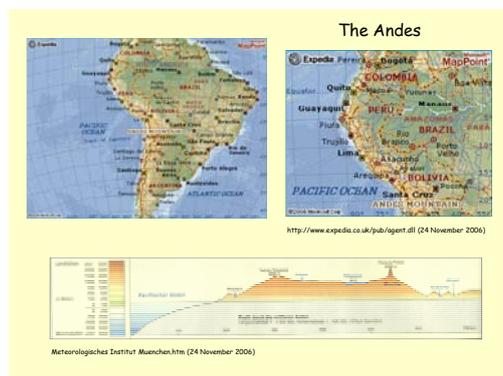


## "Taking off his shoes, Tovar [the landowner] can pasture his animals himself" Clearances in Chucuito (southern Peru) at the turn of the 19/20th century

Land access and ownership in the Peruvian Altiplano: A microhistory



The poor



... and the rich



(J. A. Cuentas: *Chucuito*. Puno 1928)

The protagonists: Agustín Tovar - estate owner / Manuela Ari - 'peasant' woman / Cayetano Fernández Cutimbo - *mestizo* landowner / Tovar's agents and many Aymara peasants

The place: Collacachi estate (Puno, Peru)

The time: around 1900

### An indigenous woman's testimony

#### Manuela Ari (Peru, 1940s) on forced land sale, eviction, exploitation, strike and emigration

So that's the way we lived [around 1915]; we went back to the *estancia* (small farm), to the house. That's the way we lived on the *estancia*. Then (one day) Tovar [the big estate owner] said to us, "These houses and fields are going to be mine. These are in the middle of my fields! If you do not sell them to me willingly, I'll throw you out of here." Then my father-in-law said to Tovar, "How can you want to throw us out of here? This (property) is ours, from our ancestors' ancestors. I cannot sell it to you. Where will I be if I sell it to you?"

After that, one night they came to burn the house and carry off the animals. He seized them, Tovar seized the lands, without paying anything for them. He got them for free, by force. In the old days the white man treated us that way, just on account of being the *patrón* (master). He just wanted to own the land, he wanted to own the animals. He did not want the people to own anything.

After that time we wept just like that, building a little hut. So we lived there. Then we decided to come to this town. We suffered too much on the *estancia*. Saying "It is mine," Tovar took all the lands away from us. No field did they cultivate. They had the corrals completely blocked up. They had the house doors nailed shut. The Mamani family had sold their lands. For that reason, he took away the house and the lands from us.

They paid nothing on the *estancia*. All we had for working every day was our lunch. At the *hacienda* [estate] they gave us a little maize broth with lean meat, that's all. That wasn't enough for people [to eat]. So they were hungry. For that reason, the people decided to complain to the *patrón* about the lunch, "At night there should be coca," saying. All the people came together from all over the *hacienda*. There all the people went to ask that the lunch be increased. All the people said: "If he does not want to increase the lunch, then we will leave with our animals. Then he, taking off his shoes, can pasture his animals himself." Tovar had said earlier, "I don't want herders to raise their own animals. I want them to herd my animals." For that reason, all the people said, "If he does not want us to have animals, let him herd his own himself." So they rounded up the animals. We did not raise any animals (of our own), (and) we did not take any of the *hacienda* animals. Those who did take them, left them, herded the animals into the corrals. Then they went to the *hacienda* house. My husband went, a *pongo* (house servant) he was. In that way all the people filled the Collacachi *hacienda* house, very full. Then the *jilaqatas*, *mayordomos*, *rodeantes* (administration employees) looked for Tovar, with the people. For that reason, Tovar, being afraid, seeing all the people, Tovar going out through a window, escaped over around Puno at night. Since that time, Tovar disappeared, never to return. Like that, the people were in the *hacienda* for one day and one night. Afterwards, Tovar sent a letter from Puno, with two *tupus* (sacks) of figs, one *tupu* of *chancaca* (unrefined sugar), and three baskets of coca (leaves for chewing). For that, the *mayordomo* gathered all the people. And then (he gave) two handfuls of figs, one ball of *chancaca*, and one handful of coca to all the people (to each person). After that the people said to each other "Let's herd the animals the way it was before." To the animal herders they gave one or

two bottles of alcohol. Each person took two or three hundred animals, all recorded in a list on paper. In that way all the people went to their homes. In order to do this he (the *mayordomo*) divided the people, separating the children from the adults and the women from the men. Then he distributed the animals among all the people, the house servants and the herders.

And Tovar never showed up. Then another *mestizo* arrived and told us, "I have bought the *hacienda* from Tovar. I am Nájjar." He was the new *patrón*. Then I said to my husband, "Let's just go to the town. We can't live well here any more." Then we came (here). That night the hail came and beat down all the crops. It broke all my pots. The hailstones were very large. Because of this disaster we left the *estancia*. The *canihua* (grain) was completely beaten down by the hail. The bitter potatoes were completely beaten down. My pots, my basins, were completely smashed. For that reason we came from the *estancia*.

[Text from: Briggs, Lucy T. & Sabine Dedenbach-Salazar Sáenz (eds.). 1995. *Manuela Ari: An Aymara Woman's Testimony of her Life (Text in Aymara, English, and Spanish.)*. Edition prepared by Lucy T. Briggs and completed by Sabine Dedenbach-Salazar Sáenz. Bonn: Bonner Amerikanistische Studien. Pages 238-241, sentences 192-262.]

### Land sale contracts - Feigning legality through manipulation and invention

Peruvian law: all children inherit equal parts

⇒ buyer had to show that the sellers were legal landowners (because they did not have titles)

⇒ buyer constructed a genealogical tree to prove this so that he could buy from the 4th or 5th generation

Notary papers show: only one family branch sold, but minutes state that all inheritors (66) were present - for these two persons were asked to sign (because the indigenous sellers were not literate) ⇒ no proof that anyone was present

So what did happen?

scenario 1: Tovar gave some money to those who were willing to sell (bribed them?) and the rest of the family did not even know

or scenario 2: there never was a contract at all

That these sales were not (all) legal is reflected in: indigenous landowners went to court against each other; they complained about Tovar who invaded their land

### Peasants' complaints of those who were affected by usurpation

A list of peasants shows whose lands were usurped by Tovar's employees (and other estate owners) in 1912 without any kind of compensation.

Among the 110 names there is also the family of Manuela Ari's husband, the Ch'allch'as, who had their lands in Mamanirilaya, as well as other families who figure as vendors in the sale contracts to Tovar.

The document finishes with repeated references to the occupation saying that it has been violent.

### A lawsuit against Tovar: Complex ethnic relationships

*Mestizo* landowner Cayetano Fernández Cutimbo defends the indigenous peasants

In a lawsuit document from January 1872 the indigenous peasants accuse Fernando del Valle (Tovar's father-in-law) to have usurped their land:

... that in the Cutimbo clan, in the jurisdiction of Chucuito, in the immediate surroundings of the Collacachi farm we all have our own and exclusive plots which are ours, acquired by legal and just titles, because of which we own them without any contradiction. In this state of just possession we are continuously disturbed by the defendant, Mr. Valle who, in order to seize our lands so as to extend his farm of Collacachi, worries and harms us through his factors (mayordomos), ... sometimes introducing into our pastures [animals] of the farm, sometimes taking away our animals, and [without] being the owner of our land. In fact we have owned our plots and the community pens for times immemorial and since our most remote ancestors.

The *mestizo* chief and landowner Cayetano Fernández Cutimbo defends the indigenous peasants. No resolution. End of lawsuit 1902.

[Based on documents from the Regional Archive in Puno, Peru]

Sabine Dedenbach-Salazar Sáenz, University of Stirling  
sd39@stir.ac.uk; sdedenbach@hotmail.co.uk  
<http://www.dedenbachsalazar.stir.ac.uk>; <http://rms.stir.ac.uk/converis-stirling/person/11643>;  
<http://www.translatingchristianities.stir.ac.uk>; <http://www.crossingcultures.stir.ac.uk>

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