

Chapter Title: An Indian Nobleman Petitions His King

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Book Title: The Colombia Reader

Book Subtitle: History, Culture, Politics

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Published by: Duke University Press. (2017)

Stable URL: <https://www.jstor.org/stable/j.ctv125jtrj.51>

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An Indian Nobleman Petitions His King

Diego de Torres

In 1584 don Diego de Torres y Moyachoque traveled to Spain and presented to the king to issue a memorial de agravios, a formal complaint of twenty-two offenses committed by Spaniards against the naturales of Turmequé. Don Diego was the well-educated son of a conquistador and an indigenous noblewoman, Catalina de Moyachoque, and the language of his memorial makes it clear he was part of a community that had been subjugated and incorporated into colonial society. Juan Rodríguez Freile (see part V) offers a telling description of don Diego: “A Mestizo, rich, a gallant man, and as such having many friends and many people who obeyed him, from among the naturales, added to this was that he was a great friend of the visitador [an appointed official charged with inspection] Juan Bautista Monzón.” The mixed-race don Diego was embroiled in a racist political context. His father had another son, born in Spain to a Spanish woman, who challenged don Diego’s right to the title of cacique and to lands he had inherited. The half-brother’s challenge was upheld by the Real Audiencia in Bogotá, and by 1577, when don Diego sailed from Santo Domingo to Spain, he did so after having evaded a capture order issued in Bogotá. Despite that order, at least some well-placed Spaniards on the ground in Nueva Granada preferred him gone. “It would be most suitable,” they wrote to the king, “if he did not return to this kingdom because he is good with words and good on horseback and skilled with arms and more loved by the Indians than is suitable and as he is the son of one of the first conquistadores perhaps your Royal Majesty can extend him favor there.”¹

By the 1580s the multiple languages of the Muisca region were in decline. Within indigenous communities nobles and commoners—both increasingly mestizo—were using Spanish, as in the memorial excerpted here. Yet the memorial is strikingly rich. It points to aspects of indigenous people’s experiences in the aftermath of the Conquest that are only now being studied by academics, such as the domestic labor indigenous women performed in encomendero homes (point 6), and the effective existence of a local indigenous nobility in New Granada. As a well-situated mestizo cacique, able to press claims, don Diego felt himself equal to Spaniards and fully integrated into the symbolic and economic systems of the Catholic monarch of Spain.

Throughout the text, we feel his sense of political belonging. He speaks from the apex of a new native community, able to enumerate the oppressive conditions faced by those for whom he speaks and able to use effective comparisons to support his points, as in point 9. Today this educated, well-traveled spokesperson would be described as cosmopolitan.

Account that don Diego de Torres, Cacique, provided to his Majesty on the grievances that the Indian population of the New Kingdom hold towards people to whom they are entrusted to by his Majesty, and the manner in which matters that would best be remedied are consummated and come to pass, and the little fruit provided by their conversion.

Sacred Catholic, Royal Majesty:

ON HOW INDIANS WHO BELONG TO YOUR MAJESTY ARE MORE
ILL-TREATED THAN OTHERS WHO DO NOT.

Your Majesty also commands through a new law and royal ordinance that the Indians and Indian towns that were passed or are placed under your royal crown, be provided better treatment and protection than others which are not, so that they understand that in coming to your royal crown they will grow and be protected, which is advisable for both spiritual and worldly matters. I certify to Your Majesty that it is true that there are no Indian towns more persecuted, humiliated, disturbed, or more poor than those placed under your royal crown, particularly those towns in the province of Tunja of which I am Cacique. They used to only be bothered by the *encomendero* and his servants, where they would finally recognize one as superior. Yet with regards to those who come on behalf of your royal crown, they do not know whom they must please, as the *gobernador* [governor] gives them orders, the *contador* [auditor] does the same, the *tesorero* [treasurer] does no less, as does the *corregidor* [administrative official] of said province, so that each of them when facing a town belonging to Your Majesty says "it is my duty to give orders," whereas another might consider themselves more suited to do so.

It is in this manner that each wants to send their servant or farmhands to make of use them in Your Majesty's towns, as some are sent as administrators while others receive taxes, and each of them takes an excessive amount of pay as civil officers, or deputy officers, or thousands of other thieves who steal and destroy Your Majesty's towns. As these are servants or close to the aforesaid persons, the miserable Indians do not know whom to seek out to remedy the grievances that are caused by them, and can only plead to

heaven and weep their misfortunes, for the injuries done to them include taking advantage of their women and daughters. They apply a terrible cruelty toward Your Majesty's towns, and in order to secure their wages and have themselves be well paid, when they arrive on these commissions, they claim a certain amount of the taxes they gather to obey Your Majesty, and they say to the miserable Indians: "Brothers, I have spent [the equal of] so many salaried days on account of you, and you must pay for these costs when you provide the taxes you owe to his Majesty in full; the cost of my waged days will increase if you fail to obey, and the miserable Indians, seeing that part of the taxes they had for Your Majesty have been taken by them as their wages, must account for more than what they owe, and as their debt doubles they cannot comply in the time they have been given, and the civil officer, having completed the number of days for his commission, writes to his masters that the Indians have not paid their taxes because they are very sly and idle, and requests wages to pay for additional days to gather these, and having been given the days they request, they claim more than double the amount of money the miserable Indians have for Your Majesty, and they fall into the bad habit that if they are given one hundred for their wages, they will take out two hundred and ask that their days be extended, or might even connive into staying with all they have taken, as they do not only serve as civil officers on behalf of those that have sent them, but also eat the chickens that the poor Indians raise in their farms, who must provide for them and for their servants and the twenty horses that they take to fatten while they are in said towns. . . . And thus the miserable Indians faced with these evil deeds and thefts cannot comply, and the Officials of your royal treasury ask that the caciques be arrested for rebellion because they do not want to pay tribute to Your Majesty, and with this they are removed from their environment, over seventy leagues round trip to the city of Santafé, where they are taken as prisoners and are forced to pay for their stay at the royal prison, where they may spend more than five or six months suffering extreme [deprivation] until it pains to see such cruelty and they are left free, as they fall ill and die from such humiliation. . . .

ON HOW INDIANS ARE NOT TREATED AS FREE PEOPLE
AS YOUR MAJESTY COMMANDS

Through new laws and royal ordinances for the Indies Your Majesty has ordered and commanded that Indians from these parts be treated as the free people that they are and not receive any injury upon their person, properties, women, and children. The city of Tunja uses bondage and diabolic cruelty that goes against what Your Majesty has ordered and commands, where

each wife of an *encomendero* of Indians has in their home many women that have been taken from towns belonging to this *encomienda* to spin thread, weave, garden, and do other services and farmwork that needs to be done inside their homes, and these women are often the daughters of the Indian nobles, which is something that affects the Indians greatly, to see their daughters, nieces, and kin in bondage for such long-lasting and thankless service, where they spend all their lives under lock and key, that they do not see the sun or the moon, and are forced to endure such a severe and miserable life, and are only taken into account for the sake of their labor. It is ignored that these women need to receive holy baptism and be educated in Christian teachings, and the reason they are kept under such cruelty and bondage is that if they were provided these sacraments which are so important to their salvation, they would escape and lose their lands, and so they are always kept imprisoned as described before, and if any manages to leave this perpetual confinement, they do not dare go back to their towns to be protected by their parents and kin so that these will not bear cruel punishment . . .

ON HOW THE UPBRINGING OF CHILDREN OF SPANIARDS
BRINGS HARM TO THE INDIANS

Yet there is a greater persecution and cruelty forced on these miserable women than those described before, which is that no Spanish women that has and possesses Indians from the *encomienda* will care to raise the children to which they give birth, for when giving birth, they will have many wet nurses chosen from the town, taking them against their will from their husbands and parents, and for this they pressure caciques and [principal] Indians in order to take the number they demand for the pregnant señora to choose the cleanest and those with the best milk, and it never fails that from this selection there will be three or four nurses whose breasts are taken away from their Indian children.

Translated by Ana María Gómez López

Note

1. Ulises Rojas, *El Cacique de Turmequé y su época* (Tunja: Imprenta Departamental, 1965), 26. Cited by Jorge Orlando Melo, "Presentación: El Memorial de Agravios de don Diego de Torres, cacique de Turmequé, 1584," <http://www.jorgeorlandomelo.com/bajar/turmeque.pdf>, accessed January 31, 2014.