36
VI. Ley de Exvinculación .....	49
VII. Cosmovisions on Paper.....	60
VIII. Triangulating Land Rights .....	64
Bibliography .....	69

## Acknowledgments

I would like to respectfully acknowledge that Scripps College sits within the historic homeland of the Tongva people. We acknowledge the painful history of genocide and colonization in our area. We acknowledge the strength and resilience of the Tongva people of the past, present, and future as the original caretakers of the land, water, and air, and we recognize our responsibility to be respectful stewards of the Scripps College campus. Today, this area and this campus are home to many Indigenous people from across the globe and we are proud that they are part of our community and institution.

I would like to thank the many people who have been indispensable to the completion of this thesis. I knew that my thesis would be a tremendous undertaking and yet I could not have anticipated the true scope of work, challenge, and support that would be involved this year.

Thank you to my readers Professors Forster, Arteaga, and Morales for the advice and enthusiasm that has kept me going and richly improved my project. Thank you to the entire Scripps History Department and the professors at other campuses who have contributed to my thesis, academically and emotionally.

Thank you to the staff, especially Lyanne Dominguez and Zenaida Reyes, for helping to create a Scripps community that centers students and their ability to achieve. I have grown immensely with the help of everyone here.

Thank you to all my friends. It has been a privilege to work together and experience the progress of all our theses together. Your willingness to listen and engage has been incredibly important to me.

Thank you especially to my family, who have supported me in every way throughout my college career. Mom, Dad, Laurel, Logan, Grandma Jacquie, thank you for your words and actions to encourage me, from phone calls to pet photos. I love you all!

## Introduction

In the spring of my sophomore year, we read excerpts of the Taller de Historia Oral Andina's text *Mujer y Resistencia Comunal: Historia y Memoria* in my Spanish class, through which I was introduced to Bolivian history for the first time. Specifically, we discussed the *cacique-apoderado* movement of the first half of the twentieth century, where Aymara authorities led by Santos Marka T'ula rose in defense of their lands, eventually leading to the 1952 revolution and agrarian reform. These *apoderados* were elected Indigenous representatives who spoke for and defended their communities against the growth of large-scale exploitative *haciendas* and other encroachments on Indigenous life. This was my first encounter with the *apoderado* movement, and I was fascinated that "los caciques-apoderados basaron su lucha en la legitimidad otorgada por las leyes a los títulos de 'composición y venta' obtenidos por los *ayllus* desde épocas coloniales."<sup>1</sup> I was surprised that Indigenous nations were using anything from colonialism in a productive way, since I had assumed that colonialism held only repression and violence for Native peoples. While I do not think that colonialism was in any way positive or beneficial for Indigenous peoples, their use of colonial land titles reminded me that colonialism is ongoing and that many different strategies are used to resist its many manifestations.

Additionally, the deployment of colonial land titles in the twentieth century was surprising because the rule of law from the colonial era still held sway in an independent republic.

This one instance of academic curiosity stuck with me, and when I was doing preliminary research for my thesis, this phenomenon popped up again. In Brooke Larson's *Trials of Nation Making: Liberalism, Race, and Ethnicity in the Andes, 1810-1910*, the chapter about Bolivia

---

1. Taller de Historia Oral Andina, *Mujer y Resistencia Comunal: Historia y Memoria* (La Paz: Hisbol, 1986), 14. Andean peoples were not the only Indigenous nations to use colonial land titles. Nations in Colombia and the Garifuna in the Caribbean and Central America, among others, also employed colonial land titles to defend themselves.

mentions people using colonial land titles to defend Indigenous land in the nineteenth century. I was excited to read this and decided that since this strategy was still so interesting to me, I would investigate more for my thesis. Through this project, I seek to understand the conditions that led Aymara and Quechua peoples to use colonial land titles as a defense against land encroachment by creole and mestizo Bolivians. I specifically investigate the nineteenth century, when Bolivia was consolidating itself as an independent republic, to examine why a state freed from colonial rule would, fifty years later, accept the legitimacy of colonial land titles such that they became one of the most effective ways to preserve Indigenous territory. I am attentive to the strategic intent of Aymara and Quechua communities to mediate their place within, or without, the state, with an eye towards the “long memory” of rebellion and resistance that fuels Indigenous protest to this day.<sup>2</sup> I argue that Andean peoples used their understanding of their position within the state to negotiate in a way that would be legible to the state but also accomplished specific goals beneficial to their own communities and ideologies. Invoking the reciprocal tributary pact, through their fulfillment of the pact and especially colonial land titles, Andean *apoderados* triangulated elements of the colonial system, the current state system, and Indigenous demands to preserve their land and autonomy. They manipulated the operations of the state through the judicial process, supported by direct communal action, to secure favorable living conditions and their very identities.

Before I dive in, there are some important points that should be addressed. There is no world-wide consensus about terminology for Native peoples without a state, the nations that do not have a government in the international state system, though they do have recognized rights

---

2. “Long memory” refers to the older anti-colonial struggles, symbolized by Tupak Katari. It is complementary though sometimes opposed to “short memory,” which is that emerging from the 1952 insurrection. Silvia Rivera Cusicanqui, “*Oprimidos pero no vencidos*”: *Luchas del campesinado Aymara y qhechwa 1900-1980*, (La Paz: Hisbol, 2010), 11-12, 78.

and autonomy. For this text, I use the phrase “Indigenous peoples” frequently, capitalizing the “I” to emphasize respect and the right to self-determination of these nations. “Indigenous” has become a widely recognized term to refer to the all the peoples without states and is a “political identity relational to the state,”<sup>3</sup> though Linda Tuhiwai Smith points out that “Indigenous” itself is a contested term. It can appear “to collectivize many distinct populations whose experiences under imperialism have been vastly different.”<sup>4</sup> Generally, nations should be referred to by what they call themselves in their own language. Nevertheless, “Indigenous” as a term “has enabled the collective voices of colonized people to be expressed strategically in the international arena... Thus the world’s Indigenous populations belong to a network of peoples” that “share experiences as peoples who have been subjected to the colonization of their lands and cultures, and the denial of their sovereignty, by a colonizing society....”<sup>5</sup> As such, the final “s” in “peoples” recognizes “that there are real differences between different indigenous peoples.”<sup>6</sup> I use both “Indigenous peoples” and “Indigenous communities” in this text when my sources lack more specific detail or when I am referring to the collective population of Indigenous peoples, whether in Bolivia or in the Andean region. Some sources, both primary and secondary, use other terms, either as a product of their time or based on their own philosophies about terminology.

In relation to the Indigenous communities in Bolivia, I am discussing peoples native to the Andes, belonging mainly to the Aymara and Quechua nations. These regions were the heart of colonization by the Spaniards and thus encompass the Indigenous communities who were

---

3. Manuela Lavinás Picq, *Vernacular Sovereignities: Indigenous Women Challenging World Politics* (Tucson: University of Arizona Press, 2018), xvi.

4. Linda Tuhiwai Smith, *Decolonizing Methodologies: Research and Indigenous Peoples* (London, United Kingdom: Bloomsbury Academic & Professional, 2012), 37-38.

5. *Ibid.*, 39.

6. *Ibid.*

most integrated with the state, which in part means that they were exploited and vulnerable to the laws that the state enacted. Within the Aymara and Quechua nations I focus on *comunarios*, who were Indigenous peoples living in autonomous communities or *ayllus*. There were also landless Indigenous peoples and workers on large, creole-owned *haciendas*, but *comunarios* were the most numerous in the nineteenth century and created their own local political organization, which is critical to their relationship with the state.<sup>7</sup> Besides Andean peoples, there are other Indigenous nations in the new republic of Bolivia that were never or seldom under colonial control, and though lower in numbers than the *altiplano* peoples, “the uncolonized controlled the majority of the territory of Latin America (and the Americas) until after 1860.”<sup>8</sup> Notably in eastern Bolivia are the Guaraní, who exercised “una permanente e indomitable resistencia a toda dominación” and only in the republican period did internal colonization start to impact Indigenous peoples in lowland Bolivia.<sup>9</sup> Another important part of the Bolivian population, though only numbering two hundred thousand in comparison to an estimated one million Indigenous peoples in the countryside (not counting those in the eastern lowlands), was the white creoles, who were the descendants of European colonizers and families settled in the Americas.<sup>10</sup> The elites of this group controlled the political, economic, and social life of the country after the revolution, which they had led without seeking equal alliances from non-white parts of the

---

7. Herbert S. Klein, *A Concise History of Bolivia*, 3rd ed., Cambridge Concise Histories (Cambridge: Cambridge University Press, 2021), 121.

8. Erick D. Langer, “Indigenous Independence in Spanish South America,” in *New Countries: Capitalism, Revolutions, and Nations in the Americas, 1750-1870*, ed. John Tutino (Durham and London: Duke University Press, 2016), 351.

9. Rafael Puente and Estela Machicado Montaño, *Recuperando la memoria: una historia crítica de Bolivia* (Santa Cruz, Bolivia: Fundacion Colonia Pirai, 2011), 220.

10. Klein, *A Concise History*, 121-22; Pilar Mendieta, *Entre La Alianza Y La Confrontación: Pablo Zárate Willka Y La Rebelión Indígena De 1899 En Bolivia*. (Lima: Institut français d'études andines, 2010), 51.



population.<sup>11</sup> Because there was such a tight connection between creoles and power, I use “elite” and “creole” interchangeably in the text.

In this paper, I first seek to establish the importance of writing and legal documents in Spanish colonies, connecting them to the implementation of colonialism and the “contact zones” created in these contexts. Documents and their varied uses are political tools. Second, to understand the debate over land in republican Bolivia, I consider colonial legacies of both rebellion and hierarchy and how the republican state, as well as Indigenous peoples, carried over their experiences of colonialism. In the third section, I explore Indigenous understandings of the land as I trace the thread of liberal discourse and the elite’s attempts to impose economic and political liberalism in the new country. This section also explores the dynamics between these two groups and how both sides conceived of their relationship to one another and to the land. Next, I look specifically at the 1874 *Ley de Exvinculación* and Andean peoples’ judicial and violent resistance to it since it marks a breaking point when the state finally was able to implement its liberal land ideas. Here I also look closely at the use of colonial land titles to oppose this law and the success that Indigenous communities had with them. In the seventh section, I briefly intervene in my own argument to consider what is overlooked or lost in the use of land titles. I conclude by situating Indigenous resistance within longer histories of struggle leading up to the present day to connect the legacies and continuation of rebellion in the nineteenth century to strategies in the twenty-first. This demonstrates how the past can be a way forward.

---

11. Forrest Hylton and Sinclair Thomson, *Revolutionary Horizons: Past and Present in Bolivian Politics* (London: Verso, 2007), 45, 48.

## I. Writing, History, and Legal Documents

For decades, scholars have recognized that colonization is a process that delegitimizes other ways of life in favor of a presumed single form of existence, and this is often evident through history and writing.<sup>12</sup> The Europeans arriving in the Americas brought a firm belief in the connection between “the accurate preservation of memory and the glorification of the past by means of alphabetic writing” that created “a powerful complicity between the power of the letter and the authority of history.”<sup>13</sup> This order continues in much of the Western world today, and is indeed why I am writing a thesis. While scholar Walter Mignolo specifies that the Spaniards understood there to be a “history” in the New World—that is, events, memories, and ideas that occurred in the past—they did not think of it as legitimate because there was no written record of it.<sup>14</sup> Instead, Andean peoples used very rich oral traditions and other mnemonic devices to record their history. However, the glorification of writing meant that the Spanish perpetuated “the idea that people without writing were people without history and that people without history were inferior human beings.”<sup>15</sup> Since Andean peoples did not have writing, their histories and traditions were not seen as equal to the Spaniards’ or as legitimate.

Two texts in particular illuminate the depth of the transformation of literacy and history that Spanish colonization caused. *Historia de los Incas*, written by Pedro Sarmiento de Gamboa in 1572, and the *Manuscrito de Huarochirí*, compiled around 1608, show how writing is involved and inherent in the attack on ideas as well as of territory. Although both texts were written relatively close in time, the differences in their representation of Incan and Andean

---

12. See especially chapter 3 of Walter D. Mignolo, *The Darker Side of the Renaissance: Literacy, Territoriality, and Colonization* (Ann Arbor, University of Michigan Press: 1995); Tristan Platt, “Writing, Shamanism and Identity or Voices from Abya-Yala,” *History Workshop*, no. 34 (1992).

13. Mignolo, *The Darker Side of the Renaissance*, 129.

14. *Ibid.*

15. *Ibid.*, 127.

history are striking. Sarmiento de Gamboa's positionality as a Spaniard in the service of the king reveals certain European mental tools that render illegitimate the possibility of an Indigenous history. His text, also called the *Segunda parte de la Historia General Llamada Indica*, was part of three volumes planned for King Felipe II with information on Spanish territory in South America. Sarmiento de Gamboa explained that he wanted to document the history of the Incas and the land in a definitive way, from "the origin of its natives until their end."<sup>16</sup> In contrast, the *Huarochirí* manuscript treats the Indigenous stories as true and current, most likely because it was compiled from Indigenous oral histories and many unknown authors, albeit from the orders of a creole priest. Furthermore, editor and translator Frank Salomon explains in his introduction to the manuscript that it was originally written in Quechua.<sup>17</sup> Father Francisco de Ávila commanded the compilation of stories about past and present Indigenous traditions to attack idolatry, but it also resulted in a great document of Indigenous religion, although it was already affected by the Spanish.<sup>18</sup> The two texts reflect the contemporary conception about history, which was that history needed to be recorded in text to be legitimate.

The conquest of the Inca Empire, and the Andes as a whole, was not an easy or complete process, and so writing and history were two contested ideas, as shown by these two texts. Sarmiento de Gamboa expresses values about literacy that are also expressed in the *Manuscrito de Huarochirí*, but the manuscript demonstrates Indigenous intervention in the process of domination. Sarmiento de Gamboa took it for granted that he could write a factual history about the Inca even though he did not respect or understand Indigenous historical methods. For

---

16. Pedro Sarmiento de Gamboa et al., *The History of the Incas* (Austin: University of Texas Press, 2007), vi.

17. Frank Salomon, Jorge Urioste, and Francisco de Avila, *The Huarochirí Manuscript: A Testament of Ancient and Colonial Andean Religion*, 1st ed (Austin: University of Texas Press, 1991), 24.

18. *Ibid.*, 26.

example, he titled one chapter as, “The origin fable of these barbarous Indians of Peru, according to their blind opinions” and writes inside that “the things that are here described as fables—which they are— these people hold to be as true as we hold those of our faith... However, through God’s mercy, some of them are now opening their eyes and learning what is true and what is false in these matters.”<sup>19</sup> While he was close to recognizing the importance of Indigenous spirituality by approximating it to his Catholic faith, he clearly held Indigenous testimony in contempt and only valued it when people converted to Catholicism. Since Sarmiento de Gamboa was confident that the Spaniards were superior in their understanding of history and religion, he felt comfortable commenting, almost indulgently, “But since we must write down what they say and not what we understand in this regard, let us hear what they believe about their first ages.”<sup>20</sup> This would be more neutral than other chronicles, but he judges Indigenous stories nonetheless. He calls them “tyrants” and declared, “Since these barbarous Indian nations always lacked writing, they had no means to preserve the monuments and memories of their times, ages, and ancestors in a truthful and organized manner.”<sup>21</sup> Setting up an explicit connection between writing and truth, he again disparaged the ability of Andean peoples to maintain memories and histories important to them and considered himself better equipped to record Andean history than they were.

The *Manuscrito de Huarochirí* reflects the influence of the Spanish in some ways but also subverts the ideology that European modes of history are the only ones. The manuscript contains a preface which is thought to be written by a Native scribe or editor of the manuscript. It reads, “If the ancestors of the people called Indians had known writing in earlier times, then the

---

19. Sarmiento de Gamboa et al., *The History of the Incas*, 46.

20. Ibid.

21. Ibid., 45.

lives they lived would not have faded from view until now. As the mighty past of the Spanish Vira Cochas is visible until now, so, too, would theirs be.”<sup>22</sup> Parts of this segment sound similar to Sarmiento de Gamboa’s work. The writer of this segment implies his acceptance of the utility of the Spanish method of record keeping, but he also demonstrates that the Spaniards have silenced Indigenous ways of knowing and record keeping. Unsaid but inherent in the statement, Andean knowledge-making was fundamentally disrupted by the invasion of the *conquistadores*. Demographic collapse was devastating, for example, to the use of Andean *quipus*, which need an “intimacy between object and person” who interprets the categories of knowledge recorded in the strings.<sup>23</sup> Perhaps the unnamed editor expressed his belief that if the Indigenous peoples had had alphabetic writing at the time of invasion, the Spaniards’ effects on Andean memory preservation would have been minimized. Additionally, the text itself is an intervention into the destruction of colonization. Although the text was commissioned to persecute Andean traditions, the scribe(s) of the manuscript appropriated writing to document oral histories, and thus preserved their traditions, which were consistently under more pressure from the church. Nonetheless, the process of colonization by the Spaniards radically changed how writing and memory were connected, both by trying to erase alternative modes of history and by undermining the perceived rationality of anything but the European method.

The Spaniards’ emphasis on written records as the most valuable form of documentation informed how they constructed their colonial rule. Legal documents, including land titles, particularly demonstrate of how the Spanish instituted the regime. J. H. Elliot calls Spanish rule in the colonies a “form of government by paper” that developed along with the colonies

---

22. Salomon, et al., *The Huarochiri Manuscript*, 41.

23. Joanne Rappaport, “Object and Alphabet: Andean Indians and Documents in the Colonial Period,” in *Writing Without Words: Alternative Literacies in Mesoamerica and the Andes*, eds. Elizabeth Hill Boone and Walter Mignolo (Durham: Duke University Press, 1994), 284.

themselves.<sup>24</sup> As subjects of this rule, Indigenous peoples interacted with this system, and as such, Joanne Rappaport states, “from the colonial period to the present, the legal document has constituted the major genre of written expression and of communication across the two cultures and of codification and transmission across time of indigenous oral and spatial memory.”<sup>25</sup>

Within a largely illiterate Indigenous population who did not speak Spanish, legal documents carried great weight for those who possessed and interpreted them. For example, *caciques* were Indigenous leaders who served as intermediaries between their communities and the colonial administration, and were either literate or had access to scribes and interpreters.<sup>26</sup> Their

leadership was both confirmed and heightened by possessing and using Spanish documents:

“Because legal papers were drafted by individuals active in community activities and retained and read by them and by their heirs, they exerted such a great influence on the community.”<sup>27</sup> It

was not necessarily the contents of the documents, but the legal weight they carried and therefore the power they bestowed, that mattered the most. Thus, it was not only the writing itself, “but the

legal idiom in which the contents of documents are cast and thereby legitimized, and the administrative structure through which they are operationalized, that has determined the

transformation of Andean society through the domination of the written word.”<sup>28</sup> Rappaport

affirms that the way literacy was used undermined native forms of authority and knowing as

much or more than prioritizing alphabetic writing.

The importance prescribed to documents in their materiality reveals the significance how the Spanish documentary system operates. Writing during the time of colonization was

---

24. J.H. Elliott, *Spain and its World 1500-1700: Selected Essays* (New Haven: Yale University Press, 1989), 15, quoted in Jürgen Osterhammel, *Colonialism: A Theoretical Overview*, trans. Shelley L. Frisch (Princeton: Markus Wiener Publishers, 2005), 30.

25. Rappaport, “Object and Alphabet,” 272.

26. *Ibid.*, 276.

27. *Ibid.*, 275-76.

28. *Ibid.*, 272.

considered “an image of the truth lodged in things,” in other words, an absolute representation of a thing because it was that thing but on paper.<sup>29</sup> As such, “the relationship between orality, literacy, and object was different from what we perceive today... colonial literacy can be understood as oral communication set down in writing or as ritual acts described in detail, over and over again.”<sup>30</sup> Likewise, scholar Tristan Platt emphasizes the interconnected nature of orality and literacy, stating that Spanish governance “was achieved through a combination of oral and written procedures.”<sup>31</sup> Rappaport elaborates on the example of inscribed rituals in the legal record. Instead of scribes simply writing that repeated rituals took place (using “the economy of expression” that we would recognize today), the rituals “are described in painstaking detail, over and over again.”<sup>32</sup> Writing validated present events just as it validated history; records were not merely expressions of an event, but a representation of the event in and of itself. Thus, the materiality of the documents mattered.

This materiality is especially important for land titles, since “possession of the title meant possession of the object.”<sup>33</sup> Colonial land titles were by and large communal titles that delineated the territory belonging to entire communities.<sup>34</sup> Some titles were for specific *caciques*, who as authority figures had their own lands, but affirmations of a *cacique*'s leadership could also legitimize his or her community's boundaries.<sup>35</sup> The various kinds of land titles incorporated Indigenous territory into the Spanish written system and also provided powerful referents for protection of lands and thus communal autonomy. Pilar Mendieta describes the “*memoria viva*” of colonial land titles during the nineteenth century. This memory was stored and conserved in

---

29. *Ibid.*, 273.

30. *Ibid.*

31. Platt, “Writing, Shamanism and Identity,” 139.

32. Rappaport, “Object and Alphabet,” 274.

33. *Ibid.*, 280.

34. *Ibid.*, 282.

35. *Ibid.*, 283.

the papers. The papers both spoke for themselves through the writing and their materiality and additionally served as “apoyo a la memoria oral de los comunarios....”<sup>36</sup> The papers reinforced collective memory of land rights. The documents even became sacred subjects of purification rituals, which Mendieta mentions could have happened in the nineteenth century and did happen in the twentieth.<sup>37</sup> The Taller de Historia Oral Andina (THOA) records the testimony of Celestina Warku, daughter of Santos Marka T’ula, in which she recalls the offerings that the *yatiri*, or female ritual and spiritual leader, made to the papers. Many communities brought offerings for the ceremonies “destinadas a la purificación de los documentos y títulos de la comunidad” that would go with the *apoderados* on journeys to cities to fight legal battles.<sup>38</sup> In 1979, Thomas Abercrombie recounts how a Quechua man, don Pablo Choquecallata, had a vivid memory of his town’s history and his own life intertwined with it, which included a set of documents and land titles with which he and his ancestors had traveled.<sup>39</sup> Still during the late twentieth century, Choquecallata and other local authorities placed a high value on these land titles that dated as far back as 1593.<sup>40</sup> Land titles were prized possessions imbued with special significance since colonial times.

While the imposition of European literacy norms and Spanish legal conventions subsumed Indigenous peoples into the colonial system, and the value ascribed to documents in Indigenous communities supports that, these norms were not integrated into the colony untouched. One useful way to understand this is through the concept of “contact zones,” which Mary Louise Pratt describes as “social spaces where cultures meet, clash, and grapple with each

---

36. Pilar Mendieta, *Entre La Alianza Y La Confrontación: Pablo Zárate Willka Y La Rebelión Indígena De 1899 En Bolivia*. (Lima: Institut français d’études andines, 2010), 113.

37. Ibid.

38. THOA, *Mujer y Resistencia Comunitaria*, 45-46.

39. Thomas Abercrombie, *Pathways of Memory and Power: Ethnography and History among an Andean People* (Madison, Wis: University of Wisconsin Press, 1998), 8-9.

40. Ibid.



other, often in contexts of highly asymmetrical relations of power, such as colonialism, slavery, or their aftermaths as they are lived out in many parts of the world today.”<sup>41</sup> As Pratt asserts, frontiers of interactions where worlds meet are not one-sided, even when one side has more power. Similarly, Tristan Platt pushes back against discourses that promote a generalized modernizing *mestizaje* and he asserts that Andean use of archives “represents an attempt to appropriate the forms of European legal discourse and inscription in order to bind the colonizers *in their own terms* to a recognition of the social and cultural distinctiveness of the colonized.”<sup>42</sup> Andean peoples did not indiscriminately accept systems that were imposed by the Spanish, but rather strategically adapted them with the information that they had in their contexts.

In the process of this appropriation and adaptation, Indigenous peoples modified Spanish systems so that they gained a different usage than as originally designed. Pratt emphasizes sociologist Fernando Ortiz’s term “transculturation” to analyze cultural production in the Andes under colonial rule. Transculturation describes “processes whereby members of subordinated or marginal groups select and invent from materials transmitted by a dominant or metropolitan culture.”<sup>43</sup> Importantly, while Andean peoples could not control what came from the dominant regime, people in contact zones “do determine to varying extents what gets absorbed into their own [culture] and what it gets used for.”<sup>44</sup> For example, Joanne Rappaport examines the use of traditional Incaic symbols of leadership in the wills of *caciques* in Tuza, modern-day Northern Ecuador, in the early seventeenth century. Using the Spanish apparatus of a will, these *caciques* listed items, like the woven cloth *qompi*, “that made it clear to the colonial administration and to

---

41. Mary Louise Pratt, “Arts of the Contact Zone,” *Profession*, (1991): 34.

42. Platt, “Writing, Shamanism and Identity,” 144.

43. Pratt, “Contact Zone,” 36.

44. *Ibid.*

their heirs that they had been recognized as authorities by the Incas.”<sup>45</sup> These wills reveal that the negotiation of authority here went in many directions. The heirs had a colonial legal recourse for their inheritance, which included Andean expressions of leadership, such that the Spanish had to accept that expression because it was in writing. Though the Inca no longer had political authority, and indeed had never had it in Tuza, “It was under European authority that certain Incaic symbols were revalidated and recontextualized in the colonial political arena, operationalized in part through writing.”<sup>46</sup> The *caciques* in Tuza were aware of both the Spanish emphasis on written documentation and the clout of Incan inheritance to the Spanish, and so strategically designed their wills to take advantage of both. They invented a way to use the Spanish systematization of writing and selectively accepted Spanish values to ensure their own local power and understanding.

The Spanish at times became aware that they did not control every use of their own documentary system. Antonio Tandazo Montoya y Minchala, one Native man from now southern Ecuador, asserted that he had royal decrees that gave him authority wherever he desired. These decrees were found to have been fabricated by Tandazo, but the Spaniards were still “deeply concerned” because “they themselves recognized the tremendous force of authority that the written word wielded within their own system.”<sup>47</sup> When the Spanish legal system relied so heavily on documentation, it became vulnerable to the manipulation of the system through people who understood how to mimic and employ the documentary practices. Pratt takes a different approach in “Arts of the Contact Zone,” because she notes that an “image of universally shared literacy” that often accompanies the vision of “language as shared patrimony” is usually

---

45. Rappaport, “Object and Alphabet,” 276. Note that Rappaport is specifically investigating regions and ethnic groups that were only briefly or were not part of the Tawantinsuyu.

46. *Ibid.*, 277.

47. *Ibid.*, 278.

flawed, since not all who communicate operate with the same norms.<sup>48</sup> In unequal relationships, like colonialism, the dominant party generally determines what is considered correct for communication, “regardless of what other parties might see themselves as doing.”<sup>49</sup> This is reflected in the Andean case because all these people, the *caciques* and people like Antonio Tandazo that took advantage of any access to writing and documentation, were still operating within the format that the Spanish imposed. The rules about what documents were valid and what kinds of records were accepted were determined by the colonial administration. However, the “other parties” did see themselves as doing something different than what the Spanish expected. Their novel usage of colonial documentary methods did change how the Spaniards recognized their legitimacy, whether by forcing recognition of Incaic symbols in wills where they were not historically relevant or taking advantage of the hegemonic power of written records in the administration. Ultimately, these clashes over the written word would continue and revealed the discrepancies between creole republican and Andean conceptions of what the state owed the other party.

---

48. Pratt, “Contact Zone,” 38.

49. *Ibid.*

## II. Colonial Life, Continuity, and Resistance

Andean peoples had a fascinating strategy of triangulation during Bolivian nation-building. Triangulation refers to the use of two known points to determine the location of a third point.<sup>50</sup> In the case of Andean peoples, they used two known points to bring about a third point. Using their understanding of the colonial state and their own demands, they attempted, with various degrees of success, to push the republican state into a specific position. Since the post-independence Bolivian state was nowhere near consolidated, the power of Indigenous communities could compel certain behaviors from the new state. One of the most contentious points between Indigenous peoples and the state in the nineteenth century was land, and the republican state inconsistently attempted to dramatically change the relationship between Indigenous nations and their territory. For Andean peoples, the loss of their land meant also “el quiebre de su autonomía, el desmantelamiento de su universe simbólico y de su identidad colectiva.”<sup>51</sup> However, for most elite creoles, land was a resource, and as such confrontations over land had very high stakes. Starting from the legacy of colonialism and the Bourbon Reforms, Bolivian nation-builders sought to create a “modern” state based on the Enlightenment liberal ideals of individualism and citizenship. They also confronted resistance, just as the Spanish Crown had.

The Bourbon Reforms were conservative, hierarchical measures to centralize the colonies back towards Spain. These reforms signaled an attempt to revitalize the colonies for the Spanish Empire and were to become a last-ditch effort to modernize the empire to stay competitive with other imperial forces like Britain and France. For Indigenous peoples, these reforms were

---

50. I first came across this word in this context in Manuela Lavinás Picq’s *Vernacular Sovereignities: Indigenous Women Challenging World Politics* (Tucson: University of Arizona Press, 2018).

51. THOA, *Mujer y Resistencia Comunitaria*, 14.

another conquest.<sup>52</sup> Indeed, the Spanish had found that the Audiencia of Charcas's (what became Bolivia) most "extraordinary resource," other than ore, was Indigenous labor.<sup>53</sup> Much of the agricultural prosperity following the Bourbon Reforms "resulted from more extensive use of land and labor,"<sup>54</sup> rather than new techniques, putting a greater strain on Indigenous communities. Mining, the major industry for the Charcas, also known as Upper Peru, was almost entirely dependent on Indigenous labor, most of it forced through the *mita*. Even before the reforms sought greater economic productivity, the forced labor in the Potosí mines was one of the most oppressive colonial obligations. The *mitayos*, the miners, were paid less than a subsistence wage even though they were away from their communities and had to provide their own food and support their families.<sup>55</sup> While the *mita* only applied to men, women also had to enter the labor force to make up the difference to what men were earning in the mines or to support their household in their community.<sup>56</sup> The conditions of work were deplorable. Thus, both men and women were deeply exploited and "treated as virtual slaves by colonial men of business."<sup>57</sup> The Bourbon Reforms exasperated these exploitative practices.

Unsurprisingly, these conditions met with rebellions and uprisings, and this time creoles and mestizos were involved too. The increased "fiscal extraction" throughout the colonies "provoked alienation, political realignments, and social unrest among different groups within New World society."<sup>58</sup> Varied social classes agitated or revolted over the Bourbon Reforms in

---

52. Langer, "Indigenous Independence," 353.

53. Klein, *A Concise History*, 33.

54. Benjamin Keen and Mark Wasserman, *A History of Latin America*, 3rd ed (Boston: Houghton Mifflin Company, 1988), 122.

55. Klein, *A Concise History*, 39.

56. Irene Silverblatt, *Moon, Sun, and Witches: Gender Ideologies and Class in Inca and Colonial Peru* (Princeton University Press, 1987), 135-36.

57. *Ibid.*, 136.

58. Forrest Hylton and Sinclair Thomson, *Revolutionary Horizons: Past and Present in Bolivian Politics* (London: Verso, 2007), 37.

the 1770s.<sup>59</sup> By far the largest rebellion and that with the most impact was the Great Rebellion of Bartolina Sisa and Tupaj Katari in 1780 and 1781.<sup>60</sup> This was just one in a “chain of regional insurgencies” led by Indigenous people that first emerged in the department of Potosí under Tomás Katari, then spread to Cuzco with Tupaj Amaru.<sup>61</sup> An Aymara commoner in La Paz, Julián Apaza, then took the name Tupaj Katari “to identify himself with the prestigious leaders” who were also rebelling, and along with his partner Bartolina Sisa set up an insurgent camp in El Alto, overlooking the city of La Paz.<sup>62</sup> They laid siege to the city starting in March of 1781. Like Amaru, Tupaj Katari invited creole and mestizo peoples to abandon the royalist cause and overthrow the colonial order, but few did. Those that had sought alliances with Amaru “backed away” as the creoles “realized the limits of their own power within the movement, the strength of mobilized peasant community forces, as well as the military vulnerability of the insurgents.”<sup>63</sup> Forrest Hylton and Sinclair Thomson also emphasize the “bottom-up dynamic” of these insurgencies. *Caciques* and Inca nobility mostly sided with the Spaniards, so peasant communities, such as the one Tupaj Katari came from, constituted the bulk of those fighting the colonial yoke.<sup>64</sup>

Between March and June and again from August to October, residents of La Paz “suffered constant attack as well as punishing famine, disease, and despair.”<sup>65</sup> Katari and Sisa’s forty thousand troops, along with Quechua forces coming down from Cuzco after Tupaj Amaru was captured, successfully attacked the city and its royalist forces, displaying “remarkable unity

---

59. Ibid.

60. Langer, “Indigenous Independence,” 353.

61. Hylton and Thomson, *Revolutionary Horizons*, 39-40.

62. Ibid., 41.

63. Ibid.

64. Ibid., 42.

65. Ibid.

in mobilization as well as tenacity in combat.”<sup>66</sup> Eventually, Spanish forces arrived from Lima and Buenos Aires to break the siege and its leaders were executed, but the Spaniards, creoles, and other non-Indigenous people truly felt the power and fury of the Aymara and Quechua masses. King Carlos IV’s prime minister Manuel de Godoy recalled, “No one ignores how close we were to losing, around the years 1781 and 1782, the entire Viceroyalty of Peru and part of the Viceroyalty of Río de La Plata when the standard of insurrection was raised by the famous Condorcanqui [Tupaj Amaru]... answered and aided in the province of La Paz by the bloody Tupa-Catari.”<sup>67</sup> Hylton and Thomson posit that this experience resulted in two things for the creoles. First, they “had every reason to fear and avoid the prospect of unleashing” the force of Indigenous mobilization in the future.<sup>68</sup> This fear would rear its head periodically throughout the nineteenth century. Second, a “radical minority” of creoles realized that Spanish control was vulnerable and if they, occupying “a strategic position in colonial society,” opposed imperial rule, they might be able to achieve independence where Indigenous peoples had not.<sup>69</sup> The Bourbon Reforms, then, instigated this rejection of colonial control, but the creoles and the Indigenous peoples had incredibly different experiences of that control and distinct goals for life after the Spanish.

At the beginning of the nineteenth century, Spanish control was even shakier than in the 1780s. Napoleon invaded Spain in 1807, Ferdinand VII abdicated, and the Junta Central in southern Spain claimed to be the legitimate Bourbons.<sup>70</sup> Additionally, the Haitian and United States revolutions “had a profound impact on changing the dependent concepts of colonial

---

66. Ibid.

67. Quoted in Hylton and Forrest, *Revolutionary Horizons*, 35

68. Ibid., 43.

69. Ibid.

70. Klein, *A Concise History*, 89.

American thinking.”<sup>71</sup> Creoles in the Audiencia of Charcas were the first to declare independence from Spain in 1809, but they were the last colony to actually gain it. Strategic areas in the region went in and out of republican hands. The first mostly urban uprising was crushed by royalist forces in early 1810, but then guerrilla *republiquetas* controlled important rural areas and “were effective allies in the various republican invasions, which would come from the outside.”<sup>72</sup> As royalist and republican tides ebbed and flowed across the continent, both sides recruited Aymara and Quechua support, including another Indigenous siege of La Paz in 1812 on the side of the rebels.<sup>73</sup> At this level of mobilization, “the independence movement proved difficult to contain, so the level of physical destruction and social dislocation became quite massive.”<sup>74</sup> Though no longer leading the anti-colonial struggle, Indigenous peoples suffered the violent consequences of it. Meanwhile, republican armies from the new state of Argentina and royalist forces from Lower Peru would periodically attempt to control Upper Peru but failed to instate anything lasting.<sup>75</sup> From 1816 until 1825, Upper Peru was strongly royalist until Simón Bolívar and Antonio José de Sucre led the republican army to defeat this last royalist stronghold. Hylton and Thomson point out that Tupaj Amaru had imagined a post-colonial world where all people would “live together like brothers and congregated in a single body,” but with “Indian political hegemony.”<sup>76</sup> Now, the colonizers were gone, but “creole liberators sought to incorporate subordinate Indians under enlightened white hegemony.”<sup>77</sup> Thus, the colonial order, if not the colony, remained.

---

71. Ibid.

72. Ibid., 93.

73. Hylton and Forrest, *Revolutionary Horizons*, 44.

74. Klein, *A Concise History*, 95.

75. Hylton and Forrest, *Revolutionary Horizons*, 44-45.

76. Ibid., 45.

77. Ibid.



### III. Liberalism, the Tributary Pact, and Land

The model of a colonial, European-style republic occurred throughout Latin America as elite creoles directed revolutions and state-building. In *México Profundo: Reclaiming a Civilization*, Guillermo Bonfil Batalla sets out to explain the existence of and difference between the imaginary, elite Mexico, and the Indigenous, Mesoamerican *México profundo*, meaning literally “deep Mexico.” The peoples that make up the *México profundo* are “the bearers of ways of understanding the world and of organizing human life that have their origins in Mesoamerican civilization,” but they have been repressed and denied, which created the current split in modern Mexico.<sup>78</sup> Similarly, the creoles of Upper Peru imagined a modern state, but used European ideals to build it and were not attendant to the masses of Indigenous peoples and their civilization. Bonfil Batalla argues that there was no transformation of the hierarchical colonial order for the peoples of *México profundo* in the Mexican Revolution, even though it did involve non-elites. The creoles envisioned themselves creating a modern, progressive nation, yet “Mexico grew out of a colonial society in which social differences, polarized by the presence of two different civilizations, have been employed to justify the domination of different minority groups....”<sup>79</sup> The disarticulation between how the elite imagined Mexico and the reality of *México profundo* is akin to what happened in Bolivia upon independence.

Bolivian state-builders wanted to create a new state free from the Spanish empire and were inspired by European liberalism to do so. While the Bourbon Reforms had clearly created significant opposition, they also crystallized Spanish Americans’ desires for power and certain revisions to economic and social systems. Indeed, the last free trade reforms from the Crown

---

78. Guillermo Bonfil Batalla, *México Profundo: Reclaiming a Civilization*, trans. Philip A. Dennis (Austin: University of Texas Press, 1996), 1.

79. *Ibid.*, 97-98.

towards the end of the eighteenth century influenced the pervasive liberal transformation that most Latin American states attempted to instate after independence. In 1778 the Spanish Crown decreed that free trade was legal between most Spanish American ports, which created “a spectacular increase in the value of Spain’s commerce with Spanish America.”<sup>80</sup> While other economic factors were also at play, the success of free trade for creole Americans and other social reforms “habían mostrado los potenciales beneficios de un relajamiento de los controles económicos estatales” leading state-builders to propose “varias reformas sociales y económicas, en consonancia con su concepción liberal de la sociedad.”<sup>81</sup> As such, much of the philosophy behind Bolivia’s state-building was both European and colonial, as Bonfil Batalla argued. Rafael Puente highlights how liberalism was rationalized to fit into this model, “La ideología imperante, llamada a justificar el modelo económico y político, consistirá en un liberalismo de discurso, en la práctica combinado con una mentalidad netamente feudal y colonial, además de oscurantista y clerical.”<sup>82</sup> State-builders wanted to construct a nation “on the European model, thereby prolonging European hegemony in the region throughout the 19th century and beyond.”<sup>83</sup> This maintained the distance of the state from Indigenous values and life, just like the colonial state. Other colonial carryovers included a government structure that valued written law and documentation. The way that this manifested and affected Indigenous peoples varied throughout the century, as we shall see.

Most important to creole elites was the idea of “enlightened liberalism,” a term that roughly encompassed goals for the state economically and ideologically. Tristan Platt defines

---

80. Keen and Wasserman, *A History of Latin America*, 120.

81. Erick D. Langer, “El liberalismo y la abolición de la comunidad indígena en el siglo XIX,” *Historia y Cultura* 14 (October 1988): 60.

82. Rafael Puente and Estela Machicado Montaña, *Recuperando la memoria: una historia crítica de Bolivia* (Santa Cruz, Bolivia: Fundacion Colonia Pirai, 2011), 196.

83. Tristan Platt, “Liberalism and Ethnocide in the Southern Andes,” *History Workshop*, no. 17 (1984), 15.

enlightened liberalism as white minorities' ideology that they were "the bearers of the torch of Reason in America,"<sup>84</sup> associated with "a vision of 'historical progress' which is thought to be expanding to embrace all humanity."<sup>85</sup> This modernization included an attempted overhaul of the relationship between the state and Indigenous peoples. In line with liberal economic and political philosophy, early state-makers wanted Bolivian citizenship to conform to a male individual with a discrete relationship to the state. As such, the existing *república de indios*, where Indigenous peoples had communal rights and autonomy guaranteed by the colonial state, was incompatible with the new nation. Military and political leader Simón Bolívar articulated early that Indigenous communities would not fit a modern nation-state. He decreed in 1824 that Indigenous peoples should be considered individual property owners integrated into the state, which set in motion the first system in Bolivia for the distribution of land to Indigenous heads of household and the auction of any remaining land.<sup>86</sup> This would then force Indigenous peoples to assimilate into the workings of the creole state.

These liberal ideals were unrealistic, however, in a state gaining independence in 1825 after "almost sixteen years of bitter civil war, of serious loss of life, and of severe economic and social dislocation."<sup>87</sup> The reality of post-Independence Bolivia did not support a societal transformation, at least not while state leaders wanted to keep the treasury full and hierarchies in place. In 1827, the government in Sucre reversed the Bolivarian decrees and implemented tribute again. Bolivia sustained a tribute tax in some form for much of the nineteenth century because the country's economic decline after independence meant that tribute was the most accessible and reliable source of income for decades. In 1846, tribute accounted for 54 percent of state

---

84. *Ibid.*, 4.

85. *Ibid.*, 15,

86. Langer, "El liberalismo y la abolición," 60-61.

87. Klein, *A Concise History*, 98.

revenue, in comparison to the late eighteenth century, when tribute “accounted for less than 25 percent of Crown revenues.”<sup>88</sup> Even as industry started to recover, Herbert Klein notes that in 1860 “the tribute tax was still double the income of any other source of national revenue and accounted for 36 percent of the budget.”<sup>89</sup> Liberalism, to the chagrin of early creole elites, could not be and was not a reality for Indigenous peoples in Bolivia.

Besides the failure to institute a “modern” economic system in Bolivia, several scholars note the increasing independence of Indigenous communities after the end of Spanish colonialism.<sup>90</sup> The economic stagnation in Bolivia not only made the state dependent on Indigenous production, but it also reinforced local and regional Indigenous economies and autonomy. Historian Erick Langer uses John Tutino’s term “decompression” to describe the time when “extractive colonial economies collapsed and state confiscatory powers weakened” so that while “political visionaries faced the complex conflicts of nation building, many Indigenous peoples enjoyed unprecedented decades of power and prosperity.”<sup>91</sup> Since tribute supported the national economy, Indigenous communities were mostly free to continue existing as they had been both socially and economically. This did depend on the region, as areas with more *haciendas* and small landholding, like Cochabamba, had a different relationship to the state than the highlands where *ayllus* were predominant. Brooke Larson completes a detailed analysis in *Cochabamba, 1550–1900: Colonialism and Agrarian Transformation in Bolivia*, and asserts,

Compliance [with the state] in the highlands and resistance in the valleys can be understood only in the light of the different social legacies of colonial rule. For many highland *ayllus*, tribute symbolized state protection of communal lands even after the independence wars were won. But in the Cochabamba valleys, the primacy of agrarian

---

88. Brooke Larson, *Trials of Nation Making: Liberalism, Race, and Ethnicity in the Andes, 1810-1910* (Cambridge, UK: Cambridge University Press, 2004), 211; Klein, *A Concise History*, 105.

89. Klein, *A Concise History*, 129.

90. Larson, *Trials of Nation Making*, 211-12; Langer, “Indigenous Independence” and “Bringing the Economic Back In: Andean Indians and the Construction of the Nation-State in Nineteenth-Century Bolivia,” *Journal of Latin American Studies* 41, no. 3 (August 2009); Mendieta, *Entre La Alianza*, 58.

91. Langer, “Indigenous Independence,” 351-52.

class relationships had marginalized the patron-state and undermined its ability to extract tribute.<sup>92</sup>

Highland peoples were more willing to continue with tribute because it did not disrupt their accustomed way of life. Indigenous peoples' experiences with the state, then, depended on their own practices and those of the communities around them, but *ayllus* did account for most of the agricultural land in Bolivia for much of the nineteenth century. Thus, these communities that did contribute to the tributary pact especially significant. Though censuses were not consistent, the first national census in 1846 coupled with research into tribute registries demonstrate that in 1880, "peasant communities still held half the land and half the population" of Bolivia.<sup>93</sup> In fact, between 1838 and 1877, historian Erwin Grieshaber found that in La Paz, Oruro, and Potosí, the population of Indigenous peoples in villages or *ayllus* grew by 24 percent, whereas *hacienda* servants decreased by 4 percent.<sup>94</sup> The continuation and even growth of these communities demonstrates both why the state would leave them to their own devices to prosper and pay tribute and how the Indigenous peoples took advantage of the state's lack of ability to control its new territory.

However, implicit in the phenomena of decompression is the fact that Indigenous peoples had a minimal role in building the nation state, at least officially. As such, their relative autonomy during this period came at the cost of political and social equality, since the failure of the state to impose an "ideal" citizen meant that Indigenous peoples were not considered full citizens. In fact, many Indigenous peoples wanted to have what Platt has called "a hybrid tributary-citizenship status," in which they could demand services from the state and recognition

---

92. Brooke Larson, *Cochabamba, 1550–1900: Colonialism and Agrarian Transformation in Bolivia* (Durham: Duke University Press, 1998), 309.

93. Larson, *Trials of Nation Making*, 206.

94. Erwin P. Grieshaber, "Survival of Indian Communities in Nineteenth-Century Bolivia: A Regional Comparison," *Journal of Latin American Studies* 12, no. 2 (1980): 236.

of their territory and land, based on the reciprocal pact they had as tributaries.<sup>95</sup> Furthermore, the tributary pact between the state and communities reinforced existing Indigenous values of reciprocity. However, this pact was not the model of the liberal and individualist citizen and thus, to elite creoles following a European system, Indigenous peoples were backward and unenlightened.

Regardless, elites were willing to keep up the pact. Larson states that “Bolivia’s early republican leaders quickly bowed to Indigenous claims (as well as to the general antiliberal sentiment) because they, too, were eager to restore the tribute system in the late 1820s...”<sup>96</sup> Besides economic motivations, Rosanna Barragán argues that this eagerness was at least in part due to the legitimacy that the creole leaders gained from having a subordinate group to govern. She explains that since the post-independence civil and criminal codes “did not differentiate among members of Bolivian society, distinctions were made in their application” based on differences between social groups.<sup>97</sup> By institutionalizing these distinctions in legal codes, Barragán asserts that “Bolivia is a case where the elites created a republic based on hierarchical differences: thus, the Indian population was not excluded from the nation, it was an integral part of the new state, but in a subordinate position.”<sup>98</sup> This submission of Indigenous peoples to creole elites was encoded in their hybrid-tributary status and their barring from political participation, but in practice, Indigenous communities had many freedoms. Erick Langer states, “Across the Andes, the basis for peasant organization, the *república de indios*, was strengthened

---

95. Tristan Platt, as quoted in Larson, *Trials of Nation Making*, 212. See also Platt, “The Andean Experience of Bolivian Liberalism, 1825-1900: Roots of Rebellion in 19th-Century Chayanta (Potosí)” in *Resistance, Rebellion, and Consciousness in the Andean Peasant World, 18th to 20th Centuries*, edited by Steve J. Stern (Madison: University of Wisconsin Press, 1987), 286.

96. Larson, *Trials of Nation Making*, 212.

97. Rossana Barragán, “The Spirit of Bolivian Modernity: Citizenship, Infamy and Patriarchal Hierarchy,” *Economic and Political Weekly* 32, no. 30 (1997): 60.

98. *Ibid.*, 63.

as weak states relied on Indigenous leaders to administer villages and collect tributes; the persistence of tribute fortified the village structures put in place to collect it.”<sup>99</sup> The political order was achieved locally through Indigenous representatives, limiting the actual reach of the creole officials. Thus, while considered politically and socially inferior, Andean peoples’ exclusion from the Bolivian state did provide them with economic, local, and strategic power.

As other industries failed, the *altiplano* Indigenous peoples were in many ways the economic backbone of the new state. Langer analyzed the continued broad trade networks that Andean peoples maintained well into the nineteenth century, asserting that outside of Potosí, “commerce and transportation of minerals were as important as agriculture in sustaining Indian households, possibly more so.”<sup>100</sup> These lucrative trade networks “reflected the continuation of colonial networks that transcended the new republican political boundaries” and furthermore, “[t]he extensive participation in these circuits was far greater than had occurred earlier.”<sup>101</sup> Not only was social life still revolving around the local community, but economic life was also not confined to the state. *Altiplano* Indigenous peoples, then, had both a sense of identity and place beyond the new nation state and within their own region. Their exception from the state cemented their sense of identity with their communities and networks. This was compounded by the maintenance of an essentially colonial state. The decompression and continued state reliance on tribute solidified Andean people’s feelings of belonging to their specific land through a reciprocal pact with the state. While tribute was given different names at different times, the *contribución personal* was only paid by Indigenous peoples, so “each Indian male between fifteen and fifty paid a tax in return for access to community land. That pact made explicit a

---

99. Langer, “Indigenous Independence,” 361.

100. Erick D. Langer, “Bringing the Economic Back In,” 532.

101. *Ibid.*, 537.

relation implicit in the Spanish colonial order. It also made new states dependent on Indigenous communities and gave their members, especially their men, a sense of entitlement to their lands.”<sup>102</sup> While this entitlement also dates to the colonial period, it is significant that it was enabled or encouraged in early statehood since it forms a specific interpretation of the responsibility of the republican state to Indigenous peoples. The state benefitted from having productive Indigenous communities, and the communities benefitted from weak regulation and some improvement from their situation under the Spanish.

Importantly, Indigenous people’s connections to their land were and are different than European models of land ownership. While Eurocentric understandings of land are taken for granted in many parts of the world, they bear elaborating on here, if only to heighten the contrast to Indigenous peoples’ perceptions. Anthropologist Marisol De La Cadena analyzes the emergence of earth-beings in politics in the twentieth and twenty-first centuries and contends that “these objects are contentious [in mode of presentation] because their presence in politics disavows the separation between ‘Nature’ and ‘Humanity,’ on which the political theory our world abides by was historically funded.”<sup>103</sup> She explains that as science and politics developed as fields, they became mutually exclusive, with science standing for the “objective representation of nature” while politics “is the negotiation of power to represent people vis-à-vis the state.”<sup>104</sup> Thus, anything relating to nature did not belong in the political sphere: “Sustaining the notion of the political that eventually became hegemonic was the ontological distinction between ‘Humanity’ and ‘Nature,’ the creation of the ‘natural Man,’ his sentence to inevitable extinction

---

102. Langer, “Indigenous Independence,” 361.

103. Marisol De La Cadena, “Indigenous Cosmopolitics in The Andes: Conceptual Reflections beyond ‘Politics,’” *Cultural Anthropology* 25, no. 2 (2010): 342.

104. Ibid. This is grounded in debate between Thomas Hobbes and scientist Robert Boyle.



along with his other-than-human beings....”<sup>105</sup> Since European notions of humanity were so definitively divorced from nature, land and territory were and often still are considered inanimate and situated in one-way resource relationship where humans are the beneficiaries. Like with writing and history, Indigenous peoples had a different understanding of land and their relationship to it than most Europeans, so they were relegated to the “natural Man” category and seen as primitive and not rational.

In contrast to colonial views of land, Indigenous peoples value a reciprocal and collective relationship with land. They hold communal land as critical to Indigenous life because through its collective care, people express their symbolic universe and their values. It is difficult to translate meaning across languages and speaking in Quechua or Aymara would express many more connotations and understandings of the world than what come across in Spanish or English.<sup>106</sup> However, because land and territory are so important for Indigenous peoples around the globe, I will attempt to share some Andean understandings of the land. Xavier Albó, investigating Aymara religiosity, describes Mother Earth, the Pacha Mama: “Pacha Mama is both one and many. She is present everywhere, even in the wild and dangerous areas, and she is distinguished in a very personal and particular way in each parcel of ground as *uywiri* (caretaker) of the family that cultivates it.”<sup>107</sup> The earth is imbued with spirituality and sentience, to which each person contributes as they work the land. Land is in itself foundational to existence, “Life springs from the earth and therefore, once again, the great intermediary for production is Mother Earth.”<sup>108</sup> Irene Silverblatt, in her influential study *Moon, Sun, and Witches: Gender Ideologies*

---

105. Ibid., 344.

106. De la Cadena terms one form of this inability to translate “equivocation,” which occurs when “different perspectival positions—views from different worlds, rather than perspectives about the same world—use homonymical terms to refer to things that are not the same.” Ibid., 351.

107. Manuel M. Marzal, Eugenio Maurer, Xavier Albó, and Bartomeu Melià, *The Indian Face of God in Latin America* (Maryknoll, N.Y.: Orbis Books, 1996), 132-33.

108. Ibid.

*and Class in Inca and Colonial Peru*, describes another aspect of Andean spirituality: “Andean peoples populated their heavens with deities who took on a masculine cast when counterposed to the female images of earthly regeneration contained in the Pacha mama (Earth Mother) and her sacred ‘daughters’.”<sup>109</sup> Reciprocity between partners is foundational to life in the Andes, for the gods and spirits in nature and for people in an *ayllu*. This is likely why the reciprocal tributary pact carried so much weight in Indigenous communities. Just as the gods are partnered with Pachamama, so too are people both partnered with each other and the landscape. Albó asserts that because of the spectacular and harsh environment of the *altiplano*, Andean peoples “have developed a sacred relationship with this natural surrounding. They see it full of life, inhabited by powerful and extraordinary beings, as real as themselves, with whom they must learn to relate and to dwell amicably and whose presence they must acknowledge in all their activities.”<sup>110</sup> Acknowledging the presence of nature’s deities includes rituals before planting and harvest, as well as throughout the year through different festivals and practices. Land, as the bringer of all life, is a fundamental force in Andean life and that mutual relationship must be respected and cultivated.

People are also bound in reciprocal and complementary relationships to each other and their communities. They work together to grow food and care for the land. As Silverblatt shows, these relationships, and the land itself, are gendered. The Pachamama is a female deity, whose power is constitutive of and constituted by the male deities, like *Illapa*, the thunderbolt.<sup>111</sup> Similarly, male and female partnerships through marriage are expressed in Aymara as becoming *jaqi*. This means “a person who has reached maturity and acts in a responsible way,” specifically

---

109. Silverblatt, *Moon, Sun, and Witches*, 20-21.

110. Marzal, et al., *Indian Face of God*, 126.

111. Silverblatt, *Moon, Sun, and Witches*, 22.

by completing a partnership and fulfilling “la unidad de una persona social.”<sup>112</sup> That is, marriage is a partnership between men and women through which each person is “[convertido] en gente.”<sup>113</sup> The writers at the Taller de Historia Oral Andina note that these complementary relationships still contain hierarchies. Myths of perfectly egalitarian pre-Colombian Andean societies are not accurate, but the way that the hierarchies manifest were and are different than Western social hierarchies. Women’s important roles in Andean society were recognized. THOA writes, “A la jerarquía (real) dentro de la pareja, donde la autoridad social recae en el varón, se opone la igualdad (ideal) del simbolismo y la práctica ritual en los que se refuerza la complementariedad de las relaciones hombre-mujer.”<sup>114</sup> This is reinforced by the proverb “en este mundo todo es par.”<sup>115</sup>

This pairing is expressed in the activities that each partner carries out for their household and the community. Before Incan conquest in what is now Peru, Silverblatt explains that women had their own land in the *ayllu* that they maintained. Men inherited from the male line, and women from the female line, so “parallel transmission rights ensured that women, independently of their kinsmen, enjoyed access to society’s means of subsistence.”<sup>116</sup> Both partners completed agricultural work. In other communities, pairs worked the fields together, and this achieved ritualistic and symbolic meaning. For example, in the *ayllu* Qäta, THOA describes how the man plows the land and behind him the woman plants the seed, “con el significado explícito de que esta actividad permitirá reforzar la capacidad reproductiva de la tierra por ser la mujer quien la realiza.”<sup>117</sup> Additionally, domestic production cannot be separated from agricultural production,

---

112. Marzal, et al., *Indian Face of God*, 144; THOA, *Mujer y Resistencia Comunitaria*, 28.

113. THOA, *Mujer y Resistencia Comunitaria*, 28.

114. Ibid.

115. Ibid.

116. Silverblatt, *Moon, Sun, and Witches*, 5.

117. THOA, *Mujer y Resistencia Comunitaria*, 27.

“Las mismas actividades domésticas están íntimamente vinculadas a la producción agraria, a la preparación de las condiciones de producción futuras... y la reproducción de la fuerza de trabajo...”<sup>118</sup> The work of women outside of the agricultural sphere enables agriculture, both by supporting the men and women working the land, and by securing future generations. Thus, the structure of the community, the conception of complementary personhood, and the existence of life itself is tied to the earth and its care. Radically different than European colonial understandings of the land as property separate from humans, Indigenous peoples resisted encroachment on their land to maintain all facets of their way of life.

---

118. Ibid.

## V. General Mariano Melgarejo and the Ascension of the *Apoderados*

Indigenous relationships with the land did not diminish, but Indigenous autonomy did decrease as the state gained regulatory power, increased the strength of its borders, and depended less on tribute. Entering the 1860s, the discussion of what to do with Indigenous communities emerged in national discourse for the first time since the 1820s, in accord with the decreasing proportion that tribute accounted for in the national treasury.<sup>119</sup> The second half of the nineteenth century saw the peak of the recovery of the mining industry, along with new resource extraction along the Pacific Coast and the creation of an industrial oligarchy. “Fired up by the feverish activity in guano, nitrates, and silver, this tiny oligarchy touted the benefits of government deregulation of mining and minting, the end of protectionism, and the promotion of railroad building to give the mine owners cheaper access to the world market.”<sup>120</sup> This rising economic liberalism increased demands for land and recalled Bolivarian ideals, and so the resurgence of “the Indian problem” meant that “la idea de que la comunidad indígena debía ser abolida nunca sería cuestionada después de la década de 1860: tan sólo se discutió acaloradamente acerca del modo y de los mecanismos más eficaces para lograr su desaparición.”<sup>121</sup> Mining surpassed tribute’s significance in the national revenue in 1870 as foreign investment and technological advances with steam machinery revived it.<sup>122</sup> This oligarchy demanded access to Indigenous lands to further their own economic goals and viewed it as a secure investment to diversify their commercial assets.<sup>123</sup> As silver mining boomed, especially between 1873 and 1895, governments “se van volviendo cada vez más dependientes de los empresarios mineros.”<sup>124</sup> The government

---

119. Langer, “El liberalismo y la abolición,” 64; Puente, *Recuperando la memoria*, 214.

120. Larson, *Trials of Nation Making*, 213.

121. Langer, “El liberalismo y la abolición,” 65.

122. Klein, *A Concise History*, 123; Puente, *Recuperando la memoria*, 198.

123. Marta Irurozqui Victoriano, “Elites en litigio. La venta de tierras de comunidad en Bolivia 1880-1899” (Lima: IEP ediciones: 1993), 7.

124. Puente, *Recuperando la memoria*, 201.

avored the mining oligarchy, and was at times synonymous with it. Not only did the autonomy of Andean communities decrease, but their perceived decrease in overall importance for the state meant that the era of the state acknowledging a reciprocal pact between them was ending.

General Mariano Melgarejo's ascension to power in 1864 marked the coming together of the caudillo president and the ascending leaders of the export sector. Along with measures that favored free trade and mining interests, he "launched the first sustained attack on Indian communal property rights since the Independence era."<sup>125</sup> Melgarejo furthered the precedent set by President José Ballivián (1841-1847) that declared that Indigenous peoples had only usufruct rights to their land, meaning that they were using it productively, but it inherently belonged to the state. Under Ballivián, this 1842 decree did not substantially change the relationship between communities and the state, and in fact was notable "for its tolerance toward communal forms of landholding and self-governance."<sup>126</sup> Usufruct rights appeared to be the easiest way to simplify legal disputes about tribute and mostly "logró... fortalecer el vínculo entre el Estado y las comunidades."<sup>127</sup> However, Melgarejo, in a bid to increase revenue, extrapolated the logic of usufruct rights and used liberal language to declare in 1866 that all Indigenous peoples must purchase an individual land title within sixty days or have their lands auctioned by the state.<sup>128</sup> Furthermore, the land title would need to be renewed after five years. Langer points out that sixty days was very short, "resultaba en un plazo excesivamente corto para que los indios, que vivían en una economía de subsistencia, pudiesen reunir el dinero requerido"<sup>129</sup> and Rafael Puente comments, "Con frecuencia los comunarios ni se enteran del decreto, pero los amigos del

---

125. Larson, *Trials of Nation Making*, 216.

126. *Ibid.*, 213.

127. Langer, "El liberalismo y la abolición," 62.

128. Larson, *Trials of Nation Making*, 216-17.

129. Langer, "El liberalismo y la abolición," 71.

presidente sí se enteran, y actúan inmediatamente.”<sup>130</sup> Both of these authors point to the fact that Melgarejo’s administration was not actually concerned with the classic liberal goal of making Indigenous peoples into property owners, and instead the beneficiaries of this decree were mainly large landowners, often allies of Melgarejo. The corruption here was exacerbated by another decree in 1868 which “legitimated the sale of entire communities to one landowner.”<sup>131</sup> Melgarejo’s attack on communal land affected the altiplano region unevenly and “parecía obedecer a la menor o mayor capacidad económica y organizativa de los comunarios...”<sup>132</sup> Some communities, specifically in Oruro, were able to put up the money and purchase their land without much resistance, since their ability to conform to the law allowed them to keep their land.<sup>133</sup> Still, especially around La Paz, many Indigenous communities lost their lands and protested vehemently.

La Paz was home to many creole elites and the land was particularly fertile, so Melgarejo’s allies spoliated land in the area, which resulted in emphatic resistance. From 1866 to 1869, over three hundred and fifty large *ayllus* were privatized, along with over a hundred smaller possessions, and protests were “fuertes y sangrientes.”<sup>134</sup> Larson notes, “Indigenous violence escalated over a three year period (1869–71) – to a degree unprecedented since Túpac Catari’s siege of La Paz almost one hundred years earlier.”<sup>135</sup> As we have seen, this massive siege stands out in Indigenous memory of their resistance and haunted relations between Indigenous peoples and creoles throughout independence and the nineteenth century.<sup>136</sup> Fears of a “race war” or “caste war” persisted throughout the rest of the century and the discussions of

---

130. Puente, *Recuperando la memoria*, 216.

131. Larson, *Trials of Nation Making*, 217.

132. PMedieta, *Entre La Alianza*, 91.

133. Ibid.; Langer, “El liberalismo y la abolición,” 72.

134. Mendieta, *Entre La Alianza*, 92; Puente, *Recuperando la memoria*, 217.

135. Larson, *Trials of Nation Making*, 218.

136. Hylton and Thomson, *Revolutionary Horizons*, xiv; Rivera Cusicanqui, *Oprimidos*, 91.

land reform. Thus, while it is not surprising that Indigenous peoples protested the confiscation of their land, it is also not surprising that elites responded with violence. Ramiro Condarco Morales details the rebellions in response to Melgarejo's decrees and his military response. Expeditions carried out several massacres of hundreds of people in each place, especially in the provinces around Lake Titicaca.<sup>137</sup> Contemporary reports from an incursion in Omasuyos recorded two thousand dead Aymara peasants.<sup>138</sup> This clearly shows the government's goal to "escarmentar y doblar el espíritu de rebelión..."<sup>139</sup> Additionally, this is the beginning of "a vicious pattern of Indigenous legal protest followed by military massacre."<sup>140</sup> Fears of a race war and the power of Indigenous communities elicited violent reactions from creoles, even when Indigenous peoples were not explicitly violent.

From early in the republican period, Indigenous communities had developed the figure of the *apoderado*, or an appointed authority, usually from the community. The figure of the *cacique* was the mediator between Indigenous communities and the state during Spanish colonization, but by the late colonial period internal class divides, pressures from the Bourbon Reforms, and the aftermath of the Great Rebellion had severely damaged the *cacicazgo*.<sup>141</sup> After independence, the republic's liberal ideals of equality before the law abolished explicit protections for Indigenous peoples and "de forma definitiva" ended the position of *caique* or "protector de indios."<sup>142</sup> Pilar Mendieta proposes that the rise of *apoderados* "respondió a la necesidad de restablecer el papel de intermediación entre el Estado y las comunidades como respuesta a la

---

137. Ramiro Condarco Morales, *Zárate, El "Temible" Willka: Historia De La Rebelión Indígena De 1899* (Santa Cruz de la Sierra: Editorial El País, 2011), 37-38.

138. *Ibid.*, 38.

139. *Ibid.*

140. Larson, *Trials of Nation Making*, 220.

141. David T. Garrett, *Shadows of Empire: The Indian Nobility of Cusco, 1750–1825*, Cambridge Latin American Studies (Cambridge: Cambridge University Press, 2005), 261-62.

142. Mendieta, *Entre La Alianza*, 85.



agresión estatal y a la falta de la figura intermediadora del cacique colonial.”<sup>143</sup> The state recognized the *apoderado* as a legally-appointed representative of individuals, while Andean peoples saw this figure as a new mediator for their communities. Without the *cacique*, the lesser authorities in the *ayllus* became the main leaders. These were men who rotated through local authority positions as elected by the communities themselves, including the positions of *segundas*, *alcaldes*, and *jilacatas*.<sup>144</sup> They were usually *originarios*, which meant that they controlled larger areas of land in the community and were descended from original families in the area or the first ones settled in the community during the *reducciones toledanas*.<sup>145</sup> It seems that skill and leadership capacity were the main basis for the decision, though Mendieta found *originario* status to be a common factor in most *apoderados*.<sup>146</sup> It was also important that the *apoderado* had the time to litigate. He possibly could read and write and would have already had experience as a local leader, through which he had relationships with local non-Indigenous powers. Importantly, *apoderados* were chosen after discussion within the community, but were also recognized by law: “La ley de la costumbre se entremezcla de esta forma con la ley de la República, al ser los apoderados elegidos después de deliberaciones realizadas por los principales de la comunidad, a través de cabildos [town councils].”<sup>147</sup> This community decision likely indicates, based on the culture of complementarity, that women were also involved in these decisions, even though all the *apoderados* were men.

From the beginning of the Bolivian state, documentation shows that *apoderados* were petitioning the state for various causes related to their land and tribute. Already in 1926, Simón

---

143. Ibid., 83.

144. Mendieta, *Entre La Alianza*, 87.

145. Ibid., 45. These were settlements planned by Viceroy Francisco de Toledo in the late sixteenth century to resettle Andean peoples more accessibly for Spanish exploitation and its “civilizing” influence.

146. Ibid., 108.

147. Ibid., 104.

López, “indígena letrado” in Poopó, was accused of “incitar a la indiada a raíz de su oposición al catastro promovido por Sucre.”<sup>148</sup> In the investigation, it was revealed that López “fue elegido en reuniones o juntas secretas en su casa, donde participaron los jilacatas y autoridades de las diferentes parcialidades.”<sup>149</sup> This occurrence also demonstrated another element of the use of *apoderados*, which is that they charged community members in order to carry out their duties. To travel, petition, and otherwise interact with state institutions, the *apoderados* “exigían contribuciones o ‘derramas’ a los miembros de la comunidad.”<sup>150</sup> This was a carryover from colonial processes, where the *derrama* was “una especie de contribución excepcional que se imponía a los vecinos para cubrir gastos de erogación colectiva...”<sup>151</sup> Since they were working for collective causes, though legally they represented individuals, the *apoderados* received financial support from the group.

The *apoderados* were also supported by *tinterillos*, mestizo country lawyers, notaries, and scribes who helped interpret and translate laws and petitions, for a fee of course. They filled a gap as communities reorganized their leadership structures after the abolishment of recognized mediators and provided an access to literacy that many communities lacked. Brooke Larson describes *tinterillos* as “self-styled litigants of Indians”, some of whom “served as indispensable brokers helping Indians negotiate the posttributary judicial system in the absence of their own hereditary ethnic lords and separate legal code.”<sup>152</sup> Naturally, creoles hated *tinterillos*. They were “a major nuisance to white society” and tied landlords up “in interminable lawsuits over land titles, debts, or labor or whipping up Indian resentment over debt contracts.”<sup>153</sup> Some *tinterillos*

---

148. Ibid., 88.

149. Ibid.

150. Ibid., 104.

151. Ibid.

152. Larson, *Trials of Nation Making*, 130.

153. Ibid.

were not honest or selfless, which affirmed the need for Indigenous communities to represent themselves through the *apoderados* and to not rely on non-Indigenous actors.<sup>154</sup> However, the mere fact of the *tinterillos*' support for Indigenous communities led creoles to disparage them: "They became archetypal 'outside agitators' who preyed upon Indian illiteracy for their own scheming ends and, in the process, slowed the march of order and progress."<sup>155</sup> The creoles could not or would not understand that the *apoderados* were acting on the will and demands of the communities, and that *tinterillos* were only one part of a collective and Indigenous resistance to land expropriation.

Now with Melgarejo's expropriation threatening their communal autonomy, the *apoderados* rushed to defend their communities' rights. As they also would do later in the century, they argued that they had fulfilled their pact with the state: "sacaron a relucir la importancia de la prestación de sus servicios al Estado y el pago del tributo al mismo."<sup>156</sup> In August of 1868, a group of *apoderados* presented a petition to the "Excelentísimo señor presidente de la República general Mariano Melgarejo" that asserted that, if converted into *hacienda* workers, they would not be able to complete the services that they had historically and in a timely manner completed as tributaries, to the benefit of the nation.<sup>157</sup> They insisted that they had contributed heavily to the growth and success of the nation, and thus their autonomy should be guaranteed. However, this legal reasoning based on tribute was ineffective to Melgarejo's administration, and the spoliation of land and rebellions against it continued. This spurred more

---

154. Mendieta, *Entre La Alianza*, 89.

155. Larson, *Trials of Nation Making*, 130.

156. Mendieta, *Entre La Alianza*, 92.

157. *Ibid.*

than twenty thousand *comunarios* to participate in and enable the overthrow of Melgarejo in 1871 along with opposition creole politicians.<sup>158</sup>

The participation of Aymara and Quechua peoples in the overthrow of Mariano Melgarejo marks the beginning of the *apoderados*' entrance onto the national stage. The overthrow shows the purposeful political maneuvering of Indigenous leaders along with the successful alliance between a faction of creole elites and Indigenous peoples. While the alliance between Indigenous peoples and anti-Melgarejo creoles, led by Casimiro Corral and Agustín Morales, was preceded by some purposeful and reciprocal support for President Manuel Isidoro Belzu (1848-1855),<sup>159</sup> this alliance featured the consolidation of *apoderado* networks and the importance of Indigenous numbers in a military setting. According to Pilar Mendieta, Corral secured Indigenous participation in the conflict: "puso en marcha toda la maquinaria de relaciones clientelares y de compadrazgo que tenía en el campo a partir de su relación con las subprefecturas y los corregimientos."<sup>160</sup> He was able to do this because of the previous Indigenous uprising against land alienation and the *cacique-apoderado* network, which through their own networks of relationships were "la contraparte para la organización militar de los indígenas."<sup>161</sup> Morales and other revolutionary leaders "prometieron a los indígenas la devolución de sus tierras."<sup>162</sup> Indigenous peoples' decisive actions against Melgarejo, both through documents and violence, set the stage for a cross-racial alliance. Once allied, the bulk of the Indigenous army was commanded Luciano Willka, who was the *apoderado* of the people of Huaicho, one of the communities hit hard by Melgarejo's military repression.<sup>163</sup> He was able to

---

158. *Ibid.*, 93.

159. *Ibid.*, 120-21.

160. *Ibid.*, 124.

161. *Ibid.*, 123.

162. Pilar Mendieta Parada, "Caminantes entre dos mundos: los apoderados indígenas en Bolivia (siglo XIX)," *Revista de Indias* 66, no. 238 (December 30, 2006): 767.

163. Mendieta, *Entre La Alianza*, 123.

contact other *apoderados* in the region and organize the Indigenous force. This army marched into La Paz, which forced Melgarejo to flee to Peru. His defeat was not possible without Indigenous participation.

As a testament to Indigenous peoples' success in their revolution, the Constituent Assembly of 1871 returned the lands that Melgarejo had usurped. Just days after the successful overthrow on January 15, 1871, Agustín Morales, the new president, decreed, "Que se haga comprender a los indígenas comunarios que se hallan en plena posesión de los antiguos derechos que gozan de sus terrenos, como los estuvieron antes de la injusta usurpación que les hizo el tirano."<sup>164</sup> However, this assembly also included much debate about the future of "the Indian problem." Already during the fighting, creole leaders feared the force of the Indigenous peoples and their burgeoning political power. Corral wrote to the subprefect of Muñecas on January 3<sup>rd</sup>, 1871, to assuage his fear about having Aymara armed forces as part of the fight. Corral wrote, "the government is not provoking a caste war, but rather the extermination of Melgarejo against whom the entire nation is up in arms, and especially the Indians are most injured...."<sup>165</sup> While showing sympathy towards Indigenous motivations to fight, Corral also acknowledged the persistent fears of a caste war and used his letter to affirm that Indigenous peoples and elites were on the same side. However, on January 19<sup>th</sup>, soon after the war was over, Corral communicated the early decrees of the new government and made it clear that Andean peoples should not have the ability to do any more fighting. He stated,

The powerful motives that led the Indian masses to take part in the political question of the regeneration of the people have disappeared with the splendid triumph obtained by this heroic capital... All commanders and captains of Indians should be ordered to dissolve on that very day their platoons and companies, making sure that they all return

---

164. Quoted in Mendieta, *Entre La Alianza*, 93.

165. Sinclair Thomson, Barragán R. Rossana, Albó Xavier, Seemin Qayum, and Mark Goodale, eds, *The Bolivia Reader: History, Culture, Politics*, The Latin America Readers (Durham: Duke University Press, 2018), 229.

calmly to their homes to occupy themselves with their ordinary work, without being allowed to carry out any kind of abuse, under strict responsibility.<sup>166</sup>

By saying that the Indigenous peoples' motives for participating in the political life of the country were gone, and that they should leave "calmly," Corral asserted that elites no longer wanted Indigenous peoples to be powerful allies, but rather obedient, subordinate Bolivians. This connects to statements that recognized Indigenous peoples as fellow patriots, that "gracias a su participación, ya formaban parte de la nación boliviana y que debían ser incorporadas a la misma como ciudadanos," because this recognition was for many an excuse to demobilize Indigenous peoples and enfold them to take away the danger they posed.<sup>167</sup> Creoles were willing to recognize Indigenous rights when they had a common enemy, positioning Melgarejo as a foil to the "better" elites now in power, but they did not want a systemic overhaul. Regardless, some Indigenous peoples also felt more connected to the state afterwards. One Aymara man, Salvador Choquehuanca, stated in his petition for the return of his lands that the glorious triumph over "el opresor de la patria" was a conflict in which he had "combatido en la clase de capitán y tomado gran parte en la destrucción del tirano...."<sup>168</sup> Choquehuanca called on his pride in his military service to connect with whoever was reading the petition. He expressed that by fighting with elites to recover his rights to and practices with the land, he felt more confident in the state's proper behavior as guarantor of his land. This could indicate an increase or affirmation of Indigenous peoples' connections to their land within the state. Though elites were obliged to recognize the power and contributions of Indigenous peoples, Corral's words also foreshadowed a persistent fear of Indigenous demands of the state and the possibility of an uprising. These

---

166. Ibid., 230.

167. Mendieta, *Entre La Alianza*, 125.

168. Ibid.

fears would be acted upon by the 1871 Constituent Assembly and that of 1880 during the War of the Pacific.

Creole lawmakers wanted to undo Melgarejo's impact and further their own classic liberal goals. With the belief that all Indigenous peoples should be "proper" liberal citizens, especially because they participated in the revolution against Melgarejo, along with the firm conviction that communal landholding was an anachronism, they did not want to return to the status quo from before Melgarejo. They "condemned Melgarejo's annexation of communal lands, arguing that the early Bolivarian decrees had given individual property rights to Indians,"<sup>169</sup> but they still disagreed with collective property rights. However, they had to face several facts, the most important that "la resistencia de los indios comunarios había hecho posible el éxito de la revolución que derrocó el régimen, y que las zonas rurales continuaban bajo su control...."<sup>170</sup> No matter what liberal goals and other policies the creoles made law during the 1871 assembly, they were pragmatic and the desire to prevent any kind of Aymara and Quechua uprising led them to betray their own ideals in relation to communal landholding. They upheld Morales's decree to return Indigenous land. On the other hand, the assembly was also the site for a lively debate leading up to that decision and set the parameters for the debate in the rest of the nineteenth century. The main poles of the debate were familiar: staunch liberals supported the small-landholding solution, while proponents of an expansion of the *hacienda* system argued for the importance of *hacienda* production and improved treatment of Indigenous peoples through the paternalistic relationships with *hacendados*. Many in this second group were elites who had purchased land under Melgarejo's regime.<sup>171</sup>

---

169. Larson, *Trials of Nation Making*, 219.

170. Langer, "El liberalismo y la abolición," 73.

171. *Ibid.*

The buyers, or *compradores*, as Langer calls them, leaned heavily on the idea that land was not being productively used by Indigenous peoples and that their quality of life would improve with a *hacienda* relationship. Proponents argued that *colonos* were actually freer than *comunarios* since they were not subject to all the different taxes and labor requirements, though they were, of course, subject to the labor regime of the *hacendados*.<sup>172</sup> One pamphlet, authored by two anonymous lawyers in La Paz, supported the transfer of communal lands “from *dead hands* to industrious hands”: “Economic science confirms and justifies these sales because of the ignorance, lack of skill, inertia, poverty, worries, and so on of the indigenous community member. Nothing, absolutely nothing, will induce him to improve his crops....”<sup>173</sup> In contrast, the landlord would spur him to become “a skillful farmer” instead of “a complete barbarian.”<sup>174</sup> Additionally, the lawyers presented the idealized relationship between *colono* and *hacendado*: “Who is the Indian *colono* [peon] of the hacienda? He is a member of the landlord’s [patron’s] family and receives all of the care of paternal protection...” and has the trust in the landlord “that a son has in his father....”<sup>175</sup> This text shows the paternalistic and racist view of Indigenous peoples that gained momentum throughout the 1870s as social Darwinism picked up steam in intellectual circles. It served to pseudo-scientifically legitimate existing racist attitudes. Notice also the use of “economic science” and an emphasis on the seemingly inoffensive themes of modernization and progress.<sup>176</sup> Elites were using an apparently neutral, scientific discourse to justify their behavior. Colonial conceptions of the land became further distanced from those of

---

172. For a detailed breakdown of the responsibilities of *colonos* and *comunarios*, see Condarco Morales, *Zárate, El “Temible” Willka*, 24-30.

173. Thomson, et al, *Bolivia Reader*, 182.

174. *Ibid.*

175. *Ibid.*, 182-83, brackets in original.

176. Puente notes that these themes existed throughout the late nineteenth century in debates about land, where racist ideas were increasingly accompanied by, instead of hidden behind, the language of progress. Puente, *Recuperando la memoria*, 218-19.



Andean peoples. Not only were creoles denigrating Indigenous methods, practices, and rituals to the land, but they were also rendering the land as quantifiable, technical, and detached from lived experience. Additionally, Langer notes that the pervasiveness of the paternalistic arguments meant that the buyers “estaban seguros de que con estas ideas lograrían convencer a algunos de sus oponentes, la mayoría de los cuales eran también hacendados.”<sup>177</sup> While the argument for the expansion of *haciendas* did not triumph in 1871, the strong presence of this argument and its role in belittling Andean peoples would influence future actions and outcomes of land reform later.

---

177. Langer, “El liberalismo y la abolición,” 75.

## VI. Ley de Exvinculación

Since the decision of the 1871 assembly satisfied none of the elites, and many prestigious families around La Paz were especially demanding, the government revisited the land question in 1874. That year, the government passed the *Ley de Exvinculación*, a classically liberal law that set up the alienation of Indigenous peoples from their lands. The law referenced the precedent of the Bolivarian era and declared that all Indigenous peoples “will have in the whole of the Republic absolute property rights to their respective possessions” and that “the other lands which are not found to be in the possession of the Indians will be declared vacant and, as such, property of the State.”<sup>178</sup> Importantly, the seventh article states, “Once property titles have been conferred, the law will not recognize communities. No individual or group of individuals will be able to take the name of a community or *ayllu*, nor represent such before any authority.”<sup>179</sup> This law, more than just attack Indigenous lands, thoroughly dissolved communal landholding in Bolivia. Brooke Larson emphasizes that this “radical” change not only ended the community’s rights in a legal sense, but also ended “customary ethnic jurisdictions and traditions that had survived, even flourished, under Bolivia’s tributary republic”, especially since it “dismantled the tributary apparatus, establishing a universal property tax (*catastro*)....”<sup>180</sup> Of course, it did not help Indigenous peoples that the new tax was to be paid in devalued *bolivianos* currency “which effectively raise Indian taxes by some 20 percent.”<sup>181</sup> In practice, all communal land was to be appraised and divided between individuals, with “unused” land auctioned off by the state. Unintentionally, it also strengthened the position of the *cacique-apoderados* since the law affirmed that an individual needed to personally represent themselves or do so via an appointed

---

178. Thomson, et al, *Bolivia Reader*, 185.

179. Ibid.

180. Larson, *Trials of Nation Making*, 219.

181. Ibid.

third party, and the *apoderados* were already poised to do that, though no longer as ethnic mediators and instead as legal representatives.<sup>182</sup> Like other pieces of legislation, the law was not implemented right away since political turmoil and the brewing War of the Pacific were more pressing. Only in Cochabamba did the law start to take effect.<sup>183</sup>

As Bolivia confronted great losses against Chile, the country's elites organized a constitutional convention to set up civilian governments again. In 1880, the Conservative Party won the elections, though except in church-state matters the party had a basically liberal program. This was also when mining elites and free market interests reached the apogee of their influence.<sup>184</sup> Larson comments, "Creole demand for Indian lands was still sluggish in many regions" during Melgarejo's administration,<sup>185</sup> but now the demand was high, especially as railroads expanded across the country, and the government responded to mining money instead of tribute. As such, the 1880 convention approved legislation to carry out the 1874 *Ley de Exvinculación* and the few modifications they made to it. Their changes included the end of tribute fees and the other obligations associated with tributary status, as well as set the amount that individuals would pay the state for their new land titles.<sup>186</sup> While the original law favored the small-landholding position, most leaders had come to support the social-Darwinist stance and championed *haciendas*. Erick Langer quotes a Minister of State, Ladislao Cabrera, in which he says that the purpose of the law is to "poner esta inmensa riqueza (es decir, las tierras de comunidad) en circulación, entregarla a propietarios inteligentes y capitalistas."<sup>187</sup> Rafael Puente describes how the language shifted to the "compra," or purchase, of Indigenous lands, to sound

---

182. Thomson, et al, *Bolivia Reader*, 185.

183. Langer, "El liberalismo y la abolición," 81.

184. *Ibid.*, 83.

185. Larson, *Trials of Nation Making*, 218.

186. Langer, "El liberalismo y la abolición," 84.

187. *Ibid.*

more legal and civilized.<sup>188</sup> The new law would make Indigenous peoples “directly subject to the authority of white and mestizo agents and to the siege of the land market,” and so was interpreted to allow elites and other non-Indigenous people to buy Indigenous land once titles had been distributed.<sup>189</sup> Land seizure was thus legalized and the “venta forzosa de la tierra comunal en nombre de la modernización del país” became the norm.<sup>190</sup> Only a little more than a decade after Melgarejo’s attacks, Indigenous land was once again under attack by an expanding *latifundio* regime and other land-hungry Bolivians.

The reciprocal pact with state had definitively been broken. Dissolving communal land meant that legally, the collective care that Andean people practiced would be no more. Xavier Albó wrote at the time of his investigation that poor campesinos were most concerned with their day-to-day survival, but they were aware of larger political forces of oppression in their lives, “The Aymara are constantly expressing their awareness of feeling exploited as a class and as a nation through the concept of *q’ara* in their references to the dominant group.”<sup>191</sup> *Q’ara* is the opposite of *jaqi*, the mature, united social being, “*q’ara* (literally, ‘the bald one’) means one who does not even fulfill the minimum requirements of social convention (reciprocal work), which are so important if one wants to behave as a human being.”<sup>192</sup> While a *q’ara* could refer to someone from the community who abandoned their kin, it mainly refers to exploitative white people. Significantly, the *q’ara* are not in a reciprocal relationship with the Pacha mama, which Indigenous peoples hold as foundational to humanity.<sup>193</sup> Thus, the elite creoles did not have a reciprocal relationship with the earth and had now more forcefully attempted to sever Andean

---

188. Puente, *Recuperando la memoria*, 218.

189. Larson, *Trials of Nation Making*, 220.

190. Irurozqui Victoriano, “Elites en litigio,” 9.

191. Marzal, et al., *Indian Face of God*, 144.

192. Ibid.

193. Ibid.

people's reciprocity by taking away their land. Disentailment—the removal of their previous rights to communal land—betrayed various levels of reciprocity since state actors had attacked Andean cosmovision and ended their own ties to Indigenous communities.

As before, Aymara and Quechua communities soon made the government regret passing the disentailment law. Tristan Platt, in “The Andean Experience of Bolivian Liberalism, 1825-1900: Roots of Rebellion in 19th-Century Chayanta (Potosí),” uses extensive documentation from Bolivian archives, especially the Archivo Histórico de Potosí, to detail the many uprisings, disturbances, and disputes Indigenous peoples caused in resistance to the law. Much of the resistance manifested against the *mesas revisadoras*, the land commissions in charge of “the precise measurement and valuation of each holding by a surveyor... to establish productive capacity.”<sup>194</sup> These commissions were paid from the stamp taxes they collected from selling title deeds, after which Indigenous peoples had to pay tribute in the new currency (they paid tribute until the commission had finished establishing the new tax).<sup>195</sup> As the main actors carrying out the alienation, these surveyors and administrators often were prevented from entering communities or physically attacked directly. Notably, previous forms of the *revisita* in colonial times relied on local communities to bring “demographic evidence” to fiscal attorneys, who only intervened “in specific cases of conflict.”<sup>196</sup> This direct involvement from the state was thus another departure from the relationship between Indigenous communities and the state, encroaching on traditional Indigenous governance.

While the 1874 law states that if “division be made impossible by the opposition of the Indians” then the land as a whole would be auctioned and divided later, in actuality many

---

194. Platt, “Andean Experience of Bolivian Liberalism,” 300.

195. Ibid.

196. Ibid.

commissions resigned because of local resistance.<sup>197</sup> Exact reactions seemed to depend on a complex mix of local factors, including the relationship between *ayllus* and their mestizo neighbors, the ratios of *originarios* to more marginal land ownership, and even ethnic differences between *ayllus*, but one common reaction to the uncertainty of changes to tax and land structures caused by *exvinculación* was that the “safest tactic was not to collaborate with the commission.”<sup>198</sup> Some communities “con mayor capacidad de cohesión y control social” opposed the commission and at times threatened others in their community not to cooperate, creating a kind of picket line.<sup>199</sup> One community even took the surveyors tools away.<sup>200</sup> In 1885, “the Pocoata Indians erupted against the operations of the Chayanta commission, forcing the suspension of activities” and claiming they did not need to pay the new tax.<sup>201</sup> Summarizing Platt’s work, Larson states that in “innumerable cases, Indian unrest or noncompliance forced government authorities to suspend tax collection or land sales during the early 1880s.”<sup>202</sup> These uprisings to stop the commissions did sometimes result in white authorities bringing troops to crush protests, like in Macha, Potosí in March and April of 1889, though it was not reported that anyone died in that instance.<sup>203</sup> Clearly, the land commissions and the titles that were intended to result from them deviated from Indigenous peoples’ expectations about the state. By protesting, people made it obvious that they did not support the state and the titling process. These land titles undermined Indigenous power and autonomy by erasing their collective way of life and trying to make them conform to the liberal model. The rejection of even being surveyed by the land

---

197. Thomson, et al, *Bolivia Reader*, 186.

198. Platt, “Andean Experience of Bolivian Liberalism,” 313.

199. Mendieta, *Entre La Alianza*, 99; Platt, “Andean Experience of Bolivian Liberalism,” 310, 313.

200. Platt, “Andean Experience of Bolivian Liberalism,” 300.

201. *Ibid.*, 301.

202. Larson, *Trials of Nation Making*, 220.

203. Platt, “Andean Experience of Bolivian Liberalism,” 310-11; Larson, *Trials of Nation Making*, 220.

commission indicates that they recognized the power of that documentation and rejected that written distortion of their relationship to the land.

To complement their non-engagement and direct actions against the commissions, Andean communities took advantage of existing legal avenues and forced the creation of new ones. Larson comments that all the direct action to oppose the land commissions was accompanied by “the massive paper campaign that Indians began to wage in the 1880s for the restitution of their communal rights.”<sup>204</sup> The government might have aimed to tie up some Indigenous people’s petitions in one of their “labyrinthine” title ratification processes, but “most Indians used these procedures in the late nineteenth and early twentieth centuries to argue for the annulment of land sales on the basis of legal fraud.”<sup>205</sup> This is where the *apoderados*, already experienced in dealing with the state, “se rearticulan en torno a nuevos y viejos líderes con mayor fuerza y cohesión” and expanded their network to “conformar una estructura suprarregional” that was organized “jerárquicamente a través de alianzas intercomunales.”<sup>206</sup> They went in front of judges to repeatedly assert that disentanglement violated the tributary pact. One letter to a prefect listed the services the people of Collana provided as part of tribute and stated, “alterando las costumbres que existían” through *exvinculación* “es demasiado perjudicial a nuestros representantes i subordinados elevamos esta solicitud.”<sup>207</sup> Pilar Mendieta details that the *apoderados* consolidated their strategies under leaders Feliciano Espinosa, from *ayllu* Macallona, and Pablo Zárate, from Machacamamarca (and who would go on to lead the Aymara in the Federal Aymara War). Meeting in the department of La Paz, a region especially hard hit by disentanglement, they agreed on methods that valued the colonial past. Mendieta states that “nunca

---

204. Larson, *Trials of Nation Making*, 221.

205. *Ibid.*

206. Mendieta, *Entre La Alianza*, 103.

207. Quoted in Mendieta, *Entre La Alianza*, 102.

antes se habían mostrado tantos títulos coloniales como a fines del siglo XIX, cuando las comunidades exigían respeto a las garantías que el antiguo régimen les había ofrecido.”<sup>208</sup> This deliberate strategy is the first peak of the use of colonial land titles to defend land in the republican era.

Indigenous peoples’ resistance was in many ways successful, through their many means, and this is apparent from the modifications of the *Ley de Exvinculación* throughout the early 1880s. In 1881, the government decreed that if separate registration of land “should give rise to inevitable resistance, they will be registered collectively and awarded communal possession.”<sup>209</sup> This acknowledgment of *pro-indiviso* ownership flew directly in the face of the goal to make Indigenous peoples individual property owners and it shows how forceful resistance was. While lawmakers probably saw the “inevitable resistance” as the mistaken actions of an inferior race, it clearly caused the government to concede. Especially notable is the November 1883 modification which stated,

The original lands consolidated in the colonial period, by means of titles conferred by land surveyors, are the property of their owners, thus remaining excluded from the survey established by the Laws of 5 October 1874 and 1 October 1880.<sup>210</sup>  
*Los terrenos de origen consolidados durante la época del coloniaje, mediante cédulas de composición conferidas por los visitadores, son de propiedad de sus poseedores quedando por consiguiente excluidos de la revisita acordada por las leyes de 5 de octubre de 1874 y 1era de octubre de 1880.*<sup>211</sup>

The *apoderados*’ use of colonial land titles proved effective. Enough people within the legal system recognized the validity of prior land titles, and likely compounded with resistance to the land commissions, found it worthwhile to pass a law. It is this 1883 modification to the law which I wish to investigate more thoroughly. While all forms of resistance were ways that

---

208. Ibid., 106-7.

209. Thomson, et al, *Bolivia Reader*, 186-87.

210. Ibid., 187.

211. Mendieta, *Entre La Alianza*, 107.



Andean peoples talked back to the state and influenced its development, the use of colonial land titles specifically instrumentalizes documentation and another kind of sovereignty to influence the behavior of the republican state. Not only did *apoderados* appeal to another kind of sovereignty, but they appealed to the sovereignty of a state that is gone and was in fact destroyed by the current state.

The key to this conflict is the incompatibility of Andean peoples' view of their relationship to land and the elite perception the land, and thus also to the obligations of the state in relation to the land. As we have seen, *apoderados* articulated a view that affirmed their belief in a reciprocal pact with the state based on tribute that guaranteed their use of their land. Since they had been paying tribute and completing labor obligations, they saw no reason as to why the state would change the terms of the pact and stop protecting Indigenous rights to land and community. On the other hand, creole state leaders wanted to modernize the country and saw the Aymara and Quechua masses as a potential labor force and their land as a productive resource, if both were managed by creoles. They saw land only as property and treated it as such. The subordinate position of Indigenous peoples since colonization did not change with independence, but neither did their worldview. Land was still the foundation of the world, in concert with all the spirits of the natural world. This was not treated lightly. As such, it took most of the nineteenth century for creoles to be able to impose their vision, and even then, they had to respond to or repress significant protest. Platt says of the failure to institute liberalism, "exponents of 'enlightened liberalism' thus found themselves occupying a type of State which would not function as they wished it to."<sup>212</sup> Because Indigenous peoples were so important to the state and they resisted liberal impositions and assured the centrality of the Pachamama, the state could not

---

212. Platt, "Liberalism and Ethnocide," 8.

function. Andean peoples continually resisted what they saw as a break of the pact with which they maintained their kinship and community. Obligated to listen to the demands, both through legal avenues and rebellion, the republican state continued to perpetuate the colonial pact, and thus “the State found itself *bound by previous agreements* with the majority of its proposed ‘citizens’.”<sup>213</sup> Since Bolivia could not consolidate itself and prove its regulatory power, and state-builders specifically wanted to continue colonial hierarchies, the colonial state continued to impact lives, laws, and institutions after independence.

The *apoderados*’ appeals through land titles to the colonial past took advantage of the persistence of colonial dynamics but did not indicate a wholesale acceptance of or nostalgia for colonial life. They employed land titles and the tributary pact in a strategic way to achieve their goals in the current political context. This triangulation between the colonial state, the republican state, and Indigenous demands allowed the *apoderados* to negotiate with more leverage. This can be understood well in conjunction with a later rebellion, described in Erick Langer’s article “Native Cultural Retention and the Struggle for Land in Early Twentieth-Century Bolivia.” In it, he analyzes two rituals involved in rebellion in Chayanta in 1927, one following state legal formats and one that invoked traditional cultural authority. One ritual, which involved killing and consuming an especially abusive *hacendado*, contained many levels of meaning, one of which “was oriented primarily towards the Indians’ own supernatural sphere.”<sup>214</sup> This was an attempt “to assert their own autonomy and to delimit their world from that of their oppressors.”<sup>215</sup> The judicial ritual was a forced, formal transfer of property from a *hacendado* to the Macha and

---

213. *Ibid.*, emphasis mine.

214. Erick Langer, “Native Cultural Retention and the Struggle for Land in Early Twentieth-Century Bolivia,” in *The Indian in Latin American History: Resistance, Resilience, and Acculturation*, edited by John E. Kicza, Jaguar Books on Latin America, No. 1 (Wilmington, DE: Scholarly Resources, 1993), 189.

215. *Ibid.*, 190.

Pocoata communities. During the rebellion, the Jaiguari *ayllu* held a trial in a *hacienda* they had taken over. Local officials presided, and witnesses testified about the *hacendado*'s abuses.<sup>216</sup> It was all transcribed and mimicked state proceedings, emphasizing the legitimacy of Indigenous' demands. Neither one of these rituals excluded the validity of the other, and so once again these communities were complying with certain aspects of the state to insure their own practices. The legal practices allowed them to negotiate with the state, but the Indigenous ritual showed how the use of the state did not violate their own worldview.

Though later than the nineteenth-century rebellions against land alienation, the trial ritual echoes some of the strategies of the earlier *apoderados*. Langer calls this appeal to state processes, seemingly in contradiction to protest, "accommodation within a revolutionary setting", which I understand as the strategic and selective use of state norms to further the goals of rebellion.<sup>217</sup> In the case of the *apoderado* network, Aymara and Quechua communities were appealing to some of the institutionalized colonial dynamics, including a reliance on documents, in the republican state to protect their current practices of communal landholding and life while seeking to reject the new liberal dynamics that the republican state was implementing. Larson highlights the important negotiation that Aymara and Quechua leaders carried out to render colonial titles legible and representative of their reality,

By means of the colonial document, reinterpreted through the prism of liberal and constitutional legality, indigenous intellectuals would advance their claims to *comunario* status (with its right to territorial justice, communal sovereignty, and legal protection) as an alternative to the atomizing forces of divestiture, impoverishment, and servitude.<sup>218</sup>

The *apoderados* understood that the legal mechanisms of the state would value certain judicial appeals through documents. Documents had a force through their content but also their

---

216. *Ibid.*, 174.

217. Langer, "Native Cultural Retention," 181.

218. Larson, *Trials of Nation Making*, 228.

preservation as material objects. A state trying to uphold the rule of law, inherited from colonization, would need to at least acknowledge legal petitions with official, original documentation. *Apoderados* positioned themselves to fit within the rubric of the state by invoking colonial legality. They, with the help *tinterillos* and local judges, “hablaban a través de los documentos en el léxico oficial del Estado, a fin de obtener un mayor beneficio.”<sup>219</sup> They negotiated their place in the state by reinterpreting the colonial pact in a way that would still be compatible with the republican state but did so in order to protect their land and community.

---

219. Mendieta, *Entre La Alianza*, 114.

## VII. Cosmovisions on Paper

Land titles, as important as they were and are for the defense of Indigenous lands and autonomy, leave out certain realities. The documents were still created by state agents, regardless of how they were used. Transculturation and contact zones, as I have argued, provide a framework to demonstrate that Indigenous peoples were engaging with state colonial mechanisms in creative and unexpected ways, and so the results of that engagement can be read against the grain to understand resistance and defiance. The *apoderados* went beyond the engagement with the creation of the documents to also reimagine their usage. They took these documents out of archives, both of the state and of the communities, and interpreted them to support their struggles against liberal encroachments that were probably inconceivable when the titles were created. Yet these land titles and the reliance on them were also complicit in the loss and silencing of other ways of being.

Joanne Rappaport examines the content of different colonial legal documents and how their language changed over time. She contends that the use of legal documents “forced their owners to shift their own vision of space and of time, so that it corresponded more closely to Spanish legal dictates, which emphasized boundaries over toponymic essence and chronology over nonlinear notions of temporal process.”<sup>220</sup> She explains that documents record rituals that in themselves record “political, social, and religious referents through the use of geographic and temporal space, experienced through bodily movement.”<sup>221</sup> When ritual acts are encoded in documents, multivocal practices become reduced “to univocal texts by confining them to the domain of social administration.”<sup>222</sup> In other words, there are worlds, or entire ontologies, being

---

220. Rappaport, “Object and Alphabet,” 281-82.

221. *Ibid.*, 282.

222. *Ibid.*

reduced down to what can be recorded on a piece of parchment or paper, in a language and writing that is not native to the ontology. Rappaport takes toponyms, the proper names of geographical and cosmographical features, as a prime example. Over time, Indigenous wills used fewer toponyms to mark plots of land and by the end of the seventeenth century started instead to use “detailed enumeration of boundaries.”<sup>223</sup> Enumerating boundaries ascribes more to European notions of land and space instead of the proper names, which connect to the reciprocal, mutual relationships that Indigenous peoples had to their land. This is reinforced by the fact that “[t]oponyms are considerably less complex in the documents produced by Spaniards than they are in the notarial records of indigenous lands.”<sup>224</sup> This is not to say that Indigenous peoples lost their understanding of the land and their relationship to it, but rather that to be legally recognized by the state, they had to reduce their cosmovision.

Furthermore, over time cultures change and adapt, sometimes not by choice, especially during colonization when demographic collapse resulted in a devastating loss of knowledge and displacement. As we have seen, Andean peoples have deep, lasting connections to their landscape and their territory. The “organization of topographic space and the use of geographical markers” have symbolic importance “to encode historical knowledge...”<sup>225</sup> However, Rappaport notes, “References to specific forms of historical interpretation and of ethnic identification become decontextualized political material in legal papers.”<sup>226</sup> Future generations might misunderstand or be deprived of the knowledge and sense of being of the communities for which the legal papers were originally prepared. In Pasto, now southern Colombia, landholders used place names in documents, but Rappaport explains that much of the language has been lost, so “it

---

223. *Ibid.*, 283.

224. *Ibid.*

225. *Ibid.*, 283-84.

226. *Ibid.*, 282.

is virtually impossible to appreciate the layers of meaning concealed in these toponyms.”<sup>227</sup>

While understanding persists in other ways, examples like this point out “the impoverishment of the historical memory....”<sup>228</sup> Writing systems and documentation are political, and specifically in relation to land they can subsume “cosmological realit[ies]” into simplified records with a European lens.<sup>229</sup>

Andean land titles demonstrate the simplification of ontology into documentation and the loss of meanings. All the senses of land became simplified, and some of them were rendered invisible. While the *apoderados* and communities that they represented maintained their understandings of land, as is clear from the persistence of Indigenous peoples today, they were forced to recognize the legitimacy of land as abstract property to be legible to the state. The use of land titles in the republican state implies that the *apoderados* at least understood, even if they did not fully believe, how the state perceived land. They could instrumentalize the legal system because the titles were a part of that system. The system had *already* reduced land onto a written record. Similarly, gendered relationships with the land disappear from the record if we only look at land titles. Despite gender’s critical role in how Andean peoples related to themselves and the landscape, gender is rarely discussed in the literature about the *apoderados*. In fact, the Taller de Historia Oral Andina’s text *Mujer y resistencia comunaria* came about because, in their initial investigations into the *cacique-apoderado* movement, what was most salient was “la ‘ausencia’ femenina....”<sup>230</sup> Their next project, then, sought to investigate “las formas de participación de la mujer” and to “explicar el porqué de esa aparente ausencia y no-visibilidad femenina en la

---

227. Ibid., 283.

228. Ibid., 284.

229. Ibid., 283.

230. THOA, *Mujer y Resistencia Comunaria*, 11.

historia....”<sup>231</sup> THOA confirms that women did play a part in community resistance, even if they did not always perceive it as so. Why exactly women were absent cannot be answered in this thesis, but it likely involves colonial patriarchy and other ways that empire encodes gender norms. Thus, it is nevertheless important to recognize what is left out of colonial land titles. Though succeeding generations of Indigenous peoples could “reconstitute [the referents in titles] in novel ways,”<sup>232</sup> practices and ontologies under attack, like the Pasto language or the complementarity of gender, are further threatened by their exclusion from colonial record-keeping systems. Their absence raises questions, even as the strategic and creative way that *apoderados* used land titles had both ontological and material importance.

---

231. Ibid., 12.

232. Rappaport, “Object and Alphabet,” 282.



### VIII. Triangulating Land Rights

The *apoderados* were successful in representing their communities in struggles to annul land sales based on fraud, to legalize the use of colonial land titles to exempt them from new land commissions, and to oppose the expansion of the *latifundio* regime. However, “there can be no doubt about the massive alienation of indigenous lands throughout the country” at the end of the century.<sup>233</sup> Herbert Klein sums it up: “Still holding half the lands and about half the rural population in 1880, the communities were reduced to less than a third of both by 1930.”<sup>234</sup> Larson does point out that the impact of disentanglement affected regions differently. For example, in the valleys of Cochabamba, “a region quilted by *haciendas* and smallholding peasants deeply integrated into regional product markets, the liberal land policies gave many peasants a chance to own small parcels of *hacienda* land they had once cultivated through sharecropping or leasehold arrangements.”<sup>235</sup> There, the existing context of the region led to some positive outcomes of the 1874 law. On the other hand, the province of Chayanta in northern Postosí had very resilient *ayllus*, who “posed strong opposition to earlier cycles of liberal reform and continuously struggled over the republican period to restore ethnic authorities and jurisdictions at the moiety level....”<sup>236</sup> Much of Platt’s work about resistance to disentanglement focuses on this area, and disentanglement was less prevalent there. In contrast, *altiplano* Aymara peoples around La Paz were “besieged” and lost significant portions of their land because the *haciendas* that were feeding the growing city would merely add on the Aymara parcels adjacent to their borders.<sup>237</sup> The *Ley de Exvinculación* destroyed landholding and communal life to different extents in

---

233. Larson, *Trials of Nation Making*, 222.

234. Klein, *A Concise History*, 147.

235. Larson, *Trials of Nation Making*, 223.

236. *Ibid.*, 224.

237. Irurozqui Victoriano, “Elites en litigio,” 9.

different areas of the country, but as a whole created the catastrophic alienation of Andean communities.

Despite the large loss of land, *caciques-apoderados* started the process of ethnic rebellion that led into the 1899 civil war. The liberal reforms spurred resistance such that “the imperatives of communal defense and survival revitalized a sense of communal identity and ethnic memory among a spreading transregional network of Aymara people.”<sup>238</sup> Marta Irurozqui argues that as Indigenous peoples realized that the tributary pact was truly broken, they switched tactics to the more aggressive and militant strategy of the Federal-Aymara War at the end of the century. This ethnic vitality was rejected by creoles at the end of the war and the leaders, including Zárata Willka, were tried and killed, and “the deepening of racial tension after 1899... shut Indians out of the Creole notion of nation-state.”<sup>239</sup> The spirit of rebellion was not broken, however, and would go on to reach a peak of militancy between 1910 and 1930, with the “cycle of Aymara rebellions,” including the twentieth century *cacique-apoderado* movement.<sup>240</sup> This would lead to the 1952 revolution and 1953 land reform through the *Movimiento Nacionalista Revolucionaria* party. The Indigenous political movement was revitalized again in the 1980s through the revindication of the *ayllu* and reached international recognition in the “Water War” of 2000 and the “Gas War” of 2003, the latter of which involved another siege of La Paz and the forced resignation of President Sánchez de Lozada.<sup>241</sup> Soon after, Bolivia elected its first Indigenous president Evo Morales in 2005 and then ratified the 2009 constitution recognizing a plurinational Bolivia. The fight against colonialism is not complete yet, though, and Bolivia still experiences

---

238. Larson, *Trials of Nation Making*, 226-7.

239. *Ibid.*, 239, 244.

240. *Ibid.*, 227.

241. Hylton and Thomson, *Revolutionary Horizons*, xiii-viv.

blockades, marches, and other popular participation from Indigenous peoples to make the state and its populace recognize their demands.

Modern struggles for Indigenous justice also recall the nineteenth century's protests in other ways. One fruitful stage for Indigenous struggle since the 1990s has been the international arena, with different conventions like the International Labour Organization's Indigenous and Tribal Peoples Convention (1989) and United Nations Declaration on the Rights of Indigenous Peoples (2007) setting standards for Indigenous rights worldwide. While these agreements are usually not enforceable, Indigenous nations have been negotiating between these international organizations, the state, and their own institutions to force the implementation of the rights in these conventions. In her book *Vernacular Sovereignities: Indigenous Women Challenging World Politics*, Manuela Lavinás Picq tells the story of how Kichwa women from Chimborazo, Ecuador, advocated for the inclusion of gender parity during Ecuador's 2008 constitutional reform. Indigenous nations have been invoking their rights as expressed in the Indigenous and Tribal Peoples Convention for many decades, for example invoking their rights to prior consultation against the state before extractive projects.<sup>242</sup> Kichwa women, as part of the Red de Mujeres Kichwas de Chimborazo, are unique because "they invoke international treaties primarily to pressure Indigenous institutions, not the state."<sup>243</sup> They achieved guarantees for gender parity in Indigenous justice systems, holding their own communities accountable for gender justice.

This achievement was not easy and involved creative, novel uses of various systems and understandings. Lavinás Picq details the triangulation Kichwa women used: state and Indigenous

---

242. Manuela Lavinás Picq, *Vernacular Sovereignities: Indigenous Women Challenging World Politics* (Tucson: University of Arizona Press, 2018), 160.

243. *Ibid.*

justice systems “left women vulnerable to violence” and international frameworks “guaranteed them rights but offered few or no enforcement mechanisms....”<sup>244</sup> Only their “careful interweaving of the three legal systems could balance out the strengths and deficiencies of each. Kichwa women created a triangular system of legal accountability to force Indigenous systems of justice to abide by international women’s rights, using the state of Ecuador as guarantor.”<sup>245</sup> I see this triangulation as related to that of the nineteenth century. Aymara and Quechua peoples understood the colonial system to be oppressive, but it had important elements like state protection for land. The republican state had broken the reciprocal pact with the *Ley de Exvinculación*, but their document-based legal system still recognized the legitimacy of colonial documents. Andean communities, through the *apoderados*, wove together their own compliance to reciprocity with the legal system of the state and the helpful legacies of colonial land protection to safeguard their rights to land in the late 1800s. Though ultimately the Bolivian state overpowered this kind of resistance, at least at the time, this complex and deliberate negotiation of rights, laws, and customs did change the actions of the state and prolong the reciprocal pact to the benefit of Indigenous peoples. The strategy was effective enough for it to be used in the twentieth century, and similar multifocal negotiations are happening to this day. Current negotiations with international frameworks and states affirm “the existence of non-state forms of political authority in world politics,”<sup>246</sup> strengthening moves away from a colonial, extractive, and unsustainable state system that denies the autonomy of Indigenous nations and their worldviews.

---

244. Ibid.

245. Ibid.

246. Ibid., 116.

The past is not behind us in a straight line, rather it is with us and maybe even ahead as well. I find the most compelling historical narratives and studies to be those that understand history not as more primitive than our lives now, but rather as relevant and insightful for our present. History is always interpreted from the present, but it does not follow that the present is the most forward in understanding that we can be, as colonial historical thinking implies. The *apoderados* in the nineteenth century may have preceded the *apoderados* of the twentieth, but that does not mean that the later actors did it better. Similarly, the women of Chimborazo were, to my knowledge, not attempting to invoke the actions of people in the nineteenth century, but their actions connect to each other nonetheless. Each situation involves different contexts, where each community and person are acting as they can in their situation. Hindsight might seem omniscient, but we may not yet know how our lives will draw on our pasts as we move forward. Scholar Arturo Escobar summarizes: “the essence of ancestrality is to make other futures possible.”<sup>247</sup> Indigenous cosmovisions, encompassing their legacies of resistance, offer compelling ways to look beyond colonial systems and seek out the past to move into the future.

---

247. Arturo Escobar, “Sentipensar with the Earth: Territorial Struggles and the Ontological Dimension of the Epistemologies of the South,” in *Pluriversal Politics: The Real and the Possible* (New York: Duke University Press, 2020), 73.

## Bibliography

- Abercrombie, Thomas. *Pathways of Memory and Power: Ethnography and History among an Andean People*. 1998.
- Barragán, Rossana. “The Spirit of Bolivian Modernity: Citizenship, Infamy and Patriarchal Hierarchy.” *Economic and Political Weekly* 32, no. 30 (1997): PE58–67.  
<http://www.jstor.org/stable/4405678>.
- Bonfil Batalla, Guillermo. *México Profundo: Reclaiming a Civilization*. Translated by Philip A. Dennis. Austin: University of Texas Press, 1996.
- Condarco Morales, Ramiro. *Zárate, El “Temible” Willka: Historia De La Rebelión Indígena De 1899*. 4a. ed. Santa Cruz de la Sierra: Editorial El País, 2011.
- De La Cadena, Marisol. “Indigenous Cosmopolitics in The Andes: Conceptual Reflections beyond ‘Politics.’” *Cultural Anthropology* 25, no. 2 (2010): 334–70.  
<https://doi.org/10.1111/j.1548-1360.2010.01061.x>.
- Escobar, Arturo. “Sentipensar with the Earth: Territorial Struggles and the Ontological Dimension of the Epistemologies of the South.” In *Pluriversal Politics: The Real and the Possible*, 67-83. New York: Duke University Press, 2020.
- Garrett, David T. *Shadows of Empire: The Indian Nobility of Cusco, 1750–1825*. Cambridge Latin American Studies. Cambridge: Cambridge University Press, 2005.  
<https://doi.org/10.1017/CBO9780511529085>.
- Grieshaber, Erwin P. “Survival of Indian Communities in Nineteenth-Century Bolivia: A Regional Comparison.” *Journal of Latin American Studies* 12, no. 2 (1980): 223–69.
- Hylton, Forrest, and Sinclair Thomson. *Revolutionary Horizons: Past and Present in Bolivian Politics*. London: Verso, 2007.
- Irurozqui Victoriano, Marta. “Elites en litigio. La venta de tierras de comunidad en Bolivia 1880-1899.” Lima: IEP ediciones: 1993.  
<https://repositorio.iep.org.pe/bitstream/handle/IEP/860/Documentodetrabajo54.pdf?sequence=2&isAllowed=y>.
- Keen, Benjamin, and Mark Wasserman. *A History of Latin America*, 3<sup>rd</sup> ed. Boston: Houghton Mifflin Company, 1988.
- Klein, Herbert S. *A Concise History of Bolivia*. 3rd ed. Cambridge Concise Histories. Cambridge: Cambridge University Press, 2021. <https://doi.org/10.1017/9781108953719>.

- Langer, Erick D. "Bringing the Economic Back In: Andean Indians and the Construction of the Nation- State in Nineteenth-Century Bolivia." *Journal of Latin American Studies* 41, no. 3 (August 2009): 527-551.
- . "Indigenous Independence in Spanish South America." In *New Countries: Capitalism, Revolutions, and Nations in the Americas, 1750-1870*, edited by John Tutino, 350-375. Durham and London: Duke University Press, 2016.
- . "El liberalismo y la abolición de la comunidad indígena en el siglo XIX." *Historia y Cultura* 14 (October 1988): 59-95.
- . "Native Cultural Retention and the Struggle for Land in Early Twentieth-Century Bolivia." In *The Indian in Latin American History: Resistance, Resilience, and Acculturation*, edited by John E. Kicza, 171-96. Jaguar Books on Latin America, No. 1. Wilmington, DE: Scholarly Resources, 1993.
- Larson, Brooke. *Cochabamba, 1550–1900: Colonialism and Agrarian Transformation in Bolivia*, 1998. <https://doi.org/10.1215/9780822379850>.
- . *Trials of Nation Making: Liberalism, Race, and Ethnicity in the Andes, 1810-1910*. Cambridge, UK: Cambridge University Press, 2004.
- Lavinas Picq, Manuela. *Vernacular Sovereignties: Indigenous Women Challenging World Politics*. Tucson: University of Arizona Press, 2018.
- Marzal, Manuel M., Eugenio Maurer, Xavier Albó, and Bartomeu Melià. *The Indian Face of God in Latin America*. Faith and Cultures Series. Maryknoll, N.Y.: Orbis Books, 1996. <http://www.gbv.de/dms/bowker/toc/9781570750540.pdf>.
- Mendieta Parada, Pilar. "Caminantes entre dos mundos: los apoderados indígenas en Bolivia (siglo XIX)." *Revista de Indias* 66, no. 238 (December 30, 2006): 761–82. <https://doi.org/10.3989/revindias.2006.i238.339>.
- Mendieta, Pilar. *Entre La Alianza Y La Confrontación: Pablo Zárate Willka Y La Rebelión Indígena De 1899 En Bolivia*. Lima: Institut français d'études andines, 2010.
- Mignolo, Walter D. *The Darker Side of the Renaissance: Literacy, Territoriality, and Colonization*. Ann Arbor, University of Michigan Press: 1995.
- Osterhammel, Jürgen. *Colonialism: A Theoretical Overview*. Translated by Shelley L. Frisch. Princeton: Markus Wiener Publishers, 2005.
- Platt, Tristan. "The Andean Experience of Bolivian Liberalism, 1825-1900: Roots of Rebellion in 19th-Century Chayanta (Potosí)." In *Resistance, Rebellion, and Consciousness in the Andean Peasant World, 18th to 20th Centuries*, edited by Steve J. Stern, 280-323. Madison: University of Wisconsin Press, 1987.

- . “Liberalism and Ethnocide in the Southern Andes.” *History Workshop*, no. 17 (1984): 3–18.
- . “Writing, Shamanism and Identity or Voices from Abya-Yala.” *History Workshop*, no. 34 (1992): 132–47. <http://www.jstor.org/stable/4289187>.
- Pratt, Mary Louise. “Arts of the Contact Zone.” *Profession*, 1991, 33–40. <http://www.jstor.org/stable/25595469>.
- Puente, Rafael, and Estela Machicado Montaña. *Recuperando la memoria: una historia crítica de Bolivia*. Santa Cruz, Bolivia: Fundacion Colonia Pirai, 2011.
- Rappaport, Joanne. “Object and Alphabet: Andean Indians and Documents in the Colonial Period.” In *Writing Without Words: Alternative Literacies in Mesoamerica and the Andes*, edited by Elizabeth Hill Boone and Walter Mignolo, 271–92. Durham: Duke University Press, 1994.
- Rivera Cusicanqui, Silvia. “*Oprimidos pero no vencidos*”: *Luchas del campesinado Aymara y qhechwa 1900-1980*. La Paz: Hisbol, 2010. <http://www.ceapedi.com.ar/imagenes/biblioteca/libreria/294.pdf>.
- Salomon, Frank, Jorge Urioste, and Francisco de Avila. *The Huarochirí Manuscript: A Testament of Ancient and Colonial Andean Religion*. 1st edition. Austin: University of Texas Press, 1991.
- Sarmiento de Gamboa, Pedro, Brian S. Bauer, Vania Smith, and Jean-Jacques Decoster. *The History of the Incas*. Austin: University of Texas Press, 2007. <http://ebookcentral.proquest.com/lib/claremont/detail.action?docID=3443304>.
- Silverblatt, Irene. *Moon, Sun, and Witches: Gender Ideologies and Class in Inca and Colonial Peru*. Princeton University Press, 1987. <https://doi.org/10.2307/j.ctv1m5924j>.
- Smith, Linda Tuhiwai. *Decolonizing Methodologies: Research and Indigenous Peoples*. London, United Kingdom: Bloomsbury Academic & Professional, 2012. <http://ebookcentral.proquest.com/lib/claremont/detail.action?docID=1426837>.
- Taller de Historia Oral Andina. *Mujer y Resistencia Comunal: Historia y Memoria*. La Paz: Hisbol, 1986.
- Thomson, Sinclair, Barragán R. Rossana, Albó Xavier, Seemin Qayum, and Mark Goodale, eds. *The Bolivia Reader: History, Culture, Politics*. The Latin America Readers. Durham: Duke University Press, 2018. <https://doi.org/10.1515/9780822371618>.