Disrupting Colonial Binaries: Gender and Masculinity on the Northwestern Frontier of New Spain, 1540-1780

by

Zahran Ramone Austin

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Thesis Committee:

Annelise Heinz

Yvette Saavedra

David Luebke

University of Oregon

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THESIS ABSTRACT

Zahran Ramone Austin

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The overall goal of this thesis is to expand the understanding of the role of gender in the Spanish colonization of the margins of northwestern New Spain as well as the historiographical conceptions which have previously restricted some aspects of this field of study. My sources include both published and unpublished documents, primarily centered around Hernando de Alarcón, Juan de Oñate, Pedro Fages, and Francisco Palóu. The main argument of the thesis is that the proper performance of masculinity was so important to the colonizing Spanish, including missionaries, settlers, and soldiers, that it shaped what they considered good governance, reasonable conduct, appropriate clothing, marriage practices, and sexual behavior. They used the actions of Indigenous people as a rhetorical foil both to make their own masculinity appear stronger and to mark Indigenous people as inferior and other on the grounds of their improper performance of Spanish gender norms.

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INTRODUCTION

In the eyes of the Spanish *conquistadores,* settlers, and missionaries when they arrived to colonize the margins of northwestern New Spain, the region now containing much of the southwestern United States and parts of northern Mexico, the Indigenous peoples they encountered were inferior to them in every way. One way in which they endeavored to explain this contempt was by declaring Indigenous systems of gender, family life, and sexual behavior to be sinful and wrong and to attempt to retrain Indigenous people to follow Spanish norms around these most intimate yet publicly perceivable aspects of daily life. From the Spanish perspective, gender, family life, and sexuality were inseparably intertwined and needed to be conducted in a manner which accorded with both Catholic morality and more colloquial Spanish patriarchal social norms. In their rhetorical construction of Indigenous people the Spanish portrayed Indigenous men as cowardly and unreasonable, Indigenous family life as inherently disorderly, and those gender systems they encountered which contained more than two genders as obscene, all of which were manners of legitimating the conquest and coerced conversion of Indigenous people. Between their early *entradas* in the 1540s and the colonization of Alta California in the 1770s, across the wide northwestern edges of Nueva España, these tropes in the Spanish records appear repeatedly. Some are found only in certain contexts, with particularly noticeable differences in emphasis and interest emerging through the records of missionaries as compared with military leaders. This thesis seeks to explain the ways in which Spanish notions of masculinity shaped the process of colonization on the extreme northwestern margins of New Spain. My research questions were: How were Indigenous men depicted in comparison with Spanish men? In what areas of Indigenous life did the Spanish seek to intervene to reshape behaviors which they considered unacceptable? How has gender during the Spanish colonial era

been conceptualized in the existing literature? How did genders outside of the binary recognized by the Spanish fit into this system? Does the existing literature demarcate gender from sexuality and, if so, where does it draw those lines and justify them? How do questions of gender and colonialism articulate to the development of biological sex as a separate concept in this context?

The overall goal of this thesis is to expand the understanding of the role of gender in the Spanish colonization of the margins of northwestern New Spain as well as the historiographical conceptions which have previously restricted some aspects of this field of study. The main argument of the thesis is that the proper performance of masculinity was so important to the colonizing Spanish, including missionaries, settlers, and soldiers, that it shaped what they considered good governance, reasonable conduct, appropriate clothing, marriage practices, and sexual behavior. They used the actions of Indigenous people as a rhetorical foil both to make their own masculinity appear stronger and to mark Indigenous people as inferior and other on the grounds of their improper performance of Spanish gender norms.

The review of the literature here is relatively brief, with longer discussion of different parts of the historiographical debates appearing in the chapters where they are most relevant. The purpose of this is two-fold, first it spares the reader an unnecessarily protracted introduction to the material. Second, the content under discussion here is part of a contentious scholarly conversation which is key to fully understanding my readings of many primary source texts. The contested nature of the historiography is particularly notable in the final chapter, which intervenes in several highly sensitive sub-fields of history. This thesis will engage with four interconnected historiographical fields. The first is the scholarship on gender, race, and marriage in what is now the southwestern United States. Important works in this field include *When Jesus Came the Corn Mothers Went Away: Marriage, Sexuality, and Power in New Mexico, 1500-*

1846, Intimate Frontiers: Sex, Gender, and Culture in Old California, Peace Came in the Form of a Woman: Indians and Spaniards in the Texas Borderlands, and *Pasadena Before the Roses: Race, Identity, and Land Use in Southern California, 1771-1890.* All of these texts center on the ways in which the colonizing Spanish attempted to impose their conception of proper gender roles on Indigenous cultures, with the majority of the emphasis falling on marriage and demographic trends in the regions under study. While Barr's work describes a subregion not covered by the current study, it has an invaluable discussion of the ways that Spanish gender was foreign to cultures outside of Europe. The first two works do not tend to address the impacts of gender on aspects of Spanish colonialism outside of marriage and family life, this paper aims to expand the analysis of Spanish gender norms to include multiple aspects of governance. It also focuses explicitly on masculinity, which is addressed directly only by the latter two works.[1]

The second field is the scholarship related to sexuality in colonial Latin America. This scholarship in many ways branched off from the first and includes works by two leading scholars in the field, Zeb Tortorici and Pete Sigal. These works are relevant to the suppression of Indigenous system of marriage and sexuality which fell outside of what the Spanish felt to be correct. This field is relatively novel and limited by a comparatively narrow source base, requiring greater care than the statistical analysis of census documents utilized in early studies of

[1] Ramón A. Gutiérrez, *When Jesus Came the Corn Mothers Went Away: Marriage, Sexuality, and Power in New Mexico, 1500-1846*. (Stanford, CA: Stanford University Press, 1991), Albert L. *Hurtado, Intimate Frontiers: Sex, Gender, and Culture in Old California*. (Albuquerque: University of New Mexico Press, 1999), Julianna Barr, *Peace Came in the Form of a Woman: Indians and Spaniards in the Texas Borderlands*. (Chapel Hill: University of North Carolina Press, 2007), Yvette Saavedra, *Pasadena Before the Roses: Race, Identity, and Land Use in Southern California, 1771-1890. (*Tucson: University of Arizona Press, 2018). Other works consulted will include Virginia M. Bouvier, *Women and the Conquest of California, 1542-1840: Codes of Silence*. (Tucson: University of Arizona Press, 2001), and Antonia Castañeda, *Three Decades of Engendering History : Selected Works of Antonia I. Castañeda*. Interview by Luz María Gordillo. Edited by Linda Heidenreich. Edition: First. Denton, (Texas: University of North Texas Press, 2014). Michelle Armstrong-Partida, *Defiant Priests : Domestic Unions, Violence, and Clerical Masculinity in Fourteenth-Century Catalunya*. (Ithaca, New York ; Cornell University Press, 2017) was used to gain a broader picture of pre-colonial Spanish masculinity.

gender and sexuality in colonial Latin America. These works will primarily be relevant in the second and third chapters, as the Spanish considered gendered behavior outside of binary categories established in Spain to be a form of sexual behavior in most instances. As a result, the distinction between these works and those about Two-Spirit people remains a relatively porous boundary.[2]

The third area is historically oriented works of Two-Spirit studies, which is by far the most narrow and contentious of the four fields. This field centers on *Changing Ones: Third and Fourth Genders in Native North America* and *Men as Women, Women as Men: Changing Gender in Native American Cultures*, both written in the 1990s, with important later contributions made by Deborah Miranda and Gregory Smithers. The works from the 1990s are all not only in conversation with each other but arguing vociferously with each other. This was related to the political situation at the time, at the nadir of the AIDS crisis and a time of elevated homophobia throughout the global north. The later contributions to the field are both more open to representing Indigenous ways of thinking about gender and more cautious about over-interpreting their findings. None of these works are specific to the Spanish period, with Miranda focusing on the history of the land which became the US State of California throughout the Spanish, Mexican, and American periods while the others take a continent-wide approach to the history of Two-Spirit people. Notably, none of the authors are historians. Miranda works in

[2] Zeb Tortorici, *Sexuality and the Unnatural in Colonial Latin America*. Edited by Zeb Tortorici. (Berkeley, CA: University of California Press, 2016), Zeb Tortorici, *Sins Against Nature: Sex and Archives in Colonial New Spain*. (Durham: Duke University Press, 2018), and Pete Sigal, ed. *Infamous Desire: Male homosexuality in Colonial Latin America.* (Chicago: University of Chicago Press, 2003). The analysis of sexualities which were considered deviant is also covered in lesser detail by other works in the previous section and the following section. This field is narrower than the previous one, at least in English language publications, and my language skills were not developed enough to work through scholarly monographs in Spanish until later in the writing process.

Indigenous Studies and the other three are anthropologists. A historical approach may lend itself to a slightly different interpretation of events in some instances.[3]

The final area of historiography is scholarship on the engendering of bodies in the Early Modern world and the ways in which it could be, but was not always, more capacious than later understandings of biological sex. This section concentrates primarily on four works, *Making Sex: Body and Gender from the Greeks to Freud, Nature's Body: Gender in the Making of Modern Science, Trans Historical: Gender Plurality before the Modern,* and *The Shape of Sex: Nonbinary Gender from Genesis to the Renaissance.* The former two works are considerably older than the latter, a reflection of a cyclical preoccupation in scholarship about sex, gender, and the intersections or disjunctures thereof. All four works stretch back in time further than the present work, in some cases considerably further back. While the first work focuses exclusively on the scientific construction of biological sex the other three are more concerned with gender. *Nature's Body* is concerned primarily with Early Modern science and gender but its attention to the racialized and colonial elements of gender formation are invaluable to this study. The latter two explicitly address pre-modern understandings of gender roles which did not align with what was expected based on one's anatomy. These works are focused on attitudes toward transgression of expected gender roles in Europe before the period covered here, allowing them

[3] Sabine Lang, *Men as Women, Women as Men: Changing Genders in Native North America* (Austin, Texas: University of Texas Pess: 1998), Will Roscoe, *Changing Ones: Third and Fourth Genders in Native North America* (New York, St. Martin's Press: 1998), Deborah Miranda, "Extermination of the Joyas: Gendercide in Spanish California", *GLQ: A Journal of Lesbian and Gay Studies*, Volume 16, Number 1-2, 2010: 253-284, and Gregory D. Smithers, *Reclaiming Two-Spirits: Sexuality, Spiritual Renewal, and Sovreignty in Native America* (Boston: Beacon Press, 2022). See also Sue-Ellen Jacobs, Wesley Thomas, and Sabine Lang, *Two-Spirit People: Native American Gender Identity, Sexuality, and Spirituality*, (University of Illinois Press: 1997), Slater, Sandra and Fay A. Yarbrough, eds. *Gender and Sexuality in Indigenous North America* 1400-1850 (Updated Edition). (Columbia: University of South Carolina Press, 2022), and Evelyn Blackwood, "Sexuality and Gender in Certain Native American Tribes: The Case of Cross-Gender Females," *Signs*, 10, No. 1 (Autumn, 1984): 27-42.

to serve as an important groundwork for the discussion of Two-Spirit people in the third chapter. Only *Trans Historical* describes pre-colonial Spain, specifically, though *The Shape of Sex and Nature's Body* both directly address the views of the Catholic church about the innate and biologically determinable status of sex. It seems reasonable that Early Modern Spaniards would carry views which were shaped by Catholic thought, though likely precisely identical.[4]

The sources used in this analysis are somewhat eclectic, both due to the comparatively spotty survival of Early Modern documents and the time limits of completing a master's thesis. Many of the sources used here are the published and translated accounts of early soldiers and missionaries, particularly those in Alta California whose records survived more readily and were often preserved in multiple copies. Many potentially relevant documents of the same types were lost in Nuevo Mexico during the Pueblo Revolt. These documents have the advantage of being available in English translation, though these translations are of variable age and may not reflect modern usages of certain words. A second source of documents used here is the Bancroft Collection's extensive holdings of documents from the Archive of the Indies. These documents were transcribed by typists at professional transcription services between 1913 and the early 1920s. Where quotations from these documents are used, they are my own translations. Two of the translated and published diaries were also available in Spanish in the archive and I have compared the originals with sections that I am using from older translations. As far as I am able to tell from the pieces which I compared, the two align quite well. The documents used from this collection are those related to the colonization of Nuevo Mexico, though there is a large gap in

[4] Thomas Laqueuer. *Making Sex: Body and Gender from the Greeks to Freud*. (Cambridge, MA: Harvard University Press, 1990), Londa. Scheibinger, *Nature's Body: Gender in the Making of Modern Science*. (Boston: Beacon Press, 1993), LaFleur, Greta ,Masha Raskolnikov, Anna Klosowska, eds. *Trans Historical: Gender Plurality before the Modern.* (Ithaca, New York: Cornell, 2021), and DeVun, Leah. *The Shape of Sex: Nonbinary Gender from Genesis to the Renaissance.* (New York: Columbia University Press, 2021).

the archival record about this region. All these documents are being read intensively here, examining what they say and do not say. By reading documents both with and against the grain, greater detail can be gleaned from the limited body of documents relevant to this study. The brief historical background section below describes in greater detail precisely which accounts are used here and where they fit in the broader colonial process.

To best interpret the chapters that follow, it will be useful to briefly outline the main milestones of the Spanish colonial project in North America and where the primary sources under discussion fall in this timeline and in relation to each other. After the conquest of Mexico in the 1520s, several other expeditions invaded what is now northern Mexico and the southwestern United States, in search of precious metals and sedentary agricultural peoples to conquer, as sedentary agricultural people were considered both easier to defeat and more rapidly christianizable.[5] These initial forays, such as Cabeza de Vaca's ill-fated voyage and the destructive peregrinations of Coronado left behind a scanty but invaluable record of Indigenous lifeways at that time. Both accounts are referenced briefly, but not analyzed in detail given their comparatively minor impact on later colonial efforts. A few very small Spanish pueblos and missions were scattered across Baja California at this time, primarily to protect the Manila treasure galleon from pirates, most famously Francis Drake.[6] One more unusually far-ranging expedition was sent to the mouth of the Colorado River in between Arizona and Baja California in 1540, which left the Alarcón account, referenced frequently in the second and third chapters.[7]

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[5] David Weber, *The Spanish Frontier in North America*, (New Haven, Yale University Press, 2009), 34-38. See Also Richard Flint, *Great Cruelties Have Been Reported: the 1544 Investigation of the Coronado Expedition*, (Albuquerque: University of New Mexico Press, 2002), 1-4.

[6] Weber, *The Spanish Frontier in North America*, 57.

[7] Albert B. Elsasser, "Explorations of Hernando Alarcón in the Lower Colorado River Region, 1540," *Journal of California and Great Basin Anthropology*, 1, no 1(Dec, 1979).

Eventually, as Spanish rule in Nueva España became more secure, these expeditions lead to a chain of missions among the agricultural Puebloan peoples of Nuevo Mexico and Pimería Alta, modern Arizona and New Mexico. The conquest of this region was initiated in 1598 with the *entrada* of Juan de Oñate, generating the correspondence referenced in chapter 1. These pueblos were nearly abandoned for lack of financial success, however, the missionaries argued to the Spanish crown that they could not lawfully abandon the conversion of Indigenous peoples to the "true faith" of Catholicism.[8] Throughout this time, missions and *reducciones* (resettled villages within walking distance of the missions) were being established near water sources suitable for farming throughout Nueva Vizcaya, between the colonial center and the Rio Grande, making sending supplies and correspondence easier and stabilizing the colony somewhat. While the missions of Nuevo Mexico may have housed valuable and insightful records, the majority of these documents were lost in the Pueblo uprising of 1680, when Indigenous peoples burned the missions and drove the Spanish out until 1692. The exception was Hopi Pueblo, called Moqui by the Spanish, which was not reconquered until the US army invaded in the 1900s. Some of the reasons for this uprising are explored in greater detail in Chapter 2, with reference to some of the surviving documents from the Bancroft Collection. The attacks specifically targeted what the Puebloans considered the primary vehicles of the suppression of their previous lifeways, from polytheism to greater sexual freedom for Puebloan women, the priests and their record books. Both were generally put to the torch.[9]

In the latter half of the 1700s the Spanish crown became increasingly concerned by English, French, and Russian merchants trading their wares in what is now the Pacific

[8] Ramón A. Gutiérrez, *When Jesus Came, the Corn Mothers Went Away*, (Stanford University Press, 1991), 52. See also Weber, *Spanish Frontier*, 64.
[9] Weber, *Spanish Frontier,* 100-104 and Gutiérrez, *When Jesus Came*, 127-137.

Northwest, despite Spain's claims to own all of Alta California as well as most of the Pacific Coast.[10] As such, a number of voyages both overland and by sea attempted to cross into California to increase the number of Spanish or acculturated Indigenous settlers and to set up strong California missions.[11] Most of the sources treated here come from this period, when literacy was more widespread among soldiers and wealthier settlers rather than being nearly exclusive to high officials and missionaries, and preservation of documents was both more common and successful due to precautions put in place after the Pueblo Revolt. Anza's pioneering route through Pimería Alta, mentioned in chapter 3, was rarely repeated due to the dangers from both the extremely hot and dry environment and the Indigenous inhabitants who did not welcome their intrusions, variously described as Yuma, or Tohono O'odham, or Akimel O'odham groups.[12] A host of documents from the members of this expedition survive, as well as documents from the contemporary governor Pedro Fages and the missionaries Junipero Serra and his friend and hagiographer Fransisco Palóu. Palóu's account is examined in all three chapters of the present work.[13] It is quite long, highly detailed, and unusually honest about the author's motivations. In short, a historians' ideal text. Fages' account, being much briefer, is examined in the second and third chapters.[14]

[10] Weber, *Spanish Frontier*, 180-183.
[11] Bouvier, *Women and the Conquest*, 18-32. This section describes several early efforts in greater detail.
[12] *With Anza to California, 1775–1776: The Journal of Pedro Font, O.F.M*. Translated and edited by Alan K. Brown. [Early California Commentaries, Vol. 1.] (Norman: University of Oklahoma Press, 2011). Potentially, all three groups may have participated in ejecting the Spanish at various times.
[13] Fransisco Palóu, *Palóu's Life of Fray Junipero Serra,* trans. Maynard J. Geiger (Washington, DC: Academy of Franciscan History, 1955).
[14] Pedro Fages, "An Historical, Political, and Natural Description of California Part One", Translated by Herbert I. Priestley. *The Catholic Historical Review* 4, No. 4 (Jan., 1919) and Pedro Fages, "An Historical, Political, and Natural Description of California Part Two". Translated by Herbert I. Priestley. *The Catholic Historical Review* 4, No. 4 (Jan., 1919).

Between the 1790s and the 1810s Spanish support for the mission system all but evaporated, both on the continent and in the increasingly independence-minded colonies. In Spain, the crown was facing a financial crisis under a new monarchical dynasty.[15] Both in Spain and in the longer settled colonies secularization was spreading, with the consequence that most of the missions were seen as unprofitable regardless of their actual status.[16] During this period Spain's attention was elsewhere and the missions faced an extreme diminution of financial resources, replacement clergy, and settlers which did not end until after the independence of Mexico from Spain in 1821.[17] The region remained unstable throughout much of the Mexican period. By the later 1830s and early 1840s an influx of American merchants and fur trappers had also begun, which made the region even more unstable as Americans tended not to understand or respect local customs.[18] The growing tension, primarily in Texas, soon blossomed into the US-Mexico War.

Here it is important to pause and provide a note on terminology. As this essay deals with potentially sensitive issues of gender, sexuality, indigeneity, and attempted conquest, some general principles are highlighted here. First it should be noted that while the colonizers here are referred to as "Spanish" this reflects their cultural alignment with or employment by either the Spanish crown or the Spanish branch of the Catholic Church, rather than a specific national origin or even ethnicity in the modern sense. A miniscule number of *peninsulares* ever visited the margins of New Spain as colonists. The missionaries were more often, though not exclusively, born and raised in Europe, though not exclusively in Spain. In northwestern New

[15] Weber, *Spanish Frontier*, 217-220.
[16] Rosaura Sanchez, *Telling Identities: The Californio* Testimonios. (Minneapolis: University of Minnesota Press, 1995), 50-55. For more on the actual status of missions, see Saavedra, *Pasadena Before the Roses*, 43-56.
[17] Sanchez, *Telling Identities*, 58-60.
[18] Hurtado, *Intimate Frontiers*, 3-5.

Spain *criollos* were rare compared with other colonies. The majority of settlers were of mixed ethnic origins, including European, Indigenous, and African ancestry, arriving from central Mexico or other parts of New Spain. While there has been some controversy about the racial and ethnic origins of these soldiers and settlers in previous scholarship, the documents bear out these mixed origins. More importantly, the controversy over this issue in the historiography was primarily motivated by the later attempts of *Californios* and *Hispanos* to claim the protections of legal whiteness after American colonization, a project which ultimately failed to earn equality in the American racial hierarchy.[19]

Secondly, it would clearly be disingenuous to treat all Indigenous peoples as their Spanish chroniclers often did, as an undifferentiated mass of "others". As such, wherever possible a specific tribal designation for individuals or groups will be given preferentially. Unfortunately, the Spanish did not always consider such information worth recording, or deliberately obscured a person's proper tribal designation in order to legitimate treating them in a certain way. For example it was not legal to enslave "Christianized" or sedentary groups, so those trading in slaves would call anyone who they were attempting to sell an Apache or an Apache Navajo (they chose not to differentiate between these two rather different tribes).[14] It was also far from uncommon for someone to be recorded as holding a different tribal affiliation on a mission census roll after an influx of people from a new tribal group onto the mission. This was potentially intended to indefinitely extend their *neófita* status which came with a requirement to labor on mission lands and attend mass regularly. It is likely that this was also the result of lackadaisical record keeping or contemporary translator error. Where tribal designations do not survive or are unclear, the terms Indigenous and Native American will be used, with the

[19] Sanchez, *Telling Identities*, 55-61.

exception of direct quotes from source materials which may use other terminology of varying degrees of cultural sensitivity.

I will first focus explicitly on the role of Spanish concepts of masculinity in the early colonization of Nuevo Mexico and Alta California, looking for both continuity and change over the two intervening centuries. In the first chapter I argue that the Spanish primarily framed Indigenous people in their narratives as a foil against which their own masculinity would shine. I also argue that while there were some subtle shifts in Spanish masculinity during this period, the strongest divergence in the depiction of masculinity was between clerical and secular records. In making these arguments, I will clarify the many areas of life and governance which were shaped by Spanish ideas of masculinity. In the second chapter, I will examine the tropes which the Spanish used to depict Indigenous marital and family life as disorderly and the intended attempts to change this through the system of labor and discipline which the missions and *reducciones* represented. I argue that tropes depicting Indigenous marital and family life as inherently disordered emerged over time as colonizers became more secure in their power over Indigenous people, complicating previous depictions of this colonial process. I also argue that contrary to what other scholars have posited, Indigenous men resisted the imposition of Spanish gender norms rather than taking up patriarchy unquestioningly. Finally, I will examine the writings about Two-Spirit people, who existed outside of and incompatible with the Spanish sex/gender system, to show how colonizing forces attempted to place them within this imported system. These attempts ended with their being classed by the Spanish as inferior versions of men, strongly associated with a variety of sexual sins and other personal failings. Two-Spirit people were ultimately subjected to the same forms of discipline as other disallowed familial formations and treated as exemplars of the inferiority of Indigenous people more broadly. This work

attempts to deliberatively investigate how Spanish conceptions of masculinity, in particular, played a role in the colonization of northwestern New Spain rather than focus only on colonialism's impact on women or accepting Spanish masculinity as a natural default state which needed no critical examination.

CHAPTER 1: LAY AND CLERICAL MASCULINITIES IN NEW SPAIN

For the purposes of this chapter, I will be applying the concepts of Spanish masculinity and its role in colonialism outlined above to two widely separated cases, Nuevo Mexico during the initial successful conquest between 1595 and 1605, and the initial colonization of Alta California in the 1770s. The former case draws on the correspondence of Spanish officials with and about Juan de Oñate, while the second case draws an against-the-grain reading of Fransisco Palóu's fawning biography of his mentor Junipero Serra. In this chapter I argue that Spanish conception of masculinity was central to the colonial process in northwestern Nueva España, particularly in just governance. I will first provide a brief description of masculinity and honor in Spain before the conquest, followed by a discussion of the historiography of gender and Spanish colonialism in the region, before proceeding to these two case studies. Despite the span of time between the two sets of sources and the very different goals of the missionaries from the *conquistadores* of Nuevo Mexico, both groups depict their performance of masculinity as morally correct. These two cases show some similar emphases, as well as a broad alignment on how they utilized tropes about Spanish men, but also some disjuncture. The sources about the Oñate expedition contain fewer mentions of Indigenous people but contain more detail about whether the behavior of the expedition's leadership was considered appropriate. The narrative from Alta California makes greater use of Indigenous people as rhetorical props, using them to re-emphasize the moral correctness of Spanish masculinity through Indigenous men's improper performance of Spanish gendered honor. This and other areas of difference can best be explained by the comparatively secular nature of the conquest of Nuevo Mexico as opposed to the religiously motivated text of Fransisco Palóu, intended as a hagiography of his superior in the Franciscan order in addition to being a justification of the continuation of the unpopular

missionization efforts in Alta California. In the Alta California of the 1780s as in the Nuevo Mexico of 1605, the crown was threatening to retreat. In Nuevo Mexico this was due to the land being less immediately profitable and more sparsely populated than Oñate had promised, while in Alta California the government considered the missions unprofitable, the presidios unruly and difficult to supply, the port from which supplies needed to be shipped insecure and malarial, and the missions' strategic value as a check on Russian or British expansion in the region low.

To understand the nature of the sex/gender system the Spanish imported to the Americas with them, it is important to look briefly back at the late Medieval period in Iberia and examine what the expected norms of masculinity were there. Michelle Armstrong-Partida's book *Defiant Priests* looks in some depth at both lay and parish clerical masculinities in the late 13th century, concluding with a peek forward at the continuity of the trends which she outlined into the Early Modern period. The primary aspects of masculinity, particularly among the lay population, which she identified centered around the role of the paterfamilias. In the idealized Spanish society, each level of society functioned as an enlarged version of the lower level, with the household headed by a husband and father as the base unit. In this context the king was meant to act as paterfamilias of the country, with nobility acting in the same capacity at the regional level. The role of paterfamilias was a complex web of gendered behavior which included marriage to a woman of equally social status and good reputation, fatherhood, providing materially for one's family, passing on a trade or some financial standing to one's heirs, defense of one's family's honor against all threats from within or without, and the willingness to use violence to accomplish any or all of these ends.[1] Within this system, honor was a zero-sum game, in which

[1] Michelle Armstrong-Partida, *Defiant Priests: Domestic Unions, Violence, and Clerical Masculinity in Fourteenth-Century Catalunya*. (Ithaca, New York ; Cornell University Press, 2017): 17-18.

masculine honor was accrued by demonstrating one's dominance over women, children, unfree persons, and men who fell lower on the status hierarchy than oneself. Occasionally, violence was committed between peers, but more often it was used to establish and reaffirm hierarchy.[2] Honor can be difficult to define, but in the Early Modern period it was highly gendered and generally tethered to public reputation, primarily as regards a paterfamilias in his honest business dealings and the sexual morals of the women, servants, and children under his power.[3] As should be clear from this description, honor was easier to have and to maintain among the wealthy than among common folk, who often aspired to elite norms but lacked the resources to truly follow them. The social differentiation of the wealthy and honorable from the poor and dishonorable would be further elaborated in conjunction with the *casta* system in the Americas.

During the process of colonization, the Spanish created an official system of, admittedly permeable, racial hierarchy. Within the *casta* system, Spaniards born in the mother country wielded the most power, followed by those of Spanish ancestry born in New Spain, then those of mixed ancestry (colloquially called castas). Indigenous and African peoples were ranked below those of more European ancestry, though whether Indigenous or African peoples were considered lowest seems to have been dependent on which group there were more of. On the extreme margins of New Spain, where persons of African descent were few and far between but Indigenous groups were numerous and menacing, peoples of African descent, and those of mixed Indigenous heritage who were highly acculturated *(ladino,* in Spanish), were often able to effectively "whiten" themselves by moving to the frontier as soldiers, priests, or colonists. An especially striking example of this will be seen later in this chapter. These relationships of power

[2] Armstrong-Partida, *Defiant Priests*, 162-166.
[3] Armstrong-Partida, *Defiant Priests,* 17-18. See Also Antonia Castañeda, *Three Decades of Engendering History: Selected Works of Antonia I. Castañeda*. Interview by Luz María Gordillo. Edited by Linda Heidenreich. Edition: First. (Denton, Texas: University of North Texas Press, 2014), 232-33.

were cross-cut by gender. Women were effectively treated as being a half-step below men of the same racial status, so that a whiter woman might share equal status with a less white man. This system became both less elaborate and less flexible in the later 1700s, though the broader contours of European supremacy remained consistent.[4]

As the Spanish state consolidated power, wealthier families would conserve their honor and reputation through lawsuits rather than direct violent action, however, toward the beginning of the colonial period use of violence against a challenger to one's (familial or personal) honor was still much more common.[5] At the end of the *reconquista*, the Spanish crown found itself with a system for gaining masculine prestige which placed great value on a man's fighting ability, in which only the wealthy head of a landed household with unfree labor was considered fully masculine. This thirst for land and dependent labor as a route to titled *hidalgo* status is highly visible in the documents surrounding Juan de Oñate.

Because of the privileges granted to men considered honorable in this system, successfully performing masculinity could have high personal rewards, including gaining titles of nobility. In an unusual case, Catalina/Antonio de Erauso was able to perform masculinity so well as to gain both papal and royal dispensations for having presented as a man for several decades. Having participated in the conquest of the Americas earned them the right to continue to be treated as a man for the rest of their life. Catalina/Antonio de Erauso was from a wealthy Basque family. They had been committed to life in a convent as a young teenager, around the

[4] Juliana Barr, *Peace Came in the Form of a Woman: Indians and Spaniards in the Texas Borderlands* (Chapel Hill: University of North Carolina Press, 2007), 9-10.
[5] Albert L. Hurtado, *Intimate Frontiers: Sex, Gender, and Culture in Old California* (Albuquerque: University of New Mexico Press, 1999), 117-120 for the litigiousness of later colonial period *Californios*. See Also Yvette Saavedra, *Pasadena Before the Roses: Race, Identity, and Land Use in Southern California, 1771-1890* (Tucson: University of Arizona Press, 2018), 38-41.

year 1600, but chose to run away.[6] At this point the facts of their life become more uncertain, as the only source we have for the whole story is Erauso's own memoir, which was originally written in Basque, in the style of a picaresque or chivalric novel. Only the later Spanish translation, by a person or people unknown, survives.[7] After several close calls they chose to enlist as a soldier on a ship sailing to the Americas. They proceeded to spend about twenty years as a Spanish conquistador. According to this memoir they nearly died or were nearly discovered to be assigned female at birth an unbelievable number of times. Throughout the Spanish translation of the text Erauso re-affirms that they identify as a woman, however I am using they/them pronouns here to reflect both their bi-gender lived experience and the uncertainty of the faithfulness of the translation. This is not an attempted ascription of any modern and particular identity category, simply a reflection of the ambiguity of the surviving documentation. While awaiting trial for a serious crime, they revealed to the bishop that they were not assigned male at birth, that they had been a nun, and that they were still a virgin. They were shipped back to Spain to answer to the bishop there, who had them examined by midwives, who declared them to be female-bodied and a virgin. As such they were pardoned for all of their misdeeds on account of their martial valor and sexual purity in the cause of conquest for God and the Crown.[8] The last known record of Erauso was from a ship's captain, who saw them in Lima, dressed as a man and working as a swineherd, a traditionally male profession.[9] Several small pieces of corroborating evidence prove that Erauso did some of the things recounted in their memoir, but many of the details of the story are not well substantiated.[10] This story illustrates not only the

[6] Erauso, Catalina/Antonio de, Michele. Stepto, and Gabriel. Stepto. *Lieutenant Nun : Memoir of a Basque Transvestite in the New World*. Boston: Beacon Press, 1996, 1-10
[7] Introduction to *Lieutenant Nun*, xxxiv-xxxv.
[8] Catalina/Antonio de Erauso, *Lieutenant Nun,* 61-75.
[9] Introduction to *Lieutenant Nun*, xliii-xlvi.
[10] Introduction to *Lieutenant Nun,* xlii-xliv.

performative aspect of Early Modern Iberian masculinity, as Armstrong-Partida noted, but also the dual emphases within the honor system placed on male military valor and female virginity.[11] Having proven to be both a skilled soldier and a virgin, perhaps aided by the *fueros* or special legal privileges granted to the Basques, Erauso was spared criminal charges and allowed to return to living as a man. In another documented case of gender-transgression from the fourteenth century, which I will discuss in chapter 3, this felicitous outcome was not the case.

The historical scholarship on gender as it was practiced in the borderlands of Spanish colonialism after this initial period is rich and highly variable. The majority of this body of work focuses either on the impact of colonialism on women or the hybridized nature of Spanish culture on the margins of empire. The literature tends to cluster around either Nuevo Mexico or Alta California, understandably given that these were the primary loci of colonial recordkeeping. Kessel's work is useful to fill in the space between the more densely settled portions of Nuevo Mexico and coastal Alta California, which is only lightly sketched by any of the other scholars mentioned here. Kessel's *Friars, Soldiers, and Reformers* which, while heavily biased toward the Spanish as bringers of enlightenment and civilization, does accord the local Indigenous peoples considerably more agency than other early histories of the region, even if he does primarily use this acknowledgement to condemn their actions as brutal and unjustifiable.[12] More helpfully, it provides a highly granular level of detail on events in Pimería Alta. He is also the only scholar to go through mission census records year by year and track how peoples' tribal identifications could change from one year to the next, an important detail. In conversation with Kessel, Ramón Gutiérrez's *When Jesus Came, the Corn Mother's Went Away* offers a gendered study of New

[11] Armstrong-Partida, *Defiant Priests*, 16-17.
[12] John Kessel, *Friars, Soldiers, and Reformers: Hispanic Arizona and the Sonora mission frontier, 1767-1856,* (Tucson: University of Arizona Press, 1976).

Mexico's colonization. The text is rich in statistics and demographic analysis, particularly around his estimates of total populations in Nuevo Mexico, with some strong nuance in his interpretation of long-term trends in the region. His work has rightly been criticized for placing an excessive emphasis on records kept by Spanish missionaries and priests, such as baptismal and marriage records, as well as for his rather myopic view of Two-Spirit people (see chapter 3).[13] He also does not seem to have consulted the descendants of any of the native nations about which he writes, leading to a rather harsh presentation filtered through Spanish observer's eyes. Pueblo women disappear from his narrative partway through, at the point where he switches from relying on ethnographic records to analyzing Spanish records. He does, however, offer some valuable insight into the roles of Indigenous women in New Mexico before and during the conquest, as well as a strong analysis of the role of unfree labor and age-cohort relations in this region, both of which further cross-cut relations of gender and race.[14]

For a similar, though more self-reflective, description of Alta California Albert Hurtado's *Intimate Frontiers* offers an excellent view on the role of women and marriage in the racial caste system of Alta California after the initial settlement and the economic aspects of marriage in this time period. Hurtado's text brings a more humanist angle than Gutiérrez's, in that he includes more extensive narrative sections to illustrate his broader points. He pays more attention to the role of African descended people, as well. The mere presence of African-descended people among the settlers of Alta California has been somewhat controversial since the writings of Herbert Eugene Bolton in the 1910s. This was largely due to pressure by surviving Californios

[13] Gabriel S. Estrada, "Two-Spirit Histories in Southwestern and Mesoamerican Literatures." In Slater, Sandra and Fay A. Yarbrough, eds. *Gender and Sexuality in Indigenous North America* 1400-1850 (Updated Edition). (Columbia: University of South Carolina Press, 2022), 70-71. See also Sabine Lang, *Two-Spirit People: Native American Gender Identity, Sexuality, and Spirituality*, (University of Illinois Press: 1997), 176-178.
[14] Ramón A. Gutiérrez, *When Jesus Came*, 151-163 and 180-83. See also Kessel's briefer treatment Kessel, *Friars, Soldiers, and Reformers*, 3-10.

attempting to claim whiteness in the racial climate of the early 20th century United States, rather than any ambiguity of the historical records. Hurtado's book, while more effective than Kessel's or Gutiérrez's. [15] His work tends to center on the experience of wealthy people more generally, as those are the people whose detailed recollections were documented and archived. For a counterpoint to this, Virginia Bouvier's *Women and the Conquest of California* offers a tight and narrow focus on the catastrophic effects of colonization on California's Indigenous women. She takes for granted that because Spanish-style patriarchy was beneficial to men, they simply adopted it unquestioningly while women chafed against and actively resisted [16]. This is one of the lacunae in the scholarship which this thesis hopes to address.

Indigenous peoples had their own standards for what it meant to perform gender successfully, within a system which frequently included more than the two genders recognized by the Spanish (see chapter 3). Spanish gender norms, particularly those centered on labor and subsistence, often clashed with Indigenous concepts on a fundamental level.[17] These incompatibilities generated much tension during colonization, but Bouvier only examines the impact of this disruption on the social status and gendered role of Indigenous women, particularly the loss of their traditional religious roles to the Spanish priests.[18] Obviously, given the historiographical tendency to ignore women, and especially marginalized women, this is an important contribution to the field. However, it does not account for the changes to Indigenous masculinity, and to the status of other genders, which followed Spanish colonization.

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[15] Albert L, Hurtado, *Sex, Gender, and Culture in Old California* (University of New Mexico Press, 1999), xxi-xxix.
[16] Virginia M. Bouvier, *Women and the Conquest of California, 1542-1840: Codes of Silence*. (Tucson: University of Arizona Press, 2001): ix-xvii and 108-139.
[17] Castañeda, *Three Decades of Engendering History*, 237-241.
[18] Bouvier, *Women and the Conquest,* 82-85.

The darkest side of Spanish colonial masculinity has been highlighted and emphasized by several authors, with Chicana feminist scholars especially critical of the control over women's bodies and autonomy which this gender system imposed most heavily on Indigenous and enslaved women since the early colonial period. Antonia Castañeda repeatedly emphasizes in her historical scholarship on gender in Alta California the violent coercion enacted on the bodies of Indigenous women, the role of the missions in facilitating this abuse, and the role of sexual assault in the missionization project.[19] She uses many of the same sources as Bouvier, in particular the reminiscences of women who had been entrusted with the keys to *monjerios* where unmarried Indigenous girls were interned at the Alta California missions. Sexual assault of Indigenous women by Spanish soldiers was so pervasive that the Crown unilaterally decided to send only married soldiers from that point on, clearly misunderstanding the purpose of rape as one of sexual desire rather than the imposition of power.[20] The sexual assault problem was also pervasive enough that in some regions, archaeologists can date a village site to the mission period based on whether it is enclosed by an earthen bank, believed to be intended to prevent soldiers from being able to ride their horses into the village and carry someone off.[21] Similar measures were not known to be taken in Nuevo Mexico, though similar incidents occurred there. This may have to do with the early adoption of horses by non-sedentary groups in this region. It may also be related to the relatively less dense Spanish population in Nuevo Mexico. Some scholars argue that the Spanish treatment of Indigenous women there was a contributing factor to

[19] Antonia Castañeda, *Three Decades of Engendering History: Selected Works of Antonia I. Castañeda*. Interview by Luz María Gordillo. Edited by Linda Heidenreich. Edition: First. Denton, (Texas: University of North Texas Press, 2014). Chapter 5 offers an brief and hard-hitting overview, while chapter 6 offers a more nuanced interpretation.

[20] Antonia Castañeda, *Three Decades of Engendering History*, 201-207.
[21] Robert A Schmidt and Barbara L. Voss Editors, *Archaeologies of Sexuality*. (New York City: Routledge, 2000), 39-43.

the Pueblo Revolt.[22] If so, this might explain the new structure of settlement in Nuevo Mexico after the reconquest in 1692, in which Spanish towns were physically separate from Indigenous Pueblos, which were required to provide labor to municipalities as taxation. This placed the burden of Spanish sexual violence on nomadic Dine, Apache, and occasionally Comanche women, who were often enslaved to work as domestic servants during raids which proceeded intermittently throughout the colonial period. These formerly enslaved groups became known as *genizaros*, often glossed as "detribalized" peoples.[23] There were no equivalent populations to the genizaros in Alta California, at least in part due to the forbidding geography of the Sierra Nevada.

As compared with Hurtado and Gutiérrez and in conversation with Castañeda, Yvette Saavedra's *Pasadena Before the Roses* offers a more equitable view of gender, labor, and citizenship in a single region of Alta California. The conclusions can be applied through much of the region, given the relatively similar masculinities of the colonizing Spanish throughout Alta California. One possible exception, highlighted by Lisbeth Haas' tri-focal regional study, is in Luiseño territory, where converts were not forced to reside on the mission as a matter of course due to the limits of arable land and water in the region. In this area, Indigenous traditions remained stronger and more resilient to change than elsewhere, at least until the later Mexican period when confiscated mission lands were sold off to profit the Mexican government.[24] Saavedra's book elucidates the connections between gender, class, race, and labor under three different governments, the Spanish, the Mexican, and the American. The book describes the

[22] Ramón A. Gutiérrez, *When Jesus Came,* 127-137.
[23] Gutiérrez, When Jesus Came, 21-33.
[24] Lisbeth Haas, *Saints and Citizens : Indigenous Histories of Colonial Missions and Mexican California*. (Berkeley: University of California Press, 2014): 24-28.

shifting norms of masculinity and femininity in relation to the politics of land use and ownership, labor as a process of transculturation, and personal honor more clearly and explicitly than other works on colonialism in the Southwest.[25]

One final scholar of note in the field of gender in the Spanish borderlands is Juliana Barr. Barr argues that in some parts of the Spanish Empire in North America the Spanish were, in actuality, a minor player in the much more important relations between Native Nations. She found this to be particularly true in Eastern Texas, and less so in Western Texas. In Eastern Texas she found that both the Spanish and the French were intrusive side characters in the infinitely complex world of Indigenous diplomacy, and neither group were especially good at it. The French gained some ground in the region by entering kin relations with their allies, particularly by marrying into Indigenous families, which the Spanish were much less inclined to do. The Spanish continued to lean on imposing their conceptions of what made a person *de razón* (a term in this context similar to “civilized" in English and figured as a binary opposite to *genizaro)* despite their disadvantage in power relations in Texas. One of Barr’s most interesting findings is that, more so than in Europe, women and other non-men played a major role in diplomacy. Both Europeans and Indigenous groups tended to assume, quite reasonably, that a large party of men meant a war party. On the other hand, a woman travelling either alone or with only other non-men signified a peace overture.[26] As is also emphasized by Gutiérrez and Hurtado women were also often able to broker peace agreements through marriage to non-Indigenous

[25] Yvette Saavedra, *Pasadena Before the Roses: Race, Identity, and Land Use in Southern California, 1771-1890. (*Tucson: University of Arizona Press, 2018): 1-11 and 16-56.
[26] Ramón A. Gutiérrez, *When Jesus Came the Corn Mothers Went Away: Marriage, Sexuality, and Power in New Mexico, 1500-1846*. (Stanford, CA: Stanford University Press, 1991): 109-112. S. White, *Wild Frenchmen*, 7-14.

men, though these scholars give vastly different weight to the amount of choice that these women may or may not have had in the matter.[27]

Oñate's first letter to the crown describing the lands which he was in the process of conquering, dated 1598, casts him into the already somewhat formulaic role of the dutiful subject of the crown and the responsible governor of the New Mexico. Even the name Nuevo Mexico reflected the ambition to discover a second region of sedentary agricultural people who could be pressed into bearing a tribute of gold and silver for the empire.[28] As discussed earlier, the governor of any region was intended to act as paterfamilias of that region, as well as acting as the dutiful subject of the royal family, who took on the role of the governors' metaphorical parents in the patriarchal household of the state. As such, Oñate describes Nuevo Mexico as a paradise of rich, verdant fields bearing potential tribute in fruit and grain, "*riquesimo minas"* (extremely rich mines), and a smooth, fully completed conquest of docile Indigenous groups to labor in those mines and agricultural fields.[29] Initially, the Indigenous people the expedition encountered were described by the padres who accompanied the expedition as "very docile and desirous of becoming Christians."[30] While this may sound intensely improbable, this same region had been visited by the marauding Francisco Velasco de Coronado some forty years prior, leaving a trial of death, disease, and burned Pueblos in his wake.[31] When Oñate arrived, they may well have had a better idea of what was happening and at least made the appearance of complying to avoid a second wantonly destructive peregrination of the area.

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[27] Gutiérrez, *When Jesus Came*, 24-32. Albert L. *Hurtado, Intimate Frontiers: Sex, Gender, and Culture in Old California*. (Albuquerque: University of New Mexico Press, 1999): 1-13. David J. Weber, *The Spanish Frontier in North Americ*a. (New Haven: Yale University Press, 2009): 13-47.
[28] David Weber, *The Spanish Frontier in North America,* (New Haven, CT: Yale University Press, 2009), 35-39.
[29] Bancroft, ZE1, Carton 8, Folder 614.
[30] ZE1, Carton 8, Folder 633.
[31] Richard Flint, *Great Cruelties Have Been Reported: The 1544 Investigation of the Coronado Expedition.* (Albuquerque: University of New Mexico Press, 2013): 1-9.

Oñate and the priest's claims are fully in keeping with the by then century long tradition of claiming lands for the crown in order to become governor of them, thereby assuring one's masculine prestige by securing wealth for oneself and one's descendants, including wealth in land and unfree labor bound to that land. Those unfree workers could be treated as spoils of war, thereby legitimating their subjugation to a symbolic paterfamilias in the person of the owner of the land and its fruits. That the land must be "pacified" through warfare further added to one's masculine prestige, imputing military valor to the taker. In short, the successful *conquistador* of the Americas was a reinterpretation of the masculine prestige role of the *hidalgo* in Iberia during the *reconquista*, if one facing a different type of unbeliever and a more difficult journey to the site of conquest. Despite what the early letters depicted as a second Mexico, rich in agricultural and mineral tribute and full of pacified Indigenous people to recover those resources, the new governor requested of the crown additional soldiers and settlers to hold and people the region.[32] This expedition would not arrive for nearly three years.

The relief (*socorro*) expedition which sent more settlers and soldiers to assist Oñate in 1600 took several months to get underway. Its continued presence in Queretaro evidently caused some unrest among the Indigenous population there, for reasons which are not specified in the document.[33] Given the records of other regions where Spanish soldiers spent a considerable length of time, it is likely that they stole from, used violence against, or sexually assaulted non-Spanish peoples in their immediate vicinity.[34] These actions were meant to secure a soldiers' reputation as a man of strength and resources, as well as his social/class status within the soldiery. That such abuses were common and widely known even as far away as Spain at the

[32] Bancroft, ZE1, Carton 8, Folder 614.
[33] ZE1, Carton 8, Folder 635, 72.
[34] Castañeda, *Three Decades of Engendering History*, 203-205.

time can be inferred from the prohibitions against many forms of mistreatment of Indigenous people in the commissions given to both Oñate and the follow-up relief expedition.[35] Before it left, the expedition of 1600 was even exhorted to "proceed summarily against the soldiers and officials that have done any grievances to the *naturales.*"[36] In this instance, the instruction was a call to arrest any officers or soldiers who mistreated Indigenous people and send them back to Spain for trial.[37] The explicit reasoning for these orders was to make the conversion of souls and continued holding of the land easier for future soldiers and missionaries, though these prohibitions also allowed the king, as paterfamilias, to impose limits on his metaphorical sons and to discipline them if they overstepped his regulations. It also provided the king with a way to demonstrate his beneficence toward Indigenous people, as his dependents, by protecting their limited honor from lower-ranking men within the symbolic household of the state.

It would be a few years before it became clear to Oñate's patrons that his description of his territory was more than somewhat exaggerated.[38] Not only did the province lack the "30,000 souls" estimated by Oñate, by 1608 there were only about 400 surviving Indigenous converts to Catholicism.[39] Whether this attrition was from disease, overwork, or lack of converts to begin with remains unspecified. Perhaps more damningly, the "extremely rich mines" produced no gold or silver, but only some copper considered to be of inferior quality by assayers in central New Spain.[40] The first intimation of Oñate's dissimulation arrived in the form of a letter smuggled out of the area, against the governor's wishes, threats, and orders to the contrary. This

[35] ZE1, Carton 8, Folder 640, 2. In the settlement of Alta California similar orders were issued, and similarly ignored.
[36] ZE1, Carton 8, Folder 635, 82.
[37] Flint, *Great Cruelties*, 3-4.
[38] Bancroft, ZE1, Carton 8, Folder 633.
[39] ZE1, Carton 8, Folder 618. And ZE1, Carton 8, Folder 657.
[40] Bancroft, ZE1, Carton 8, Folder 633.

letter charged Oñate with "*desordenes"* (disorders) of governance, a slight against his honor.[41] Investigations following these allegations would reveal the types of disorder which the Spanish government cared the most about. Several of the allegations against Oñate centered around parts of the instructions for the conquest sent to him as part of his commission in 1595, including that he "must give good treatment to the Indians... so that they come in peace and not in war" and to "give them a good example."[42] This was meant to imply that soldiers should behave in a Christian manner by not fighting without just cause and not engaging in extramarital sex which might provoke bad relationships in the community.[43] In this, as in other cases, sexual assault, abduction, cohabitation, and consensual sex outside of marriage were largely considered one and the same, the sin of fornication.

The instructions also specifically forbid forcing Indigenous people to work without pay, especially in domestic service as this would detract from their potential to willingly convert and become ladino, emphasizing "good pay and good treatment" of people working "voluntarily" as the best way to grow the faith.[44] That labor was a part of the conversion process was, to the Spanish, undisputed. As Saavedra has argued about the settlement of Alta California, it was assumed that Indigenous people had not done any meaningful labor before the coming of the Spanish, and needed to become accustomed to working as non-noble Spaniards did, which meant performing heavy agricultural and industrial labor every day except Sunday.[45] That this forced labor in turn produced tribute for the Spanish was treated in the records as if it were incidental to, rather than as a central benefit of, colonization. This labor included not only adults, but also

[41] ZE1, Carton 8, Folder 618.
[42] ZE1, Carton 8, Folder 640, 2.
[43] Similar instructions were issued to the Coronado expedition, see Flint, *Great Cruelties*, 518-522.
[44] ZE1, Carton 8, Folder 640, 4-6.
[45] Saavedra, *Pasadena Before the Roses*, 25-26.

children. While the priests who accompanied the expedition were often more solicitous of the treatment of the Indigenous people than the soldiers were, at least in their written accounts, in 1596 Fray Fransisco de Velasco prepared to depart for Nuevo Mexico by searching for "some young orphaned boys" who might speak a related language to the Puebloans, and thereby be trained to serve as effective translators.[46] From the records, it is unclear if he found any to suit his purpose, or if any children recruited as translators would have survived the difficult march through the desert. The impressment of abductees into work as translators was not uncommon at the time, and those who survived were sometimes even rewarded for their mediation services.

Despite the monarch's repeated instructions to Oñate and others to treat the Indigenous population with all due respect while converting them, the crown doubtless mindful of the extensive and costly trial conducted against Coronado for outrages against the Indigenous population in 1544, they chose not to pay much mind to the atrocities at Acoma.[47] These were dismissed as an unavoidable consequence of Indigenous resistance to colonization after the reading of the *requerimiento*, which was taken as a declaration of war. This violence was blamed squarely on its victims and passed over with little comment.[48] The crown was much more concerned that Oñate had infringed on the rights of his Spanish subjects by preventing them from sending or receiving mail in an attempt to keep any defect of the province quiet compared to his idyllic description, and by his appointment of his brother to a post which was meant to be appointed by the crown without royal permission.[49] This undermined the rights of his sovereign and metaphorical father by usurping the right to appoint an official to the role. One problem

[46] ZE1, Carton 8, Folder 643, page 5.
[47] ZE1, Carton 8, Folder 618 contains a very brief reference to "una gran crueldad", otherwise the atrocities at Acoma go unnoted. For more of Coronado's trial see Flint, *Great Cruelties Have Been Reported,* 457-458.
[48] For an extensive summary, see David Weber, *The Spanish Frontier in North America*, (New Haven, Yale University Press, 2009), 63-64.
[49] ZE1, Carton 8, Folder 637, 2.

which was brought all the way to the king via an early smuggled letter was a town of "about 70 [Spanish] people" with wives and children living near the brink of starvation because of the "poverty of the land". [50] In holding Spaniards to an unproductive piece of land, Oñate was infringing on their masculine privilege, by denying these Spanish settlers the ability to provide for themselves and their families. It also demonstrated his poor governorship, thereby impugning his honor as the holder of a position which should cause him to provide for his subjects as a father for his children. This was compounded by the settler's declaration that they lived with a "lack of liberty" in "fear of don Juan [de Oñate]."[51] This implied that he had no honorable or just cause to impose his regulations and was resorting to fear tactics to hold them there, thereby illegitimately limiting the masculine privileges of his subjects. Combined with his restrictions on communication, it made the disorders appear more premeditated and difficult to disprove. That Oñate was able to escape further punishment than removal from office may be partially explained by his Basque origins, as he shared in the fueros that protected Erauso.[52] By 1605, even the priests brought along had to admit in their annual report that "The people are rustic and miserable" but still argued that the crown had a paternal "obligation in justice, conscience, and reputation" to continue supporting the conversion of the Indigenous population, a clear appeal to the Crown's royal (masculine) honor.[53] They also requested that soldiers be chosen carefully, as previous settler-soldiers had "seen no other way to force them [Indigenous people to reveal the locations of mines] except to burn them alive inside of their homes with other innumerable cruelties."[54] These requests highlight both the perceived need for the Spanish crown to intervene

[50] ZE1, Carton 8, Folder 637, 1.
[51] ZE1, Carton 8, Folder 637, 1-2.
[52] Flint, *Great Cruelties*, 250.
[53] ZE1, Carton 8, Folder 657. This file is not paginated.
[54] ZE1, Carton 8, Folder 657. This file is not paginated.

and protect Indigenous people from returning to a pre-Christian state, but also draws attention to the tension between soldiers and priests over the proper treatment of Indigenous people in many cases. Missionaries were willing to address the "gran crueldad" at Acoma, as part of their paternal duty to protect and educate their Indigenous charges, even if the crown did not consider it as important to the successful colonization of Nuevo Mexico.

One interesting aspect of the relief expedition, sent to provide more settlers and soldiers to Oñate to further the conversion and conquest of Nuevo Mexico, which is seldom mentioned is the number of black settlers and *ladino* Indigenous settlers and soldiers from Central Nueva España who accompanied it. As discussed earlier of the California case, in the 19th and 20th centuries many descendants of settlers from before the US-Mexico War would claim pure Spanish ancestry in an attempt to gain the legal privileges of whiteness.[55] As a result, the presence of Indigenous, African-descended, and racially mixed settlers has been largely erased. In one particularly illustrative example from the archive, the personnel list of the relief expedition includes several lists of different types of settlers, including Spanish settler's wives and "Indian Women brought by soldiers".[56] The latter appear to have been brought as personal attendants, though whether this involved sexual service is unclear, if tragically probable. One list of people classed as "yndias solteras" (unmarried indigenous women) could not go to Nuevo Mexico until they and their neighbors had been examined by the padres to determine if they were "married, single, or living in mortal sin" [57] This clearly shows concern over the mobility of Indigenous women, and their potential to claim freedom from Spanish rule, similar to

[55] Rosaura Sanchez, Telling Identities: The Californio Testimonios. (Minneapolis: University of Minnesota Press, 1995), 55-61.
[56] ZE1, Carton 8, Folder 635, 53.
[57] ZE1, Carton 8, Folder 635, 63.

Castañeda's findings in the settlement of Alta California.[58] Thus, the padres became the male authorities maintaining control over these unmarried Indigenous women. The most lengthy proceeding involved a woman named Ysabel, daughter of a black father and an Indigenous mother, classified in the document as an "*yndia de color mulata*" (Indigenous woman of mixed-race color). She marshaled four witnesses in Queretaro to prove she was free, unmarried, and of good character. In addition to gaining permission to join the expedition, this also provided her with papers which she could show to anyone who claimed she was unfree. [59] She desired these papers, in her own words as recorded by the scribe at these legal proceedings, because "I am going on the journey to New Mexico and I have a just fear that because I am as I am, a mulata, I could receive from some people sorrows and regrets."[60] What this tells us about Spanish masculinity, and the Spanish gender system more broadly, is that a simple piece of paper signed by a man in a position of authority was enough to communicate Ysabel's status as a freewoman with all the rights and privileges thereof to anyone who asked, even those who might not be able to read such a paper. It also demonstrates the degree of control over women's bodies and mobility which Spanish gender norms demanded, even within the context of attempting to settle territory where eligible brides of an acceptable social status were deemed to be needed by soldiers to prevent further violence against Indigenous women. It also suggests that moving to a more marginal territory as a free person was enough to improve one's casta status, conferring a certain degree of privilege by being more ladino than the *neófitas* (neophytes, new converts). This conjunction of racial status, gender status, and class status reveals some of the complexities

[58] Castañeda, *Three Decades of Engendering History*, 251-255.
[59] ZE1, Carton 8, Folder 635, pages 63-65.
[60] ZE1, Carton 8, Folder 635, pages 63-65.

of hierarchies hidden beneath the seemingly uniform surface of Spanish colonial power relationships.

The picture of Spanish masculinity painted by Palóu in 18th century Alta California is in some ways similar to that depicted in the court case against Juan de Oñate nearly three centuries earlier, however in some crucial ways it is different as well. The strongest similarity by far is the emphasis on good governance and giving good example to the neófitas. One area of difference, likely due to genre, is the overt emphasis on bravery, or bravado, in the face of danger by Spanish men in Palóu's narrative. In some cases, those of soldiers or laymen working in the cause of missionization, this extends to the point of appearing suicidal. In the case of Fransiscan padres it was framed as a religious zeal which made martyrdom seem appealing, as "watering the soil with Christian blood" was seen as essential to the process of missionization. Palóu himself, and the archived letters of Serra which he reproduces, periodically plays up the danger of their mission, on a "voyage so perilous as the surveying of an unknown and uncharted coast."[61] Palóu also makes a point of repeatedly reiterating how ready his mentor had been to be martyred in the name of the faith. "His heart glowed with joy when he read the lives of the holy martyrs" and later, intimating to his companion that when he was nearly attacked by a group of Indigenous men on his way to San Juan Capistrano that "[He] really did believe that the hour had arrived for [him] to obtain what [he] had so greatly desired."[62] This is one of the few direct quotes which Palóu attributes to Serra outside of the letters mentioned previously. Palóu also emphasizes Serra's self-induced physical suffering in the name of the faith and spiritual fatherhood, from the traditional wearing of hair shirts, to sleeping on "a bed of rough-hewn boards covered by a

[61] Palóu, *Life of Junipero Serra*, 146.
[62] Palóu, *Life of Junipero Serra*, 285.

blanket."[63] Additionally, Palóu relates that Serra was known to whip himself, burn himself with a candle, or strike himself with a rock, all within view of his parishioners. He also had a lifelong habit of walking long distances while ignoring mysterious chronic leg pain. Serra's refusal to allow medical doctors to treat this injury is framed as a virtuous act of humility by Palóu, particularly in light of his allowing a herdsman to apply a remedy used on donkeys earlier in the narrative, before the expedition left for Alta California. All these things are framed as both expressions of faith, in that he believed his suffering would bring him closer to Christ, and also as expressions of clerical masculinity.[64] Maintaining the appearance of courage in the face of threat and indifference to injury were major aspects of Early Modern Spanish masculinity, both lay and clerical. Unlike physical fatherhood and marriage, these aspects of Spanish masculinity were allowed to missionaries of the monastic orders, making Palóu's emphasis more salient. By this time, the shift toward the importance of "spiritual fatherhood" as the defining aspect of priestly masculinity had taken hold, as outlined in Armstrong-Partida.[65]

Related to Serra's apparent desire to be killed in the course of his missionary work, in the text there are two accounts of other Franciscans being martyred without fear for the cause of expanding the faith. One of these was Father Garces, known in this and other texts for being comparatively exceptionally kind to Indigenous peoples, eating their food and learning their languages, as well as traveling without the protection of presidial soldiers. Pedro Font, Franciscan chronicler of Anza's overland mission to California mocked Garces for his habits of becoming more familiar with the groups whose lands they passed through, as well as his

[63] Palóu, *Life of Junipero Serra*, 246.
[64] Palóu, *Life of Junipero Serra*, 261-266.
[65] Armstrong-Partida, *Defiant Priests*, 19-20.

apparently low social status in Spain and poor handwriting.[66] Arguably, it was travelling alone or in the company of Indigenous people that allowed him such wide access to their communities without the threat of, or actual infliction of, violence by Spanish soldiers. Considering that soldiers from the Presidios were often at fault for provoking revolts by their sexual violence against Indigenous women, a single man travelling alone and unarmed (and in distinctly different attire from most Spanish or Indigenous men) was likely perceived similarly to the women working as negotiators in Juliana Barr's study of the Texas borderlands.[67] While Garces often travelled alone, he was finally killed in an attack by the Yuma on a presidio where he had stopped to rest along the Colorado River, as it was "not the will of God, however, to deprive him of the great merit of shedding his blood and giving his life while working for the conversion of those pagans."[68] Serra, in response to the news, laments that he had not undertaken a planned journey through Yuma lands to join his spiritual brother. Serra expressed, through Palóu, a similar regret at being unable to join Fray Louis Jayme in his violent death during an early revolt of the Diegueños. Palóu does not say much about these men's reactions to their impending deaths, as they are not the subject of his monograph, nor was he present at either event.[69] However, Serra's reactions to the news of their deaths, mourning that he did not join them and then carrying out last rites for Fray Jayme when the revolt had been put down by Spanish soldiers, highlight the stoicism, religious zeal, care for dead members of the spiritual family, and bravado expected of Spanish men in cleric's robes at the time.

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[66] *With Anza to California, 1775–1776: The Journal of Pedro Font, O.F.M*. Translated and edited by Alan K. Brown. [Early California Commentaries, Vol. 1.] Norman: University of Oklahoma Press, 2011.
[67] Julianna Barr, *Peace Came in the Form of a Woman: Indians and Spaniards in the Texas Borderland*s. (Chapel Hill: University of North Carolina Press, 2007)
[68] Palóu, *Life of Junipero Serra*, 226.
[69] Palóu, *Life of Junipero Serra*, 165-168.

Among the laymen in the colonies of Alta California, Palóu presents a young blacksmith who, at the siege of Mission San Diego which ultimately left Fray Jayme dead "[W]as full of extraordinary spirit because he had just received Holy Communion, despite the fact that he was not wearing a leather jacket for protection, went in between the houses or huts, shouting: 'Long live the Faith of Jesus Christ, and may these dogs, enemies of that faith, die!' At the same time he fired on the pagans."[70] This is presented as terrifying the Diegueño into retreat. At another point, there is an active threat of rebellion at Monterrey where both soldiers and priests simply chose to ignore the warning as the idle gossip of the Indigenous people, which paid off for them in that there was no uprising at that time, for unclear reasons.[71] In both of these instances, Spanish men who were not clerics demonstrate the expected masculine trait of bravery in the face of overwhelming odds, given that the Indigenous population outnumbered the European-descended population throughout the mission period.

By contrast, where Indigenous men were depicted at all they were depicted as unreasoning hordes or as passive beneficiaries to be "caught in the apostolic and evangelical net"[72] In the revolt at San Diego, which martyred Fray Luis Jayme, Palóu blames the devil for whispering to the Indigenous people there "incit[ing] in them a passionate anger against the fathers, which begot a cruel resolve to kill them as well as the soldiers who guarded them, and to set fire to the mission.."[73] What is missing in this account is any indication that the Diegueños might have any legitimate reason to want the Spanish gone. Given that this revolt and the correspondence around it sparked the Spanish crown to order that only married soldiers should be sent to Alta California in order to prevent sexual violence by the soldiers against Indigenous

[70] Palóu, *Life of Junipero Serra*, 77.
[71] Palóu, *Life of Junipero Serra*, 172-174.
[72] Palóu, *Life of Junipero Serra*, 66.
[73] Palóu, *Life of Junipero Serra,* 161.

women, part of the Echeveste Reglamento of 1773, it seems likely that the revolt was at least partly sparked by presidial soldiers' violence.[74] But in Palóu's account Indigenous people, unlike Spaniards, are not individual people who reason and make choices. They are not people who demonstrate the same bravery in battle which he finds so commendable in the Spanish soldiers. They are presented as an unreasoning, emotive mob. When Indigenous people, and men, in particular, were not ready to be passive recipients of the faith, they were depicted as being easily deterred from engaging in violence due to their innate cowardice. Unlike their brave and rash Spanish counterparts, unafraid of a martyr's death, the loss of a single warrior or the sudden realization of the power of Spanish muskets were depicted as being enough to end a battle. For example, during a hostile encounter at the founding of mission San Gabriel the Tongva attacked the Spanish after a Spanish soldier sexually assaulted a Tongva woman, identified by Palóu as the wife of the chief. At that point

> When the pagans came within musket-shot distance, they let loose a volley of arrows, all directed at the soldier who had been the culprit. He aimed his musket at the Indian he considered the boldest, who he presumed was the chief, and, firing, killed him. As soon as the rest saw the havoc and realized the power of our men in weapons, which they had never before experienced, and that their arrows inflicted no harm, they fled hastily... As a result, the Indians were cowed.[75]

Given that Palóu does not disclose how he knows that the man who was killed was a chief, or that the woman who was assaulted was that man's wife, it is entirely possible that he is mistaken. While a woman being married to an important man in Spanish culture might increase the likelihood of retaliatory violence, it is not clear that the same was true in Tongva society. It is also unlikely, given the overall patterns of soldiers' behavior in the colonial period, that this was the only sexual assault motivating the attempted retaliatory strike.[76] In one remarkable incident,

[74] Palóu, *Life of Junipero Serra*, 143-145.
[75] Palóu, Life of Junipero Serra, 120.
[76] Castañeda, *Three Decades of Engendering History*, 201-22.

Palóu describes a banner with an image of the Virgin Mary being unrolled before a charging war party, thereby deterring them from attacking.[77] One of the features of this incident which makes it so remarkable is that it is so similar to events which Juliana Barr describes occurring in Texas some one hundred and fifty years previously.[78] What became a pattern in Texas, the presentation of the image of a woman as a signal of peaceful intentions, appears only once in Palóu's narrative. It is striking that such an occurrence should be so cross-culturally common over such an extended period of time.

As a part of crafting an image of the Indigenous (presumably male) prospective convert as truly other, Palóu is unusually explicit in spelling out the need for control over Indigenous people by the missions and missionaries. When the missions were on the point of being reorganized in a manner which would only allow missionaries to establish a church near an unconverted village rather than a full reducción in which people were, either by force or by a time of limited choice, gathered into the dormitories, schools, fields, and forced labor of the missions, Serra argues to the Viceroy that "If the Indians do not live in a town within hearing of the mission bell, but rather in their villages after the fashion of their pagan days, naked and hungry, the missionaries would not be able to get them to leave off their vicious pagan practices."[79] Boldly, he assumes that anyone not eating the same foods as the Spanish, or dressing in Spanish clothes which were appropriately modest would be living a lifestyle poorly adapted to the landscape in which they had lived, as far as he was concerned, since the dawn of time. Serra frames his argument as one of pastoral care, he feels that he must discipline his so-called spiritual children into living in the Spanish manner. He also argues that reducciones keep

[77] Palóu, Life of Junipero Serra, 74. See also Barr, *Peace Came in the Form of a Woman*, 40-42.
[78] Barr, *Peace Came in the Form of a Woman*, 36-44.
[79] Palóu, *Life of Junipero Serra*, 232. See also Haas, *Saints and Citizens,* 15.

Indigenous people safe from the rapacious Spanish soldiers, who were only in Alta California to protect the missionaries from their Indigenous converts in the first place. The Echeveste Reglamento of 1773 exemplifies the coerced form of paternal protection of converts. Having brought soldiers to protect them, the padres then claimed sole responsibility for protecting Indigenous people from them through forced congregation and labor on the missions. This is the same complaint, in many ways, made by the missionaries in Nuevo Mexico in 1605.

Overall, the role of Indigenous men in this narrative is to act as a foil to offset and display the superiority of Spanish masculinity. Where Spanish men are brave in battle, Indigenous men are cowardly. Where Spanish men are good Catholics, the Indigenous people are pagans to be converted. This set up allows Spanish men in the narrative, with the occasional exception of soldiers who sexually assault Indigenous women and thereby anger their tribes, to demonstrate dominance over their constructed social inferiors, who regardless of age or gender are reduced into an unreasoning mob behaving like undisciplined children, thereby justifying their subjugation. This form of masculinity has long roots in Spain, though the priestly narrative of Palóu does not tell us about some core aspects of early modern Spanish masculinity in the role of paterfamilias and of governor as an extension of this role, which are more present in the documents pertaining to Oñate. In documents relating to Oñate Spanish masculinity fully takes center stage, with Indigenous people being mentioned only as pacified in the wake of conquest, as bearing the fault for atrocities at Acoma, or as transculturated settlers coming north from Mexico to help settle the newly pacified region. Spanish notions of the correct performance of elite masculinity, both toward Spaniards and conquered Indigenous peoples, permeates the instructions to Oñate, his letters to the King, the Viceroy's reports on his activities, and the allegations of his subjects against his form of government. His willingness to use violence to

defend his reputation is never questioned, only whether his doing so infringed on the masculine privileges of his subjects or his king. These documents harmonize in their derision toward Indigenous people, and Indigenous masculinities, despite their different approaches to explaining these attitudes. One area of masculine prestige not described here, the prestige of correctly performing the masculine role in marital and family life, is the subject of the next chapter.

CHAPTER 2: THE OTHERING OF MARITAL AND FAMILY LIFE

When Spanish ideas about household and family organization were imported onto the frontier of New Spain they generated a series of tropes around the organization of Indigenous family life. The majority of these tropes, much as those around gender and masculinity more broadly, were quite negative. These tropes tend to depict Indigenous marital and family life as inherently disordered, and in some cases unacceptably matriarchal, in order to justify the imposition of Spanish norms around marital and family life through conversion, forced labor, and confinement. In Spanish writing Indigenous families, and the societies that they were the building blocks of, were largely figured as the mirror to and opposite of the "correct" Spanish way of organizing society. This negative image of idealized Spanish life is in many ways similar to the ways in which colonial documents used Indigenous men as a rhetorical mirror through which to valorize the masculinity of Spanish colonizers, as described in the previous chapter. The primary difference is that Spanish colonial condemnation of Indigenous family life tended to be more direct and explicit than similar denigrations of Indigenous masculinity, which was more often implied than explicitly spelled out. Spanish denigrations of Indigenous marital and family life included condemnations of polygyny, promiscuity, and immodest dress were present from the start of the colonial process, however they appear more frequently and with fewer exceptions in the later colonization of Alta California in the 1770s than in the earlier colonial efforts of the 1540s. This chapter will rely primarily on three texts, one from the Alarcón expedition of 1540 and two from the missionization of Alta California between 1775 and 1780. The first was written by Pedro Fages, an early military governor of the region. The second is the journal of Francisco Palóu, one of the missionaries. All three were translated into English and published, though the

translations are older and may not reflect more contemporary usages of some words.[1] By comparing and contrasting the depictions of Indigenous marital and family life offered by the three authors the tropes which they contributed to crafting will be made clear.

The main intervention I will be making in this chapter is that the negative tropes around Indigenous marital and family formation did not appear fully formed in the earliest sources, but rather evolved over time as Spanish colonial forces became more familiar with the populations they were colonizing. This process emerged as part of the historical development of Spanish colonialism, where the first men to make *entradas* into a region were at pains to depict those they encountered as easily Christianizable and, as we saw in chapter 1, living in a land where wealth was readily obtainable through the coerced labor of Indigenous people. Later colonial forces entered with more secure legal claims to power and, crucially, with more soldiers, weapons, and experience in colonization. As such, they felt a greater sense of superiority over Indigenous people, in terms of race, culture and religion. This distinction based on religion, between those *de razón* and those *sin razón* was intricately intertwined with a racialized Spanish conception of Indigenous people in the borderlands as fully other. Between greater racialization and more secure legal claims to power, the need to depict Indigenous populations as easily converted and susceptible to acculturation was less pressing. Greater contempt was evinced more freely by the authors of later sources, partially as a way to reaffirm the racially inferior status of Indigenous people and thereby maintain the justification for the colonial project. The contingent development of the tropes denigrating Indigenous marital and family life are in particular

[1] Where I was able to find Spanish originals, I compared the section I was quoting with the translations, and they appeared to match well, though there were some archaic phrases in the English which, while accurate, are no longer in common usage.

contradistinction to Bouvier's presentation of the colonization of Alta California.[2] There, the denigration of Indigenous women, Two-Spirit people, and the family structures they were part of was present from the beginning of the colonial project. In other regions, which the Spanish invaded and settled earlier in the process of colonialism, they had not yet fully formed these derogatory tropes. They were not an inevitable outgrowth of patriarchy, but a contingent development of patriarchy's intersection with Spanish colonial history. A secondary historiographical intervention in this chapter, and one more suggestive than prescriptive, will bring the historiographies of Nuevo Mexico and Alta California into conversation about the willingness of Indigenous men to adopt European patriarchal practices unquestioningly.

This chapter draws heavily on the literatures of borderlands studies and somewhat less heavily on the literature describing the regulation of marriage and sexuality in Latin America more broadly. I reference many of these studies in the previous chapter, but here I will unpack certain aspects of their arguments. As the previous chapter argues, the reason why the Spanish were interested in regulating marriage and family life among their subjects relates to their conception of the ideal masculinity, which for the Spanish entailed the control of women, children, and dependent servants by male heads of household in a miniaturized but scalable imitation of a seigneurial lord. The Spanish also conceptualized Indigenous people as fully other, at least until they had been through the process of enforced acculturation. The goal of this process was that Indigenous people would begin to speak Spanish, wear Spanish styles of clothing, follow the Catholic faith, to live in cities or towns, and to live a settled agricultural lifestyle similar to that of the colonizing Spanish. In practice, what occurred on the ground was a process of transculturation, where Indigenous people selectively adopted Spanish practices and

[2] Virginia Bouvier, *Women and the Conquest of California, 1542-1840: Codes of Silence*. (Tucson: University of Arizona Press, 2001), 21-28.

thereby negotiated for greater power in a time of limited choice and as a result moved themselves up the social ladder of Spanish society. Especially in Nuevo Mexico, this opened a door to potential intermarriage with more elite *castas* or even potentially with Spaniards. Because the married couple, their children, and their servants comprised the idealized Spanish self-sufficient household, the colonizers were very invested in regulating Indigenous family life and sexuality as a facet of the broader colonization efforts and as an aspect of their colonization of Indigenous gender systems. These foci of colonial imposition will remain important in the next chapter.

There are three key texts for understanding the marital and familiar norms which the Spanish sought to impose and their relative levels of success on the margins of northwestern New Spain. Ramón A. Gutiérrez's *When Jesus Came the Corn Mothers Went Away: Marriage, Sexuality, and Power in New Mexico, 1500-1846* argues that when the Spanish came to New Mexico they imposed an alien system of marriage and sexuality on the Pueblo people they found there, one which stripped women of their agency and placed undue emphasis on chastity and shame compared to the Indigenous system. He aimed to use marriage as a window into the structures of race, class, age, and gender which the Spanish constructed in New Mexico. Both the strength and the weakness of Gutiérrez's argument emerge from his quantitative use of the Spanish mission records, into which Indigenous women disappear as anything more than entries in registers of marriages and baptisms, at least after his initial chapters about pre-Christian systems sourced from archaeological and anthropological reports.[3] Albert L Hurtado's *Intimate Frontiers: Sex, Gender, and Culture in Old California* argues that interethnic marriage in California from early Spanish colonization until after the American colonization formed the core of *Californio* society, as a means of bringing new spouses into existing social and business

[3] Ramón A. Gutiérrez, *When Jesus Came the Corn Mothers Went Away: Marriage, Sexuality, and Power in New Mexico, 1500-1846*. (Stanford, CA: Stanford University Press, 1991).

networks. He highlights the ways in which marriage and sexuality were a form of competition between cultural groups in early Alta California. Many of Hurtado's sources were written by elite Spanish men, and generally depict this system as one in which sexual access to women was controlled by brothers and fathers and used as a form of patronage between natal families and marital families. In a few cases he manages to highlight women's agency, though these women met with tragic fates, given Spanish men's resistance to loss of control over women they "possessed" as a slight against their personal honor (see Chapter 1).[4] Virginia M. Bouvier's *Women and the Conquest of California, 1542-1840: Codes of Silence* argues that sexual violence was rampant in the missions and pueblos of Alta California, that the gendered and sexual norms which the Spanish aimed to impose on Indigenous women were both profoundly different from Indigenous ones and inherently harmful, and that colonization and patriarchy went hand in hand throughout the Spanish and Mexican periods. Bouvier's methods are drawn from a variety of disciplines, primarily making use of oral histories and autobiographies from the beginning of the American period, when *Californio* nostalgia was at a high ebb. She also surveys both Spanish and Indigenous origin myths for what they reveal about the rival gender systems. This eclectic approach is necessitated both by the difficulty of gleaning information from traditional archives and interdisciplinary approach to the subject matter.[5] All three authors are strongly attached to

[4] Albert L. *Hurtado, Intimate Frontiers: Sex, Gender, and Culture in Old California*. (Albuquerque: University of New Mexico Press, 1999): 1-13.

[5] Virginia M. Bouvier, *Women and the Conquest of California, 1542-1840: Codes of Silence*. (Tucson: University of Arizona Press, 2001): ix-xvii. Other works consulted on the subject of gender and the imposition of Spanish gender norms include Julianna Barr, *Peace Came in the Form of a Woman: Indians and Spaniards in the Texas Borderlands*. (Chapel Hill: University of North Carolina Press, 2007), Yvette Saavedra, *Pasadena Before the Roses: Race, Identity, and Land Use in Southern California, 1771-1890. (*Tucson: University of Arizona Press, 2018), Rosaura Sanchez, *Telling Identities: The Californio* Testimonios. (Minneapolis: University of Minnesota Press, 1995), Antonia Castañeda, *Three Decades of Engendering History: Selected Works of Antonia I. Castañeda*. Interview by Luz María Gordillo. Edited by Linda Heidenreich. Edition: First. (Denton, Texas: University of North Texas Press, 2014) and sections of Slater, Sandra and Fay A. Yarbrough, eds. *Gender and Sexuality in Indigenous North America* 1400-1850 (Updated Edition). (Columbia: University of South Carolina Press, 2022).

the underlying assumption that Spanish ideas of appropriate sexual and gendered behavior within the nuclear family was taken up by Indigenous people, whether by choice or by force. They differed on the point of how much force was involved, though all agreed that at least some coercion was applied by the Spanish. Between these three and a few other texts, coverage of a wide geographic area and several perspectives can be articulated.

The English-language literature covering the regulation of the sexual lives of colonized peoples in Latin America began with demographic studies of the peoples' ages at marriage, the number of children that they had, and the prevalence of childbirth outside of wedlock, similar to the studies written by Hurtado and Gutiérrez. Particularly important was Asunción Lavrin's study of these demographic factors in colonial Mexico, published in 1989. From this starting point, other studies began to interrogate the types of sexual behaviors which were criminalized by the Spanish government or condemned as sinful by the Catholic church. The first studies of these more circumscribed sex acts were centered around the prevalence of pre-marital and extra-marital sex, with scholarship on more taboo types of behavior emerging in the late 1990s and early 2000s.

One later text which exemplifies this course of study is Zeb Tortorici's edited volume *Sexuality and the Unnatural in Colonial Latin America*, which ranges broadly across territory and specific subsets of criminalized behaviors. It includes monastic or clerical sexuality, bestiality, and the only documented case of necrophilia in the colonial period. The overarching argument of this volume is that there were desires which the church and the state considered unnatural and there were acts which the church and the state constructed as crimes for their being unnatural, with only sex for the purposes of reproduction and within marriage treated as natural by either institution. Each chapter necessarily uses a different set of archival documents, with a

few exceptions those of various national archives in the countries which they are writing about. The authors generally read these texts for what they do not say as much for what they do say.[6] In this chapter, the edited volume is interpreted in conversation with Tortorici's monograph *Sins Against Nature: Sex and Archives in Colonial New Spain.* The monograph is effectively two books in one, with the first book detailing the various acts which were determined to be "sins against nature" and how the people performing these acts became entangled in the justice system of Nueva España. "Sins against nature" in this context were behaviors which the Catholic church, and in some cases the emerging scientific community, held to be against the proper purpose of sex, reproduction within marriage. The category shares much overlap with the concept of the unnatural Tortorici and his contributors utilized in the edited volume. In many of the cases which make their way into the legal records, as in many of the sources examined in more detail below, the acts being recorded are described voyeuristically by putatively horrified witnesses. It is never entirely clear if the witnesses were too horrified to look away or if other motivations drove them not to avert their gaze. The second book, embedded fully within the first is a self-reflexive analysis of embodied reactions in archivists categorizing material and in researchers reading this same material. This post-modernist turn was likely assisted by the Mexican national Archives then being housed in a former panopticon prison. The book explores sexual behaviors considered by the Spanish and other Europeans to be sins categorized by whether the object of said desire was a person, and animal, or a divinity. He also contributes the useful theory that archival records are not only misinscriptions of Indigenous testimony in the literal sense of being translated into Spanish and recorded during trial proceedings, but also in the metaphorical sense as those reporting sins against nature perceived Indigenous bodies and

[6] Zeb Tortorici, ed. *Sexuality and the Unnatural in Colonial Latin America*. (Berkeley, CA: University of California Press, 2016).

acts through European paradigms.[7] While in this chapter there is little Indigenous testimony in the documents I am describing to misinscribe, the frame through which the colonizing Spanish described Indigenous bodies and acts will be made explicitly clear.

A second edited volume, Pete Sigal's *Infamous Desire: Male Homosexuality in Colonial Latin America* adds some details about frontier regions given less coverage in the other works. Its central argument is difficult to pin down, beyond that Spanish laws against sodomy were comparatively much harsher and more frequently enforced than in most Indigenous cultures which came before. It was one of the first academic works to attempt to analyze colonial Latin American sexuality outside of marriage and reproduction, and as such formed a foundational network of scholars of Latin American sexuality, particularly those interested in sodomy cases. The two main areas in which the authors differed were their acceptance of Foucault's acts-identities paradigm and whether they accepted the existence of genders outside of the western binary. This text is also notable for the degree to which it does not separate cross-gender behavior prohibited by the Spanish from sexual behavior prohibited by the Spanish. While one chapter focuses entirely on Two-Spirit people (see chapter 3), another chapter addresses the muxe third gender in Yucatan and another includes a Spanish encounter with alternatively gendered persons in Peru. As with the previous edited volume, the methodology varies by chapter, but largely depends on a close reading of a small selection of texts.[8]

Perhaps unsurprisingly, given that the church held responsibility for record keeping at the time, several of the texts outlined above include cases of sexual misconduct by priests,

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[7] Zeb Tortorici, *Sins Against Nature: Sex and Archives in Colonial New Spain*. (Durham: Duke University Press, 2018): 1-35.

[8] Pete Sigal, ed. *Infamous Desire: Male homosexuality in Colonial Latin America.* (Chicago: University of Chicago Press, 2003). Other literature used to frame this discussion include Schmidt, Robert A. and Barbara L. Voss Editors. *Archaeologies of Sexuality*. (New York City: Routledge, 2000), Bouvier, *Women and the Conquest,* and Asunción Lavrin, *Sexuality and Marriage in Colonial Latin America.* (Lincoln: University of Nebraska Press, 1989).

particularly with parishioners. Unlike in late-Medieval Catalunya (see chapter 1), there were penalties in both New Mexico and in Alta California for priests who engaged in sex, however these penalties tended to be both mild and only lightly enforced unless the misconduct occurred between a confessor and a penitent. The punishment meted out to priests was also mitigated by the racial categories held by all parties involved.[9] Bouvier's work enters this discussion as well, given her emphasis on the forms of control over the sexual and gendered behaviors of missionized California Indigenous peoples through violence and confinement. It remains important to read Bouvier in conversation with other scholars, who place greater emphasis on the ability of Indigenous people to resist Spanish impositions by fleeing, fighting back, or by less obvious forms of non-compliance. While sexual violence on the missions was undoubtedly both common and pervasive, the agency of those held on mission lands, to whatever degree they were held by force, cannot be erased. This is particularly true in regions such as Texas, post-Pueblo Revolt era Nuevo Mexico, Luiseño territory in Alta California, and Pimería Alta, where the missions exercised significantly less coercive control over everyday life and individual mobility. This relative freedom from direct Spanish intervention was also found at the beginning of the colonial process, where expedition forces tended to be scattered and underequipped to deal with living off the land they were attempting to claim.

The tropes of innately disordered marital and family life among Indigenous people were not clearly articulated at the beginning of the colonization of the margins of Nueva España. For example, Hernando de Alarcón made extensive notes during his travels up from the mouth of the Colorado River in around 1540-41, a mere 20 years after Cortez declared Nueva España to be under his control. Alarcón recorded many of the questions he asked people, through an

[9] Bouvier, *Women and the Conquest*, 54-60, 80-107, and 169-74. Sigal, *Infamous Desire,* 96-107, and Tortorici, *Sins Against Nature*, ch. 5.

interpreter of unclear provenance, and the answers he and his translator received. From the account it is clear the translator was reasonably effective, likely speaking either the same language or one which was mutually intelligible, as speaking through improvised signs would not have been enough to convey so much detailed information. Given the relatively high correspondence between what Alarcón recorded and what later anthropologists would document in the same region, this is likely not a situation where the Spanish invented much of their dialogue.[10] At the beginning of his travels, he found ways to talk up the assimilability of the gender roles of the first Indigenous people he encountered (believed to be Mojave or possibly Tohono O'odham, and certainly a group from the Great Basin culture area, though it is difficult to be sure after more than 400 years of colonialism and migrations). He stated that among those he termed "the river people":

> And I learned that brothers, sisters, and kinsfolk did not marry together, and that maids, before they were married, did not converse with men, nor talked with them, but kept at home at their houses and in their possessions, and worked. If by chance anyone had company with men before she was married, her husband forsook her, and went away into other lands.[...] If ever after they were married, any man were taken in adultery with another woman, they put him to death. No man might have more than one wife, except very secretly. [11]

His emphasis in this passage is on the relatively Christian-like marital practices of the people whom he encountered, with prohibitions on incest, pre-marital sex, and adultery. In short, he applied Spanish notions of chastity to this group. He also makes it clear that they practiced a Christian-like period of mourning when widowed, "They told me they burned those who died, and such as remained widows stayed half a year or a whole year before they [re]married."[12] This

[10] Sabine Lang, *Men as Women, Women as Men: Changing Genders in Native North America* (Austin, Texas: University of Texas Pess: 1998) 130, 166, 205.
[11] Albert B. Elsasser, "Explorations of Hernando Alarcón in the Lower Colorado River Region, 1540," *Journal of California and Great Basin Anthropology*, 1, no 1(Dec, 1979):21.
[12] Elasser, *Alarc*ón, 21.

is one of the rare instances in which Spanish colonizers recorded anything approving about Indigenous cultures' marital and family life structures. One caveat to Alarcón's discussion of this group's marital practices is his comment that if a woman's husband divorced her, he was the one who left the community. This likely points to a matrilineal or matrilocal kin structure in which women controlled their own personal property and remained with their birth families after marriage, not a very Christian practice, and one which Alarcón treats lightly and briefly before moving on to discuss other matters. That he was nonetheless ready to believe the worst of the marriage and family habits of his temporary hosts is indicated by the spark of the conversation quoted above, in which Alarcón, hearing that in wintertime the River People live all together in a single wooden roundhouse, asks his host "whether their women were (held) in common or not- he told me no and that he who was married was to have but one wife only."[13] Having been told that the River People were monogamous, Alarcón allowed himself to begin praising family structures which could be adapted to Spanish norms more easily, rendering the area to his readers in the Spanish government as readily colonizable.

To the Spanish, wearing clothing which did not cover enough of one's body provoked licentious thoughts and could be a way of referencing lack of sexual restraint.[14] When describing the peoples he encountered, Alarcón took time to depict their clothing, which is often less flattering than his commentary on marriage practices, as the clothing of these desert-dwelling cultures was better suited to the environment Indigenous people had lived in for centuries than it was to Spanish ideas of modesty.[15] Importantly, to be naked in the Early Modern world did not always mean the same thing that it does in the present. It generally connotated that someone was

[13] Elasser, *Alarcón*, 21.
[14] Lisbeth Haas, *Saints and Citizens: Indigenous Histories of Colonial Missions and Mexican California*. (Berkeley: University of California Press, 2014), 55-61.
[15] Elasser, *Alarcó*n, 15-16.

wearing a single layer of clothing.[16] Still, this imputation of immodest dress was a strike against this group's christianizibility. Further up the river the expedition found "one woman who wore a garment like a little mantle, which clad her from the waist to the ground, of a deer skin well-dressed."[17] It is unclear where he saw this woman, or what nation she came from. His guide, the Old Man so often referenced in this account rarely volunteered such information unless explicitly asked and there were often translation difficulties as they proceeded further up the Colorado River. From the context, in which Alarcón is asking about whether the people groups he has encountered so far live in the same locations year-round, this lone woman in what appeared to the Spanish as appropriately modest dress was not someone that he had seen before and may have been travelling for trade or other forms of resource collection.

To drive home how easily convertible and nearly-Christian the River People were, Alarcón quickly asserts after this how pleased this band was at his planting a cross, as when the Spaniards were about to depart, they asked him to move this large wooden cross to a hill above the highest reach of the river's flood pattern, so that it might be preserved longer. Even on his return voyage to the mouth of the Colorado River some weeks later, he claimed to have found "many women and children holding up their hands and kneeling before a cross which I had given them."[18] This emphasis on the natural piety of the women and children he encountered is both in keeping with contemporary Spanish ideas of which types of people were most susceptible to the revelation of faith, as well as emphasizing the ease with which a larger contingent of Spanish settlers would be able to pacify and Christianize the region. What Alarcón does not mention is

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[16] Sophie White, *Wild Frenchmen and Frenchified Indians: Material Culture and Race in Colonial Louisiana.* (Philidelphia: University of Pennsylvania Press, 2012), 30-33. This book is about the French, rather than the Spanish, but their conceptions of nudity and the importance of clothing to indicate one's status appear to be similar.

[17] Elasser, *Alarc*ón, 21.

[18] Elasser, *Alarc*ón, 30.

that the River People likely did this for the benefit of the Spanish, as maintaining another group's religious symbol would allow for easier formation of strong trade relations. It is likely that they had seen Spaniards pray at this cross and mimicked their actions to communicate their desire to maintain trade relations. This specific group is mentioned to have had both turquoise from the far-flung Pueblos of Nuevo Mexico and shell beads of the type later found among Ohlone populations, indicating that they had some practice in conducting trade with highly distinct cultural groups. When the Spanish passed back through this region on their way out of the area, either the River People or some of their neighbors had evidently decorated the crosses with feathers and other offerings. The Spanish interpreted this as a willingness to convert, rather than a syncretic practice, potentially a propitiation of the strange new deity of the Spanish alongside their own, which Alarcón himself described for the translator's convenience as "the son of the sun".[19] Notably, Puebloan cultures, particularly at Zuni, performed a similar action, as the Spanish cross was similar to an enlarged version of their feathered prayer sticks.[20]

The efficacy of the translator was to become a problem later in the voyage, among other problems such as illness and lack of food supplies acceptable to the European palate which frequently plagued Spanish voyages of exploration. As such, Alarcón found himself more willing to note down behaviors which fell outside of the Christianizable norms explored above among a group which he did not name, but whose town he called Quicoma. In this town he was primarily interested in questioning the residents about the location of Coronado's semi-legendary pueblo of *Cevola* (a common misspelling of Cibola).[21] One instance of the less favorable behaviors which Alarcón documented was that there were "certain women who lived dishonestly among men, and

[19] Elasser, *Alarc*ón, 22-30.
[20] Gutierrez, *When Jesus Came*, 47.
[21] Elasser, *Alarcon*, 22-3.

I asked the old man whether they were married. He answered me, no, but that they were common women,"; generally, this is glossed as an implication of sex work, though precisely what this would have meant to the people he was writing about is not known.[22] In a non-market economy, where there was no common currency, sex work as the exchange of sex for money would not have been possible. Perhaps his term, "common women" or "mujeres comunes" was meant to indicate simply a lack of the sexual purity which the Spaniards placed so much cultural value on.[23] Later in the text he referred to some persons as "prostitutes", though in context he is grouping together both common women and Two-Spirit people (see chapter 3). The description which the residents of Quicoma gave of Cevola was clearly either meant to be symbolic, meant to be entertaining to their guests, or mistranslated somewhere along the chain of transmission. It includes many white-skinned men who all share a single wife, bathe regularly, use napkins, and mined sky-blue stones.[24] With the exception of the polyandry, it seems that the person from Quicoma tailored their description to fit what they knew the Spanish wanted to hear. This suggests that the Spanish had been in the region long enough to communicate that they were searching for cities, productive mines, and textiles of the sorts which they had found twenty years earlier in Nueva España. The description of these far away people as polyandrous also indicates that misinscriptions of the type identified by Zeb Tortorici initially cut both ways, in this instance Indigenous people misread the gender imbalance of their visitors as representing a shortage of women in their homeland.

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[22] Elasser, *Alarc*ón, 27.
[23] Antonia Castañeda, T*hree Decades of Engendering History: Selected Works of Antonia I. Castañeda*. Interview by Luz María Gordillo. Edited by Linda Heidenreich. Edition: First. (Denton, Texas: University of North Texas Press, 2014.)
[24] Elasser, *Alarc*ón, 22-23.

Later in the voyage, among a people Alarcón called the *Cumana* the people converted so readily, and were so desperate for the Christians to stay that:

> While thus sailing down the stream, a woman leapt into the water, crying to us to stay for her, and she came into our boat and crept under a bench, whence we could not make her come out. I understood that she did that because her husband had taken to himself another wife, by whom he had children; she said that she meant not to dwell any longer with him, seeing he had taken another wife. Thus she and another Indian came with me of their own accord.[25]

This clearly differentiates the Cumana from the River People earlier, in that not only were they non-monogamous, having allowed this unnamed woman's husband to take a second wife, but the wife was the one who moved away, rather than the husband being forced out for committing adultery, as the previously encountered people described. This type of account, in which a chivalrous Spanish man saves an Indigenous woman from her spouse and the "barbarous" customs of her people are not unknown in other narratives. Overall, Alarcón presents a much more positive depiction of Indigenous marital and family life compared with later sources. In the colonization of Alta California, racialized denigration of Indigenous people closer to his description of the people of Quicoma dominated the discourse.

Proceeding chronologically, the Pueblo Revolt of 1680 took place between the colonization of Nuevo Mexico and the colonization of Alta California. The Spanish investigation of the reasons for the revolt collected testimony form a variety of survivors of the uprising. Among the reasons by the investigators was that Indigenous men wanted to return to pre-colonial social structures. The most important of these social structures for this discussion were polygyny and greater sexual freedom for Indigenous women, including freedom from the sexual advances of the Spanish.[26] This suggests that Indigenous men resisted the imposition of Spanish

[25] Elasser, *Alarc*ón, 31.
[26] Ramón A. Gutiérrez, *When Jesus Came*, 127-137.

patriarchal gender norms as these norms did not inherently benefit them. Resistance to patriarchy by Indigenous men stands in contrast to Bouvier's guiding assumption that resistance to the gendered oppressions of colonialism was restricted to Indigenous women.[27] The reason this interpretation remains more suggestive than prescriptive is the set of limitations imposed by the circumstances in which the document was produced. It was the result of the Spanish legal proceedings to determine who was at fault for the uprising. As such, Spanish settlers and administrators had every reason to downplay their own responsibility and to play up the otherness, the "barbarity" of Indigenous people who rebelled against them. In a separate collection of letters sent to the Council of the Indies during the early months of the revolt, this construction of Indigenous people as other was done by listing the priests who the rebels killed and "the hatred that they have for our holy faith"[28] as well as lists of women and children killed in the fighting. Notably, these women and children are never named, only listed in reference to their husbands as "*su muger y sus hijos"* or "his woman/wife and children."[29] If, in addition to burning churches and damaging the dependent women and children of the Spanish, the Indigenous rebels had expressed a desire to return to a pre-Christian or even un-Christian form of marital and family life that was further proof to the Spanish that they were of an inherently wicked character because of their Indigeneity. The Spanish used this to justify both the failure to prosecute any colonial officials for the rebellion and the repeated reauthorizations of expeditions to reconquer Nuevo Mexico. While the documents analyzed in the rest of this chapter do not allow for such resistance to be extended to the Alta California context, it remains important to consider that the Spanish attempts to impose their ideas of correct marital and family practices

[27] Bouvier, *Women and the Conquest*, 130-139,
[28] Bancroft Collection, ZE1, Container 3, Folder 210, 19. *"el odio que tienen a nuestra Santa Fee"*
[29] ZE1, Container 3, Folder 210, occurs throughout, but see pages 42-50 in particular.

were likely not seen as beneficial to people of any gender on whom they sought to impose these strictures.

The single most extensive record of the colonization of Alta California in the 1770s is Palóu's hagiography of Junipero Serra, analyzed for its depictions of Spanish masculinity in the previous chapter. Palóu only provided a detailed description of Indigenous lifeways in one section of his text, one which is dedicated to the founding of Mission San Fransisco de Assisi and its neighboring presidio. Not coincidentally, the next chapter of Palóu's text discussed Two-Spirit people, as will the next chapter of this thesis. Palóu's account is situated in 1777, after the local Ohlone people returned to the area, having fled after a raid by the "Salson" (Shalson) people.[30] He made several general claims, such as that the Ohlone were darker skinned than the Miwok, that people of both groups cut their hair short when in mourning, and that the people did not have any gods of their own.[31] This final claim, while untrue, draws attention to the possible ease of converting this group of Indigenous people, since if they lacked deities of their own the Christian God would not need to displace any others. Palóu then expressed mild approval of some Indigenous foods and further highlighted the convertibility of the people by indicating that women did the hard work of seed processing, good practice for grinding corn with a mano and metate. Having illustrated these factors which made Catholic conversion possible, Palóu had exhausted his praise and moved on to some traits which made the imposition of Spanish control appear justified to his audience, though readers of hagiography were likely already inclined to agree. Regarding Ohlone clothing, he details that the men "wear no other clothes than those which nature provided them" and "go about without the slightest embarrassment or shame."[32]

[30] Palóu, *Junipero Serra*, 192.
[31] Palóu, *Junipero Serra*, 192-193.
[32] Palóu, *Junipero Serra*, 194.

This lack of shame over one's nudity was most likely meant to distinguish Indigenous people as truly *sin razón,* or without the reason and purportedly innate modesty granted by the Catholic faith. He added that in winter the men "cover themselves with mud, which they claim keeps them warm."[33] Given the emphasis and monetary value that Spaniards placed on clothing, its ability to signify one's various statuses, and the importance of modesty for all genders, these details could not help but create an image for contemporary readers of Ohlone and Miwok men as less civilized and rational, in need of Spanish intervention to be clothed in the manner which the Spanish considered to be proper.[34] This belief in the rectitude of the Spanish way of life ignores the adaptation to the local environment and the resources which it provided to Indigenous people. Palóu admits that Ohlone and Miwok women "go about clad somewhat more decently," in that they wore two mats of tule attached to a belt, which "form a sort of skirt," though their bare chests remained unacceptable to the missionaries in this context.[35] Perhaps unsurprisingly, the primary form of coerced labor for Indigenous women, at least after the construction of the mission buildings was completed, was in producing cloth and clothing for the neofítas. While the expeditions to found missions brought some cloth for this purpose with them, and other cloth was also obtained through trade with more established missions to the South and in Nueva España, without the labor of Indigenous women there would not have been enough fabric to clothe converts to meet Spanish standards of modesty. Even though the padres considered this cloth to be of low quality, they still decided that it was acceptable enough for covering the "nakedness" of the new converts.[36] In this way, Palóu justified the forced labor of Indigenous

[33] Palóu, *Junipero Serra*, 194.
[34] Haas, *Saints and Citizens*, 55-61.
[35] Palóu, *Junipero Serra*, 194.
[36] Lisbeth Haas, *Saints and Citizens: Indigenous Histories of Colonial Missions and Mexican California*, (Berkeley: University of California Press, 2014), 59-61.

people while denigrating them as lesser-than the Spanish more completely and comprehensively than Alarcón had two centuries before.

Palóu's depiction of Indigenous marital customs is highly conventional, and conventionally dismissive. "Their marriages have no other ceremony than mutual agreement, and they last until there is a quarrel, when they separate... The only expression they use concerning the dissolution of the marriage is: 'I threw her over' or 'I threw him over.'"[37] Given the historical context of the counter-reformation, Palóu's description may well have been intended as much as an insult to Protestant acceptance of divorce as a manner of justifying the missionization of Indigenous people, however his next statements about Indigenous marital and family life are more confined to the general tropes of disorderly Indigenous families. For instance, that "The bond of affinity is no bar to their marriages; rather it inclines them to take to wife their sisters-in-law, and even their mothers-in-law. The custom they observe is that when a man takes a woman as his wife, he also takes all her sisters."[38] He followed this with the detail that co-wives raise their children communally, thereby undermining the power of the paterfamilias over his own children. In Spanish custom, marrying a relative of one's godparent or second cousin required special dispensation from the Catholic church, as such it is not surprising that consanguineous marriage was considered so negatively, even before considering the practice of polygyny. The keeping of multiple wives had long been condemned by both church and state and would have been an immediate indicator of a barbaric form of lust which Catholicism would need to remove.[39]

[37] Palóu, J*unipero Serra*, 194.
[38] Palóu, J*unipero Serra*, 194.
[39] Michelle Armstrong-Partida, *Defiant Priests : Domestic Unions, Violence, and Clerical Masculinity in Fourteenth-Century Catalunya*. (Ithaca, New York ; Cornell University Press, 2017), 110-112.

For contrast, Palóu described the sudden changes which he claims occurred in Indigenous family life once they had been baptized and brought under mission discipline. He gave the example of two polygynous wives who had their infants baptized, then themselves, and proceeded to leave their husband to marry "other neophytes according to the Roman ritual." This left their former husband married only to their mother.[40] After an interlude describing the new converts' church attendance, growing of Spanish crops, and obedience to the church bell, Palóu concluded this section by returning to the subject of appropriately modest dress. "All the community dress in clothes... It is worthy of note that though before baptism they did not show the least embarrassment or shame, immediately after, they are conscious of it... Now they do not undress before others, least of all the priest."[41] This passage was intended to highlight the rapid progress of Indigenous people toward what the Spanish considered to be the correct performance of marital and family life under the mission system. They had stopped participating in polygyny and gained the modesty expected of *gente de razón.* As Castañeda argues, Catholic gender norms around marriage, shame, and proper sexual behavior were taught by the missionaries through discipline and, at times, corporal punishment.[42] Palóu occludes this violence and coercion from readers, imputing changes in gendered behavior to the power of the Christian God.

In conversation with Palóu, the published account of early governor of Alta and Baja California Pedro Fages, dated 1775 but without temporal references within the text, offered a clear statement of the purpose of colonization there "The reduction of the numberless natives of those vast provinces to the faith of Jesus Christ and obedience to our Lord, the King."[43] This

[40] Palóu, *Junipero Serra*, 194-5.
[41] Palóu, *Junipero Serra*, 195.
[42] Castañeda, *Three Decades of Engendering History*, 242-251.
[43] Pedro Fages and Herbert J. Priestly, "An Historical, Political, and Natural Description of California", *The Catholic Historical Review*, 4, 4 (Jan 1919): 489.

statement tied the moral imperative of conversion to the political imperative of gaining more subjects for the crown. In each section of his report, he offered a brief description of the geography of the march which he and his soldiers undertook between two missions in the chain which had been completed by then. This introduction was followed by a brief description of the nearby Indigenous groups and their customs, or at least what little Fages knew of them. He then offered a brief account of the contemporary state of the missions, before concluding with an accounting of the many useful plants, animals, minerals, and natural features. The final pages offered a disorganized list of words in Indigenous languages, without any attribution of which specific language they came from or explanation of why they were included. The descriptions of indigenous people and lifeways sticks closely to Palóu's formula, covering political organization, physical appearance, dress, and some customs surrounding marriage and ceremonial practices, often in roughly that order. The work is not as lengthy as Palóu's, rather it is the size of an unusually hefty pamphlet. Nonetheless, it contains some fascinating details of Indigenous marriage and family life in the area, conveyed through a profoundly derogatory framework, one which appears to have become the most common form of description by this time in the colonial process.

In his description of the Miwok and Ohlone people who lived between San Fransisco Solano and Santa Clara he claimed that village heads were "not only privileged to have two wives (the other Indians having only one), but he [the village leader] may put them away at his own caprice and take from the same village any other two he may desire, provided that they are maidens."[44] In this context the phrase "put them away" refers to divorce, or at least the dissolution of a formalized partner relationship, as "threw him over" did in Palóu's text. The

[44] Fages and Priestly, "Description of California", 497.

termination of such relationships likely had very different connotations and responsibilities for the parties involved than in the Spanish tradition where separation was prohibited in most instances. Among the Chumash, further South, he describes village leaders as "also hav[ing] many wives, with the right of putting them away and taking maidens only..."[45] Many wives here seems to indicate more than two wives, though the emphasis on maidenhood may be a reference to not having been previously married rather than virginity, given that the Chumash were not as invested in women's chastity before marriage as the Spanish. The only Indigenous group to whom Fages attributed monogamy are the northern Ohlone people around San Fransisco Bay, to whom he also ascribed two other Spanish-like customs. First, in a brief discourse on crime and punishment, that "if the theft is that of a virgin, whom the robber has ravished, they must inevitably marry" and second that when a marriage is celebrated "The friends and relatives of those who have been married gather together from various villages, each one bringing a small gift for the new couple..."[46] The former custom is similar to the European tradition of elopement by abduction, as well as to the long-standing custom of forced marriage to rapists.[47] The latter custom has parallels to the European tradition of the wedding present. While Fages described several Indigenous societies, it is significant that he attributed any seemingly Spanish marital customs only to one group, while casting others in a conventionally derogatory way.

Addressing the wisdom of the padres' agitation in favor of sending only married soldiers, Fages is broadly supportive. "It is certain that if this should someday happen, the Indians would soon cease to consider (as they do now) that we are exiles from our own lands who have come here in quest of their women; for they would then see coming here to settle men who had their

[45] Pedro Fages and Herbert J. Priestly, "An Historical, Political, and Natural Description of California", *The Catholic Historical Review*, 5, 1 (Apr 1919): 73.
[46] Fages and Priestly, "Description of California", 85.
[47] Hurtado, *Intimate Frontiers*, 37.

own wives."[48] This has parallels in Juliana Barr's findings about the attempted colonization of Texas, where it was believed that sending Spanish women to settle would generate less consternation among Indigenous peoples and potentially prevent the frequent occurrence of rape by Spanish soldiers. It also resonates with the legend recounted by the people of Quicoma to Alarcón, in that it shows a hint of how Indigenous people regarded the gendered and sexual conduct of the Spanish, with Spanish behavior toward Indigenous women seen as indicative of a shortage of women in the Spanish homeland. Ultimately, Serra's agitation resulted in the *Reglamento* of 1773, which ordered that only married soldiers be sent from then on, as well as mandating that missions be situated a certain distance away from presidios or pueblos. In practice, these regulations were not always followed.[49]

One ceremony Fages described among the Chumash was related to childbirth, though he did not specify whether he personally witnessed this or if it was described to him by someone else. "When an Indian woman is in childbirth, she makes a small hole wherever she may be when her labor begins, even though it be in the open field...and composes herself quite tranquilly to give birth."[50] This description emphasizes the casual, nearly painless childbirth Europeans expected to be experienced by less "civilized" people all over the world by the eighteenth century. Fages goes on to note that after removal of the afterbirth, the new parent "deforms the cartilaginous part of the nose by flattening; then she goes without delay to bathe herself with cold water, whereupon the entire operation is completed without ceremony."[51] This again emphasizes the person giving birth's rapid recovery from difficult physical labor, and thereby the suitability of the Chumash more broadly for reduccion to labor on the missions. It also attributes to the

[48] Fages and Priestly, "Description of California", 507.
[49] Palóu, *Junipero Serra*, 138-142.
[50] Fages and Priestly," Description of California", 74.
[51] Fages and Priestly," Description of California", 74.

Chumash the practice of deforming a newborn's god-given features, a practice which the Spanish attempted to eliminate in other groups as an unnatural act. After a detailed description of the cradleboards used by the Chumash, Fages concluded that with the use of cradleboards "the Indian women are left unencumbered for all their duties and occupations."[52] This passage reiterates the physical strength of Indigenous people and therefore their fitness for labor on the missions, while also imputing a certain lack of appropriate maternal care to Chumash women. This was not the form of parental care which the Spanish expected, again indicating to contemporary readers that colonization would be a beneficent process for both sides.[53]

Similarly racializing was Fages description of marital customs among Salinan groups near Mission San Antonio. Though he first acknowledged that in his opinion "These Indians are well-built and the women are good looking... They all have beautiful hair,"[54] he proceeded to diminish these more positive claims by describing what is clearly presented as a strange and savage marriage custom. "The fact is that when a single man and a single woman are seen together at dawn savagely scratched, it is a sign that they have contracted matrimony during the night, and with this sole proof they are considered publicly and notoriously as man and wife."[55] Without explaining how he came to know this bit of local custom, or what marriage might have meant to the Salinans, he continues to marvel that

> [T]hey never think of making use of the faculty permitted by marriage [sexual intercourse], without making use of the nails, repeating on such occasions the same cruel and barbarous expressions of love and conjugal affection. This will seem an incredible thing, perhaps without parallel so far as is known of other nations, however untaught and savage they might be. There is no doubt, however, that this happens, and I write it after exact verification of the fact.[56]

[52] Fages and Priestly, "Description of California", 74.
[53] Castañeda, *Three Decades of Engendering History*, 237-37.
[54] Fages and Priestly," Description of California", 78.
[55] Fages and Priestly," Description of California", 78.
[56] Fages and Priestly," Description of California", 78.

It is worth noting that Fages did not clarify who his sources for this anecdote might be, expecting the reader to take his word as a man of honor that he was reporting honestly. His indications of the "savage" and "barbarous" nature of Indigenous people need not be restated, Fages frames the marital customs of the Salinans as unacceptable, highly unusual, and disorderly. He extended this marital custom's attribution to southern Ohlone people near Monterey, as well. Fages claims "Their marriages, as in San Antonio, are celebrated with the barbarous practice of scratching each other when they cohabitate, a foolish practice committed even by the newly baptized, though the reverend father labors much with them in order to dissuade them from it."[57] In this, he contradicts Palóu's depiction of the nearly instant success of missionization. This may have stemmed from Palóu's investment as a priest in extoling the virtues of the mission system to a Spanish government which was no longer so interested in funding such efforts, as opposed to Fages more worldly motivations for participation in the colonial process. His overall opinion of the southern Ohlone people was mixed, claiming that "They loved the Spaniards very much" before describing in disgusted terms the ways in which they dressed, particularly the use of tule to make "wretched underskirts which scarcely serve to indicate the distinction of sex, or to cover their nakedness with sufficient modesty."[58] Here Fages linked modest dress to notions of correct gender performance and sexual propriety more explicitly than Palóu or Alarcón did. In his description, appropriate clothing both indicates the wearer's gender (or sex) and covered it up entirely, to prevent lascivious and immodest thoughts. Throughout Fages account he tempered even his mildest praise of Indigenous people with comments about their sexual impropriates, polygyny, and immodest dress, much as Palóu had

[57] Fages and Priestly," Description of California", 82.
[58] Fages and Priestly," Description of California", 82.

done. Tropes only roughly gestured toward by Alarcón had, by them, been fleshed out and were being applied by colonizing Spaniards to all Indigenous people.

This chapter has sketched out the development of the tropes which the Spanish used to denigrate Indigenous marital and family life as fundamentally inferior to and other than the "proper" Catholic marriage and familial practices enshrined in Spanish gendered understandings of the world. These depictions were profoundly shaped by Spanish conceptions of masculinity, with its highly developed heteropatriarchal schema, as I outlined them in the first chapter. Within the Spanish gender system, aspects of behavior which are now separated into gender and sexuality were treated as aspects of the correct overall performance of gender. These tropes were also historically contingent, rather than inevitable. Where earlier Spanish colonial chroniclers attempted to paint Indigenous peoples as potentially valuable subjects of the crown who might not be so difficult to convert as a means of justifying the expense of colonization, later writers played up often formulaic dismissals of Indigenous marital and family life as innately disordered. The primary tropes revolved around polygyny, immodest dress which they believed provoked licentiousness, and promiscuity of one form or another. These tropes revolved primarily around sexual behavior which the Spanish regarded as immoral and in need of eradication through conversion and discipline in the mission system. While these claims were present throughout the colonial project, they were sharpened and applied with fewer caveats in later colonial sources. There were several factors in the development of these tropes over time, not least of which was the increasing international recognition of colonization as an acceptable form of government. The increased racialization of Indigenous people by the Spanish and others also increased the disdain expressed toward Indigenous people, rather than the cautious curiosity some earlier writers like Alarcón expressed. This chapter also explored the possibility that in Nuevo Mexico

one of the motivations behind the Pueblo Revolt was an attempt to regain pre-colonial marital and family structures. This is an important shift, given the historiographical trend of describing resistance to the imposition of Spanish gender roles only as a feature of Indigenous women's experiences. Rather than assuming that Indigenous men unquestioningly took up patriarchy as it could benefit them as much as it did Spanish men, this chapter seriously examines the possibility that Indigenous men preferred pre-colonial forms of masculinity to the unfamiliar structure imposed by the Spanish. While it would be beneficial to understand what these contrasting masculinities were in more depth, the source base under analysis here presents us only with glimpses mediated through Spanish eyes. In examining the tropes used to denigrate Indigenous marital and family life, this chapter also bridges the discussion of Spanish masculinity in chapter one and the discussion which follows, of Spanish attempts to fit Two-Spirit people into their intellectual frameworks of sin, masculinity, and correct sexual behavior.

CHAPTER 3: THE STRUGGLE TO SEE TWO-SPIRIT PEOPLE

In 1775 the missionary stationed at a mission near present-day San Fransisco had an Indigenous man whipped for having sex with his wife[1]. The couple were probably Ohlone, given the time and the location, though Palóu does not provide such information. This incident would seem to run counter to the conventional image of the Spanish missionaries as attempting to foster monogamous marriages among their converts, as examined in the previous chapter. What happened that day on the mission was that the Spanish conception of what type of person could be married to a man did not line up with who local Indigenous groups considered acceptable wives. The societies brought into contact in this colonial period had incompatible gender systems, the contours of which survive in the writings of Spanish colonizers. The Spanish, or at least the literate military commanders and missionaries who have left detailed records behind, had two conflicting goals in their depictions of Indigenous gender systems. On the one hand, they wanted to depict the local people as being easy to convert and "tame", on the other they needed to justify extracting forced labor from them, or else their settlements would rapidly collapse.[2] Early on, this led to a complex representation of Indigenous people as being civilizable but uncivilized. In the arena of gender the majority of Indigenous groups were generally depicted as literally backwards, with women doing all of the hard labor and men sitting around gossiping. Indigenous people were also depicted as 'immodest' in their dress and promiscuous regardless of

[1] Palóu, Palóu's Life and Apostolic Labors of the Venerable Father Junípero Serra. Translated by C. Scott Williams. (Pasadena, CA: George Wharton James, 1913), 214-15

[2] Virginia M. Bouvier, *Women and the Conquest of California, 1542-1840: Codes of Silence*. Tucson: University of Arizona Press, 2001), 33-40. And Yvette Saavedra *Pasadena before the Roses : Race, Identity, and Land Use in Southern California, 1771-1890*. (Tucson: The University of Arizona Press, 2018), 3-13.

their gender.[3] These judgements were further compounded when the Spanish encountered gender categories which they had not seen, or possibly even thought of, before. In this chapter I will argue that Spanish colonizers in Alta California and parts of Nuevo Mexico[4] used gender, and particularly genders outside of their binary understanding of the concept, as part of constructing the Indigenous groups they encountered there as other, and thereby inferior in terms of both race and religion. I emphasize the racialized and evangelical construction of Indigenous genders and gender systems as other-than and therefore inferior-to the Spanish Christian system as this rhetorical construction served not only as a counterpoint against which Spanish gender roles could stand in clearer contrast, but also as another means of legitimating conquest. This process was similar to the one which was applied to Indigenous marital and family structures, including in its focus on clothing and sexual practices. It differed in the greater evolution of terminology over time and the absence of claims that Two-Spirit roles had been miraculously eradicated through conversion. In order to explain this, after a discussion of the current historiography of Two-Spirit studies and a brief note on terminology specific to this chapter, I will first describe how gender transgressors in Spain were understood by the colonizers before moving on to writings from the regions which they colonized about what are now termed Two-Spirit people and the troubled Spanish perceptions thereof.

As mentioned previously, the literature on Two-Spirit people is both narrow and contentious. For many years, any discussion of Two-Spirit people was verboten in academic

[3] Ramón A. Gutiérrez, *When Jesus Came the Corn Mothers Went Away: Marriage, Sexuality, and Power in New Mexico, 1500-1846*. (Stanford, CA: Stanford University Press, 1991), 14-16. See also Castañeda, *Three Decades of Engendering History*, 260-61.

[4] While it would be preferable to give the Indigenous names for the places discussed here, there are over 300 sovereign Indigenous territories encompassed in the Spanish holdings under discussion. The use of Spanish place names for large regions is easier for the reader, though I acknowledge that it is an unfortunate side effect of the vast territorial ambitions, and successes, of colonizing nations.

literature as the topic was considered too salacious to be a legitimate subject of academic inquiry. One of the first major cracks in this façade came from historian Richard Trexler's book *Sex and Conquest.* Trexler offers a valuable early analysis of the role of sex and sexual violence in the context of conquest and warfare. However, Trexler's main contention as regards Two-Spirit people was that they represented a form of institutionalized sexual violence in which prisoners of war (in the Southwest) or children (among the Illinois) were forced into a demeaning role as women. Trexler's argument relies on patchy evidence and an overly credulous reading of the source materials. It also rests on the argument that at all times, in all places, across all cultures, a woman was the worst thing that someone could be.[5] Given the esteem in which many Indigenous nations held women, this assumption is highly questionable. The literature first began to segue into its modern form from there with Evelyn Blackwood's 1984 article on gender crossing by people who would otherwise have been considered women, which until then had been widely considered an impossibility.[6] Until the late 1980s and early 1990s Two-Spirit people had been framed academically, and anachronistically, as being homosexual men in the modern Euro-American sense. The wave of anthropological work which followed this article radically questioned the heavily biased, Freudian, and often virulently ethnocentric scholarship which preceded it.[7] One example of this previous understanding given by Blackwood (and later, Sabine Lang) is a purportedly feminist scholar who asserted that gender diversity was a perversion

[5] Trexler, Richard C. *Sex and Conquest : Gendered Violence, Political Order, and the European Conquest of the Americas*. Ithaca, N.Y: Cornell University Press, 1995. See also his chapter in Sigal, Pete, ed. *Infamous Desire: Male homosexuality in Colonial Latin America*. Chicago: University of Chicago Press, 2003.

[6] Evelyn Blackwood, "Sexuality and Gender in Certain Native American Tribes: The Case of Cross-Gender Females," Signs, 10, No. 1 (Autumn, 1984): 27-42.

[7] Sabine Lang, *Men as Women, Women as Men: Changing Genders in Native North America* (Austin, Texas: Univeristy of Texas Pess: 1998), 26-48.

developed to create a cultural or social purpose for homosexual men, then asserting that gender crossing by female bodied individuals would have been impossible because of menstruation and childbirth, a declaration for which she does not present any citations.[8] In 1991 and 1998 white anthropologist Will Roscoe published books that attempted to draw attention both to the existence of Native American gender-crossing or gender-mixing practices in the past, but also the spiritual power imputed by some groups to these individuals. Initially, Roscoe worked closely with groups such as Gay American Indians (GAI) to ensure that he was accurately representing his subjects.[9] His first book, and ethnohistorically minded biography of the Zuni *tlahmana* We'Wa was a remarkable feat of scholarship, which included a linguistic breakdown of Zuni pronoun conventions. Though, oddly, he chose not to follow said conventions in his own writing. Roscoe's second book was significantly less well received, for reasons which will be detailed below.

GAI was founded in the late 1980s due to the disproportionate toll of the AIDS pandemic in Indigenous communities, which was shaped both by the criminally negligent behavior of the Reagan administration and the shame and misinformation around queer identities which had developed in many Indigenous communities during the decades of forced acculturation.[10] As a part of GAI activism many LGBT Native Americans sought to reclaim their tribal heritage of gender diverse practice. In service of this the term "Two-Spirit " was coined, as a pan-tribal label for LGBTQ indigenous people. Though this term was drawn from Northern Algonquian, it does not translate adequately into any other pre-contact American languages. It serves as a

[8] Lang, *Men as Women, Women as Men,* 26-48.
[9] Will Roscoe, *Changing Ones: Third and Fourth Genders in Native North America* (New York, St. Martin's Press: 1998), vii-viii.
[10] Roscoe, *Changing Ones,* vii-viii .see also Sue-Ellen Jacobs, Wesley Thomas, and Sabine Lang, *Two-Spirit People: Native American Gender Identity, Sexuality, and Spirituality*, (University of Illinois Press: 1997).

replacement for the previous anthropologically conventional, but highly offensive, term "berdache." This term, which is now widely considered a slur despite appearing in historical works as recently as 2022, is a French misspelling of a Spanish bastardization of an Arabic word generally glossed as meaning a male prostitute.[11] In his books, including the one published after this convention began to spread, Roscoe persists in using the archaic term, defending his position by claiming that the majority of the anthropologists who came before were unaware that it had any pejorative meanings, and that many indigenous people were at that time trying to reclaim the term for their own use in the same way that the Gay Liberation movement had re-appropriated "queer" as a positive term for self-identification.[12] He does not name any of the people supposedly clamoring to reclaim the term, and there has been no widespread movement to reclaim the term in the intervening thirty years. In November 1993 and May 1994 several prominent anthropological authors in the field; including Sabine Lang and Sue-Ellen Jacobs, met with GAI activists and other indigenous LGBT people; including Wesley Thomas and Bea Medicine, to have a frank discussion of terminology, present and future courses of study, and general best practices for researching in this sensitive cultural area. The end result of the conference was the anthology *Two-Spirit People: Native American Gender Identity, Sexuality, and Spirituality*, which was a collaboration between a variety of interested parties to try and clarify these principles of investigation for those who were interested in the subject but unable to attend the conferences.[13] The book is necessarily eclectic in its specific subjects, however it offered a robust opening for further scholars to enter the field and build upon. Another, indirect,

[11] Sue-Ellen Jacobs, Wesley Thomas, and Sabine Lang, *Two-Spirit People: Native American Gender Identity, Sexuality, and Spirituality*, (University of Illinois Press: 1997), 6-13. I have also seen this term translated as "kept boy" in Roscoe's monograph. My sources differed on whether the term was coined by members of GAI and popularized by anthropologists or coined and popularized by members of GAI but adopted later by anthropologists.
[12] Sabine Lang, *Men as Women, Women as Men,* xi-xvii.
[13] Jacobs, Thomas, and Lang, *Two-Spirit People*, 6-11.

result of this conference was the publication in English of Sabine Lang's comprehensive manual on Indigenous American pre-contact and at-contact gender practice, which had previously only been available in German.[14] Both the collected volume and Lang's independent monograph critique Roscoe's second book extensively for various reasons. These include focusing too intensively on the sex lives of gender diverse individuals, focusing excessively on positive or high status portrayals of roles outside of the western sex/gender binary, and perpetuating that same binary by labeling feminine-presenting but not female-bodied Native Americans as third gender and masculine-performing but not male-bodied Native Americans as fourth gender- thereby giving biological sex primacy over the gendered identities ascribed by their own cultures. This last problem was especially ironic, considering that he included a chapter arguing for the importance of giving primacy to Indigenous definitions of gender categories within the book. His focus on the sex lives of Two-Spirit people was most probably a reflection of the bias of his source material, though one for which he ought to have controlled in his analysis. While his focus on high status third gender persons might be seen as a part of correcting the marginalization which preceded it in the anthropological literature, it might just as easily be seen as Roscoe projecting his own opinion about what the best gender system would be onto his subjects.[15] GAI broke with Roscoe after his second book.

Lang's monograph is a much stronger pan-continental analysis of hundreds of ethnographies in at least five different languages.[16] Her synthesis also divides Two-Spirit people into male-bodied and female-bodied sections, however she notes that this is only reflective of some of the cultures which she is studying and there are synthetic segments bridging these

[14] Sabine Lang, *Men as Women, Women as Men*, xi.
[15] Sabine Lang, *Men as Women*, xi-xvii.
[16] Lang, *Men as Women*, 355-379.

categories. Lang's work is largely descriptive in nature, trying to draw out patterns which were contiguous across multiple Native nations, which remains impressive given the scope of the project. Some of her key findings align with Roscoe's, such as that the key aspect of Two-Spirit identity was a preference for subsistence activities which transgressed gender lines. She also found, contrary to Roscoe's findings, that Two-Spirit people were not limited to same-biological-sex relationships. Her study revealed a great variety of potential Two-Spirit roles, which tended to be most consistent within culture areas defined by environmentally bounded subsistence activities.[17]

After the year 2000 the rate of publications on historical Indigenous LGBTQ issues, and particularly the literature about Two-Spirit people largely slumped. There are a few exceptions, such as the individual chapters of *Archaeologies of Sexuality* which focused on the limited material evidence for 'aqi in the homeland of the Chumash as well as some of the experiences of women and Two-Spirit people in the monjerios.[18] Another exception to this is an article from 2010 by Indigenous scholar Deborah A Miranda, herself a descendant of missionized peoples, framing what was done in California's mission system as a gendercide against indigenous gender-variant people.[19] This article highlights important details of colonization as a process, as well as focusing on Indigenous survivance and resistance. Possibly the only idea on which Roscoe, Lang, and Miranda all agree is that while Spanish colonization did not come close to eliminating Two-Spirit identity, the forced acculturation policies levied by the American government nearly did. A third exception is the republication of an updated edition of the anthology *Gender and Sexuality in Indigenous North America 1400-1850.* While this book

[17] Lang, *Men as Women*, 342-353.
[18] Schmidt, Robert A. and Barbara L. Voss Editors. *Archaeologies of Sexuality*. (New York City: Routledge, 2000).
[19] Deborah Miranda, "Extermination of the Joyas: Gendercide in Spanish California", *GLQ: A Journal of Lesbian and Gay Studies*, Volume 16, Number 1-2, 2010: 253-284.

overwhelmingly focuses on the many and varied roles of women in Indigenous societies, its final two chapters focus on Two-Spirit people. One of these chapters focuses on the roles played by Two-Spirit people (presumed in the context to have all been otherwise-assumed to be male) on the battlefield, particularly in plains cultures.[20] The final chapter examines Latin American and US Southwestern historians' former misrepresentations of Two-Spirit people, with particular venom for Ramón Gutiérrez. It is largely historiographical in nature and includes historical fiction as well as historical and ethnographic writing.[21] Most recently, Gregory D Smithers' *Reclaiming Two-Spirits: Sexuality, Spiritual Renewal, and Sovereignty in Native America* was published in 2022. His central argument is that Two-Spirit people, having borne the brunt of colonialism, have recently been empowered to reclaim their gendered identities and fight for spiritual renewal and survival. The first segment of the book looks at the historical writing about Two-Spirit people across the continent, while later segments focus on storytelling, the emergence of GAI, and the newest waves of activism in Indigiqueer communities. In keeping with the evolution of queer studies, his work spends less time than Lang's or Roscoe's on establishing his subjects' biological sex or sexual histories, focusing instead on colonial oppression and Indigenous survivance.[22] Other academic and non-academic works on Two-Spirit people do exist, however this narrow selection represents the historical scholarship. Other research focuses on the vitally important work of creating welcoming communities and affirming policies for present-day Two-Spirit people.

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[20] Roger M. Carpenter, "Womanish Men and Manlike Women: The Native American Two-Spirit as Warrior." In Slater, Sandra and Fay A. Yarbrough, eds. *Gender and Sexuality in Indigenous North America* 1400-1850 (Updated Edition). (Columbia: University of South Carolina Press, 2022), 147-161.

[21] Gabriel S. Estrada, "Two-Spirit Histories in Southwestern and Mesoamerican Literatures." In Slater, Sandra and Fay A. Yarbrough, eds. *Gender and Sexuality in Indigenous North America* 1400-1850 (Updated Edition). (Columbia: University of South Carolina Press, 2022), 166-180. Pages 170-71 describe Gutiérrez's persistent queerphobia. See also Lang, *Men as Women*, 176-178.

[22] Gregory D. Smithers, *Reclaiming Two-Spirits: Sexuality, Spiritual Renewal, and Sovereignty in Native America.* (Boston: Beacon Press, 2022).

A further note on language is needed here. Many Indigenous societies, the exact number is in dispute, recognized more than the two genders accepted by the Spanish. The previously anthropologically conventional term will not be used here. In place of this, Two-Spirit is used as an umbrella term to encapsulate all Indigenous genders outside of the binary system imported by the Spanish. In the missions of California, specifically, a term which was used by the Spanish was *Joya*, which was their blanket term for Indigenous people who they considered to be men occupying a feminine gender role in Indigenous communities. This term will be explained in greater detail later, for now it is enough to note that the term is not currently considered offensive to anyone in the present day and may or may not have been so to anyone in the past. It is also of particular use here as the records left behind by the Spanish rarely indicate which tribe a Two-Spirit person belonged to. Where records are clearer, the specific terms utilized by that Indigenous nation will be used instead, as traditions varied extensively from group to group and much nuance in interpretation can be gained this way. In all cases quotes from secondary sources have been structured so as to avoid any unnecessarily offensive terms. With primary sources avoiding sensitive terms such as "savages" or "sodomites" is not only impractical but would set limits on how much insight into Spanish attitudes could be gained. While this is an unpleasant history, it is one which still must be told.

The gender system in Spain was as complex, contradictory, and ever-changing as any gender system anywhere else in the world. It was not static over the course of the period under evaluation here, though the changes on the continent were not always directly visible in a region so far-flung as North America[23]. In the early 1500s, when the first tentative expeditions entered

[23] Weber; *Spanish North America,* 177-180. Bouvier, *Women and the Conquest,* ix-xiv. Albert L. Hurtado, *Intimate Frontiers: Sex, Gender, and Culture in Old California*. (Albuquerque: University of New Mexico Press, 1999), 1-17.

these marginal regions, gender in Spain was still quite similar to how it had been in the medieval period. There was no separation of sex and gender, as we think of them today, but this did not foreclose the possibilities of genders beyond the expected male/female binary. In late medieval Europe, the Greek traditions were being revived with varying degrees of success. This revival meant that scholars began to depict the monstrous beings of Aristotle and Herodotus at the edges of their maps and charts. These included dog-people, people with one central leg, and dual-gendered people.[24] While not every person on the street likely believed in such things, the concept of gender ambiguity or fluidity was present, if conceived of as monstrous and against nature. This atmosphere of possibility was added to by the medical and proto-scientific understanding of how human bodies functioned. Broadly, the best and brightest of the sixteenth century followed Galen in the belief that there were four humors. These four fluids each carried some combination of elemental properties, hot, dry, cold, and moist. Hot and dry were considered a masculine combination of humors, and therefore the more perfect. Cold and moist were considered the more feminine and therefore less perfect combination. This would have been quite straightforward had it not been for the complication that in the Galenic view there was only one sex, and women were simply inverted and inferior versions of men. The application of names for various anatomical features were applied to men and women's bodies equally, if inconsistently.[25] In the Galenic view, because women were less perfect men, and because things moved from a less perfect to a more perfect form, women who acquired too many hot and dry humors could transform physically into men. While no scholars claimed to have seen such a thing occur in front of them, many would cite ancient Greek stories of such events, or would

[24] LaFleur, Raskolnikov, Klosowska, eds. *Trans Historical: Gender Plurality before the Modern*. (Ithaca, New York: Cornell, 2021) 27-35.
[25] Thomas Laqueur, *Making Sex*, 23-30. Londa Scheibinger, *Nature's Body: Gender in the Making of Modern Science*. (Boston: Beacon Press, 1993), 106-115.

reference an occurrence of a woman transforming into a man that they had heard happened in some distant province.[26] Again, this did not mean that most people truly believed a person's sex could spontaneously change, only that it was in the wider cultural imagination and available to explain the otherwise inexplicable act of gender transgression.

This model began to change sometime before the eighteenth century, though scholars argue extensively over precisely when, where, and how this happened.[27] By the year 1800, in any case, the more modern two-sex model had replaced its medieval counterpart in most situations. In this model women and men were the only two possible gender configurations, and they were opposite in nearly every possible way.[28] Scholars, including Londa Schiebinger and Thomas Laqueur, argue that the colonial project was a fundamental part of this shift as the importation of overseas natural productions stimulated the scientific enterprise. Laqueur's text focuses almost exclusively on the medical side, tracing a shift from a belief in ancient Europe that women were inverted, and therefore inferior, men rather than a fundamentally separate type of human to a belief in two radically different and incommensurable human types.[29] Laqueur traces this trend all the way back to ancient Greece, though, as later scholars have pointed out, his heavy reliance on texts produced by physicians and those who regulated the practice of medicine, as well as university professors and professional philosophers, limit the applicability of his timeline in certain social contexts. The preoccupation with sex and categorization which he notes coincides temporally with Schiebinger's research quite closely. Schiebinger is less interested in the codification of binary sex in medicine and focuses more on the ways in which the underlying

[26] Scheibinger, *Nature's Body*, 125-30.
[27] Karen Harvey, "The Century of Sex? Gender, Bodies, and Sexuality in the Long Eighteenth Century," *The Historical Journal* 45, No 4 (Dec 2002), 907-16.
[28] Laqueur, *Making Sex*, 155-83.
[29] Laqueuer. *Making Sex*, 1-11.

assumption of two binary sexes destined for heterosexual attraction permeated all fields of Early Modern and Enlightenment science, from botany to race science.[30] As she points out, prior to the colonial project, it could still be claimed that the ancients had known every plant and animal, and their places in the universe. After new creatures, and new people, began to be forcibly relocated to Europe several new classification systems emerged. The Latin binomial system of Linnaeus came to dominate the field as Linnaeus himself pushed his system on other scientists as the more perfect classificatory system.[31] This system was later used to make claims around where non-European peoples and women belonged both on the human evolutionary tree and in the broader social hierarchies of Europe.[32] his is where Leah DeVun and the edited volume *Transhistorical* enter the conversation. Both works are centered on the presence of gender plurality and divergent sex categories well before the modern period. They are both also texts which place a greater emphasis on plurality and flexibility, rather than attempting to synthesize more concrete theory, likely a reflection of the reflexive turn in historical scholarship. DeVun touches on some very early surgical manuals offering surgical "solutions" to the philosophical problem of Intersex bodies from well before the period in which Laqueur's work takes place. However, while Laqueur has evidence of procedures being carried out to alter Intersex bodies, DeVun finds no evidence of practical application.[33] While DeVun focuses only on Europe *Transhistorical* includes a few essays from beyond the edges of Europe, including one chapter fully devoted to the ways in which scholarly writing on gender variant individuals in the past can replicate the harms inflicted on those individuals, much as in Schiebinger's coverage of the classificatory

[30] Londa. Scheibinger, Nature's Body: Gender in the Making of Modern Science. (Boston: Beacon Press, 1993), 11-13, 40-47, 172-181.
[31] Schiebinger, *Nature's Body*, 45-53.
[32] Schiebinger, *Nature's Body*, 160-172.
[33] DeVun, Leah. *The Shape of Sex: Nonbinary Gender from Genesis to the Renaissance.* (New York: Columbia University Press, 2021): 134-162.

mania, the discourse of science requires the "laying bare" of gender non-conforming bodies in order to satisfy both the prurient curiosity of non-trans people and their impulse to unveil the person's "true" or "biological" sex.[34] Many of the authors in this volume, as well as DeVun, chose not only to omit graphic depictions of gender-variant bodies from the source material but draw attention to this omission and the reasoning behind it. Overall, DeVun's work offers several useful concepts, including the origins of European conceptions of a legal sex binary in which only two gender roles are available and are policed by law, with divergent identities being pushed into the category of monstrosity.[35] She also details the long European tradition of placing dual-sexed persons on the borders of world maps, inherited from Aristotle.[36] She does not point this out explicitly, but this tradition may have primed Early Modern explorers to look for and be able to perceive the presence of Two-Spirit people once they arrived in the Americas. *Transhistorical* picks up this thread and draws it out into the open in its opening chapter, documenting both how this tradition primed the Spanish to see gender diversity and to perceive such diversity as monstrous.[37] It follows this with four essays following the lives of gender-crossing persons in four different regions of Medieval Europe, including an especially illuminating chapter on a gender-crossing Spaniard and the ways in which law, class, labor, and the inquisition intervened in their life, discussed further below.[38] This case, as with many of those discussed in the literature on sexual deviance in Latin America, is drawn from the records of the courts and the Inquisition. While there is certainly bias in these records, they do preserve

[34] LaFleur, Greta ,Masha Raskolnikov, Anna Klosowska, eds. Trans Historical: Gender Plurality before the Modern. (Ithaca, New York: Cornell, 2021), 360-362.
[35] DeVun, *The Shape of Sex*, 102-133.
[36] DeVun, *The Shape of Sex*, 40-69.
[37] LaFleur, Raskolnikov, Klosowska, eds. Trans Historical: Gender Plurality before the Modern. (Ithaca, New York: Cornell, 2021) 27-35.
[38] LaFleur, Greta ,Masha Raskolnikov, Anna Klosowska, eds. *Trans Historical: Gender Plurality before the Modern.* (Ithaca, New York: Cornell, 2021), 42-59.

at least some of the accused's own words, a rarity in cases as far afield as the Northwestern margins of New Spain. The Inquisition played a major role in the policing of gender norms and sexual behavior, which were seen as inseparable by the church. The degree of power given to the Inquisition could increase or decrease the number of colonial subjects which might face its wrath for any transgression of gender norms.[39]

From the early period examined here there are two extraordinary cases of gender deviance which bring more nuance to this history. One is of the relatively unknown Elenx de Cespedes, the other is the better-known story of Catalina/Antonio de Erauso. Elenx de Cespedes was a young person in Toledo in the late 1500s. They were brought to the attention of the inquisition while living as a man, with their wife. They couple were accused of having engaged in sodomy, as the accuser believed Elenx to be a woman. They revealed to the inquisition that they had been baptized and raised as a woman, marrying a man and bearing a child in their early life. After a brief stint as a jack-of-all-trades presenting sometimes as a man and other times as a woman, they decided to marry a woman named Maria. They were apparently examined by multiple surgeons and doctors, after a priest felt their lack of a beard was suspicious, but were found to be man enough to marry. They claimed that they had simply grown a penis which later fell away, which led them to identify themself with the now-outdated term hermaphrodite. The inquisition found them guilty of being a trickster, then a punishable offence similar to witchcraft but less serious, and sentenced them to a whipping and hard labor in a hospital which was a

[39] The records of the Inquisition formed the basis of two historical studies of colonial Latin America, Zeb Tortorici, *Sins Against Nature: Sex and Archives in Colonial New Spain*. (Durham: Duke University Press, 2018) and Zeb Tortorici, *Sexuality and the Unnatural in Colonial Latin America*. Edited by Zeb Tortorici. Berkeley, CA: University of California Press, 2016.

common punishment for sodomy, though the exact terms of both aspects of this punishment were lighter than what most men convicted of sodomy would have received at the time.[40]

As a reminder from the first chapter, Catalina/Antonio de Erauso was from a wealthy Basque family. They had been committed to life in a convent, around the year 1600, but chose to run away dressed in men's clothing.[41] They then chose to enlist as a soldier on a ship sailing to the Americas to avoid anyone they might have known previously. They spent roughly twenty years as a Spanish conquistador, primarily in the Andes. While awaiting trial for a serious crime, they revealed to a bishop that they were not assigned male at birth, that they had been a nun, and that they were still a virgin. They were shipped back to Spain for examination by a different bishop, who had them examined by midwives. The midwives declared them to be biologically female and a virgin. As such they were pardoned for all of their misdeeds on account of their highly praiseworthy combination of martial valor and sexual purity.[42]

These histories communicate some of the gendered values of Early Modern Spain, particularly the value placed on female virginity and male military valor. The fact that Erauso was pardoned for their acts of service to empire is likely related to their proven virginity, which exempted them from the sodomy charges faced by Elenx. Their wealth and status as a Basque also likely protected them, as Basques had special fueros, or privileges in the traditional legal sense of the term, within the state for their assistance in the *reconquista*. Whereas Elenx was a poor jack-of-all-trades, a freed slave whose mother was a Moor, no less, Erauso was from a

[40] LaFleur, Greta ,Masha Raskolnikov, Anna Klosowska, eds. *Trans Historical: Gender Plurality before the Modern*. (Ithaca, New York: Cornell, 2021), 42-59. Elenx went alternately by Elano and Elena, The present transliteration serves as a compromise of the tradition of Spanish linguistic gender.

[41] Erauso, Catalina/Antonio de, Michele. Stepto, and Gabriel. Stepto. *Lieutenant Nun : Memoir of a Basque Transvestite in the New World*. Boston: Beacon Press, 1996, 1-10.

[42] Catalina/Antonio de Erauso, *Lieutenant Nun,* 61-75.

family able to pay the fees associated with entrance to a nunnery and to have a private pew in the local cathedral.[43] These class and racial distinctions would persist in Spain's colonies.

These examples provide a template for the types of gendered attitudes the Spanish brought with them as they began to encounter, and document, the Indigenous peoples of North America. During the first contact between the two groups the Spanish generally tried to depict any group they encountered as uncivilized but ultimately civilizable, should they prove willing to learn Spanish ways and become *ladinos* as the Mexica and Tlaxcalans already had (See chapter 2). Since the time of Las Casas, the Spanish had been told that Indigenous people had souls and were capable of salvation, though they may have needed to be coerced into the Spanish way of life. Such sunny attitudes rapidly clouded over as the Spanish discovered how Indigenous people lived outside of the Spanish cultural imagination, as many groups were nomadic, uninterested in agriculture, and not convinced in the value of converting to Catholicism. Soon, missionaries and soldiers began to report those behaviors which they considered failures on the part of the people they lived among, and these reports were highly gendered.

On his expedition up the Colorado River in 1540, Alarcón wrote that among "the river people", who appear to have been Mojave (in which case the tribally specific category would be alyha) or another related group from the Great Basin culture area:

> Here that old man showed me a strange thing: a son of his clad in women's apparel, exercising their office... [these people were] appointed to do that duty belonging to women. The women clad [them] in their apparel, saying, that [they were] to do that which belonged to them, [so they] should wear their apparel. These young men may not have carnal copulation with any woman, but all the young men of the country who are to marry may company with them.[44]

[43] LaFleur et al. *Trans Historical*, 45-6. Erauso, *Lieutenant Nun*, xvii-xix.
[44] Albert B. Elsasser, "Explorations of Hernando Alarcón in the Lower Colorado River Region, 1540," Journal of California and Great Basin Anthropology, 1, no 1(Dec 1979): 27.

The presence of Two-Spirit people is described elsewhere in the writings of Alarcón as "incestuous", without clear explanation of what he meant by this. It may have been a simple conflation of some sexual sin as equivalent with all sexual sin, or it may have merely been intended to contrast these peoples with those closer to the river's mouth where he had previously noted that incest was forbidden. Alarcón also associates sex work with Two-Spirit people by his placing this passage immediately before a discussion of sex work both by women and by Two-Spirit people, which was sometimes used to validate the archaic term for Two-Spirit people used by older scholars.[45] Not only does Alarcón impute the sexual sins of incest and sex work to Two-Spirit people, but he also ignores the way that Indigenous cultures classified their genders, applying the Spanish Catholic concept of sodomy to their sexual relationships. It is worth noting here that both of the monographs which have attempted to take a continental approach to Two-Spirit studies found that neither cross-gender apparel choices nor same-sex-different-gender sexual relations were the most common foundational aspect of being Two-Spirit, but rather that in most cultures cross-gender subsistence activities were considered the most important criteria for being Two-Spirit by tribes which had more than two gender classifications.[46] Unfortunately, accounts such as Alarcón's, which focus almost exclusively on what their authors considered to be sodomy and cross-dressing have since obfuscated Indigenous conceptions of gender while enabling the suppression of these gender systems and practices as deviant.

Related to this portrayal of Indigenous genders as deviant, it is notable that Alarcón depicts the shift from a masculine to a feminine social role as being the work of the local women,

[45] Jacobs, Thomas, and Lang, *Two-Spirit People*, 6-11. As mentioned previously, this term was derived from an Arabic word, *bardaj,* which refers to male prostitutes.
[46] Sabine Lang, *Men as Women, Women as Men: Changing Gender in Native American Cultures.* (Austin: University of Texas Press, 1998), 232-50 and xi-xvii. Lang also discusses the other major monograph on Two-Spirit people and its notable shortcomings.

given Spanish ideas of women as more vulnerable to diabolical temptation and less logical than men. Alarcón is much less blatantly condemnatory than later writers would be on the subject of Two-Spirit people, as we shall see later. This is likely related to the relatively small size of his party, the shortage of ammunition on their ship, and their distance from any potential military assistance.[47] In short, without the contributions of the locals, his party were going to die of either starvation or violence, requiring a certain restraint on his part. Even when it came time to document his excursion, he would have needed to downplay the supposed vices which he saw both to please his royal patrons and to ensure that his own actions appeared reasonable to them. Alarcón is also the earliest source I have been able to find which states that there were a specific number of Two-Spirit people in each village, which many other colonial writers would repeat over the next four centuries, though without any clear basis for the claim in most cases. Near the beginning of his writings, he states that "There were among these Indians three or four men in women's apparel."[48] while later he states that the same elder whose child was Two-Spirit had informed him that when "I asked him how many of these there were among them, and he told me there were four..."[49] This claim would go on to appear in nearly every later chronicle which deigned (or perhaps, dared) to mention Two-Spirit people.

In the time between the late 1500s and the mid 1700s, there is very little extant written evidence about Indigenous gender practices. As mentioned previously, this is partially because the records of the missions in Nuevo Mexico and Pimería Alta (now Arizona and parts of Sonora), the only settled portions of the Northern margins of Nueva Espana, were destroyed during the Pueblo Uprising of 1680. It might be expected that records of Indigenous practices

[47] Alarcón, 14.
[48] Alarcón, 16.
[49] Alarcón, 27.

would resume after the reconquest of 1692, however this was not the case. The missions in the region were reorganized from being within the Pueblo to being near it. They consisted of a Spanish town next to a church complex, with agricultural fields, adjacent to the Pueblos. The residents of the Pueblos were required to provide a specified number of days of labor each year, but the Spanish no longer entered the Pueblo itself. To fill in for the shortage of unpaid labor, many nomadic groups in the same area began to be enslaved in the Spanish towns, with nothing written about their lives before they were brought to become *genizaros* among "civilized" people.[50] One of the consequences of this rearrangement is that in addition to all documents which were not sent back to Spain being destroyed in 1680, very little was recorded about Indigenous Pueblo life until the arrival of early anthropologists in the 1890s. Many Pueblo peoples remain understandably reticent about discussing details of their culture or ceremonial life with outsiders to this day, due to these repeated incursions by outsiders' intent on assimilating them.[51]

Nearly 200 years after Alarcón, in the late 1760s and into the early 1770s a series of attempts were made to settle Alta California. One of these attempts went by sea, from Baja California's struggling missions and the often-maligned port of San Blas. These ships contained the excessively zealous missionary Junipero Serra and his friend/hagiographer, Fransisco Palóu. While Serra never published a monograph, Palóu did, and his account is one of the most-studied retellings of the settling of California by the Spanish.[52] Over the course of just less than two pages Palóu's hagiography of Junipero Serra details both of his encounters with Two-Spirit

[50] Ramón A. Gutiérrez, *When Jesus Came*, 151-163 and 180-83. See also Kessel's briefer treatment Kessel, *Friars, Soldiers, and Reformers,* 3-10.
[51] Lang, *Men as Women*, 78-83.
[52] It is quoted at length in most of the California-specific works in the bibliography, all of the general works on Two-Spirit people, and Weber.

people, while he does not name which group he is describing, from the temporal and geographical context scholars believe the first encounter at Mission Santa Clara to have been Ohlone/Coastanoan and the second mentioned encounter at San Antonio was most likely Salinan or Esselen. His first anecdote begins:

> On one of these occasions the Father Missionaries of the Mission noticed that among the Gentile women (who always worked separately and without mixing with the men) there was one who, by the dress, which was decorously worn, and by the heathen headdress and ornaments displayed, as well as in the manner of working, sitting, etc., had all the appearances of being a woman, but judging by the face and the absence of breasts, though old enough for that, they concluded that [they] must be a man, so they asked some of the converts. They said that it was a man, but that [they] passed [themself] always off as a woman and always went with them and not with the men, and that it was not good that [they] should be found there. As the Fathers judged there was some trickery about it they decided to investigate.[53]

At this point the padre tells the soldiers to make an excuse to take this person aside and strip them naked to "confirm" the supposed fraudulency of their presented gender. The soldiers also warned this person that the reason for their punishment was that it was assumed that they were dressing as a woman in order to have extra-marital sex with the women they had been seen with. This is similar to the case of Elenx de Cespedes, found by the Inquisition to be a trickster who had been falsifying their gender in order to engage in "unnatural" sex. It is also one of the few exceptions in the written record to the general, though not ethnographically substantiated, claim that Two-Spirit people who were ascribed to be men by the Spanish only had sex with men. This likely relates to a pre-modern conception of sex as an act (which was almost always sinful) rather

[53] Palóu, *Palóu's Life of Fray Junípero Serra*. Translated by J. Geiger. (Richmond, VA: Academy of American Franciscan History, 1955), 214-15. I have made certain choices about how to present this incident, including changing the pronouns from the original text and omitting the detailed description of the Two-Spirit person being assaulted by Spanish soldiers in keeping with the theoretical work of Scott Larson, who uses a close reading of the case of Thomas/ine Hall's experience to critique the impulse of Europeans and their descendants to assume that there is an embodied "true" gender visible on every person and that they have the right to see what that is by any means necessary. Rather than continue this extended practice of gender-transgressive people from the past being "laid open" to the cisgender gaze, while potentially re-traumatizing trans readers, I have chosen to attempt to preserve the dignity of this unnamed and long-dead Two-Spirit person.

than sexuality as an identity, as well as the assumption that all sexual sins stemmed from lust, which could be satisfied with nearly any partner.[54]

As a result of the humiliation at the hands of the Spanish soldiers, the Two-Spirit person "immediately left the Mission and never came back to it, but from the converts it was learned that [they were] still in the village of the gentiles and going about as before, dressed as a woman."[55] Aside from the specific charge of trickery at play here, it is interesting that the soldiers took such close notice of one of the neophytes as to relate to the missionary that their clothes and ornaments were "decorously worn" while noting their age and the size of their breasts. This would seem to imply a certain intimacy between the soldiers and the women on the mission which gives further substance to the later claims of rampant sexual assault of Indigenous women by Spanish soldiers, both on and off the missions.[56]

Palóu's second encounter with Two-Spirit people is the same encounter mentioned in the introduction, and it deserves to be quoted at some length:

> The Fathers were advised one day that two gentiles had gone into one of the houses, one of them having the dress of a woman, and the other in the way the men always go about. They used the expression, to describe the one dressed as a woman Joya (this is the pronunciation of the Indian word). The Father Missionary with the corporal and a soldier went into the house to see what they were looking for, and they found them defiling themselves one with the other. They punished them both, though not as severely as they deserved, and tried to show them what an ugly sin they were committing. The gentile replied that the other [person] was his Joya or his wife. After the punishments they received, they were not seen again on the Mission.[57]

The term *joya* is explained at greater length below, though this is the only instance I am aware of in which it was used as a synonym for wife. This is a surprising tacit acknowledgement of the

[54] Tortorici, *Sins Against Nature*, 85-120.
[55] Palóu, *Life of Junipero Serra,* 198.
[56] Bouvier, *Women and the Conquest*, 169-74.
[57] Palóu*, Life of Junipero Serra,* 198-99.

femininity of Two-Spirit people, given that in Early Modern Spanish the terms 'woman' and 'wife' were one and the same. The writing is unclear on who exactly advised the missionaries about the couple entering the house, or what the person who made them aware of the pair's activities hoped to gain by doing so. It is also uncertain why the missionaries felt the need to bring two soldiers with them to investigate. Possibly, they thought that the two people were attempting to steal foodstuffs, as the missions were chronically short on supplies of all sorts until the early 1800s, and even then, only some escaped episodic shortages.[58] Clearly, the language used in this passage is much more condemnatory than that used by Alarcón, as quoted above.

This encounter left Palóu so horrified that he was moved to declare at the end of these pages "But we trust in God that as the country is gradually being filled with Missions, these detestable people will be eradicated and that this most abominable of vices will be exterminated."[59] This is a statement of purpose for missionization which is so blunt that it moved the Indigenous feminist scholar Deborah A. Miranda to term the missionization of California "gendercide", a targeted extermination of Two-Spirit people purely because they were Two-Spirit.[60] Given the amount of writing about gender diversity in mission-era California, as contrasted with the amount of writing denigrating Indigenous people as less masculine, inclined to sexual sin, and therefore acceptable to conquer, it seems much more likely that the Spanish motivation was less of a gendercide and more of a virulently misogyny tinted with racialization and self-justification. Attempted gendercide was merely a side effect of their overall colonial push to obtain more land, wealth, and converts.

[58] Saavedra, *Pasadena Before the Roses*, 3-11 provides an exceptionally concise summary.
[59] Palóu*, Life of Junipero Serra,* 198-99.
[60] Deborah Miranda, "Extermination of the Joyas: Gendercide in Spanish California", *GLQ: A Journal of Lesbian and Gay Studies*, Volume 16, Number 1-2, (2010): 253-284.

Another account from the late 1760s and early 1770s comes from an early governor of both Alta and Baja California, Pedro Fages, who carried much different experiences and motivations to his writing on Indigenous people. He sent a brief, pamphlet-length memoir back to the royal court which included an attempt to describe the geography, geology, flora, fauna, and peoples of the area which the king had so recently decided to further fortify against Russian and British incursions. The portion of his writing discussed here only describes his time in Alta California, as a military commander shortly before his gubernatorial appointment. When he arrives at his description of Indigenous people he launches an invective against them, first calling the men lazy and the women sexually promiscuous in rather standardized language, before declaring:

> I have substantial evidence that those Indian men who both here and farther inland, are observed in the dress, clothing, and character of women-there being two or three such in each village-pass as Sodomites by profession (it being confirmed that all these Indians are much addicted to this abominable vice) and permit the heathen to practice the execrable, unnatural abuse of their bodies. They are called joyas, and are held in great esteem. Let this mention suffice for a matter which could not be omitted-on account of the bearing it may have on the discussion of the reduction of these natives-with a promise to revert in another place to an excess so criminal that it seems even forbidden to speak its name.[61]

This simple screed is dressed in the false modesty of a claim that the sexual behavior of Indigenous Californians was too horrible to mention, despite being well-known, commonly discussed, and publicly prosecuted throughout the Spanish empire. It seems unlikely that, were the subject truly so taboo, that a royally appointed governor would be so impolitic as to bring it up in a pamphlet meant for publication.[62] As such, it would seem that his mention of the

[61] Pedro Fages, "An Historical, Political, and Natural Description of California Part One", Translated by Herbert I. Priestley. The Catholic Historical Review 4, No. 4 (Jan., 1919): 503. "Sodomites by Profession" is an entirely literal translation. Part of this particular quote also became the title of my undergraduate thesis, since my advisor said that I could make the title as salacious as I wanted.

[62] Lang, Men as Women, 171-176; Tortorici, *Sins Against Nature,* 46-55. and Miranda Gendercide: 266-268.

"reduction of these natives", a phrase which referred to bringing more Indigenous peoples from farther inland into missions which had been devastated by European crowd diseases, hard labor, and the environmental degradation caused by Spanish herd animals, holds the key to understanding the vitriol of Fages. This section of his pamphlet was likely intended to persuade his European readers that the missionary project was not quite proceeding as fast as the Bourbon king would have liked, and as such missionization needed to be intensified rather than abandoned. The house of Bourbon made the secularization of the missions across the empire a major goal and was inclined to cede temporal control of Alta California to the military governors, meaning that Fages and other military men stood to gain a great deal of power should the missionaries lose control of the region.[63] In further service of his political ends, Fages later repeats that "They are addicted to the unspeakable vice of sinning against nature, and maintain in every village their joyas, for common use."[64] This, again, associates Two-Spirit people with sex work, much as Alarcón had done previously and as his phrase "sodomites by profession" was likely intended to insinuate. It is also clear from this text, as opposed to Palóu's or Alarcón's, that Fages never actually saw or met a Two-Spirit person, but only heard about them from either soldiers or missionaries who did. This likely made it easier for him to demonize Two-Spirit people as a strange and other phenomenon likely to spread "this abominable vice." The purpose of his comment that Two-Spirit people were highly esteemed by their own people could have had several motivations. It may have been intended simply to contrast Indigenous Californians with Christians who would have abhorred such behavior, or it could be that Two-Spirit people

[63] Weber, *Spanish North America,* 170-185. The Reglamento of 1773 closed this conflict for a time, until the begining of the Mexican Period.

[64] Pedro Fages, "An Historical, Political, and Natural Description of California Part Two". Translated by Herbert I. Priestley. The Catholic Historical Review 4, No. 4 (Jan., 1919): 73. This particular quote also became the title of my undergraduate thesis.

held an important ritual or ceremonial role in their communities. In light of later anthropological work, it seems that both motivations could be involved, as many Californian nations held a specific ritual role for Two-Spirit people, often as caretakers of the dead, and the existence of Two-Spirit people was considered by the Spanish to be uncivilized (possibly even anti-civilized if it could be spread like a contagion) and sinful.[65]

Another mission attempting to bring more settlers to California was led by Juan Bautista de Anza, and went through the Mojave Desert from Arizona, first as a short trial in 1769 and then with a full complement of settler families in 1775-6. Part of the reason for his expedition was to provide married soldiers to the already-established missions, as his superiors believed that this would mitigate the rampant sexual assault discussed above (see chapter 2).[66] This expedition became well-known for being the only overland trek of the type to have no deaths along the route, a genuinely impressive accomplishment viewed outside of its consequences for the people who already lived in the region. Several literate missionaries accompanied this overland voyage, at least three of whom left behind chronicles of their trip.[67] The most verbose of them, and the only writer to mention Two-Spirit people, was Fray Pedro Font.

> I saw men among the women who were dressed like them and regularly go about with them, never joining the men, and our commander called them amaricados, perhaps because the Yumas call effeminate men maricas. I asked who these were, and was told that those were not men such as the others, which was why they went about covered in that way, from which I deduced they must be hermaphrodites; but from what I learned afterward I understood them to be sodomites, dedicated to the unspeakable deed. Wherefore I conclude that they will prove troublesome in the matter of licentiousness whenever the Holy Faith and Christian religion is established among them.[68]

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[65] Lang, *Men as Women*, 171-176; and Miranda, *Gendercide*: 266-268.
[66] Bouvier, *Women and the Conquest*, 55-70.
[67] *With Anza to California, 1775–1776: The Journal of Pedro Font, O.F.M*. Translated and edited by Alan K. Brown. [Early California Commentaries, Vol. 1.] (Norman: University of Oklahoma Press, 2011.), 1-16.
[68] *With Anza to California, 1775–1776: The Journal of Pedro Font, O.F.M*. Translated and edited by Alan K. Brown. [Early California Commentaries, Vol. 1.] (Norman: University of Oklahoma Press, 2011.), 136.

This passage most likely refers to the Yuma, at least the bands which the expedition was passing through at the time are named as being Yuma. Spanish missionaries were inconsistent at best in correctly attributing ethnic groups to the people they described. On the missions a person's tribal affiliation might change from one census to the next, under unclear circumstances.[69] While Font himself infers that the term "americados" comes from the local dialect, in contemporary Mexico the term "amarionado" was used as a slang term for an effeminate man.[70] Later anthropologists documented the Yuma term for Two-Spirit people as being *elxa* [El-Sha].[71] While it is unclear if this would have been the case in the 1770s, linguistic drift is rarely so drastic as to change "marica" to "elxa". This miscommunication can likely be attributed to the Mexican origins of most of the soldiers and settlers bound for Alta California on this expedition.[72] Font's concluding remark here mirrors the language used by Palóu previously, though not with quite the same exterminatory zeal. Font's assumption that the description he was given connoted "hermaphrodites" is interesting, as the contrast made between what we would now term Intersex people and "sodomites" was clearly meant to assign more moral culpability to the latter than to the former. It also demonstrates that the less-blameworthy category of the Eunuch from Cabeza de Vaca's account (analyzed in greater detail below) had been usurped by this medicalized term tied to the rediscovery of Greek and Latin classical learning, rather than an Arabic borrowing picked up during the reconquista.[73] Font's writing does not make it clear who exactly informed him that these elxa were "sodomites", but from the context it seems likely that it was one of the

[69] Gutiérrez, *When Jesus Came,* 60-62. See also Kessel's statistical analyses.
[70] Tortorici, *Sexuality and the Unnatural in Colonial Latin America*, 27.
[71] Lang, *Men as Wome*n, 105-6.
[72] Many of these soldiers and colonists were called Spanish, although they often had highly mixed ancestry, including Indigenous and/or African heritage. The trek to the farthest margins of Nueva Espana 'whitened' them by providing a contrasting, non-ladino Indigenous contrast. See Saavedra, *Pasadena Before the Roses*, 17-40.
[73] Tortorici, *Sexuality and the Unnatural*, 37-40.

soldiers accompanying the expedition, increasing the likelihood that the term he used came from the Spanish of the soldiers, rather than a Yuma word.

The other two missionaries on this mission either did not notice or did not document any Two-Spirit people. Thomas Eixarch likely did not notice, as he spent much of the trip suffering from a severe gastrointestinal ailment, not fully recovering until after reaching the California missions.[74] Fray Garces provides a more curious case. Font repeatedly mentions his ease among Indigenous people, his willingness to eat their foods, and that he was the only member of the expedition not to develop a gastrointestinal illness, attributing all of these traits to Garces' significantly lower class origins in Spain. Unfortunately for later historians, this potentially more sympathetic witness was noted by his contemporaries for having very poor handwriting and for not being quite fully literate.[75] His account of the expedition contains no more than a few terse sentences about the weather and distance covered each day, with little ethnographic information, aside from his occasional compliments of his hosts' cooking when he went with Indigenous people to scout ahead, primarily among the Tohono O'odham and Akimel O'odham.[76] There was very likely a connection between Garces' willingness to eat with his hosts and his continued good health. His sympathies with his Indigenous hosts may have motivated his silence about their gender practices, either in its own right or in conjunction with his apparently limited literacy. While there are a great many written accounts of time spent in the borderlands of Northern New Spain at this time, only a few mention the presence of Two-Spirit people in the

[74] Eixarch's diary was reproduced as an appendix to Brown's translation of Font's journal, cited above.
[75] *On the Trail of a Spanish Pioneer the Diary and Itinerary of Francisco Garces (Missionary Priest) In His Travels Through Sonora, Arizona, and California (1775-1776).* Translated and Edited by Elliott Coues. [American Explorer Series, Vol I] (New York: Francis P. Harper, 1900), xii-21.

[76] *On the Trail of a Spanish Pioneer*, 25-30.

region. Historians are left to make inferences as to why the authors either failed to notice or failed to mention Indigenous gender diversity, or if perhaps Indigenous people chose to occlude such practices from visitors known to be hostile to them. In many cases it is simply impossible to know.

From these examples, we can see that by the 1770s, a set of conventions had appeared to describe Two-Spirit people, several of which are quite confusing. The term *joya*, which came to refer to Two-Spirit people of many different tribes up and down the coast, is something of an etymological mystery. The Spanish claimed that this was their rendering of a native term which, if it existed at all, has never been documented ethnographically, though many other terms for local Two-Spirit people have been noted. In fact, no terms which are remotely similar to this term in their pronunciation have ever been documented.[77] This folk etymology is cited unquestioningly by some scholars, despite the obvious fact that *joya* was already a word in Spanish before the 1770s. It means 'jewels' or 'jewelry', both in archaic forms and in present day Spanish, both continental and American. Potentially this term was applied ironically, to scoff at these well-respected individuals who the Spanish perceived as effeminate men and therefore objects of derision (as Miranda argues). It seems less likely, but still possible, that the term was applied simply to indicate that Two-Spirit people were treated as the "jewels" of the community, so to speak.[78] Given the Christianizing goals of both missionaries and their garrisons, this seems suspect. In other parts of Europe at this time 'jewel' was also a slang term for the vulva, which could also be a possible interpretation of the term, given that calling an effeminate man a slang

[77] Miranda, *Gendercid*e: 261-263.
[78] Miranda, "Extermination of the Joyas": 261-263. Miranda is the only author I am aware of who has dedicated significant time to analyzing this term, examining both of these hypotheses before landing on the former.

term for female genitalia would have been considered a great insult in Spanish culture.[79] If that were the case, the term likely originated with Spanish soldiers or settlers, who then lied to the padres about its origin rather than admit to such vulgar speech. None of these interpretations can be proven, but they are all more plausible than the old explanation that the term was a Hispanicization of a now-lost indigenous word. This possible term of disparagement was certainly taken up by the Indigenous people on the missions, though whether it took on different connotations to them than to the Spanish is unknown, given that teaching the Indigenous population to read and write was not a primary goal of missionization. The extraction of labor was considered much more important than literacy prior to the brief push for Indigenous citizenship in the early Mexican period.

Another oddity is the persistence of the claim that every village had either "two or three" or "three or four" Two-Spirit people in it.[80] While this claim appears often, in the same formulaic phrasing, it is again uncertain where the idea originated, though the earliest document I have found to make this claim so far was Alarcón's account. Given the continuation of the Medieval habit of simply quoting from authority to fill in gaps in one's own knowledge into the Early Modern period it may have been uncritically repeated over time. Perhaps it was simply intended to convey the broad cultural acceptance of Two-Spirit people in the region. Perhaps it was used to indicate that missionization needed to be expanded so as to better eradicate this "vice". While the purpose of the phrase is unclear, it certainly bore some importance to the authors cited here, or else they would not have repeated it so often.

[79] In the 1750s, the French satirist Dennis Diderot wrote a novel centered around this pun, the title of which translates to *The Indiscrete Jewels*.

[80] Two or three in Fages' account, three or four on Alarcón and Palóu, and simply "many" in Cabeza de Vaca.

One final convention in the Spanish writings on Two-Spirit people is one which can be seen in Palóu's first description of Two-Spirit people, quoted above. This is the persistent claim, from Cabeza de Vaca in the 1520s to the more recent California mission documents of the 1770s, that one could always tell if an individual was Two-Spirit or not, generally framed as an innate ability of Europeans to recognize a "real woman" from a "false woman". While Palóu frames this as a soldier's observation that one of the people among the mission women had unusually small breasts, Cabeza de Vaca (analyzed in depth shortly) goes so far as to claim that "They are more muscular and taller than *other men* and can lift tremendous weight [italics added]."[81] Leaving aside that Two-Spirit roles varied greatly between Indigenous groups, (including those who were considered to be a type of woman, those that were considered a fully distinct third sex, and those who were assumed female at birth but took on a masculine gender role, among many others)[82] the accounts themselves make it clear that Spanish observers could not always distinguish a Two-Spirit person from an indigenous woman and had to resort to stealing their clothing to find evidence of what they considered the true gender of the person in question. This particular trope of "laying open" (exposing) non-gender-conforming bodies to the gaze of European men to establish their sex, as defined by those European men's criteria, was certainly not unique to Spanish colonizers, nor was it unique to the Early Modern Period. It persists even within scholarship on gender diversity into the present day, as theorized in detail by scholar Scott Larson.[83] Since easily divining strangers' biological sex was not a gift the Spanish possessed,

[81] Alvar Nuñez Cabeza de Vaca, *Adventures in the Unknown Interior of America.* Translated and Annotated by Cyclone Covey (Albuquerque: University of New Mexico Press, 1961), 100.
[82] e Sabine Lang, *Men as Women, Women as Men: Changing Genders in Native North America* (Austin, Texas: University of Texas Pess: 1998); Will Roscoe, *Changing Ones: Third and Fourth Genders in Native North America* (New York, St. Martin's Press: 1998); and Sue-Ellen Jacobs, Wesley Thomas, and Sabine Lang, *Two-Spirit People: Native American Gender Identity, Sexuality, and Spirituality*, (University of Illinois Press: 1997). Roscoe's work should be read with great caution, the other two are much less problematic.
[83] LaFleur, Greta ,Masha Raskolnikov, Anna Klosowska, eds. *Trans Historical: Gender Plurality before the Modern*. Ithaca, New York: Cornell, 2021.

why did this claim persist? It seems most likely that it was a way for the Spanish to reassure each other that they would not be tempted into sex with a person who was assumed male at birth, thereby unknowingly committing sodomy, a much graver sin than simple fornication.[84] It may also represent a masculinization of Indigenous women or, potentially, both a denigration of Indigenous femininity and a reassurance of incorruptible Spanish masculinity.

One aspect of the Spanish discourse around Two-Spirit people which changed quite noticeably over time were the terms used to describe them. In the first known reference to Two-Spirit people outside of the Maya heartland and the Pacific Coast of Panama[85] comes from Alvar Nuñez Cabeza de Vaca's account of his time walking from the mouth of the Mississippi River to California after being shipwrecked. He wrote "In the time I was among these people, I witnessed a diabolical practice: a man living with a eunuch. Eunuchs go partly dressed, like women, and perform women's duties, but use the bow and carry very heavy loads. We saw many thus mutilated."[86] What is most interesting about this description is his importation of the term "eunuch" from a European context. There is no historical work on the subject that I am aware of, leaving me to postulate that as the reconquista had been so recently completed, within Cabeza de Vaca's lifetime, many Spanish elites would have been aware of the presence of eunuchs in Muslim North Africa. With this as quite likely the only conceptual framework into which Cabeza de Vaca could fit Two-Spirit people, he transposed it to the Americas, as some other conquistadores transposed the term *acequia* to describe canals or irrigation works. In another example of this somewhat contradictory custom borrowing from the North African Muslims who

[84] Tortorici, *Sins Against Nature*, 46-50 and 162-5 for more on the degrees of sinfulness. If these arguments about using gender to trick others into sex sound familiar, you may have watched the news recently.
[85] Miranda, "Extermination of the Joyas": 253-284.
[86] Alvar Nuñez Cabeza de Vaca, A*dventures in the Unknown Interior of America*. Translated and Annotated by Cyclone Covey (Albuquerque: University of New Mexico Press, 1961), 100.

Spain had so recently defeated, during the early period following the reconquista, women of the higher classes were kept in seclusion as they had been under Moorish dominion.[87] All of which demonstrates that as much as Spain prided itself on being a Christian culture, sometimes the roots of its language and customs stretched back to other cultures which it had been in conflict with in the past. This should not come as a surprise, given the number of words and concepts which the conquistadores borrowed from Indigenous cultures as they were in engaged in conflict with them.

By the 1700s this transposition of an Islamic term had fallen out of favor, being replaced with "sodomites" in many contexts, such as legal cases, and sometimes with *joyas* in California, as discussed above.[88] Curiously, the French misspelled another Arabic word, *bardaj*, believed to have reached them by way of Spain, to describe Two-Spirit people. The term was later adopted, in further misspelled form, by English and American anthropologists in the late 1800s for the same purpose. It continued to be used to describe Two-Spirit people until the 1990s, as described previously.[89] While this may appear to be a digression, it is important to note that for over 400 years, across three different European cultures, the terms used to describe a diverse group of Indigenous American genders was a word borrowed from colonial ventures in Asia and North Africa. This demonstrates two things. First, it is illustrative of a homogenization of non-European others into a single, unintelligible, category of deviancy from the European norm. Second it evinces a disregard for understanding other cultures on their own terms, even by anthropologists, persisting well into recent decades. In fact, one of the most notable, or possibly

[87] Albert L. Hurtado, *Intimate Frontiers: Sex, Gender, and Culture in Old California*. (Albuquerque: University of New Mexico Press, 1999), for more on seclusion and Arabic borrow words. Bouvier, *Women and the Conquest*, 108-137 for more on attempts to seclude Indigenous women on the missions.
[88] Tortorici, *Sins Against Nature*, 1-25. for more on linguistic drift in Latin American archives over time.
[89] Jacobs, Thomas, and Lang, T*wo-Spirit People*: 1-20.

notorious, scholars of historical Two-Spirit people continues to refuse to adopt the newer term, preferring an archaic and offensive term which he considers more authentic.[90] Not unrelated to this modern confusion over terminology, three historical texts on gender in California published in the past decade and a half have persisted in using the archaic term, without giving a reason why, indicating that they are likely unaware of the terminological shift, as well as the reasons behind it.[91]

What happened in 1776 after the Indigenous couple were whipped on the mission? According to Palóu, they "were never seen again on the missions", and lacking any names in his account it is impossible to search for them in the mission archives.[92] However, there has been a great deal of research demonstrating that running away from missions, often using the *paseos,* granted to converts to leave mission grounds for various purposes and lengths of time, was a fairly common occurrence.[93] There is no reason to believe that these two recent converts did not do the same, fleeing to the mountainous inland region which the Spanish rarely, if ever, visited after the abandonment of the trail begun by Anza.

Indigenous people as a whole were painted by the Spanish with a broad brush, and condemned for their religious practices, sexual practices, and gender systems. A more intense, if not unique or specific, logic of elimination was applied to Two-Spirit people, most viscerally in Palóu, as they were considered unassimilable and inimical to proper Christian conduct. What this paper has surveyed is a patchwork of evidence, for the most part written with contempt for the

[90] Jacobs, Thomas, and Lang, *Two-Spirit People*, 284-86 and Lang, M*en as Women*, xi-xvii.
[91] Bouvier's *Women and the Conquest of California*, 41-43. Hurtado's *Intimate Frontiers*, xxi-xxix , Roger M. Carpenter, "Womanish Men and Manlike Women: The Native American Two-Spirit as Warrior." In Slater, Sandra and Fay A. Yarbrough, eds. *Gender and Sexuality in Indigenous North America* 1400-1850 (Updated Edition). (Columbia: University of South Carolina Press, 2022), 146-161, and the late Alan K. Brown's notes and prefatory materials to his translation of Anza. The latter of these was published in 2021.
[92] Palóu, 115. For more on corporal punishment as used to reform gender practices see Castañeda, *Three Decades of Engendering History*, 256-59 and Bouvier, *Women and the Conquest*, 95-98.
[93] Schmidt and Voss, *Archaeologies of Sexuality*, 43-47. Bouvier, *Women and the Conquest,* 140-169.

people described, about a group of potential subjects whom the Spanish struggled to understand. Two-Spirit people did not fit into the Spanish gender system, which valued men's martial valor and women's sexual purity. Two-Spirit people were seen (not always correctly, according to historian Roger Carpenter) by the military and religious colonial forces, and often by later scholars, as being men who did not fight, but instead engaged in promiscuous sex with other men, who were frequently if ambiguously associated with sex work. The Spanish completely disregarded the systems of gender held by indigenous groups, which in some cases valued Two-Spirit people quite highly and in others treated them similarly to non-Two-Spirit community members, but rarely if ever punished them for their gender.[94]

Some trends in the writing about Two-Spirit people are relatively clear. For instance, they indicate that Two-Spirit were relatively common in Alta California, though in other regions sources more ambiguous, if only for lack of population density. The language used to describe Two-Spirit people shifted over time, becoming more specific to North America, less tied to the experiences of the reconquista, and more connected to a modern, identity-based and classificatory, vocabulary associated with the scientific bent of the Enlightenment. The term eunuch gave way to hermaphrodite or sodomite, with the highest level of condemnation assigned to sodomites, who were believed to have chosen to commit a sinful act, where a "hermaphrodite" could have been considered an unfortunate victim of nature.[95] In California the ambiguous term joya was used by various witnesses, though its etymology does not allow more than the most probabilistic analysis. It is also obvious from these examples that the terminology around Two-Spirit people was frequently borrowed from cultures unrelated to those which it was used to describe, and that much of the context which could give more meaning to these terms went

[94] Lang, *Men as Women,* 342-50.
[95] Tortorici, *Sins Against Nature*, 100-105.

unrecorded. Finally, it is clear that some of the Spanish depictions of Two-Spirit people were under-critically accepted as truthful by historians and academics until rather recently. Hopefully, this chapter can contribute to a more critical picture of the motivations behind these detrimental constructions of Two-Spirit people, alongside a greater historical attentiveness to constructions of otherness more broadly.

CONCLUSION

In this thesis I have tried to answer a set of interrelated questions: How were Indigenous men depicted in comparison with Spanish men? In what areas of Indigenous life did the Spanish seek to intervene to reshape behaviors which they considered unacceptable? How has gender during the Spanish colonial era been conceptualized in the existing literature? How did genders outside of the binary recognized by the Spanish fit into this system? Does the existing literature demarcate gender from sexuality and, if so, where does it draw those lines and justify them? How do questions of gender and colonialism articulate to the development of biological sex as a separate concept in this context? My main argument is that the proper performance of masculinity was so important to the colonizing Spanish, including missionaries, settlers, and soldiers, that it shaped what they considered proper governance, reasonable conduct, appropriate clothing, marital and child-rearing practices, and sexual behavior. They used the actions of Indigenous people as a rhetorical foil both to reenforce their own performance of masculinity and to mark Indigenous people as inferior and other, justified by their improper performance of imported and unfamiliar Spanish gender norms. These gendered constructions provided various ways to legitimate conquest, rooted in a heteropatriarchal worldview. The primary focus within this broader argument has been to expand considerations of the gendered aspects of colonialism beyond an emphasis on colonization's impact on women, which is comparatively well studied. While there is certainly more to learn about the roles of women and femininity in the colonial process, the role of masculinity has been less often examined explicitly or critically. Given the primacy which Spanish colonizers accorded to the correct performance of masculinity, it makes sense to expand our gaze to include masculinity, patriarchy, and the transgressions thereof.

The first chapter argued that Spanish concepts of masculinity were central to the colonization efforts in both Nuevo Mexico and Alta California. Both military leaders and missionaries framed their behavior as correct performances of masculinity, reaffirmed by Indigenous groups dissimilar behavior. While the masculinities at play were not identical in each case, they rested on similar understandings of masculinity as a prestigious and honorable identity, predicated on control of oneself, one's household, and one's reputation, through violence or other means. In the earlier case in Nuevo Mexico, the correct administration of the governor/conquistador through both protection and violent correction of one's subjects and aggressive conduct toward Indigenous people was the dominant aspect highlighted in the records. In the case of Alta California, the religious zeal of the reformer tempered certain forms of direct violence against Indigenous peoples, however this same religious zeal also enabled the framing of Indigenous-Spanish relations as a clash of civilizations in which only the most morally correct could win out. This conception of moral correctness centered implicitly on Indigenous and Spanish men performing Spanish masculinity in a decipherable and adequate manner. In both instances, Indigenous people who did not fully adapt to Spanish behavioral expectations were treated as an undifferentiated mass, ruled by irrational passions and incorrect superstitions, rather than as individuals. They acted more as a foil which allowed Spanish masculine superiority to shine than as people with their own concepts of gender, justice, and political leadership.

The second chapter argued that the policing of marital and family life, particularly that of Indigenous men, was one of the central purposes of colonization and generated a set of tropes which labeled Indigenous people as unreasoning and in need of conversion. This set of tropes did not emerge instantly or fully formed. Much as with the depictions of Two-Spirit people,

depictions of Indigenous marital and family life evolved over time from depicting the people and their customs as able to be easily adapted to Christianity to being shown as more completely inferior and other. This attempt to instill what the Spanish considered to be the correct form of marital and family life was one of the main purposes of missionization and *reducción*, the other main purpose being to extract payment in tribute through the productive labor of the neophyte population and render colonization self-sustaining. The shift in the depiction of Indigenous marital and family life was ultimately part of the racialization of Indigeneity by the Spanish. This process was one which was resisted by Indigenous people, most violently by participants in the Pueblo Revolt of 1680. That Indigenous men resisted the imposition of Spanish gender norms in Nuevo Mexico suggests that they resisted the imposition of patriarchy elsewhere as well. Both Spanish attempts to impose what they felt to be the correct form of masculinity and the correct form of marriage and family life contributed to the ways in which they behaved toward and conceptualized Two-Spirit people.

The final chapter argued that Two-Spirit people posed a unique conceptual challenge to Spanish colonizers, who ultimately came to understand Two-Spirit people as failed men, inadequate even to inferior Indigenous masculinities, living in sexual sin, in one case after being initiated into the role by local women. Passages relating to Two-Spirit people are generally found in Spanish accounts in between information about the behavior of unmarried women, and the behavior of those considered to be engaging in sex work (though what exactly was considered sex work in a non-market economy is an entirely separate research project). It is also probable that the fear of sexual sin, and sodomy in particular as it was a mortal sin, was a motivating factor in the recurring trope of Two-Spirit people being described as immediately identifiable by their exceptionally masculine appearance. This trope is still with us today in rhetoric about

gender non-conforming people. It may also represent a masculinization of Indigenous women; it is even possible that it could represent both these trends at once. Compared to the terminology which was used to refer to Indigenous men and women, the terms used to describe Two-Spirit people shifted significantly over the course of colonization, likely reflecting the lack of a pre-existing category in Spanish society with which they might align, outside of some monstrous creatures adorning the edges of mapa mundi. The Spanish dedicated some energy to the eradication of Two-Spirit people, but this must be understood as a reflection of the value placed on masculinity, the denigration of femininity, and a part of the wider attempt to impose the gender norms of Spanish society on Indigenous peoples, rather than as a manifestation of a separate process. All the processes and themes outlined here were also inextricably bound up in the complex and contingent colonial process of otherizing Indigenous peoples, casting them as a better reflective backdrop to make Spanish virtue shine against in gender practice as well as in other aspects of life.

Bibliography:

Armstrong-Partida, Michelle. *Defiant Priests : Domestic Unions, Violence, and Clerical Masculinity in Fourteenth-Century Catalunya*. Ithaca, New York ; Cornell University Press, 2017.

Barr, Juliana. *Peace Came in the Form of a Woman: Indians and Spaniards in the Texas Borderlands*. Chapel Hill: University of North Carolina Press, 2007.

Evelyn Blackwood, "Sexuality and Gender in Certain Native American Tribes: The Case of Cross-Gender Females," *Signs*, 10, No. 1 (Autumn, 1984): 27-42.

Bouvier, Virginia M. *Women and the Conquest of California, 1542-1840: Codes of Silence*. Tucson: University of Arizona Press, 2001.

Castañeda, Antonia. T*hree Decades of Engendering History: Selected Works of Antonia I. Castañeda*. Interview by Luz María Gordillo. Edited by Linda Heidenreich. Edition: First. Denton, Texas: University of North Texas Press, 2014.

DeVun, Leah. *The Shape of Sex: Nonbinary Gender from Genesis to the Renaissance.* New York: Columbia University Press, 2021.

Flint, Richard. *Great Cruelties Have Been Reported: The 1544 Investigation of the Coronado Expedition*. Albuquerque: University of New Mexico Press, 2013.

Gutiérrez, Ramón A. *When Jesus Came the Corn Mothers Went Away: Marriage, Sexuality, and Power in New Mexico, 1500-1846*. Stanford, CA: Stanford University Press, 1991.

Harvey, Karen "The Century of Sex? Gender, Bodies, and Sexuality in the Long Eighteenth Century," *The Historical Journal* 45, No 4 (Dec 2002), 899-916.

Haas, Lisbeth. *Saints and Citizens: Indigenous Histories of Colonial Missions and Mexican California*. Berkeley: University of California Press, 2014.

Hurtado, Albert L. *Intimate Frontiers: Sex, Gender, and Culture in Old California*. Albuquerque: University of New Mexico Press, 1999.

Jacobs, Sue Ellen, Wesley Thomas, and Sabine Lang, eds. *Two-Spirit People: Native American Gender Identity, Sexuality, and Spirituality*. Chicago: University of Illinois Press, 1997.

Kessel, John L. Friars. *Soldiers, and Reformers: Hispanic Arizona and the Sonora Mission Frontier, 1767–1856.* Phoenix: University of Arizona Press, 1976.

Laqueuer, Thomas. *Making Sex: Body and Gender from the Greeks to Freud*. Cambridge, MA: Harvard University Press, 1990.

LaFleur, Greta, Masha Raskolnikov, Anna Klosowska, eds. *Trans Historical: Gender Plurality before the Modern*. Ithaca, New York: Cornell, 2021.

Lang, Sabine. *Men as Women, Women as Men: Changing Gender in Native American Cultures.* Austin: University of Texas Press, 1998.

Lavrin, Asunción. *Sexuality and Marriage in Colonial Latin America*. Lincoln: University of Nebraska Press, 1989.

Miranda, Deborah A. "Extermination of the Joyas: Gendercide in Spanish California." *GLQ: A Journal of Lesbian and Gay Studies* 16, no 1-2(2010): 253-284.

Roscoe, Will. *Changing Ones: Third and Fourth Genders in Native North America*. New York: St. Martin's Press, 1998.

Saavedra, Yvette J. *Pasadena before the Roses: Race, Identity, and Land Use in Southern California, 1771-1890*. Tucson: The University of Arizona Press, 2018.

Sanchez, Rosaura. *Telling Identities: The Californio* Testimonios. Minneapolis: University of Minnesota Press, 1995.

Schmidt, Robert A. and Barbara L. Voss Editors. *Archaeologies of Sexualit*y. New York City: Routledge, 2000.

Scheibinger, Londa. *Nature's Body: Gender in the Making of Modern Science*. Boston: Beacon Press, 1993.

Sigal, Pete, ed. *Infamous Desire: Male homosexuality in Colonial Latin America*. Chicago: University of Chicago Press, 2003.

Slater, Sandra and Fay A. Yarbrough, eds. *Gender and Sexuality in Indigenous North America 1400-1850 (Updated Edition)*. Columbia: University of South Carolina Press, 2022

Smithers, Gregory D. *Reclaiming Two-Spirits: Sexuality, Spiritual Renewal, and Sovereignty in Native America*. Boston: Beacon Press, 2022.

Tortorici, Zeb. *Sins Against Nature: Sex and Archives in Colonial New Spain*. Durham: Duke University Press, 2018.

Tortorici, Zeb. *Sexuality and the Unnatural in Colonial Latin America*. Edited by Zeb Tortorici. Berkeley, CA: University of California Press, 2016.

Trexler, Richard C. *Sex and Conquest: Gendered Violence, Political Order, and the European Conquest of the Americas*. Ithaca, N.Y: Cornell University Press, 1995.

Weber, David J. *The Spanish Frontier in North Americ*a. New Haven: Yale University Press, 2009.

White, Sophie. *Wild Frenchmen and Frenchified Indians: Material Culture and Race in Colonial Louisiana*. Philidelphia: University of Pennsylvania Press, 2012.

Primary Sources:

Bancroft Collection, ZE1, Container 3, Folder 210

Bancroft, ZE1, Carton 8, Folder 614

Bancroft, ZE1, Carton 8, Folder 618.

Bancroft, ZE1, Carton 8, Folder 633

Bancroft, ZE1, Carton 8, Folder 635

Bancroft, ZE1, Carton 8, Folder 637

Bancroft, ZE1, Carton 8, Folder 640

Bancroft, ZE1, Carton 8, Folder 643

Bancroft, ZE1, Carton 8, Folder 657

Cabeza de Vaca, Alvar Nunez. *Adventures in the Unknown Interior of America*. Translated and Annotated by Cyclone Covey: Albuquerque: University of New Mexico Press, 1961.

Elsasser, Albert B. "Explorations of Hernando Alarcón in the Lower Colorado River Region, 1540," *Journal of California and Great Basin Anthropology*, 1, no 1(Dec, 1979): 8-37.

Erauso, Catalina de, Michele. Stepto, and Gabriel. Stepto. *Lieutenant Nun: Memoir of a Basque Transvestite in the New World*. Boston: Beacon Press, 1996.

Fages, Don Pedro. "An Historical, Political, and Natural Description of California Part One." Translated by Herbert I. Priestley. *The Catholic Historical Review* 4, No. 4 (Jan. 1919): 486- 509.

------. "An Historical, Political, and Natural Description of California Part Two." Translated by Herbert I. Priestley. *The Catholic Historical Review* 5, No 1 (Apr 1919): 71-90.

Palóu's Life and Apostolic Labors of the Venerable Father Junípero Serra. Translated by J. Geiger. Richmond, VA: Academy of American Franciscan History, 1955.

With Anza to California, 1775–1776: The Journal of Pedro Font, O.F.M. Translated and edited by Alan K. Brown. [Early California Commentaries, Vol. 1.] Norman: University of Oklahoma Press, 2011.

On the Trail of a Spanish Pioneer the Diary and Itinerary of Francisco Garces (Missionary Priest) In His Travels Through Sonora, Arizona, and California (1775-1776). Translated and Edited by Elliott Coues. [American Explorer Series, Vol I] (New York: Francis P. Harper, 1900.