VIR. Perceptions of Manliness in Andalucía and Mexico 1561-1699

Garza Carvajal, F.

Citation for published version (APA):

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Chapter Four

'Cotita and the Antipodas

or How a Cadre of Effeminate Sodomites Infested Hispania Nova with the 'Endemic Cancer' known as the Abominable Sin Contra Natura

Mille regrets

Si je perdas mon amy, pas
n'aurait cause de rire, je l'ay si
longtemps servy, vrai Dieu qu'en
voulez vous dire, Il y a ung an et demy, que sur tous l'ovoye
choisy.

Par ung matin m'y levai, dës
que vy le souleil luyre. En nos
jardins m'en entray non pas
sans mélancolie. Et disoys tout à
part moy, quand mon amy
pouray voir?

Morte suis...1

When Juan de Correa, aged "over seventy years" appeared before His Majesty's High Court in 1656 Mexico City, the "old Mestizo", continuously denied ever having committed the 'nefarious sin against nature'. But the Lord Magistrate persisted in his interrogations of Correa and the 'old Mestizo' finally admitted that he had committed the peccato contra natura "for over forty years with many persons" whose names he also revealed. The surgeons of the Mexican High Court, in fact, "proved that Correa had committed sodomy since the age of seven". Correa so "lamented the past", that he "applauded" the fact that "the millennium as soon drawing to an end" for not as many men "took pleasure with him in the present century as they had in the past millennium" or "before the great inundation of the city" when he still esteemed himself as a "pretty fine young girl". Correa had then "dressed like a woman along with the other men and boys" he had referred to in his deposition before the High Court. Furthermore, Correa had taught "his skills to the men and the younger boys" as they enjoyed "great pleasure amongst themselves when they committed the nefarious sin". Correa often
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hosted 'parties' for his guests at his house and had spent the proceeds of his entire "estate on these gatherings". "Although an old man", Correa "still considered himself a beautiful young girl" and reminded the boys that "one should eat" men just like one "ate a frog: from the waist downwards".²

Correa and his comrades no longer ate human meat, but they could sure host a 'party' much to the chagrin of colonial authorities in Mexico City who had, with great zeal, sought to exterminate the practices of anthropophagy, human sacrifices, and sodomy in the Indias throughout the early modern period.

This chapter asks how the 'just causes' of Spanish imperial rule, its perceptions of 'manliness' and by extension perceptions of sodomy, prompted changes in the representations or textual constructions of sodomites in Hispania Nova. In the Spanish peninsula, authorities defined sodomy as a 'crime and sin' against God and usually associated its practice with the 'other' or foreigners. The peninsular moralists dedicated folio after folio to the physical, raw abominations of the act as they sought to prove its detestable and nefarious nature. However, in New Spain, colonial officials, jurists, theologians, and other writers began to associate sodomie with notions of effeminacy, the diabolic, anthropophagy and inebriation as but some of the signifiers linked with perceptions of the pecado nefando. In early modern New Spain, historians, chroniclers, and theologians collectively assumed an inherent linkage between these multiple cultural constructs and in so doing, they offered one more 'just cause' for the permanence of colonial rule in the Indias. The power of 'letters' provided the Spanish Monarchy with one more repressive mechanism in its pursuit of colonial domination of New Spain. As in the peninsula itself, imperial-colonialist politics significantly influenced perceptions of sodomy in early modern Hispania Nova. Throughout the early modern period, the imperial politics of Spain altered and exploited categories of 'manliness' or 'sexualities' in its attempt to impose one more 'just cause' for the legitimation of Spanish colonial rule.

This chapter also exposes how those who directly participated in the colonization of the Indias since 1492 and up until the 1657-58 sodomy prosecutions in Mexico City, the last of said prosecutions in Habsburg New Spain, re-represented the recurring 'effeminate' sodomite on the historical landscape as just another motive for colonial domination. Consequently, I have examined the Spanish discursive descriptions of sodomie in Hispania Nova found in the writings of the clergy who wandered about the Mexican countryside or in relations written by Hernando Cortéz and other 'conquistadores'. Official royal historiographies, trial records, postColombian manuscripts written by 'indigenous' chroniclers and the correspondence of
colonial officials, make up the primary sources of material for the findings presently discussed in this chapter. The authors of these various manuscripts all directly participated in or had some strong affiliation with the 'discovery, conquest and colonization' of the Indias. The chroniclers of indigenous blood extolled the virtues of the preColombian societies while the Spanish tended to praise the accomplishments of the conquistadores and Christian values. The reading of these particular sources has evoked a singular interpretation on how an evolving Spanish 'imperial formation' distorted perceptions of sodomy in early modern México for purely political-religious gain. In the midst of this distortion, the sources, especially the reports written by colonial scriveners, offer the reader but a glimpse of how sodomites in the metropole of México contested and usurped Spain's early modern sexual-political paradigm.

Mi Vida, Mi Amor

The secular High Court of the Viceroyalty of New Spain proceeded against Correa and successfully prosecuted another eighteen men and boys--all accused of having committed the 'crime and sin of sodomy'. The High Court accused and ordered the apprehension of another one hundred and three men in an unprecedented, brutally repressive program and the active pursuit of sodomites in the early modern metropole of México. The 1657-58 sodomy prosecutions in Mexico City represent the only surviving historical accounts of this nature between the time of the Spanish 'conquest' in the early sixteenth-century until the late eighteenth century, when the Mexican Holy Office of the Inquisition assumed jurisdiction over 'sexual crimes'. In 1657, the colonial authorities had finally uncovered a web of sodomites in the metropole--something historiographers had assumed and written about for about a century and a half. During his interrogations, the incorrigible Correa must have whet quite some appetites.

What's more, revealed Correa, "he, along with other older men" had often hosted many a 'party' for "other men and boys". The revelers frequented a house in the neighbourhood of San Juan de la Penitencia, along the peripheral walls of Mexico City. The men and the boys hosted their "receptions like women" and they referred to each other as "niñas". These "girls" had each assumed a pseudonym--they had appropriated for themselves the names of the "most beautiful women in Mexico City". The men knew Correa as 'la Estanpa' the name of a "very graceful lady who had lived in the city". At the parties, the "men danced and they presented each to the others as gifts" after which they "committed the nefarious sin". Correa,
"his cape lowered and worn around his waist, sashayed from side to side as he danced with the others" only to stagger and complain that "he felt overcome by fits of the mother".

"My love, my soul", uttered those in attendance, as the men and the boys offered la Estanpa with "chocolate to ease his pain" and bathed him with other "tender expressions of comfort" as well as "endearing, soft, and amorous" syllogisms. By the time colonial authorities employed the aforementioned descriptions of Correa and his comrades involved in the 1658-58 sodomy cases in México, these perceptions had already differed in context and scope from the earlier descriptions of sodomites in the peninsula. The seventeenth century depiction of Mexican sodomites had also differed from some of the earliest representations of sodomites in the Indias.

Emasculated Aged Meat

Christopher Columbus recorded some of the earliest descriptions of Indios. Subsequent Spanish court-appointed historiographers, chroniclers and theologians would later embellish these portraits, in spite of the fact that some of them had never set foot in the Indias or never had the privilege of actually meeting an Indio in person. In the wake of promulgating their fabricated discourses of sodomie, these early modern writers initially described all Indios as sodomites who engaged in anthropophagy and practiced human sacrifices--a dominant view held by the Spanish intelligentsia throughout Spain's colonial occupation of Hispania Nova.

In a letter to the Catholic Monarchs dated 16 October 1492 Colombus described the Indios of Santa María as "somewhat more disposed to Spanish occupation than their counterparts in San Salvador". "The women", wrote Colombus "at the very least wore a little piece of cotton", albeit "one that barely concealed their natura". On the island beach of La Tortuga, Colombus had encountered "two Indios who lacked pieces of flesh on their bodies for the cannibals had bitten them off and eaten them piece by piece".

But in Española, Colombus saw "many naked men carrying bows and arrows, one of which looked quite different from the others". This Indio, in particular, "displayed different actions. He had painted his entire face with carbon, his very long hair gathered and tied behind his head" on which he wore a hair net "filled with many papagayos plumes". Colombo recalled these Indios as "a bit fatter than those he had seen earlier, they bore no arms and acted in a cowardly way". "One thousand of them", boasted Colombus to the Monarchs "could not possibly defeat three of us". In fact, he found
their temperament so "docile" that one could "easily order them around, and compel them to sow crops and undertake other necessary chores". They should also be forced to "construct villas, and taught how to dress properly in accordance with our customs", recommended Columbus. These and other Indios, like the Caribs, "all had very vile customs and amongst others, they ate their fellow men".

Columbus not only provided the peninsulars with some of the very first representations of the Indios, but he also recorded some of the earliest veiled references that link perceptions of sodomy in the Americas with anthropophagy, docility, and cowardice. In an era when the 'unspeakable' reigned supreme, descriptions such as 'vile customs' sufficed as an adequate signifier to depict the 'sexual' appetites of a different 'other'.

Two years later, in 1494, Colombus' physician Diego Alvarez Chanca sent a letter to Sevillan legislators in which he described their second voyage to the Indias, and in particular, elaborated on Colombus' depiction of the Caribs. "When the Caribs captured boys", wrote Alvarez Chanca, "they cut off the boy's members and removed all their manly organs". These emasculated boys developed "feminine characteristics and the Caribs used them for the practice of sodomy much like the Arabs enjoyed their young men as eunuchs and bardajes". "Once grown men, the Caribs killed them and ate them" for they preferred the taste of "aged meat to that of boys or women".

Alvarez Chanca's first reports also suggested a link between sodomy, notions of effeminacy and anthropophagy in the Indias. He also became one of the first travelers to the Indias to "confirm that anthropophagy existed amongst the Indios, albeit a discriminating practice for they differentiated between the taste of human flesh according to age and sex". Furthermore, Alvarez Chanca also accounted for religious motives and the consumption of human meat amongst the Indios on the American continent as precursors of sodomitical cultures. Eventually, other fantastic first-hand accounts of the Indios and sodomy soon began to circulate in the peninsula.

By the time Pietro Martire D'Anghiera, wrote De orbe novo decades in 1511 and Opera legatio babylonica de orbe novo decades octo opus epistolarum in 1516, the Spanish Monarch had already accumulated a number of 'first-hand' accounts of the Indios and their sexual habits. D'Anghiera, an Italian physician, arrived in Spain in 1487 and thereafter became a favourite of Isabel. As the court-appointed Councillor of the Indies, the doctor gained personal access to some of the earliest 'first-hand' description on the Indios written by navigators, explorers, and other men traveling throughout America. Although D'Anghiera never set foot in the Indias, he used these chronicles to produce the first European published texts on the Indios and
their cultures. *Opera* and *Decades*, translated into English, Dutch, French, and Italian set the tone by which subsequent historiographers and theologians, armed with the power of letters, fined-tuned virulent discursive harmonies on the *Indios* and their 'sodomitical' cultures.

In *De Orbe Novo*, D'Anghiera narrated a group of events that had taken place during the 1513 exploration of Quarequa in the isthmus of Panama by Vasco Nuñez de Balboa. During these explorations, wrote D'Anghiera, "Vasco Nuñez de Balboa came upon a King's house infested with the most abominable and unnatural lechery". Nuñez de Balboa had witnessed a "King's brother and other younger, supple men, effeminately dressed in women's apparel", and whom the brother "abused with preposterous" temerity. Not amused, Nuñez de Balboa had "commanded forty of them to be fed to his dogs". When the other islanders received notice of the severe punishment the Spaniards had inflicted upon that "filthy kind of men" the *Indios*, "spontaneously and violently, sought out all others they knew to be infected" with this "pestilence" for after all, conceded D'Anghiera, these *Indios* also exhibited a "natural hatred of an unnatural sin". D'Anghiera had not despaired, for "this stinking abomination" had not yet filtered downwards to "infect the common man". In that part of the world, "only the nobles and gentlemen exercised that sort of desire". The "*Indios* knew that sodomy gravely offended God and that such vile deeds prompted the "thundering, lighting and tempests that so often troubled them, or the overflowing waters which drowned their fruits having caused famine and diseases".11

Independent of whether or not, *Indios* in the *Americas* considered sodomy an 'unnatural sin against God' or whether their concept of 'sin' mirrored Spanish Catholic dogma, D'Anghiera's discursive portrait of sodomitical culture amongst the *Indios* strongly mimicked the *sexo-político* discourses of sodomy elaborated by the early modern Thomists and the Spanish Second Scholastic. Our learned doctor transposed the biblical story of Loth and God's angels in *Sodoma* into the imagination of the *Indios* who lived on the sandy beach shores of sixteenth century Panama. D'Anghiera's depictions of sodomy as an infectious pestilence that could spread its contamination amongst a subject population echoed the words of Fray De León and the cleric's own suspicions of a similar plight in the prisons of Sevilla.

Whether 'men of letters' sailed by sea or by quill, they re-enforced historical and literary depictions of so called 'differently others'-- a xenophobic genre of writing privileged in fifteenth century Spain especially to buttress notions of Empire and concoct just causes of domination against the likes of Moors, Jews, sodomites, or émigrés. The 'men of letters' and
their perceptions of sodomy in New Spain quickly evolved to explain its practice amongst an entire subject population, one completely consumed by its addiction to the flesh, thus providing the Monarchy with a 'just cause' for domination and occupation-- a theme proposed at the dawn of the sixteenth-century by Hernando Cortés.

All Phallic-centric Sodomites

Hernando Cortés had studied Latin for two years in Salamanca before he departed for Santo Domingo where he set foot in 1504. In his first 'relation' on the Indios of New Spain, actually written by the town council of Veracruz in 1519 but nonetheless attributed to Cortés, our learned fellow informed Charles V that, "the children, men, and women kill and offer sacrifices to their Gods". "And Your Majesties", he wrote, "we have come to know, for certain, that they are all sodomites and practice that abominable sin".12

The early explorers also recorded having witnessed pictorial or artistic representations of sodomitical practices in New Spain. A 'genteel Italian man', later known simply as the 'conquistador anónimo' who had accompanied Cortés to México, recalled that "particularly in Panuco, the Indios worshipped a man's member", so much so that the Indios had "erected the sculpted phallus in their temples and in the public squares". The sculpted figures had depicted both "men and women in various positions of sodomitical pleasure". The genteel writer described the men of Panuco as "grandiose sodomites, cowards, and often totally inebriated". The anonymous gallant found "the multitude of methods employed by the men to satisfy their abominable vice as almost too incredible to believe" or even too "unspeakable" to describe.13

The Indios had, of course, "informed" the 'anonymous gallant' that the "devil within their idols had possessed them and instructed them to sacrifice their fellow man, rip out their human hearts and offer the hearts, as well as the blood taken from the tongue, the ears, the legs, and the arms, all to the idols". Amongst other "notorious facts", the astonished gallant recalled, "many of them volunteered to be sacrificed, for they actually thought it saved their souls". "Everybody in Nueva España also ate human meat", related the gallant. The Indios "so esteemed it, above any other type of meat", that they sometimes "simply went to war, risked their lives only to kill someone and eat him". At the end of the day, thought the esteemed gentleman, "all the inhabitants of New Spain and those of other adjoining provinces ate human meat, they all commonly practiced sodomy and they
drank in excess". And "like the Moors, these Indios had many wives and moved around like the Arabs" concluded the 'anonymous conquistador'.

The excessive consumption of alcohol and the practice of sodomy must have prompted Isabel of Portugal, in the absence of Carlos V, to dictate a Royal Edict to the Magistrates of His Majesty's High Court in Mexico City. Isabel understood that the Indios concocted a "particular type of wine known as pulque", a drinkable substance derived from the aguave plant and "fermented with a root" to obtain a greater concentration of alcohol. The Toltec Queen Xochitl had first mixed this inebriating cocktail in the Mexican high plateau about 950 AD. Pulque, "ill-served God", wrote Isabel, for it caused "inebriation and propelled the Indios to unleash" unwanted practices such as their "human sacrifices, and vices of the flesh", in particular, the "nefarious sin". In 1529, the Catholic Queen ordered the magistrates to "prohibit the planting of the root" or at the very least "to prohibit its use in the fermentation of the wine". Alcohol, however, did not constitute the only problem faced by colonial authorities as they sought to eradicate sodomy from the Americas.

In the mid-sixteenth century, Bernal Díaz del Castillo, another historiographer, had also seen "sodomy scenes carved into the architecture of many buildings". The explorer Fernández de Oviedo also witnessed "sodomistic art depicted in gold jewelry, some weighing around 150 grams". Both the genteel 'conquistador' and Díaz del Castillo described "a great number of statues in a forest-like setting", a sort of contemporary artistic installation "of various sculpted sodomitical positions". The erotic representations, also seen in pottery, included representations of "vulvas, the virile member, coitus, male masturbation, sodomy between men and women, sodomy between men, or between women, fellatio, cunnilingus, and sex with animals".

Another soldier named Juan de Grijalva, had also witnessed the "phallic sculptures as he traveled throughout New Spain. Grijalva had witnessed "amongst some trees, a small idol made of gold and another two men carved out of wood, one penetrating the other a la Sodoma, and another sculpted figure made of baked earth which depicted a figure with both his hands on his circumcised member, just like almost every Indio in Yucatan". This particular encounter had disgusted the Spaniards for they "thought it filthy and cruel". In "Nombre de Dios, as well as in many other places", Grijalva and other explorers had seen "men who dressed and laboured like women". They had also come upon both "male and female public bawdy houses". In short, these men had witnessed a pitiful waste of gold and the entire gambit of early modern Spanish sexual impropriety.
By the first quarter of the sixteenth-century, chroniclers had etched descriptions of the *Indios* of New Spain as a 'phallo-centric culture' and intertwined perceptions of sodomy with effeminacy, the diabolical, anthropophagy, inebriation, cowardice and bawdy houses. The writings of Colombus, Chanca Alvarez, D'Anghiera, Cortés and those of the genteel 'conquistador' made up the earliest canon of writings on the *Indios*, a genuine *tour de force* on sodomitical cultures in the *Indias*, which subsequent theologians and historians cleverly embellished as just causes for their own political inclinations.

Filthy Hogs Deserved Domination

Initially, Spain invoked its thirteen century *Siete Partidas* to legitimize its 'rights to conquest' of the *Indias* based solely on the notions of 'discovery and settlement'. In 1493, Pope Alexander VI, a Spaniard by birth, confirmed Spain's 'moral' legitimation of 'conquest' and granted the Monarchs the sole legal rights to most of *America Septentrionalis* based on a temporal rule of the Papacy--one that allowed for the conversion of the infidels to Catholicism.20

The dispute over Spain's legitimacy over the *Indias* earnestly began in 1513 when King Fernando asked a commission of theologians and lawyers to discuss the matter. This Spanish view of *Indios* as 'unfit men' who lacked the 'ability to reason' had presupposed a tragic-comic paradox for the enlightened early modern Spanish moralists, for 'savages' could not receive the Christian sacraments. If the Spanish Monarchs had wished to spread Catholicism throughout their newly discovered territories, they found themselves forced to rule in favour of some form of 'indigenous' consciousness or state of reason, yet one that allowed the Monarch access to the land, the wealth, and even power over the *Indios* themselves.

The commission indeed drafted the first piece of colonial legislation on the matter titled the Laws of Burgos of 1513 and ruled in favour of Indian consciousness, thus apt for conversion to Catholicism. While debating the issue, the commission had qualified Spain's claim over the *Indias*, a dispute that became the object of a prolonged contention amongst historiographers, theologians and other Royal Councils until the end of the eighteenth-century.21

In 1525, the Council of the Indies commissioned Fray Tomás Ortíz, a Dominican Bishop who resided in *Tierra Firme*, to write about the Caribs--a group of *Indios* prevalent around the northern coast of South America. Ortíz responded by writing a most scathing critique of Caribs and their cultural attributes. In his report dated that same year, Ortíz emphasized
three cultural attributes of the Caribs: they ate human meat; practiced 'unnatural sexual' acts and consumed inebriating drugs. They also "shamelessly walked around naked" and "more so than any other nation" known to Ortíz, the Caribs wallowed in the "bestial vice of sodomy". The Dominican fray likened the Caribs to mules, somewhat "lazy and stupid". The "mad" Caribs often "cruel and vindictive" also "lacked reason". Whether depicted as "untrustworthy, thieves, or necromancers" reasoned Ortíz, these "sorcerers ate lice, spiders, and worms". These "cowardly filthy hogs", concluded Ortíz, simply "possessed no skills whatsoever and they lacked the fabric of men". What's worse, wrote Ortíz, the Carib men did not sport "any beards", instead, they "plucked out whatever hair grew on their entire heads".

That same decade, Gonzalo Fernández de Oviedo, who in 1526 supervised the gold smelting in South America mines, also confirmed the "natural inclinations of the Indians to anthropophagy, sodomy, incest and suicide". Originally born in Madrid, Fernández de Oviedo, as a young page had served the Duke of Villahermosa-- himself later burned for sodomy by a court in Madrid. In 1514, as Fernández de Oviedo roamed around the coast of Tierra Firme, a couple of Indios gave him some gold to smelt. Some of the Indios wore "gold jewelry that depicted one man mounted on top of another in that diabolic and nefarious act of Sodoma", remarked our chronicler. One of these pieces of jewelry depicted a "devil made of jewels and gold". Albeit "hollow, the well carved artifact weighed some twenty pesos of gold". Fernandez de Oviedo wrote one of the earliest 'official histories' of America which emphasized the "aberrant nature" of the American Indian's sexuality and brought the issue well within the gaze of the Spanish court.

The conquistador reported having seen a cacique named Behechio in Hispaniola with over "thirty wives not only for natural use" as most common married men would have. The cacique used his wives "for other bestial and nefarious sins". Cacique Goacanagari also possessed several women with whom he "congregated with, just like snakes do" noted Fernández de Oviedo. Apparently, Goacanagari had learned to consume this "abominable audacity from the snakes themselves-- but these Indios are much worse for nature had not provided the snakes any other form to engender". The "Indios of this entire Kingdom imitated the nefarious and filthy crimes perpetuated by the infamously vile Goacanagari". The common man in Hispania Nova, Santo Domingo, and Tierra Firme", wrote Fernández de Oviedo, "knew many Indios, both men and women to be sodomites and they believed sodomy existed quite commonly in these parts."
Fernández de Oviedo described the *Indios* of the northern coasts of South America as "cruel and abominable sodomites who ate human meat and shot poisoned arrows". In "many parts of *Tierra Firme*, the high priests publicly lived in nefarious concubinage with young boys", something our historian described as a "common practice amongst the *Indios*".

The boys "assumed the role of patients for their priests". They "wore a type of woman's dress or a short-like cotton skirt worn by the *Indias* to cover themselves from the waist to the knees". The boys also wore "bracelets and other adornments or trinkets traditionally worn by women". These young men "did not bear arms nor performed other manly functions but rather occupied themselves with the daily household trades such as sweeping or washing and other female labours". The women themselves "loathed these *camayoas*". However, "seldom did the women ever utter a word about these men", and "when they did speak out, they spoke only to Christians, for they are very submissive to their husbands".

The *Indios* of *Tierra Firme* permitted the "patient" or the "man who assumed the position of woman in that bestial and excommunicable act", to wear the apparel of women and to assume their domestic functions. All the men, "unaware of decency or shame, covered their *naturas*". In their attempts to justify Spain's imperial politics, Ortiz and Fernández de Oviedo not only reported that sodomites in the Americas looked differently or lacked reason, but they also linked notions of sodomy with madness, hallucinogenic drugs, incest, suicide, concubinage and with specific 'gender' roles--the patient or the actor--for its consummation.

Both historiographers attributed the "socially accepted *bardajes* to most *Indios* and their cultures". Like D'Anhgiera, Fernández de Oviedo described sodomy as a universal practice, especially, amongst the power holding *Indios*, though they too considered "it a sin punishable by the Gods". However, 'sinners' never go unpunished, must have thought Fernández de Oviedo when he wrote how a "just God had infected them with syphilis", a disease the *Indios* "suffered when they committed such vileness as sodomy".

Again, historiographers perpetuated the notion of widespread disease associated directly with the practice of sodomy as they also began to introduce newer perceptions of sodomy in the colonial context-- inebriation, for example, suggested early modern moralists, also led to loss of reason and to fits of lustful behaviour. For Fernández de Oviedo, jewelry and men dressed as women also constituted another dimension of sodomitical genre.

Future chroniclers further elaborated on the *Indios'* propensity to dress like women.
**Los Amarionados and Other Fantastic Fables**

Upon his return to the Spanish Court in 1537, another explorer, Nuñez Cabeza de Vaca received great acclaim for his chronicles on the _Indios_ of New Spain titled *Naufragios*. In 1540, the Crown named him governour of *Río de la Plata* as a reward for his service to the Empire. Cabeza de Vaca's expedition left Spain in 1527 and arrived in Mexico City in 1536. Curiously enough, Cabeza de Vaca recorded many instances of cannibalism amongst the Spaniards as they made their way from the northern part of México into the interior, however, he did not mention its practice amongst the _Indios_ he met during his journey. Perhaps, other more interesting things had captured his imagination.

As he made his way South along the Texas coast, Nuñez Cabeza de Vaca described having witnessed,

"diabolic practices[. . .]a man married to another man, *amarionados* or effeminate, impotent men who dressed like women and performed womenly functions, however, they did shoot the bow and arrow and could support heavy loads of weight on their persons. We saw many *amarionados*, although taller and more corpulent than the other men. Many of these effeminate men practiced the sin against nature".31

By the mid sixteenth-century, this and many other more fantastic fables about the _Indios_ and their sodomy in New Spain had littered the tales written by historiographers, theologians and chroniclers. The Aztecs, for example, "ate snakes and lizards". They possessed "no beasts of burden and no ploughs. Instead they used a long wooden stick to poke through the earth and sow their seeds". They had "spilled great amounts of human blood for the Gods as they sacrificed their fellow men, tore out their hearts, and then ate the men". These "heathens acquired property through bartering and their currency consisted of cocoa beans kept only for a limited time for they quickly became rancid and lost their initial value".32

Consequently, the Spanish Crown had legitimized its occupation of the _Indias_ based primarily on the just cause to re-orient a "different culture and its customs, most notably-- anthropophagy, human sacrifices, and sodomy".33 In this sense, the "conquest of México could simply have meant an extension of the Spanish reconquest of the infidels represented then by the Moors". The early modern moralist had long associated the Muslims with sodomy, a 'natural phenomenon' they attributed to 'others' and a discourse they employed against the _Indios_.34

During the second quarter of the sixteenth-century, a second wave of writers began to expand on the earlier perceptions of sodomy in the _Indias*
by suggesting that sodomitical practices caused the spreading of diseases such as syphilis, and that inebriation did in fact function as a precursor to 'nefarious vices'. These writers also perpetuated the idea of an inherent relationship between sodomitical practices in the Indias and institutionalized 'effeminacy', in particular boys dressed like women who performed 'womenly' trades or those who married other men, as yet another dimension of their discursive notions of sodomie.

Historiographers also described institutionalized pederasty amongst the priests and their boy concubines. This group of writers had introduced new attributes of sodomitical cultures, such as the wearing of jewelry as observed by Fernández de Oviedo, or the use of 'inebriating drugs' and the rampant practice of sodomy between men and women.

Finally, early modern historiographers directly linked sodomy in the Indias with the practice of incest or suicide. As in the peninsula, these descriptions prompted them to invoke divine and natural law as justifications for Spain's colonialist politics.

Divine, Natural Law

Notwithstanding the violent discourses of sodomy or of 'others' as a just cause for Spain's colonial domination, Pope Paul II issued two bulls in 1537 which granted the Indios of the Americas the status of "reasonable" creatures. His papal bulls directly contradicted the papal rights granted Spain in 1493. But, in 1539, Pope Paul II revoked the sections of the bulls which questioned Spanish hegemony over the Indias granted by Rome in 1493. Subsequently, the Council of the Indies prevented the distribution of 1537 papal bulls in the Indias. Despite the censorship imposed by the Council of the Indies, court-appointed historiographers, theologians and other chroniclers continued to debate Spain's legitimate right to its domination of the Indias in the early modern period.

Juan Ginés de Sepúlveda, the official historiographer of Charles V, for one, opposed any talk of 'reason' amongst the Indios. Ginés de Sepúlveda buttressed his arguments, invoking the words of Aristotle's Politica which argued that those of "superior intelligence, by nature, could rule and subjugate others for nature condemned those of inferior reason to the plight of plebeians". "Those with superior intelligence are by nature the rulers and lords of others while those with deficient judgment are by nature serfs", wrote Ginés de Sepúlveda, who thought it better for the Indios to serve under servitude or the colonial system of encomienda. Other historiographers disagreed with Ginés de Sepúlveda.
In the sixteenth century, it seemed that Spain had come to see the age of its "greatest theologians". Some theologians evidently took that to heart and dominated the debate over whether or not the Indios possessed the ability to reason. Throughout the early modern period theologians had appropriated for themselves the privilege of representing notions of Vir, a process inextricably linked to the politics of imperialism. In 1537, Francisco de Vitoria, reminded his audience that these issues remained much "too important for lawyers or casuists to determine" their outcome. Vitoria, like many of his counterparts regarded theology as the 'mother of sciences', whose domain encompassed everything governed by 'divine or natural' law, rather than human law or 'jurisprudence'. As a university professor at Salamanca, Vitoria and two generations of Spanish theologians and jurists became known as the 'Second Scholastic' or in a parochial sense as the 'School of Salamanca'.

Vitoria, a Thomist at heart, attacked Luther as an 'impious heretic' for reading the scriptures sola grammatica, or without the aid of scholastic theology. The Second Scholastic regarded the humanists as the 'new grammarians' and proposed that humanist textual scholarship on the bible led to the "slippery slope of Protestant heresy". Vitoria looked upon Erasmus as a "jumped-up grammarian meddling in affairs he did not understand". The Salamantinos also dismissed Lorenzo Valla, the founder of humanist biblical humanism as a charlatan-- all "heretical modernists". In doing so, Vitoria reinforced Aquinas' argument that men possessed "natural rights as a consequence of God's law, not of God's grace".

Contemporary historiographers Pagden and Lawrance have described Francisco de Vitoria as one of the most influential political theorists in sixteenth century Catholic Europe and the scholar who resolved, once and for all, Spain's legitimate claim to colonial domination over the Indias. Vitoria published nothing during his own lifetime. His students, he stated, already had too much to read. Instead, as Prime Professor of Theology at Salamanca, Vitoria delivered a series of relections or 're-readings' to an academic audience. These lectures constituted some of the most influential texts arguing in favour of Spain and Empire in 1537, a pivotal year for the defense of the Spanish Monarchy and its colonial undertaking.

In his lecture entitled 'De los Indios recientemente descubiertos', Vitoria delivered twenty-four monologues "undertaken not to argue about the truth, but to explain it". As a strong defender of the Castillian Monarchy and the theory of papal power grounded in natural law, he belonged to a long tradition of Spanish thought that adhered to the defense of ritual legitimation when confronted by moral issues such as the recently discovered Indios. Vitoria turned to his life-long affinity for divine and
natural law as he methodically argued in favour of Spain and Empire over the 'barbarians'.

On Barbarian Princes

Vitoria, especially in 1537, had argued that the Indios did possess reason and as such the Emperor had no right over them, nonetheless, he considered "sodomy between men against natural law", something he labeled as "frequent amongst the Indios", thus justifying war against them. He based his arguments, in part, on the work of Saint Thomas who had already considered "vices which contravene human nature, such as anthropophagy, buggery with animals, or sodomy as execrable". Aquinas considered "eating human meat, inadmissible under any circumstances, and as evil as buggery with animals, which he also abhorred under any circumstances".

The fray also invoked the work of Aristotle when he professed that "there are some acts we cannot be forced to do, even after the most fearful torture, but ought rather to face death". "Even if everybody agreed it was necessary to fornicate to save one's life, it would not be lawful to do so", explained Vitoria. By extension then he asked, "how can it be lawful to eat human meat, which is a far worse thing in itself?" "No fear, even of death, could excuse an act forbidden in natural law", maintained Vitoria. Even in the "most extreme famine" he considered anthropophagy altogether unlawful. For Vitoria, "divine and natural law forbade the sacrifice of men to God". Pre-dating Freud, "doctors", surmised Vitoria, had "put forth the argument that unbelievers who committed sins against nature, such as idolatry or pederasty or buggery, all offences against God, could be forcibly stopped".

The theologian had accepted the existence of human sacrifices, anthropophagy, incest--all aberrations against natural and divine law--amongst the Indios in America although he himself never traveled beyond Europe. However, in true flip-flop fashion, Vitoria also accepted the "authority of native rulers" over those very same Indios. He argued that barbarian princes, and not Christian princes, had just cause to "correct crimes against nature". Vitoria concluded that "only non-Christian princes could force their own subjects to give up these rituals or others like them". "Non-Christian princes had the power to punish transgressors" and make "good subjects out of their subjects". But their subjects could not be good if they lived with bad customs; therefore, their prince's duty consisted in the abolishment of evil rituals and the prohibition of vices. If any "barbarian prince" argued Vitoria, had converted to the Catholic faith, "he lost no
authority nor did he commit any injustice towards his subjects by abolishing their idolatry and other unnatural rituals despite their persistence in their unbelief". Vitoria found this dogma true not only of "unnatural sins, or even sins against the law of nature, but also of any sins whatever against divine law".

The "legislator's task" consisted of making "men good, according to the true virtues, without any fine distinctions" as to whether that meant according to "natural law or positive divine law". A ruler did not act in 'good faith', if he failed to correct the "disastrous actions of his subjects so long as no provocation to unrest ensued which led to a worse result". In this sense, converted 'Christian princes' could compel their non-Christian subjects to give up not only those sins and rituals against natural law, but those against divine law. But, what powers did 'Spanish Christian princes' have over unbelievers not under their dominion? asked Vitoria.40

On Christian Princes

Christian princes, said Vitoria, enjoyed "no more power with the authority of the Pope than, without it". The Pope could "punish pagans and barbarians for crimes manifestly against natural law, such as sodomy". But, as Saint Tomas wrote, 'prelates had received power only over those who have subjected themselves to the faith'. Thus, "Christian princes could not wage war on unbelievers on the grounds of their crimes against nature, any more than for other crimes not against nature". For example, reasoned Vitoria, the "Monarchy could not use the sin of sodomy, any more than the sin of fornication, as a pretext for its colonial occupation of the Indias". Vitoria considered fornication or theft both as 'unnatural as sodomy'. "Barbarians", he said must "oblige themselves not to steal or to practise sodomitical acts". He thought of "murder as a more serious crime" than any 'merely unnatural sin'. Why should it be right to wage war against unbelievers for sins against nature, but not for other sins? pondered Vitoria.

Logically then, thought Vitoria, "non-Christians princes would have as much right to declare war on Christians who sinned against nature". He did not accept the response that "Christians at least held these crimes in abomination as an excuse for intervention" for Vitoria thought it "actually worse to commit a sin knowingly than to do it out of ignorance". Christians, he concluded, "had no greater power over unbelievers than they did over other Christians".

On the one hand, Christian princes could declare war on the barbarians if they "fed on human meat and practiced human sacrifice". If the
"unbelievers ate or sacrificed innocent people, princes could defend the latter from harm, hence princes could wage war on barbarians to force them to give up these rituals". Even if they had sacrificed criminals to eat, "they still committed an injustice according to the natural law of nations, one which stipulated that the bodies of the dead should be exempted from this injustice". But, by whatever just title princes waged war on the barbarians, they could not take it further against them than a war against Christians. Even so, Vitoria found no immediate "Spanish right to despoil barbarians of their lordships and properties". When a Christian prince, by 'just title' became the "prince of pagans", he could compel them "without provocation to accept the Christian law, and abolish any of their unlawful and unnatural rituals".

Vitoria, however addressed the question of the Indios more succinctly in De los Indios, where he began by asking if Christian princes could justly convert the barbarians by violence and the sword. He once again reiterated that only "cannibalism conferred upon the emperor the right of coercion" and then only because Vitoria had already judged "cannibalism as a crime against nature, harmful to one's neighbours and their defense-- a legitimate concern to the Spaniards". But, what about the sins of the barbarians?

Some theologians believed that "although the barbarians could not be invaded because of their unbelief or their refusal to accept the Christian faith, war could nevertheless be declared on them for their other mortal sins". Some sins, they argued especially those "against nature, such as cannibalism, incest with mothers and sisters, or sodomy--all offenses against God", are cause for invasion and they should be compelled to give them up. On the other hand, Christian princes, even on the authority of the Pope, could not compel the barbarians to give up their sins against the law of nature, nor punish them for such sins for the Pope, reasoned Vitoria, had no jurisdiction over the barbarians.

Likewise, the Pope could not make war on Christians based on fornication, robbery or robbers or even sodomy, nor could the Pope confiscate their lands and give them to the other princes. If he could, said Vitoria, "since every country is full of sinners, kingdoms could be exchanged every day". Vitoria eventually muddled through his never ending contradictions and reconciled his discourses on the Indios. He went on to outline four grounds on which barbarians could or could not be considered "true masters of themselves-- as sinners; unbelievers; madmen; or insensate".
Four Grounds and Seven Unjust Titles

Vitoria considered mortal sins or the particular sin of unbelief as an impediment to the civil right of ownership or true dominion of one's self. Christians could not employ either of these arguments to support their entitlement to dispossess the barbarians of their goods and lands. Could irrational or madmen be true masters of themselves and did men require the use of reason to be true masters of their dominion?

Irrational creatures, explained Vitoria, "clearly could not have any dominion, a legal right", for "irrational creatures cannot be victims of an injustice, and therefore cannot have legal rights". This assumption, argued Vitoria, "is proved in turn by considering the fact that to deprive a wolf or a lion of its prey is no injustice against the beast in question, any more than to shut out the sun's light by drawing blinds is an injustice against the sun". Wild animals, continued Vitoria and "all irrational beings are subject to the power of man, even more than slaves and if slaves cannot own anything of their own, still less can irrational beings". After all, Aquinas had already stated that only rational creatures have mastery over their own actions.

If "brutes had no dominion over their own actions", they could have no dominion over other things. Nevertheless, "barbarians could not be prevented from being true masters of themselves for before the arrival of the Spaniards they possessed true dominion in both private and public affairs even if they seemed to us insensate, slow-witted, foolish or something attributed to their evil and barbarous education" concluded Vitoria.43

In defense of the Indios, Vitoria identified seven 'unjust titles' by which the barbarians of the new world could not pass under the rule of the Spaniards. Vitoria argued that the emperor, first and foremost, could not be regarded as the master of the whole world, thus, the Spaniards could not justify the invasion of the new lands based on this title. Nor did he consider the Pope as the "civil or temporal master of the whole world, in the proper meaning of 'dominion' and 'civil power'.

The Pope simply had "no temporal power over these barbarians, or any other unbelievers". Thirdly, the 'right of discovery' did not guarantee possession of these countries for the barbarians themselves possessed "true public and private dominion". Although the Spaniards had pressed the barbarians to accept the "faith of Christ" and the barbarians had "refused", this happening "could not justify a just title of dominion". The "barbarians did not commit the sin of unbelief merely because they did not believe in christ" nor could the Spaniards "coerce them into belief from the first moment missionaries had evangelized spread the Christian faith" in the
Indias. At the most, the barbarians had "only incurred an unpardonable mortal sin". However, the "Monarchy could not declare war on them and despoil them of their goods based on mortal sins". Furthermore, Christian princes could not, even on the authority of the Pope, compel the barbarians to give up their sins against the law of nature, nor could a prince punish them for such sins.44

Nor did Vitoria accept the notion that the barbarians had voluntarily accepted domination and were thus subject to Spanish rule. Neither did he accept the idea that the "lord had by his special judgment damned the barbarians to perdition for their abominations and delivered them into the hands of the Spaniards". Even if true and the "Lord had decided to bring about the destruction of the barbarians", argued Vitoria, "it did not follow that a man who destroyed them would thereby remain guiltless".45 So much for the berating of conquering Christian princes and Popes. Just as Vitoria had so eloquently sketched out the rights of 'barbarians in the Indias', he also provided his prince with the 'just titles' necessary to ensure Spain's natural and divine right to possess its colonies of Indios.

Some Eight Natural Ways to Dig for Gold or Pearls

In the first instance, the barbarians could have passed under the rule of the Spaniards based on a "natural partnership and communication". The Spaniards had the "right to travel, dwell, and trade in those countries, so long as they did not cause any harm to the barbarians", and the barbarians, in turn, "could not deprive the Spaniards of their right to travel and dwell". The barbarians "could not prohibit Spaniards from sharing and enjoying things held in common by both peoples, for example, digging for gold or pearls". Christians had the right to preach and announce the gospel in the land of the barbarians and the "Pope could have entrusted this business to the Spaniards and forbade it to all others", a sort of papal or religious monopoly. Still, whether or not the barbarians accepted the faith, Vitoria considered Spain's "attempt to impose anything on them by war, or otherwise conquer their lands as unlawful". The Spaniards could only preach and work for the conversion albeit against the will of the barbarians.

Now, "if the barbarians had converted to Christ, and their princes tried to call them back to their idolatry by force or fear, the Spaniards, based on these grounds, could wage war on them and compel the barbarians to stop committing the wrong". I suppose that meant that Spain needed only one converted cacique per Viceroyalty to legitimize its 'just title' of war against the barbarians. In a topsy-turvy claim to papal power and world
supremacy, Vitoria proposed that the "Pope could have had reasonable ground for the removal of the barbarian's infidel masters" and instead bestow upon them a "Christian prince, whether or not the infidels had asked him to do so".

Spain could off course "defend the innocent against the personal tyranny of the barbarians' masters or against the tyrannical and oppressive laws they professed, such as human sacrifice practiced on innocent men or the killing of condemned criminals for cannibalism". Vitoria asserted that in "lawful defence of the innocent from unjust death, even without the Pope's authority, the Spaniards could have prohibited the barbarians from practising any nefarious custom or rite". "Just imagine", pondered Vitoria,

"had all the barbarians recognised the wisdom and humanity of the Spaniards' administration, and one and all, both masters and subjects, had spontaneously decided to accept the King of Spain as their prince, this could have happened and could have constituted yet another legitimate title in natural law".

A further title could have arisen whenever the barbarians themselves "engaged in war with one another and one injured party rightfully called upon the Spaniards to their defense and then shared the prizes of victory with them all for the sake of allies and friends as in the case of the Tlaxcaltecs and the Mexicans". An eighth possible just title concerned the "mental incapacity of the barbarians". Although Vitoria dared not affirm or condemn it out of hand-- the barbarians, he stated "though not totally mad, are nevertheless so close to madness, thus unsuited to setting up or administering a commonwealth both legitimate and ordered in human and civil terms". Even then, the just title only applied if the "Spaniards had done everything for the benefit and the good of the barbarians, and not merely for the profit" of the peninsula.

However, the entire dispute on the Indios centered on whether the barbarians "gave no just cause for war and wished not to have Spaniards as princes, thus the whole Indian expedition and trade would cease, to the great loss of the royal exchequer". Intolerable, concluded Vitoria, "trade would not have to cease for the barbarians have a surplus of things which the Spaniards might exchange for things they lacked". Furthermore, "once a large number of barbarians had been converted to the faith, "it would be neither expedient nor lawful for the prince to abandon altogether the administration of those territories".46

Vitoria's reflections on power and the rights of conquest effectively anointed Spain's colonialist ambitions and set the agenda for most subsequent discussions of those subjects in Catholic Europe until the late seventeenth century. In Spain, his academic reflections on the legitimation
of the colonization of America became something of an orthodoxy and provided much of the theoretical underpinnings for an extensive body of ethnographical writings on the Indios during the subsequent years of the early modern period.\(^{47}\)

**The Third Coming of Inebriating Perceptions**

Notwithstanding the benevolence Vitoria had bestowed upon the rights of 'barbarians' in the *Indias*, theologians and historiographers in the mid-sixteenth century continued to colour their studies with portraits of *Indios* in fantastic tones. With the exception of the official historiographers for the Monarchy, a third coming of writers or those who actually lived and worked in *Hispania Nova*, published their 'first-hand' histories of America beginning in the mid-sixteenth century. Fray Toribio de Benavente, a Franciscan, who later changed his name to Motolinia—'humble one' in *Nahuatl*—arrived in México in 1524 and led this third wave of historiographers. Motolinia lived in Puebla, Tlaxcala, Texcoco and Mexico City from where he frequently corresponded with Carlos V.

In 1541, Motolinia informed the Emperor of how "mutilations of the teeth, mouth, tongue, ears and limbs" all executed by the *Indios* with "maguey thorns" comprised a "standard punishment for their children". A startled 'humble one' described New Spain as a "land reminiscent of the inferno". The sight of those *Indios* unsettled the fray. Some of heathens "cried out at night, while others loudly bellowed out and summoned the devil, others inebriated, others sang and danced with drums and trumpets, especially during the fiesta of their demons". "Incredible", wrote Motolinia, having witnessed "the great quantities of wine each consumed and poured into his body". First, the *Indios* "cooked the wine with some roots", probably the same types of 'roots' Isabel of Portugal had attempted to regulate in 1529. Then the *Indios* customarily began "to drink, with great haste, after vespers in groups of ten or fifteen". Those silly men "never stopped pouring the wine until finally, early at night, they began to lose their senses, stumbling, singing and loudly crying out to the devil". "What a great pity", felt our humble fray "to have seen men created in the image of God turn themselves into something worse than brutal animals".

But, the worst of the matter, lamented Motolinia, consisted in the fact that not only did the *Indios* "commit that sin alone, no, they committed many 'other' sins". The *Indios* "drank a certain wine called *pulque*, to the point of inebriation, followed by sacrifices and the vices of the flesh, especially--the nefarious sin".\(^{48}\)
Motolinia, amongst other writers of this period, again demonised all Indios as drunken fools having suggested that inebriation caused one to fall prey to the flesh pit of sodomy. However, his humble perceptions of Indios and their sodomitical practices must have appeared quite pale to the Monarchy by comparison with the more magnanimous discourses preferred by official royal historiographers.

Las Antipodas

When Francisco López de Gómara, former chaplain to Cortés, dedicated his *Historia General de las Indias* to Carlos V in about 1540, he lauded the discovery of the *Indias* or 'New World' as the "greatest thing that occurred after the creation of the earth". A 'new world' indeed claimed the historiographer, not because the Spaniards had "newly rediscovered these territories, but rather 'new' in the sense that their 'things' or cultures represented something entirely different to 'ours'. What constituted difference in the cosmology of López de Gómara? López de Gómara never traveled to the *Indias*, nonetheless his vivid imagination allowed him to regurgitate descriptions of 'otherness' which Cortés and other *conquistadores* had spewed before him.

To begin with, López de Gómara detected the existence of "different animals, in general, albeit few in species, as different" in the *Indias*. Men in the 'new world'-- well, he wrote, "they resembled us, except in colour". In this narrow sense, had they not "resembled us" one could have "likened them to beasts or monsters and not to a descendant of Adam". However, "one cannot prove their descendancy from Adam and Eve like the rest of men in our hemisphere". These *Indios* had no "letters" to speak of, "no currency, no beasts of burthen, no wheat, no wine, no iron-- all extremely necessary for the evolution of a "good social order and state of life" that any early modern Spanish man would have desired. No, "despite the hot climate and the lack of wools or linens", López de Gómara saw "no novelty" in the fact that the *Indios* dressed as "denudes".

In fact, *Indios* who did not know the "true God and lord" revealed in "extremely abominable inhumaness or sins of idolatry, they sacrificed living men, they had an appetite for eating human meat, they conversed with the devil, they practised polygamy and off course, sodomy". But the Emperor had not to despair for the "lord's mercy had bestowed his benevolence upon the *Indios*, by now all Christians".

Never, in the history of early modern Europe, "had a nation, such as the Spanish nation, extended its customs, its language or had journeyed such
distances by land or by "our ocean" bearing its armament to "discover and conquer". God had, after all, "willed the discovery of the Indias after the reconquest of the Moors for the Spanish had always fought against the infidels". Colombus had rightly attributed his find to the Monarchy when he inscribed, "Por Castilla y León, Nuevo mundo hallo Colón" on his coat of arms.49

López de Gómara identified the newly discovered infidels as "antipodas or "men found in the Indias, contrary to us, apparently with their feet held up high and their faces low". He described the people of Española as "light chestnut coloured, as if suffering from malaria, of medium height, robust and strong, with small beady eyes, bad teeth, widely opened nostrils, very broad foreheads, so broad indeed that if one repeatedly stabbed them with a sword, the sword would break before one could crack the skulls open". They ate "spiders, ants, worms, salamanders, lizards, snakes, twigs, dirt, the excrement of mules and sheep and proceeded along, in their merry little way, happy, content, singing and dancing".50

In New Spain, the "men married as many women as they could or wanted". One "cacique named Behechio had as many as thirty women at his side". The women all slept with the men "just like chickens do with a rooster". As such, "little or no trust and chastity existed amongst women". They could purchase "women for the sum of a bow and arrow". And since the men had grown "prone to inebriation, they frequently mistreated women".51

The royal historiographer described the carnivorous "savage cannibals" of Española as bubosos or those infected with syphilis. Spaniards who slept with the Indias infected themselves with bubas, a "highly contagious and painful illness". When some of these soldiers returned to Italy they, in turn, "contaminated the Italians, who had then contaminated the French. The French described the illness as the mal Napolitano, yet others commonly called it the mal Frances or sarna Española. The cure also came from the Indias in the form of a substance derived from a tree named guayacan.52

López de Gómara likened the men of New Spain, to "deer or snakes, all grandiose sodomites, vagabonds, liars, and ingrates". In Panuco, López de Gómara described "houses of grandiose putos where thousands of men publicly congregated at night" evidently to wallow in sin. The 'impotent men' or "eunuchs who dressed like women and are not permitted to carry a bow and arrow married other men".53

Now, "to talk about mejicanos" wrote López de Gómara "is to talk in general about all the men of New Spain". In short,

"The men very much painted themselves for war and dances. The gentlemen wore a shawl-like garment off their right shoulders, much like gitanas. The wealthier men
wore many capes to dances otherwise they all walk around naked. The men married at age twenty and are so very much inclined to carnal acts, both with men and women, who incidentally presumed of their large and long tits which they flipped over their shoulders and in this way milked the children they carried on their backs without any remorse or shame".54

In his 'Eulogy of the Spaniards', López Gómara wrote, "Never, my lord, have others dominated, in armaments and navigation, as we have done in such a short span of time". The Spaniards had "sermonized the holy scriptures and evangelized the idolaters for which Spain merited admiration in all parts of the world". "God bless the lord", continued the adulator for "he gave our men such grace and the power to eradicate idolatry, human sacrifices, the eating of human meat, and sodomy—a sin so abhorred and castigated by God". The Spaniards had taught these "carnal men the art of letters, the use of iron, and good customs for a better life" for without these things, "men fared no better than animals".55

For López de Gómara "this capital worth of man so exceeded that of the plumes, the pearls, the silver, and the gold, above all, for the Indios did not even utilize these precious metals as currency or their proper use". At the end of the day, the Spaniards' economic worth paled by comparison "to the great quantities of gold and silver owned by the Indios".56 Despite the petulant discursive descriptions of Indios and sodomy, sycophants of the Spanish Monarchy and Empire continued to buttress Vitoria's just titles of domination well into the sixteenth century.

Our Literary Sycophant

Ginés de Sepúlveda, official chronicler and chaplain for Carlos V named in 1536-1556, opted for a much more clever and literary defense of Spain and Empire. In 1547, Ginés de Sepúlveda wrote Demócrates Segundo o de las justas causas de la guerra contra los Indios, a clever dialogue between himself as Demócrates and Leopoldo, a Lutheran based in part on the just causes or titles of war elaborated earlier in the century by Vitoria.

Leopoldo. In a just war, Demócrates, you yourself have stated that not only is just cause necessary but also good intention undertaken in a righteous manner. But this war against the barbarians is not waged with good intention for those who wage war simply want to garner large quantities of gold and silver, legitimately or illegitimately, all against the teachings of San Agustin who stated it is not a crime to wage war, but it is a crime to make war for booty. The war waged by the Spaniards is not a just or reasonable war, but rather gravely unjust and cruel for the barbarians.57
Demócrates. Do not believe Leopoldo that one who approves of the domain of his prince also approves of the sins committed by his ministers. The first justification of a just war is to repeal force with force when no other option is available. A second justification is the reappropriation of a booty or properties unjustly taken. The imposition of punishment to those who have caused a war. Other causes justified wars based on divine and natural law. The destruction of Sodoma and Gomorra had been for the good of its inhabitants. This is most applicable to those barbarians vulgarly known as Indios, whose natural condition is such that they should obey others, dominated by arms. This war is just in the opinion of the most eminent philosophers. Before the Christians arrived, the Indios by nature, practiced their nefarious sacrifices as part of their religious customs. From us, they received our letters, laws and morality imbued by Christian religion. They were all barbarians before their domination, educated without any contempt. They were far removed from morality, civil and humane culture, contaminated by said crimes—this provided another justification. After all God had destroyed those societies who practiced these impious and nefarious crimes and committed all sorts of abominations such as two other things— the cult of idolatry and the celebration of human sacrifices. On the customs and character of the barbarians and the ignorant in Mexico and in New Spain, what can I say now about the impious religion and the contamination of such nefarious people who revere sacrifices and esteem the devil as God, offering him the hearts of humans. One thing is to offer the healthy and pious souls of men but it is quite another to offer human victims, human breasts opened and their hearts torn out, and the meat fed amongst themselves. Philosophers consider this amongst the most ferocious and abominable perversities. Those who live without the knowledge of God and religion commit the gravest crime, vile and contra naturaleza humana. The most despicable idolatry is that of those who venerate the most vile organs of the human body, those who have as their religion and virtues the pleasures of the body. They are like pigs who always have their gaze fixed on earth, as if they had never looked up toward the sky. Spain had better virtues and was more pious, just, had better letters, laws, and morals, and the Christian religion.

Ginés de Sepúlveda resorted to the Aristotelian notion that nature had predestined some men to be born into servitude and as such, their status as slaves justified their domination. The Indios' religious and sexual promiscuity only helped enhance Spain's right of domination.

However, not all moralists agreed. Some, in particular Bartolome de las Casas, vehemently disagreed with the works of Fernández de Oviedo, López de Gómara and Ginés de Sepúlveda. Bartolome de las Casas and his adulation of the Indios set out to offer new readings of old texts.

Counter-Canonical Discourses

If Ginés de Sepúlveda and many before him had purportedly re-represented sodomie as anti natura in their support of Spain's annihilistic politics of Empire, over the course of the colonial period de las Casas also carved out
for himself an equally absurd and pathetically apologetic doctrine in defense of the *Indios*. Bartolomé de las Casa, commonly referred to as the 'apostle of the *Indios* by *post*Colonial writers, sailed to Cuba in 1502, picked up a 'black' slave boy along the way and kept him for life before he eventually became bishop of Chiapas. He permanently returned to Valladolid in 1547 where he continued to write his *Historia de las Indias*, printed in 1875 and his *Apologética* finally published in 1909.

In 1542, De las Casas, along with other missionaries, and 'indigenous' writers initiated a literary counter-offensive aimed primarily at the purification of the *Indios* sexual habits and a harsh critique launched against the cadre of historiographers who had supported Spanish atrocities in the *Indias*. He accused the Spaniards of having perpetrated great cruelties against the *Indios*. The Spaniards, wrote de las Casas, have so "defamed the *Indios* having accused them of being infected with sodomy, a great and wicked falsehood". The *Indios* simply had "no memory of such a filthy vice". De las Casas argued that the *Indios* themselves abhorred sodomy and that they themselves considered it an "abominable sin also punishable by death". The apologetic de las Casas wrote that the "people of *Española, Cuba, San Juan* and *Jamaica* customarily did not eat human meat nor indulged in the *pecado contra natura". De las Casas focused his defense of *Indios* on what he perceived as a preColombian rigid "morality and its condemnation of sodomia".

In his 1542 *Brevisima relación de la destrucción de las Indias* written for Carlos V, de las Casas flatly rejected as "not true the unreasonableness of *Indios*" and adamantly rejected their "practice of sodomy". Fathers abhorred the sin and prohibited their sons from its practise. But, if the "boys underwent religious instruction they had to sleep in the temple and there the older boys corrupted the younger boys", after which families had "great difficulty liberating the young boy from the ill accustomed vice". For this very reason fathers seemed "eager to marry their sons in hopes of separating them from this most vilesome corruption". Many of the boys "married forcefully against their will for they simply married only out of respect for their fathers".

Even in *Santo Domingo*, affirmed de las Casas, "in the many years he had known the inhabitants, he had never felt, understood, heard, suspected, nor had known that the *Indios* committed the nefarious sin". He based his findings on the confession of and old widowed *India* who had married a Spaniard and lived on the island. "Had sodomy existed amongst the *Indios* before the arrival of the Spaniards? asked de las Casas of the widow. "Absolutely not," replied the old widow, "for if any man had been blemished by it, the women of the village would have eaten him by the
mouthful or killed him or other words to that effect uttered the old woman".65

The Indios hanged "those men who dressed like women or women who dressed like men if they committed the nefarious sin, however they burned priests" who had committed a similar offense, wrote Fray Agustín de Vetancurt, who also recorded severe sentences for sodomy before 1519.66 In another history of the Indias published in 1596, Fray Jerónimo de Mendieta concurred with de las Casas having written that "amongst the Indios of New Spain both agent and patient died for it and that they regarded the vice as one against nature. And, "men who dressed like women and women who dressed like men also received death sentences.67

Nevertheless, by the time de las Casas finished writing his Apologética, late in the sixteenth century, many Spanish writers had already described the Indios as a people contaminated by the 'nefarious vice'. For de las Casas, however this did not constitute a universal truth as he later sought to prove. But, acknowledged de las Casas, "one should not marvel at the fact that in such a large world full of many nations, some of the unfaithful who lacked grace and doctrine, practised sodomy and other vices, for amongst Christians few if any tolerated such ignominies". What caused or led to these 'ignominies'? Only particular circumstances caused such 'ignominies', but de las Casas reminded his readers that he spoke in "universal terms and that the majority of the Indios did seem naturally predisposed to acts of goodness, reason and kindness, more so than other people".

De las Casas portrayed his Indios as "moderate, temperate in their affections and respectful toward things". They of course observed "abstinence toward the sensuous, vile and filthy affections". He saw this virtue reflected in how the Indios treated their wives, "whom they had solely for the purpose of perpetuating the human species" for they too esteemed "procreation as a natural process" and felt no desire to "transcend the boundaries of reason". Surely "all Spaniards had witnessed that in no place had any Indio remained loll or acted dishonestly, neither with their wives nor with other married women, nor single women, not even in those parts of the Indias where the Indios dressed denude from head to toe-- except for the women who wore a cotton piece on their unmentionable parts".

In a strange sort of way, observed de las Casas, the ability to go "without shoes, or even more importantly naked, moderated or debilitated the body's desire or inclination for that vice". Our learned fray also noticed "Indias washed frequently with cold water, day and night, as another way to extinguished the flames of the flesh". Collectively, the Indios did not "grovel in lollness-- something that did contribute to an indulgence of nefarious
virtues". Whatever praises he might have reserved for the Indios, Fray Bartolomé wasted none of it on when he wrote about the ills of sodomy.

De las Casas considered the "bestial vice of sodomy as the worst, the most detestable of any human malice and the worst virtue opposed to the quasi-divine heroic virtues of man or the most excellent of all human virtues. But, like many of his contemporaries, de las Casas eventually did provide his readers with examples of sodomy in the Indias. The only exception, conceded de las Casas, existed amongst the Maya. According to the testimony of some Spaniards, they had "witnessed some young men dressed like women". In Cuba also, de las Casas acknowledged that he had seen "only one Indio dressed like a woman", but he "did not know for what reason".

In both the Apologética and in his Historia de las Indias Fray Bartolomé confirmed Fernández de Oviedo's observations that religious connotations over determined the Indios perceptions of sodomy. Both historiographers described how parents presented young boys as gifts to their own sons to be used for sodomitical pleasure until their sons eventually married women. De las Casas and Fernández de Oviedo also witnessed the existence of bardajes, or men who dressed and performed the labours of women, especially in Cuba.

Although de las Casas vehemently denied the practise of sodomy amongst the Indios, in many instances he described its omnipresence in sporadic parts of the Indias. Still, he thought it "a great falseness and pernicious testimony on the part of the Spaniards to state that young boys in the temples committed the nefarious sin with each other". Those writers had committed a "great misdeed for if the boys had committed such a sin their superiors would have burned or strangled them to death".

The Mixes, for example, "cruelly burned its sodomites and celebrated the punishment". The high priests and all other important elders gathered around in one of the temple's rooms, each holding a stake of fire in his hand which each one applied directly to the denude delinquent's body and reprehended him and asked, "Oh, malvado, how could you bear to commit such a grandiose sin in the house of our Gods"? After the "beatings, they would take them outside of the temple and handed them over to the boys, who in turn, burned them". Again, de las Casas continued to offer explanations for the existence of depravity in the Indias.

Had the Indios eaten human meat or had they indulged in any other contentious vices, they had done so, argued de las Casas as a result of "bad customs, initiated by particular persons and for particular occasions, more so than could be attributed to a natural corruption, depravity, some innate sickness or for fear of sorcery and other magic spells". "With God's will",
commented the optimistic fray, "these activities would also cease". "Demons", rationalized de las Casas, had after all "led the Indios astray, these wayward men corrupted by the art of carnal pleasure with each other.73

As in the time of antiquity, the Indios indulged in nefarious abuse not out of the "desire or vilness they felt for the vice" but out of a "religious devotion or sacrifices offered to their Gods". In Greece, the wise men had allowed for themselves the company of one boy. In Rome the "emperor Adrian worshipped Antinous like a God" and in France, "boys could marry each other without shame or remorse. The "pestilence of Rome had also corrupted Cartago". But, in ancient Spain "thievery and not sodomy had ranked as the most vile of crimes". These "grave and nefarious vices had overtaken the French, the Scottish, the Athenians, the Greeks and Romans along with their philosophers, kings and emperors".74

Like the Romans, the Indios might have instituted "infamous public places known as efebias where young lascivious and shameless men resided and practised the abominable sin with all those who entered the house". They had done so only to later participate in the sacrifices to the Gods. In Italy, however, they "practiced it not only in the temples but also in the squares and neighbourhoods".75 Scriptures had labeled these men as molles, literally soft or weak, known also as effeminatos and stipulated their punishment as death for their abominable and execrable sacrileges". In New Spain, the devil, who wished to partake in all genres of sins had induced and taught the Indios the art of this particular genre practiced by the molles and the effeminatos mentioned in Rome.

Tobilla, identified simply as a Spaniard by de las Casas, had also stated that "when a certain number of Spaniards came across, in a certain corner of these provinces, three men dressed like women, they judged them and found them guilty of committing that corrupted sin simply for wearing women's apparel". Without any further proof, the Spaniards "unleashed their dogs on the men who bit them into pieces and ate them alive as if they had been their judges". In de las Casas estimation, the "three men quite possibly did not indulge in that but rather wore women's apparel in order to indicate their defective manliness to others since their labour included that attributed to women". In 1623, another fray named Antonio Vázquez de Espinosa had also reported that a "conquistador had burned a number of sodomites" in his relation on the Indias.76

In all probability, de las Casas considered the tales written by Tobilla and Vázquez de Espinosa as isolated incidents. "If more people suffered from the blemish of this vice and defect", explained the fray, then "the Spaniards would have suppressed it and Tobilla certainly would not have gone without writing more about it".77
Furthermore, while traveling in Florida, de las Casas witnessed some "impotent mariones men dressed like women and performed their skills". The "mariones although quite robust with large bodies and members that enabled them to carry large amounts of weight, did not shoot a bow and arrow". Despite the fact that "one of these mariones married a non marion" De las Casas did not know whether "religous motives or an error of nature had caused such monstrosity". For all his pretenses and adoration of the Indios, de las Casas could not help but to accentuate other differences between the Indios and the Spaniards. In particular, the people of these provinces and in all the Indias "sang and danced differently".

At weddings, funerals, or sacrifices, the people gathered in a plaza or at a designated home until Indios entered the space playing their "trumpets, flutes and other instruments". Many men and women followed the band wearing their "most coveted jewelry, and if they dressed at all, at least the women, wore the best at their disposal" which included "bracelets made of many shells, gold and other bones". The "denudes wore plumes and they painted their bodies red". What "we understood as sorcery and witchcraft they celebrated as a grand gala". The Indios sang about the "miseries and calamities they had suffered since the arrival of the Spaniards". They sang about the "usurpation of their lands, their women, children, their inherited riches, the ferocity of horses, the cruelty of the dogs, in fact everything triste". At some galas, "troubadours usually followed behind a group of well armed men who mimicked past battles ". These "warriors then approached the choir of women" present at the happenings and "took with them those they desired for whatever effect and for whatever time necessary without the interference of the appropriate husbands".

When the Indios "tired of singing, dancing, and having cried out about their plight, they sat down on the floor to eat, where they had previously arranged their poor foods". Despite their attempts to infuse their gatherings with an "aura of splendidness", they just did not succeed "because everything the Indios gathered for their galas compared miserably to our very own excesses and magnificent banquets". The poor Indios gathered their "chickens, deer, rabbits and fish, all cooked or grilled on the open fire", but certainly not capable of concocting "such exquisite and superfluous delicacies like we do". After the meal, they "drank wine made of maiz, potent enough to inebriate, and they drank until they simply could no longer drink anymore".

Whatever the comparisons, other theologians and 'indigenous' historiographers during the early modern period came to the defense of de las Casas and buttressed his arguments on the castigation of sodomy by indigenous cultures in the Americas. Indigenous historiographers resorted
to previous perceptions of sodomy in the peninsula as they explained and argued that the indigenous cultures in the *Indias* had also always abhorred sodomy.

**Indigenous Mouthpieces**

Indigenous writers eventually also wrote in defense of their cultures and upheld the perceptions of sodomy amongst the *Indios* espoused by de las Casas. Fernando de Alva Ixtlixochitl, born in *Teotihuacan* and a direct descendant of the *Acolhua* kings who in due time became governor of Texcoco, wrote on Toltec and the Chichimec culture in 1605. As a historiographer of the Toltec and Chichimec in central México, Alva Ixtlixochitl reported that up "until the arrival of the Spaniards the Chichimec hanged men who used boys for sodomy and others simply died for it". In a curiously similar parallel to sodomy prosecutions in the Spanish peninsula, Alva Ixtlixochitl insisted that the Chichimec punished those who engaged in the nefarious sin in two ways.

He who "assumed the function of the woman had his inner parts removed through his arse as he remained tied down to a stake after which, some boys poured ashes over the body until the body remained buried under them". They then "covered the entire mound with many portion of wood and set it on fire". The boys also "covered he who had functioned as the man with ashes while alive until he died".80 The Spaniards also looked to another indigenous form of recorded history --codices-- to re-affirm their perceptions of sodomy amongst the *Indios*.

The *Codex Mendoza* of 1548 and *Codex Badianus* of 1552 commissioned by the Viceroy of México, Antonio de Mendoza, and written by indigenous scriveners did not mention sodomy amongst the *Indios*. However, the *Codex Magliabecchi* written in 1565, in a possible veiled reference to sodomy, depicted *maiz* as a grain associated with death, rebirth or illness particularly attributed to sodomitical practises. The *Codex Ramirez* of 1580 on México portrayed sodomy as a "cursed vice". Codices written before 1492 primarily explained calendar cycles, rituals, historical sequences of rulers, and they provided only a glimpse of morality depicted within the rubric of religious rituals. However, the codices commissioned by the Spaniards throughout the early modern period strongly depicted notions of morality in a myriad of discursive forms--"anthropophagy, human sacrifices, aberrant sexual behaviour, and inebriating drugs".81 Colonial missionaries also turned to confessional manuals in their attempts to substantiate the practice of sodomy amongst the *Indios*. 
The missionaries prepared the confessional manuals in different languages and collectively these books constituted a segment of religious literature on 'sinful' sexual mores that complemented the other works of theologians and historiographers. Special sections followed the translations of Christian doctrine, designed to explain the more difficult concepts of the faith in translation. For the most part, the confessional manuals simply validated earlier notions that all Indios practiced sodomy.

The Confessionario mayor, en lengua Mexicana y Castellana, written in 1565, one of the earliest confessional manuals, referred to "sodomía between men, between men and women, and between women" in New Spain. Written by Alonso de Molina, a Franciscan fray, the manual invoked the sixth commandment and asked of women in particular, "if they had sinned with another woman or had ever committed the sin against nature". The early modern moralists in México continued to associate the urge of sodomitical practices with the drinking of pulque.

When Fray Juan Baptista, a second generation Franciscan criollo and pupil of Sahagún who later became Torquemada's instructor, wrote his Confessionario en lengua Mexicana y Castellana in 1599, he asked "men if they had sex with themselves or with other men or if they had penetrated their wives outside the conventional vessel". The confessional also preoccupied itself with whether or not "women committed the nefarious sin with other women or with their husbands". Baptista also linked inebriation with sodomy, but only in the case of men.

In 1611, Martin de León, a Dominican fray in his Camino al cielo indicated that "sodomy between young women had become quite widespread in México". He thought it "quite common for young unmarried women to lie one on top of the other and to touch each other, just like man and woman". Bartolomé de Alva's 1634 Confessionario mayor y menor en lengua Mexicana addressed sodomy between men as well as bestiality and like his counterparts he associated inebriation with the practice of sodomy. "When inebriated, lacking reason, had you fallen into the abominable sin of sodomy with another man or with an animal"? asked Alva of both men and women. And had "husbands, while inebriated, penetrated their wives in areas not intended for natural coitus"? continued the questioning.

Still later in 1666, Cristóbal de Aguero, a Dominican wrote Miscelanea espiritual en el idioma Zapoteco in which he also mentioned sodomy between men and between women. Fray Angel Serra, a Franciscan who wrote Manual de administrar los santos sacramentos especially for the Charapan Tarascan Indios in 1697 devoted a large section of his manuals to questions pertinent to "lust, fornication, incest, sodomy, bestiality and suicide" all within the context of inebriation as the pretext for such vile acts. The
codices and the confessional manuals provided colonial authorities with two distinct methods by which to quantify and monitor sodomitical activity in the *Indias*. In this way, Spanish officials solicited the help of indigenous historiographers to help fabricate and perpetuate peninsular notions of sodomy. Yet, others in the *Indias*, had already begun to dispute de las Casas' benevolence toward the *Indios*.

The Three Ruffians

In his 1552 'Eulogy of the Spaniards', López de Gómara had assured Charles V that, among other things accomplished, the Spaniards had totally eradicated sodomy from the Indies. Notwithstanding lofty negations over sodomy and sodomites, their sightings just reappeared during the later part of the sixteenth century. In 1565, Pedro de Castaños, witnessed "men dressed as women, married to other men who functioned as their wives" amongst the natives in Sinaloa. He described others in the region as "grandiose sodomites". Juan López de Velasco in 1574 witnessed a similar plight in the *Audiencia of México* where he noted many natives much inclined to nefarious vices. So had other missionaries who worked in the same region.

Fray Bernardino de Ribeiro, otherwise known as Sahagún --he also changed his name to reflect the name of his native village at the time he became a Franciscan-- arrived in México in 1529. Shortly thereafter, Sahagún mastered *Nahuatl* and wrote his *Historia general de las cosas de la Nueva España*, both in his adopted tongue and in Spanish between 1558 and 1565. Far from having presumed a paternalistic defense of the *Indios*, Sahagún instead reinforced the Spanish repulsive descriptions of sodomites, hermaphrodites, and whores.

In one section of his manuscript titled, 'On vicious persons such as ruffians and sodomites', Sahagún, revered by many as the quintessential humanist of early modernity, reaffirmed that the "*sodomético*, an abominable patient, nefarious and detestable, deserved to be ridiculed and laughed at by the people". In all his aspects, wrote Sahagún, the *sodomético* presented himself as "womanly or effeminate, in the way he walked, or talked, and for all these reasons he deserved to be burned". Sahagún detested "the bad odour and the deformity emitted by his nefarious sin for it so repulsed men". One wonders how our beloved humanist could have possibly known that sodomitical acts emitted any 'odours' at all. However, early modern moralists had often associated *necrophilia* and sexual sin. The *Codice Florentino* described the sodomite as,
"Puto: corrupción, pervertido, excremento, perro de mierda, mierducha, infame, corrupto, vicioso, burlón, escarnecedor, provocador, repugnante, asqueroso. Llena de excrementos el olfato de la gente. Afeminado. Se hace pasar por mujer. Merece ser quemado, merece ser abrasado, merece ser puesto en el fuego. Habla como mujer, se hace pasar por mujer". 

The moralists had also associated whores, tolerated but socially deplored, with scatofilia when they referred to them as mierduchas or perrillas de mierda. Sahagún identified the whore or "puta, as a public woman who sold her body, one who began her art as a young girl and continued her labour albeit old". She "walked as if inebriated or lost". This "gallant, well-spruced, unabashed woman sold her body to any man". "Vicious in her actu carnal", a "lustful, filthy, shameless puta ambled like a horse". A "puta painted her face in different colours so much so that she resembled a rose". First a "puta looked at herself in the mirror, she bathed and washed herself carefully and then refreshed herself so as to appeal to men". She customarily "tainted her teeth with some herbs, perfumed herself with some odours, and wore her hair loose for maximum beauty".

In the end, Sahagún likened her to a "bad, dissolute and infamous woman". She "chewed tzictli to clean her teeth" and as she "gnawed the gum and moved her mandible it sounded like the snaps of castanels". The "ordinary, gossipy puta gads about in the streets winking at men with her eyes". This disquieted and troubled woman never stopped looking for vices and good pay from the young boys whom she often beguiled". The men of the Indias, observed Sahagún, instructed their "sons to keep away from food prepared by these bad women" and they themselves taught their boys proper "behaviour in sleep, eating, drinking, speech, dress, walking, looking, and listening".

Sahagún's disdain for sodomites extended equally to "bad women" like the hermaphrodite whom he identified as, "a woman of two sexes or one who has the natura of both a man and a woman, a monstrous negligible woman, ignorant of her obligations, who has many woman friends and servants". She exhibited a "gentee body, talked and walked like a man and possessed a head full of soft hair". The hermaphrodite "utilized both naturas" which transformed 'her' into an "enemy of men for she employed the masculine sex". Sahagún sketched his decrepit trinity of ruffians – sodomites, hermaphrodites and whores-- as the most maligned sectors of society in Hispania Nova, but other historiographers acquiesced and directly repudiated the discursive aspects of de las Casas findings of sodomy in the Indias.
They Reeked of Sulfur

Bernal Díaz del Castillo, a historiographer who had traveled with Cortés wrote about sodomy amongst the Indios but not until 1568. His history challenged the more benevolent versions of sodomitical cultures described by de las Casas and his followers. Díaz del Castillo also recorded Cortés' earliest lectures on sexuality to the Indios. When the Spaniards first 'discovered' Yucatan, in 1517 a group of Indios dressed in "cotton shirts, their private parts covered only with a small piece of cloth called mastates" greeted our interlopers. Díaz del Castillo described these Indios with "slightly more reason than those they had encountered earlier in Cuba, who walked around with their private parts exposed, except for the women, who wore naguas".

As the Spaniards walked around and explored the surroundings in Yucatan, they also "came upon three small houses situated on a small square". The small houses each contained "altars supposedly used by the Indios for the "worshipping of clay idols". Some of the idols resembled the "faces of demons, others represented tall women or men, and yet others represented some very vile figures or a bulk of Indios participating in acts of sodomías and other diabolical gestures". Ten Indios then came out of the houses dressed in "long white tunics, who wore very long hair to the waist or to the feet—hair, drenched in blood, so unkempt and tangled that one could not comb, separate, or cut it". These same Indios had "shredded their ears to pieces having sacrificed them" and they reeked of "sulfur and gave off another bad odour of dead human meat". These "priests of the idols known as papas had no wives, they practiced the evils of sodomías".

The caciques and the papas, otherwise called priests by Díaz del Castillo, "had understood our justification for domination when Cortés spoke the most amorous words of our language" and "urged them to rid themselves of sacrifices and asked them not to eat the human flesh of thy neighbour". He pleaded with them not to "sacrifice men, not to adore idols, not to rob thy neighbour, not to practise sodomías, nor the other ugly things the Indios commonly practised for the lord our God had willed it so" concluded Díaz del Castillo.

"Everyday, in our presence", the Indios "sacrificed four or five Indios whose hearts they offered to their idols and they smeared their blood on the walls of the houses used for their worship". Then, they would "cut off the legs, the arms, and the other muscles of men whom they ate just like a cow obtained at a meat market in our land". The Indios sold the "amputated parts as menudo in the tianguies" or market places in the town square. The caciques and the papas responded that they "disagreed" with Cortés' policy over the
idols and the *menudo* sold in *tiangues*, but that they could possibly "resist the practise of the *sodomias". Cortés had implored the *Indios* to "cleanse themselves of sodomy for they had many young boys who dressed in women's apparel and practiced that vileness".97

While traveling through México in 1569, Magistrate Tomás López Mendel also associated sodomy with "the Mexican priests". They engaged in "such abominable lusts and sins, in fact, "too abominable and disgraceful" for López Mendel to have described. The priests, speculated the magistrate, had also introduced the "nefarious and widespread customs amongst the people".98 Toward the early part of the seventeenth-century Gregorio García, a Dominican fray who resided in México for about twelve years, returned to Spain in 1604 where he published his *Origen de los Indios de el nuevo mundo*, in 1607.

Before the arrival of the Spaniards, assured García "men in New Spain committed enormous sins, especially that against nature, although repeatedly torched for it and consumed by fire sent from the heavens". And like in the Levant, the *Indios* of New Spain "punished the sodomites by death, they executed it with great vigour". They "strangled or drowned women who lay with other women for they too considered it against nature". In some provinces of New Spain, they "permitted the establishment of public bawdy houses of men for the consumption of this abominable vice".99 One century after the initial histories on sodomy in the *Indias* first circulated in the peninsula, García and his compatriots continued to produce incessant and repetitive explanations of sodomitical practises in *Hispania Nova*.

The "miserable *Indios* did so because the Devil had tricked them into believing that the Gods they adored also practised sodomy and as such considered it a licit and good custom". Some "men dressed like women and if a father had five sons, any one of the five could become a daughter". They "dressed him as a woman, instructed him in her labours and married him just like a girl, even though those in *Nueva España* despised the effeminate or womanly *Indios". All this, despite the fact that the "people had always considered sodomy an abominable, ugly sin even though some provinces did not punish its infamous sodomites".

Alas, recalled García, "bestiality never occurred amongst the *Indios*, although practiced by the Jews", and as such "no law existed against bestiality".100 Nor had García detected laws against "*molicie* for they never knew or came to know such sins" unlike Lavrin's anachronistic assertion that,
masturbation, always described as an exclusively masculine problem. Always concerned the church and it targeted the only channel left for the release of masculine sexual urges. Masturbation seemed to have been the only choice open to single men.masturbation closed this option and prohibited 'dishonest' body contacts or any form of voyeurism. If during masturbation the person carnally desired another person, a second sin was committed. The sin became graver when another man or a woman was involved in the masturbation act, and it was at its most heinous if the helper incurred pollution himself. On the other hand, actions causing involuntary emissions, such as horse riding, eating in excess, or becoming drunk, did not per se lead to sin, as they were not originally intended to produce emission or pleasure.

If only early modern historical data suggested that 'masturbation' had always subsisted as an exclusive exercise of men, the Spaniards, indeed, would have championed half a battle both in the peninsula and in Hispania Nova. Nevertheless, histories on sodomy in the Indias continued unabated well into the seventeenth-century.

One Last Fantastic Fable

Juan de Torquemada, a Franciscan, published one of the last of the great Spanish discourses on sodomy during the early modern period. His Monarquia Indiana, published in 1615 berated "Moctecuhzuma" as "stupid for having thought that whores exercised a worse sin than sodomy, human sacrifices or eating human meat". One day, when Cortés returned to see Moctecuhzuma, "whose conniving and dissembled happy face hid the pain he actually felt in his heart", the conquistador discovered that the Aztec King had "ordered the destruction of a common whore house, home to about four hundred women because their public sins had offended the Gods". The Gods, reasoned Moctecuhzuma, "had permitted the Christians, who had more power to govern, access into their city". Moctecuhzuma reportedly told Cortés,

"I, a man of flesh and bones, exposed to many illnesses and threats, am not so savage or stupid so as not to understand that I possess far less superiority and immortality than do the Gods. In as much as the riches of this land --its gold, silver or stones-- do not putrefy yourself over something that you can have as yours whenever you may please."

Yet, Moctecuhzuma simply "did not consider sodomy, human sacrifices or the eating of human meat graver or uglier than the trade of the whores". Whatever the rhetoric, whores still had a public function within Aztec cosmology as depicted by Torquemada's description of the Mexican
feast in honour of the francolin, or a beautiful bird godwit, which occurred during the fourteenth month of the Indiana calendar.

During the feast, the Mexicans honoured the God Mixcohuatl, and they "sacrificed many young women in memory of love". During this month known as quecholli, the "whores or public and dishonest women manifested themselves and offered themselves as sacrifices to the God". The "women known as maqui also followed the men into war and often times they thrust themselves into battle simply to die". These "shameless women cursed themselves and other honourable women as they thrust their bodies into death". The "effeminate and womanly men who dressed in women's apparel" also participated in this feast. The other Indios "detested these men, who painted their bodies and performed the labours of women but who had no contact but with women". Unlike, Moctecuhzuma, assured Torquemada, Nezahualcoyotl before him had "abhorred the nefarious vice that other caciques sometimes permitted in their midst".

Neza had apparently punished "the patient by having him tied to a thick stake in the ground and then had his intestines extracted through the arse". After which, the young boys of the village covered the patient's entire body in ashes, piled wood over the ashes and lit the fire. The boys also "buried the agent's body in ashes until he died, naturally". Torquemada believed that the Indios in New Spain, "had strangled those who committed the nefarious sin" and insisted that "magistrates rigourously investigated whether or not men committed this crime in the Republic and punished them for they too considered it a bestial vice perpetuated for lack of reason".

Furthermore, the magistrates "strangled men who dressed in women's apparel and likewise women who dressed in men's apparel". If the high priests committed culpable acts of dishonesty with a woman, the community simple banished him from the province and deprived him of his goods. However, if priests indulged in the nefarious sin the community burned, strangled or killed in their own convenient manner both participants". The ancient law of God, concluded Torquemada, had prohibited such atrocities amongst men. Torquemada's pinnacle work, though, centers around his most fantastic theory on the emergence of sodomy in the Indias.

While "some Indios in the provinces might have consumed the nefarious sin", nevertheless, "laws existed in those provinces that prohibited its practise". Torquemada offered his own theory on how the Indios had "introduced sodomy into these republics". A "demon named Chin had appeared in the form of a young boy and induced all those around him to commit this corrosion just as he had performed it with another demon in the presence of the others". The "Indios did not consider it a sin for they
thought that a God —more properly said, a filthy and vile demon— had actually committed it in their presence". This did not, however, "excuse them from having committed the gravest of all bestial sins that inhibited procreation".

Since these men "did not recognize sodomy as a sin, fathers grew accustomed to giving boys as gifts to their sons, so that their sons could keep them and use the boys as women". Indian laws protected this type of relationships. Other boys "could not have access to one’s boy concubine for that risked punishment equivalent to having violated a matrimonial union". "Do not my prudent and wise reader", cautioned Torquemada, "marvel at hearing about such a law for he who is without God easily falls from grace just like one who travels blindly and falls prey to the devil, an evil and perverse seeker of men, a filthy pervert of customs who sought to pander this type of merchandise amongst these Indios".

Finally, in his own form of 'political outing', to use an anachronistic term, Torquemada reminded his readers that some "Indios kept boys just like Adrian and his boy concubine or like in Greece, where every man had access to his boy, even Aristotle, the father of natural philosophy". Not content with a simple elaboration on the emergence of sodomy, Torquemada also provided his readers with his own discourse on mariones or effeminate sodomites in the Indias.

**Los Mariones**

In Florida, "amongst other barbarities", Torquemada noted "the most abominable one in the world— some men married others as if this established a natural contract, rather than a very grave sin against nature". The "impotent mariones, married other men—who could still fornicate with women and bear children". Torquemada did not know for certain if the mariones themselves had "caused their own impotency in religious ceremonies or whether an error of nature had caused such monstrosity".

The Spaniards knew that many of those who lived in Santo Domingo, "notoriously committed the nefarious sin although those Indios enacted laws which prohibited the bestial vice". The "detestable vice had reached such proportions of notoriety amongst these dirty miry hogs, that they solicited each other publicly without remorse and tempted not only men but God's angels on earth, one reason for God's destruction of Sodoma". The "Indios of Vera Paz in Guatemala, in general, did not practice the sin as much as others in and around those provinces. There, priests "reproached and often argued with the young boys who enjoyed and committed the sin". Time and
again, the priests "admonished the boys to renounce the sin for to relish in such enormity surely meant death".111

"One could cry", lamented Torquemada "even the wise and gifted Greeks had used their bodies nefariously as sacrifices to render worship to their amorous and vile Gods". They had established "gymnasiums, as offerings to their filthy Gods where they too offered their young boys and converted them into patients of the Gods". In these "public schools or so called gymnasiums anyone could take filthy advantage of any of these young boys". The men and boys "denuded their bodies and reveled in the nefarious vices". The Greeks "adored these vices and regarded them as Godly". Fortunately, wrote Torquemada "our occidental Indios" also had schools next the their temples, but, they used them "to instill in their children and young boys, honest and good customs and not the evil abominations taught by ancient gentiles".112

About one hundred thirty years after Spain had subjugated the Indias to colonial rule, officials in México could boast of having achieved some successes. Anthropophagy and the scarifying of humans amongst the 'barbarians', it seemed, had almost completely ceased. The conversion of the 'infidels' to Catholicism appeared to have reached its zenith. And sodomy, well sodomy still lingered in the minds of some nefastos.

Central Market

Cortés described the metropole of México or Tenochtitlán as "large as Sevilla or Cordoba, it resembled Venice, its plaza mayor two times larger than that of Salamanca, the largest in Spain". It exhibited a "large outdoor market full of fish, meat, deer, rabbit, other game, vegetables, fruits, woods, gold glasses, copper artifacts", and other artistic wares such as "clay pottery of better quality than that found in our world". "Cotton and feathers abounded in such great quantities", Cortés found it "impossible to fathom". The metropole of México sat erect in the middle of a lake "adorned with great temples and towers".113

By the time Gemelli Carreri, a wealthy Italian aristocrat and a doctor of law, first visited the city in 1697, he alluded to its "perfect square plane without any walls or doors" a sort of "tableaux with long, unswerving streets, covered in stones, pointing towards the four cardinal directions" such that one could "almost see the entire city from any direction". People lived comfortably in this "very nice city where one could purchase cacao, flowers, fruits and vegetables of different species, all year round in its central market". About "100,000 inhabitants lived in the city, the majority
Negros and Mulatos, who despised the peninsulars and who one day could very well rebel and wrestle the republic from the Spaniards.114

"Power and wealth rested with twenty-two religious monasteries and twenty-nine diverse religious orders of frays, all very rich", so much so that "Spaniards and other Europeans became part of the clergy when they could find no other easier way simply to assure themselves of a steady rent". Given México's "good edifices and ornate churches, one could say it rivaled the best in Italy, but certainly surpassed it with the beauty of its damas, who are pretty fine and of genteel fabric".115

Apparently, México had not only harboured beautiful women, but also men who wished to pass themselves off as such. In the seventy-years he had resided in the metropole, Juan Correa, who referred to himself as a "linda niña" had also noticed the beauty radiated by the damas of the city such that he saw fit to re-name himself la Estanpa after one such 'fine lady'. The Viceroy Count of Monterrey had foreshadowed the antics of la Estanpa in a letter written to Felipe II in 1596.

The Viceroy Count

The Viceroy Count, informed Felipe II that both sodomites and civil servants in New Spain still posed a problem for the colonial state. The Viceroy Count's letter described the "lack of discipline and the lack of respect for Royal officials by other court officials" within the secular juridical branch of the colonial government in the metropol e of México. The Viceroy Count had empathized with the breach of decorum. "Tis understandable and they should be forgiven," he wrote, for the "colonial state poorly paid the civil servants". The colonial "exchequer simply did not have the capital to pay all those associated with the juridical branch of this administration".116

In folio after folio, the Viceroy Count made plea after plea to justify higher salaries for his subordinates and an augmentation of his colonial budget. As part of this justification for higher salaries he informed the King that the court officials merited praise for they had imprisoned and burned "some delinquents for the nefarious sin and other types of sodomía".117

Subsequently, the Viceroy Count had ordered the apprehension of their known "accomplices in Guatemala" and he ordered the court officials to contact their counterparts and compare their findings to "similar cases in Madrid". Unfortunately, the Viceroy Count did not reveal the number nor the circumstances concerning the 1596 burnings in Mexico City. Prior to 1596, the earliest known burning of sodomites by colonial authorities in
México dated back to the 1530s, when secular officials convicted Caltzontzin for "idolatry, sacrifice and sodomia".\footnote{118}

Fray Pedro Simón also recorded at least two instances of sodomy prosecutions amongst the 'conquistadores'. The first case involved three mariners under the services of Nikolaus von Federmann (1501-1542), a German captain in the service of the Welsers, bankers to Carlos V. The other incident had involved five Italian mariners during a voyage to Venezuela.\footnote{119}

If early modern theologians, historiographers, conquistadores, and other writers had helped etch fantastic notions of sodomy in the minds of learned men in the peninsula, local colonial officials took up the charge well into the seventeenth-century. Some sixty years after the Viceroy Count's letter to Felipe II, it seemed that colonial authorities had still not filled their coffers to the satisfaction of anyone and the sodomites, well the sodomites, continued to manifest their presence and perturb viceroys and dukes alike.

An Endemic Cancer Looms in the Metropole

In 1658, the new Viceroy of New Spain, the Duke of Albuquerque informed Carlos II that the Criminal High Court in the metropole of México had apprehended about "nineteen prisoners, fourteen of which" it "sentenced to burn" for having committed the "nefarious sin". "Never in the history of mankind," continued the Duke, "have I heard of such complicity". "The idiocies and the circumstances of the nefarious sin" completely overwhelmed the Duke who described them as "incredible and ancient". The Duke devoted the first three pages to the sodomy cases and thereafter, like the Viceroy Count before him, argued incessantly for the "need to raise the salaries of colonial civil servants".\footnote{120}

In addition to his letter, the Duke of Albuquerque sent three additional documents to Carlos II. The documents described in greater detail those incidents which fascinated colonial officials pertinent to the 1657-58 sodomy trials in Mexico City. The first document, a concise letter written by Juan Manuel de Sotomayor, a magistrate of His Majesty's High Court, erroneously depicted the biblical tales he re-appropriated to chastise and provide graphically diabolical images of sodomites.

At the conclusion of his investigations, Sotomayor confirmed that sodomy, in his words an "endemic cancer" had "extensively contaminated the provinces of New Spain". "This mortal and nefarious vice" had even "infested and spread amongst prisoners held captive by the Inquisition in their particular jails and the ecclesiastical officials had also begun their own
inquires". "Not once", since his arrival in México some twelve years earlier, had Sotomayor realized the "extent of the contamination". 

But, he consoled Carlos II and himself having recalled, "as some saints had professed, that all sodomites died on the birth of Jesus our Lord". Sotomayor's weary recollection of Catholic indoctrination caused him to conflate the 'birth of Christ' with the biblical tale of Lot and God's angels in Sodoma, a city "destroyed by fire and brimstone because of the supposed illicitly sexual activities of its inhabitants".

An eight folio summary report, which included an appendix of the accused, written by a scrivener, silhouetted in greater detail the discursive particulars of the 1657-58 Mexican sodomy cases. An appendix of the accused listed in alphabetical order: the names; ethnicities; and the occupations of some 125 individuals either sentenced or under investigation by the High Court.

The scrivener, a permanent member of every tribunal, transcribed in writing, as the legal manuals required, "not only all the defendant's responses and any statements he might make, but also what he might utter during the torture, even his sighs, his cries, his laments and tears". The practice of recording legal proceedings in their entirety supposedly "discouraged irregularities, including the tendency of some examiners to ask leading or suggestive questions".

Technically, as more traditional historians would have one believe, the scrivener should have transcribed everything "uttered" verbatim by the accused thereby drafting an 'objective' text or 'factual source'. However, a scrivener's filtering of testimony is just as pertinent to how one conceptualizes the of writing history. On numerous occasions, as parts of this study have indicated, the scrivener recorded his own perceptions of individuals or events. Thereby, providing the reader with a glimpse of his own 'cultural baggage' or the discourses of sodomy fabricated by the Crown.

When a scrivener attempted to describe a witness named "Francisca Negra" in a 1602 blasphemy case in México, he wrote that "she appeared to about thirty years old although she did not know her age despite being a Ladina". In the colonial hierarchy of ethnicity, a Ladina or a Mestiza, descended from one 'indigenous' and from one 'Spanish' parent. The individual commonly "spoke only Spanish". The scrivener equated 'ethnicity' --the lighter the skin, the brighter the brain-- with a certain level of education and knowledge.

As the 1657-58 sodomy tales will illustrate, hierarchies of ethnicity and power nicely over determined the outcome of these cases.
**Mariquita Under the Willows**

In late September 1657, as Juana de Herrera, a *Mestiza*, "washed clothes alongside a wall, outside the city in the neighbourhood of San Lazaro, two boys in great haste cried out to her and insisted that she "go see some men playing like dogs". Juana stood up and walked some distance from where she washed her clothing until she reached a group of willow trees. Under one willow, Juana saw "two men, both without their breeches, one on top of the other, committing the nefarious sin".

The man "on top and the cape he wore concealed the man on the bottom". Nonetheless, she recognized the 'man on top' as "Juan de la Vega, a *Mulato* from Mexico City and one she had known for over ten or twenty years". She had not recognized the one on the bottom", save to say that he "looked like a *Mestizo*". Juana "dared not to get any closer for fear of getting killed".\(^{129}\) The frighten *Mestiza* returned to retrieve her bundles and dashed off to denounce the two men before Magistrate Sotomayor.

Sotomayor soon learned that Juan de la Vega resided in the *barrio San Pablo* where he let a couple of rooms at the house of "Doña Melchora de Estrada". Early that afternoon, Sotomayor arrived at the house only to discover that "Juan de la Vega had moved on to other quarters". Sotomayor interrogated the other boarders who lodged at the house, one of which, an *Indio* named Tomás de Santiago, described Juan de la Vega as an "effeminate *Mulato*" who "preferred the nickname 'Cotita, or the same as mariquita', in short, 'effeminate man'. What constituted an 'effeminate man' in the estimation of Tomás *Indio*?

When Vega walked, stated Tomás, 'Cotita sashayed her "hips from one side to the other". 'Cotita, "ordinarily wore a melindre, a delicate kerchief usually worn on the waist by women, on his forehead". Many "colored ribbons fell out from the openings of both his white jacket sleeves". Not only did Juan de la Vega "sit on the floor in a womanly state, but 'Cotita could also prepare tortillas, *guisaba* [cooked sauteed dishes], and washed clothing". When "some young boys called to visit, continued the informant, 'Cotita individually greeted the boys as "my soul, my sweetheart, or my love".

The young men, "so as not to offend" Juan de la Vega, always addressed 'her' as 'Cotita. Initially, 'Cotita and her guests would sit together on the floor and then later retired to another room where they all "slept together". Tomás *Indio* had also slept over on one of those occasions. That night, with the help of "moonlight", Tomás *Indio* witnessed "how a young *Mestizo* boy named Joseph Durán from *Puebla de los Angeles* and another boy named Gerónimo Calbo from Mexico City committed the nefarious sin".\(^{130}\)
After the interrogations of Tomás Indio, Sotomayor left Doña Melchora's house in rapid pursuit of Juan de la Vega. Finally, at twelve o'clock midnight, Sotomayor located 'Cotita's new lodgings. Sotomayor and those who accompanied him barged into the room and "surprised Juan de la Vega, Joseph Durán, Gerónimo the bald head, Miguel Gerónimo Mestizo and Simón de Chaves Indio, who all clung together naked". On 3 October 1657, the apprehended men appeared before the magistrates of the High Court and initially denied the allegations put forth by Juana de Herrera and Tomás de Santiago.

With the exception of Miguel Gerónimo, the accused sodomites finally succumbed to the probing questions asked by the magistrates and "admitted having committed the nefarious sin, an infinite number of times, with many and different persons". Miguel Gerónimo continued to deny his involvement, even as the other men revealed the "names of their accomplices, identified the places, the time, day, month, year and other circumstances" pertinent to their 'sin and crime'. Colonial authorities eventually incarcerated an additional eighteen of 'Cotita's accomplices and issued arrest warrants for another 106 suspected sodomites. Over the course of the interrogations, the individuals queried divulged the particulars of their gatherings.

Parties and Pseudonyms

Juan de Correa, our "very fine little girl who since age seven had dressed like a woman" actually served as the designated courier for many a gathering. As the courier, the elderly Mestizo of seventy years, also known as la Estanpa, informed the other men of "future reunions, their dates and places". The men hosted these "gatherings, just like women, periodically throughout the year in different houses".

The gatherings frequently coincided with Catholic feast days and with the pretext of paying tribute to "Our Lady, the Holy Apostles or any other ecclesiastical celebrations". Juan Currador Indio, who also resided in the same barrio of San Pablo, had also hosted many men in his "oratory to celebrate the feast of Saint Nicolas". The many "men congregated in the oratory committed the nefarious sin, danced like women, and cited new dates and places for future gatherings with the pretext of prolonging their nefarious contact". In fact, most of the participants displayed images of the "Virgin Mary and other saints in their private oratories".

Although Miguel Gerónimo denied the denunciations levied against him by Correa and the others, he found it difficult to discredit their
testimony. Nonsense, tattled la Estanpa, Miguel Gerónimo had also hosted one of these 'parties' where "they had all committed the nefarious sin". In fact, insisted Correa, the other men "commonly referred to Miguel Gerónimo as, la Cangarriana", in reference to his "promiscuity, just like a common whore who lived in the city" known by the same pseudonym. Bickering and a biting jealously between the participants who supposedly attended the festive gatherings became evident during the ensuing interrogations.

Su Guapo, Por Puto!

The ensuing denunciations by la Estanpa and 'Cotita led to the arrest of "Nicolas de Pisa, Negro, also aged over seventy years, with whom Correa had jealously quarreled with over Nicolas' other "guapo-- the name given to those men with whom they committed these vile acts". Correa also implicated Cristoval de Vitoria, a "Spaniard of over eighty years, missing one eye, half blind of the other, small in stature, bald, and humpbacked". The deformed Vitoria eventually confessed and identified "twenty-three year old Gerónimo the bald head", one of those apprehended naked with 'Cotita, as his 'guapo'. Furthermore, declared Vitoria, he had "continuously committed the nefarious sin in this city since the time of the great flood some thirty years ago". He had, however, "lost count of the number of persons he had taught, as had Correa, to commit this harmful sin".

Thus far, colonial officials had interrogated individuals who belonged solely to the labouring classes of the metropole-- Mestizos, Negros, Mulatos, and 'physically deformed' Spaniards. The clergy and the aristocracy, two groups which comprised high percentages of sodomy cases prosecuted in the peninsula, remained conspicuously absent from prosecution in the 1657-58 Mexican cases. The details offered by accused sodomite Benito de Cuebas, however, have suggested that individuals associated with the more accommodated classes in México possessed a certain knowledge about the particulars of the interrogation and that this certain knowledge might have rendered them immune from prosecution.

The inculpated Benito de Cuebas Mulato remained imprisoned eight days before he confessed that "one night before his arrest, as he prayed with his beads, a very handsome and spruce gallant, with a good plight of body, whom he had never before met, called at his quarters and instructed him to flee the city because the colonial authorities had apprehended many of his friends". "But why"? asked the devout Cuebas. "Por putos"! replied the gallant.
The following morning, instead of fleeing the city as foreshadowed by the gallant, Cuebas instead attended "mass at the cathedral where he again prayed with his beads in hand and implored the assistance of our lady for his liberation from sin". The beads must have failed Cuebas for as he existed the cathedral colonial authorities awaited and apprehended him. Cuebas inculpated a number of other less distinguished individuals, some of which had already fled the city, in what had become an active pursuit of sodomites and their properties orchestrated by the colonial authorities.136

Diabolical Riffraff

Amongst the confiscated goods of Miguel de Urbina, an "Indio, Ladino of good reason", colonial officials "found a statuette of the child Jesus, his face, his back and posterior parts, all burned". Urbina confessed that "one day as he lay in bed with his India, just after they had committed a carnal act, he had lamented the absence of the man with whom he commonly communicated with nefariously". Thus, in a "fit of rage, the rabid Indio, took a lit candle in his hand and set fire to the statuette of the holy child" that stood idle on a small table beside the couple's bed. The burning of the statuette caused "blotches on the skin, swollen arms, welts, and the same markings as those left on a burnt human body". The human-like welts that "appeared" on the "holy child served notice of God's omnipresence and his disdain for the evils of sodomía" wrote Sotomayor. The torched statuette remained in the "possession of his excellency, the lord magistrate" of the Mexican High Court.137 The Viceroy Duke provided more comforting words to the Monarchy.

In his letter to Carlos II, the Viceroy Duke Francisco Fernández de la Cueva, confirmed that the "actors and patients, without the need to submit any of them to torture, had confessed the incredibly vile circumstances of their nefarious sins, some having committed it for over forty years". Each of these men, had "at least one accomplice or one live witness who testified against him". Two surgeons, of "great and indisputable repute, examined each of the nineteen sinful bodies". "Indeed", declared the surgeons, "they had found the bodies quite used and corrupted". However, reassured the Duke, his King need not despair for "no men of their fabric nor those of the black cloth found themselves amongst the convicted, all of whom represented Mestizos, Indios, Mulatos, Negros or the riffraff of this Empire and city".138 Sotomayor's initial interrogations led to the arrest of nineteen men. Alas, despite the pleas of the lawyers for the defense, His Majesty's High Court sentenced "fourteen of the nineteen to burn at the stake and had
all their goods confiscated". In addition to Juan de la Vega, Correa, Miguel Gerónimo, Durán, Chaves, Correa, Pisa, Vitoria, Gerónimo Calbo and Cuebas, the court also convicted Domingo de la Cruz Indio; Matheo Gaspar Indio; Juan Martín Indio; Miguel de Urbina Indio; Juan de Ycita Indio; and Lucas Matheo Mestizo.

The High Court had capitulated to the requests of the defense attorneys and in a display of leniency sentenced "Lucas Matheo, a boy of fifteen years to two-hundred lashes and six years of forced mortar labour". The other men remained captive in prison and the High Court had summoned another 106 men listed in an appendix of the accused to appear before the tribunal. As a result of these cases, concluded Sotomayor, "the Tribunal of the Holy Inquisition has interrogated its prisoners and the Ordinary Ecclesiastical had discovered that this mortal, nefarious and habitual disease had also spread amongst them may lord our God save your royal Catholic Majesty". The scrivener concluded his report having noted that,

"[. . .] on that given day in 1658, as the authorities led the fifteen men to the site of execution, Gerónimo spontaneously admitted having committed the pecado contra natura[. . .] and as they all burned, save one, Lucas Matheo, who received his 200 lashes in the presence of the bonfire."

A Parting Thought

In seventeenth-century Mexico City, our Viceroy Count, the Duke and their magistrates confronted what Garber has identified as a "cultural fact"—transvestism, or dressing outside one's prescribed gender role. Cotita and la Estanpa, as "modes of self-construction rejected the cultural representations of manliness based on class, ethnicity, gender or religion. For them, the borderline between 'manly' and 'unmanly' or 'effeminate' became "permeable" and permitted their "border crossings from one category to another". The cross dressed Mestizas functioned as marks of "gender undecideability". From the moment that Colombus and Cortés began to document their perceived differences of Indios, the presence of sodomites, of the 'transvestite' in the Indias signaled a "category crisis that caused the colonial officials to experience cultural anxiety". The boys and men who dressed like women and performed their labours, aptly portrayed by the colonial chroniclers, embodied "symbols of over determination and became mechanisms of displacement" for the colonial state. These men and their cultures deconstructed the "binary pole of man-woman" and in the process jeopardized the "national binaries and power relations" of Imperial Spain and 'colonial México'.

The auto-emasculisation or the effeminisation adhered to by a cadre of Mexican sodomites in 1657-58 facilitated a challenge of specific colonial politics, albeit limited and contradictory, to the dominance of the colonising Spaniard. However, the anomalies in gender politics and the cross-dressed Mestizas' struggle for legitimacy in the metropole of México, also revealed that the self-perception of effeminacy neatly constructed alongside categories of say, class or ethnicity, is itself an expression of "hegemonic aspiration". Chatterjee has identified this phenomenon as the "paradox of the subalternity". Cotita and la Estanpa both accepted and resisted the Spanish colonial politics of manliness that cast them in the unenviable position of effeminate sodomites, a discourse employed by early modern moralists to buttress Spain's just causes of domination and its colonialist politics.

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   2. AGI, México 38, N 57B. 31. Correa's erotic metaphor equated the eating of frog legs, an exquisite delicacy of Spanish-Mexican early modern cuisine, with the consumption of virile members.
   4. *mal de madre* or hysterical affection, or passion, called also a suffocation of the womb and vulgarly the fits of the mother; caused by the retention or corruption of the blood and limphin vessel.
   5. AGI. México 38, N 57 B. 32.
   10. Ibid., p. 48.
"Relatione di alcune cose della Nuova Spagna, & della gran citta di Temestitan Messico", in Colección de documentos para la historia de Mexico, p. 387.


Fernández de Oviedo, Sumario de la natural historia de las Indias, LXXXI, p. 244.

Fernández de Oviedo, Sumario de la natural historia de las Indias, p. 39.


J. Boswell, Christianity, pp. 350-359.

F. Guerra, The Pre-Columbian Mind, pp. 2-3.

F. Guerra, The Pre-Columbian Mind, pp. 3-5.


On the 'images of the barbarian', the convergence between 'Germanic' and AmerIndian iconography and a 'broad history' of those representations see, Egmond and Mason, The Mammoth and the Mouse, pp. 157-198.

Relection of the very reverend father frair Francisco de Vitoria, master of theology and most worth prime professor at the University of Salamanca, delivered in the said university, a. d. 1539. 'On the American Indians' in Political Writings, pp. 273-275.

F. de Vitoria, 'On the American Indians' in Political Writings, pp. 250-51.

F. de Vitoria, 'On the American Indians' in Political Writings, pp. 252-76.

On the 'images of the barbarian', the convergence between 'Germanic' and AmerIndian iconography and a 'broad history' of those representations see, Egmond and Mason, The Mammoth and the Mouse, pp. 157-198.

49Lópe de Gómara, Historia General de Las Indias, Vol. I. pp. 5-6, 36.


Ibid.

9G. García, Origen de los Indios de el nuevo mundo, p. 35.
10G. García, Origen de los Indios de el nuevo mundo, pp. 111, 115-16, 296-97.
13Moctezuma's discourse to Cortés in, Ginés de Sepúlveda, Historia del Nuevo Mundo, 149.
25E. Cortés, Segunda carta de relación, 32a.
28Ibid.
29F. V. Scholes and E. B. Adams, eds., Proceso contra Tzintzicha Tangaxoan el Caltzontzin formado por Nuño de Guzmán, Año de 1530.
30P. Simón, Primera parte de las noticias historiales de las conquistas de Tierra Firme en las Indias occidentales.
32Carta del Alcalde, 19 noviembre 1658. AGI, México 38 N 57A.
33Ibid.
35Testimonio de las causas, 14 diciembre 1658. AGI, México 38, N 57B.
36Memoria de los ajustisiados por haver cometido el pecado nefando, 14 diciembre 1658. AGI, México 38, N 57C.
37E. Masini, Sacro Arsenal, p. 123.
38Segundo proceso contra Francisco Hernández mulato esclavo de Pedro López hidalgo curtidor vezino de esta ciudad de México por pacto con el demonio y por blasfemo, 1602. BLAC, W. B. Stephens Papers, p. 2. For a complete transcription of the proceso see, Garza Carvajal, "Tattoos, Demons and the Spectacle of it all. The Second Inquisitorial Trial of Francisco Hernández: 1602-1603". Unpublished manuscript. BLAC, 1993. "y dixo llamaze franciscas negra que nascio en España esclava[...]. Jen esta ciudad de hedad que parecia ser de treynta anos porque no supo dezir la que tenia, aunque es muy ladia". On ethnicity in early modern México see, P. Seed, "Social Dimensions of Race". E. A. Kuznesof, "Ethnic and Gender Influences on 'Spanish' Creole Society".
39Diccionario de la lengua castellana compuesto por la Real Academia Española, p. 864.
AGI, México 38, N 57.

AGI, México 38, N 57 A. 2.

AGI, México 38, N 57 C.


AGI, México 38, N 57 A. 2.

AGI, México 38, N 57 B, 34.

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