Digitizing Four Hundred Years of Indigenous Justice:

The Fondo Real de Cholula

July 1, 2019 - December 31, 2020

Abstract

The project described below will digitize and describe 25 boxes, comprising approximately 27 thousand pages, from the Fondo Real de Cholula, a one-of-a-kind collection of documents providing insight into how Indigenous residents of Cholula navigated colonial judicial structures over the span of four centuries. The project partners with the Archivo Judicial del Estado de Puebla, and employs three local historians to digitize and describe the collection. Logistical and technical support, as well as long-term preservation and access infrastructure, will be provided by LLILAS Benson Latin American Studies and Collections (LLILAS Benson), in collaboration with the University of Texas Libraries (UT Libraries).

LLILAS Benson and UT Libraries have a strong record in developing innovative and collaborative digital initiatives, particularly in the area of post-custodial archiving. Rather than physically taking custody of partners' collections, we provide the archival training and equipment necessary to adequately preserve, arrange, describe, and digitize the collections at their place of origin. Our partner institutions conduct the digitization and descriptive work locally onsite, allowing them to retain both physical and intellectual control over their collections. By utilizing digital technologies and building local capacity, we are able to support preservation and access for vulnerable cultural heritage documentation in such a way that maximizes local control and builds trust towards the shared stewardship of archival resources.

Statement on Research Value

During the colonial period, Cholula, in the state of Puebla, was designated a "c*iudad de indios*" by the Spanish crown, a distinct political and juridical structure which facilitated a greater degree of Indigenous autonomy within the colonial system. The Fondo Real de Cholula collection documents this unique history, providing singular insight into how Indigenous residents of Cholula navigated colonial judicial structures. It is believed to be the most intact collection of documents from a *ciudad de indios*, making it of immense historical and research value. In addition, according to Héctor Sánchez Sánchez, presiding magistrate of the Tribunal Superior de Justicia for the state of Puebla, the digitization of Fondo Real de Cholula is the first major digitization project undertaken within the Mexican justice system.

The digitization and access to these materials will allow for a before-impossible analysis of how Indigenous justice was theorized and practiced, not only in a colonial *ciudad de indios*, but also in the Independence period and Porfiriato. Although Independence would seem to have favored Indigenous peoples, in many cases previous colonial (and often paternal) legislation actually afforded them certain rights and privileges, which were then dissolved. In short, the collection will provide insight into how Indigenous justice transitioned over time. Furthermore, according to the three historians from Cholula that have conducted the digitization and metadata work thus far, broader access to the collection will have significant social and historical value to the Cholulteca community, as there is little awareness

about its heritage and historical significance. Dra. Lidia Gómez García, a faculty member at the Benemérita Universidad Autónoma de Puebla (BUAP), is integrating digitized collection materials into classroom teaching, using the collection to train undergraduate history students in Spanish paleography, demonstrating the collection's value not just to research, but also to classroom teaching and learning.

Statement of Due Diligence

The Fondo Real de Cholula is housed at the Archivo Judicial del Estado de Puebla, and is currently only available onsite. The Archive suffered damage during the September 2017 earthquake, limiting researcher and community access. The collection is believed to be the most extensive set of documents from a *ciudad de indios*, making it unique in content and historical significance. With support from The Andrew W. Mellon Foundation, a portion of the Fondo Real de Cholula has been digitized, and will be made accessible through the Latin American Digital Initiatives repository (https://ladi.lib.utexas.edu/), however ongoing funding is needed to continue digitization and enable full digital access.

Open Access Commitment

UT Libraries is committed to supporting open access initiatives. The Latin American Digital Initiatives repository (LADI - https://ladi.lib.utexas.edu/) will provide access to materials digitized under this grant. LADI is an online repository developed by UT Libraries with support from The Andrew W. Mellon Foundation. It provides free, open, online access to Latin American digital content, curated collaboratively within a post-custodial framework. A copy of the materials digitized under this grant will also be provided to the Center for Research Libraries for access through their own platform.

Description of the Project

Scope and Content

This project will digitize and describe materials from the Fondo Real de Cholula, a collection of notarial and judicial records from Cholula, Mexico. The materials are held at the Archivo Judicial del Estado de Puebla and document how Indigenous residents of Cholula navigated colonial judicial structures unique to their special juridical status as a "*ciudad de indios*". The collection spans the 16th through 19th centuries, with the earliest documents from 1581, and a majority from the 17th and 18th centuries. The bulk of materials are written in Spanish, but some documents in Nahuatl can be found as well. The complete collection consists of approximately 200 boxes organized roughly chronologically. As of April 2019, 35 of these boxes, comprising approximately 37 thousand pages, have been digitized and described. The vast majority of materials already digitized are from the 17th century.

Funding from the Latin Americanist Research Resources Project (LARRP) will enable the digitization and description of an additional 25 boxes from the collection, as well as preservation of and online access to the digitized content. This subset of the collection includes judicial proceedings, contracts, and other documents from the period spanning the end of Habsburg rule in New Spain through the first decades of Bourbon rule, beginning in 1714. The materials shed light on how the early stages of the Bourbon

Reforms were felt in *ciudades de indios* like Cholula, and will be of interest to historians of New Spain outside of Cholula itself.

Access

Materials digitized under this grant will be made publicly available through the Latin American Digital Initiatives site (LADI - https://ladi.lib.utexas.edu/), debuted by LLILAS Benson and UT Libraries in November 2015. LADI is a bilingual (Spanish/English) open access repository for Latin American post-custodial digital collections, and currently incorporates content contributed by partner archives in El Salvador, Guatemala, and Nicaragua. Originally developed in the Fedora 3/ Islandora 7/ Drupal 7 framework, we are in the process of migrating to the updated Fedora 4/ Islandora 8/ Drupal 8 technology stack. The migration is set to be complete by November 2019, and will incorporate a new Portuguese interface, linked data functionality, and an improved user experience, as well as new content from archival partners in Brazil, Colombia, and Mexico. An additional copy of the materials digitized under this grant will be provided to the Center for Research Libraries.

Copyright/Permissions

The Fondo Real de Cholula is the property of the Tribunal Superior de Justicia del Estado de Puebla. A Memorandum of Understanding signed between UT Austin and the Tribunal on August 8, 2018 grants LLILAS Benson permission to facilitate digitization on-site and non-exclusive rights to publish a copy of the digital collection online. A copy of the digital collection also stays with the Judicial Archive of Puebla, for local use.

Metadata

This digitization project will use an existing metadata template developed for the initial phase of digitization for the collection. LLILAS Benson's Latin American Metadata Librarian, Itza Carbajal, designed the metadata template in collaboration with the team of local historians in Puebla hired as digitization and description technicians. The technicians, drawing on their subject expertise, capture metadata at the point of digitization, including a core set of values including title, description, document type, and date. In addition, the technicians also note more complex data, such as names of notarial officials and other governmental entities mentioned in the documents, in order to allow researchers to quickly locate proceedings overseen by particular colonial officials, or involving particular subjects. Geographic information is also recorded when it can be found in the documents. The descriptive metadata fields included in the template follow local and international metadata conventions and can be mapped to a variety of schemas, including Dublin Core and MODS.

Once the digital files and metadata are delivered, LLILAS Benson's Digital Processing Archivist will extract technical metadata from each image in the collection using the File Information Tool Set (FITS). This technical metadata will be saved as XML text preserved alongside each image to ensure images in the collection can be rendered long-term. The Latin American Metadata Librarian will review descriptive metadata received from the digitization team and perform cleanup and normalization to ensure internal

consistency. The Latin American Metadata Librarian will then format and map each field in the metadata to LADI's metadata requirements. Metadata for all files digitized under this grant will credit LARRP.

Digital Preservation

All digital objects in the collection will be preserved according to standards established by UT Libraries' Digital Stewardship team, in alignment with the Open Archival Information System (OAIS) framework. LLILAS Benson's Digital Processing Archivist will convert the CR2 Raw images created by the digitization team to the open Digital Negative (DNG) file format, and then prepare preservation bags according to the Library of Congress' BagIt specification. Each preservation bag will contain a full set of DNG raw masters, TIFF production masters, complete collection metadata, and a descriptive bag-info note as outlined in UT Libraries' local BagIt specification. Once all files in the collection have been prepared, UT Libraries' Digital Archivist will write the bags in duplicate to LTO-7 tape for long-term storage. Duplicate copies of each bag will be kept off site, as recommended by preservation best practices.

Long-term Sustainability and Stewardship

LLILAS Benson, along with UT Libraries, consider the activities described in this proposal as an investment in our post-custodial programmatic capacity and commit to sustaining the digital collection over the long-term. Libraries IT provides ongoing support for the LADI digital repository, including necessary system maintenance, enhancements, and bug fixes, which will facilitate sustained online access. Furthermore, UT Libraries' Digital Stewardship team manages long-term stewardship of all files written to LTO tape, including file fixity checks and migration to newer generations of tape over time.

Work Plan

The project described in this grant will run from July 1, 2019 through December 31, 2020, and consists of two phases of work. The first phase will focus on the digitization of the Fondo Real de Cholula collection onsite at the Archivo Judicial del Estado de Puebla. The second phase will begin with the transfer of the digitized files to LLILAS Benson, and consists of processing, preservation, and ingest into LADI.

Project Team

The project will be overseen by Principal Investigator Dr. Kelly McDonough, Associate Professor in the Department of Spanish & Portuguese, Affiliate to the Native American and Indigenous Studies Program, and Associate of the Lozano Long Institute for Latin American Studies (LLILAS) at UT Austin. Dr. McDonough is deeply invested in the digitization of the Fondo Real de Cholula, as it directly relates to her research. She was instrumental in initiating contact between Archivo Judicial del Estado de Puebla and UT Austin, establishing the Memorandum of Understanding between the two institutions, and guiding project structure and decision-making. Her ongoing commitment, vision, and leadership are critical to this project's success.

The onsite digitization and description will be carried out by a team of three historians from Puebla, who have already been trained in the digitization and metadata workflows for the Fondo Real de Cholula. These historians have the deep subject knowledge needed in order to properly describe the documents in the collection, and have digitized at a high standard tens of thousands of pages from the collection since June 2018, when the initial round of digitization began. Their experience and knowledge of the collection will enable work to progress efficiently and accurately.

Technical support will be provided by LLILAS Benson's Digital Initiatives team. The Digital Processing Archivist, David Bliss, is responsible for selection of equipment, design of digitization workflows, and managing digital preservation processes. The Latin American Metadata Librarian, Itza Carbajal, oversees metadata planning, design, and processing, and will consult with the project team on metadata and description questions. Theresa Polk, Head of Digital Initiatives and Post-Custodial Archivist, will provide administrative support and programmatic coordination.

Equipment

Documents from the collection will be digitized using a Canon EOS 6D DSLR camera, tethered to a Windows 10 laptop running Adobe Lightroom 6. This workflow allows the team to digitize documents quickly and efficiently, and to perform quality checks on images as they are created. The workflow produces CR2 Raw archival masters and 300dpi TIFF production masters, both of which will be sent to LLILAS Benson for processing and publication. Funds from the grant will purchase replacements for key equipment including the camera, lens, and lighting, to ensure work can continue uninterrupted.

Timeline

- July 2019 - Digitization equipment is selected and purchased.
- August 2019 - Dr. Kelly McDonough and Digital Processing Archivist David Bliss visit project site to install new equipment and initiate digitization.
- August 2019 - February 2020 - Active digitization ongoing in Puebla.
- March 2020 - Digitized files and metadata are transferred to LLILAS Benson.
- March 2020 - December 2020 - Digitized files and metadata are processed, ingested into LADI, and written to preservation tape by LLILAS Benson project staff.
- January 2021 onwards - Project dissemination and reporting.

Phase 1. The digitization implementation phase of this project will be conducted onsite at the Archivo Judicial del Estado de Puebla from August 1, 2019, to February 29, 2020. Upon approval of this grant proposal, the project team will begin the process of implementation planning and equipment purchasing. In August 2019, Dr. Kelly McDonough and Digital Processing Archivist David Bliss will travel to Puebla to meet with the digitization team and staff at the Archivo Judicial del Estado de Puebla, deliver equipment, and assist the team in resuming digitization work. The digitization team will work 25 hours per week from August 1, 2019 through February 29, 2020 to digitize and describe the collection. The Digital Processing Archivist and Latin American Metadata Librarian will offer remote technical support to the team during this time, providing consultation, feedback, and troubleshooting.

Phase 2. In March 2020, the digitization team will send a hard drive of digital materials to LLILAS Benson. The Latin American Metadata Librarian will perform necessary quality control and processing on the metadata to prepare the collection for ingest into the LADI platform. The Digital Processing Archivist will conduct quality control on the images themselves, perform the LADI ingest process, and prepare the collection for long-term digital preservation. LADI ingest and long-term preservation of all files will be completed before December 2020.

Budget

Project budget is allocated across three budget categories: Salary, Equipment, and Travel. Budget narrative follows below.

Salary. The Puebla-based digitization team will work 25 hours per week for 7 months of work. Payments will be facilitated by the Instituto de Docencia e Investigación Etnológica de Zacatecas (IDIEZ), a Mexican non-profit, educational institution with a strong track record of working with U.S. universities to coordinate scholarly activities designed to revitalize the Nahuatl language. UT signed a contract with IDIEZ on April 7, 2018 to manage payments to the Puebla staff in order to ensure compliance with Mexican labor and employment law. We will pay IDIEZ a 10% administrative fee plus associated bank fees for their coordination of payments. Funds will be disbursed to IDIEZ in two payments via wire transfer. A letter of support from IDIEZ is included below.

In addition, salary funds are requested to support the work of the Digital Processing Archivist and Latin American Metadata Librarian to process, ingest, and preserve the digital files received from Puebla. Both positions are currently contingent, and funded primarily through grants. The salary contribution is estimated at 5% FTE for one year for each, plus associated fringe.

Equipment. Much of the equipment needed to digitize the collection is already in place at the Archivo Judicial del Estado de Puebla. This phase of digitization will use the existing archival book mounts, Manfrotto tripod, light stands and sockets, and project laptops. All of this equipment remains in excellent condition and can be used for the duration of this project.

Other equipment currently at the Archivo Judicial is nearing the end of its expected lifespan. Funds from this grant will purchase replacements for key pieces of equipment to ensure digitization can proceed smoothly for the duration of the project. Replacement equipment will include the Canon DSLR camera body and lens the digitization team is already familiar with. The camera body currently in use by the team is approaching its shutter life expectancy, the number of shutter actuations expected for a camera before the mechanism fails permanently. The digitization workflow also relies on the camera lens' autofocus functionality, which can be prone to failure after approximately nine months of heavy use, based on previous projects. We have also budgeted for three hard drives to support data storage and transfer, as well as the cost of shipping for hard drives from Puebla to LLILAS Benson, based on past data.

To ensure image fidelity and consistency, this grant will provide three replacement Tiffen Color Separation Guides, and two replacement Smith-Victor LED light bulbs. Both of these pieces of equipment can degrade with extended use in a way that adversely affects image color balance. In addition, we will purchase gloves, masks, and respirators to protect the digitization team as they work.

The building where digitization takes place is dusty, and the team occasionally encounters documents that show signs of mold. Gloves and standard masks help protect the team on a daily basis, however masks with respirators are occasionally necessary.

Travel. Travel funds will enable the grant PI Dr. Kelly McDonough and Digital Processing Archivist David Bliss to travel to Puebla in August 2019 to meet with the Archivo Judicial del Estado de Puebla staff and leadership, install replacement equipment, and work together with the digitization team to refine workflows. The trip is planned for 5 days total, comprising three working days and two travel days. Travel funds include airfare, ground transportation, lodging, and per diem.

Additional sources of funding. Digitization of the Fondo Real de Cholula collection was initiated through funding from The Andrew W. Mellon Foundation, under the grant "Cultivating a Latin American Post-Custodial Archival Praxis", which runs from July 1, 2017 through December 31, 2019. Direct funds from the Mellon Foundation covered digitization equipment, travel to Puebla to launch the project, and salary for the project technicians conducting digitization in Puebla. LLILAS Benson has contributed additional direct funding, including administrative and bank fees, equipment, shipping, hosting, and travel.

Post-Project Assessment Plan

The focus of this project is to preserve unique and valuable documents, while increasing access to them through digitization and descriptive metadata. The expected outcome is that the digitized collection will be accessible to a larger audience through the LADI repository. Once materials have been uploaded, we will monitor the Google Analytics site statistics for LADI to assess the use of the digital collection, and document these findings over time. In addition, we will track reference requests and usage of the collection in classroom teaching at UT Austin. Overall project findings will be documented in a summary report, and shared via Texas ScholarWorks, UT Austin's institutional repository, as well as with LARRP.

Current Projects

As of April 2019, nearly 1000 oversize items from the Genaro García collection have been photographed and described under the LARRP project "Illuminating the Genaro García Collection through Digitization, Metadata Development, Access and Preservation". LLILAS Benson hired Diego Godoy, a fifth-year PhD candidate from the Department of History, as the Benson Centennial Preservation Fellow. Godoy is responsible for providing item-level description for materials digitized under the grant. Latin American Metadata Librarian Itza Carbajal has designed a new Spanish/English metadata template which enables more robust collection of metadata, and which aligns with UT Libraries' new Digital Asset Management System (DAMS), facilitating ingest and access.

PODER JUDICIAL

JUDY ALSPACH
THE CENTER FOR RESEARCH LIBRARIES
6050 SOUTH KENWOOD AVENUE
CHICAGO, IL 60637-2804
PRESENTE

Estimado comité de selección:

En nombre del Poder Judicial del Estado de Puebla, les escribo para hacer constar nuestro apoyo a la propuesta *"Digitizing Four Hundred Years of Indigenous Justice: The Fondo Real de Cholula"* (Digitalización de cuatrocientos años de justicia indígena: el Fondo Real de Cholula), presentada por la Universidad de Texas en Austin (UT Austin) al *Latin Americanist Research Resources Project (LARRP)*. El Poder Judicial del Estado de Puebla está comprometido en preservar y brindar acceso al importante patrimonio histórico y jurídico que se encuentra bajo su administración y considera que la digitalización es una herramienta valiosa para cumplir con estos objetivos.
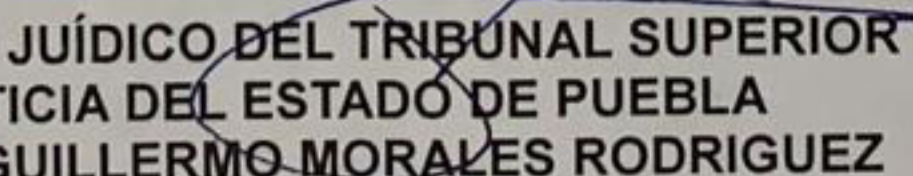
La Colección Fondo Real de Cholula, a cargo del Poder Judicial del Estado de Puebla, documenta la historia política y jurídica de Cholula a lo largo de cuatro siglos. Creemos que es de suma importancia preservar este patrimonio único y valioso mediante la digitalización. El Poder Judicial del Estado de Puebla ha trabajado con UT Austin desde junio de 2018 para comenzar este proceso, pero aún queda mucho por hacer.

Los fondos del *Latin Americanist Research Resources Project* permitirían que la digitalización continúe y que una mayor parte de esta historia única sea accesible para la investigación.

El Poder Judicial del Estado de Puebla se compromete a continuar brindando acceso a la Colección del Fondo Real de Cholula y al espacio de trabajo de digitalización durante el período del 1 de julio de 2019 al 1 de marzo de 2020. Además, el Poder Judicial autoriza a UT Austin y al *Center for Research Libraries* a proveer el acceso público en línea, sin exclusividad, a los materiales digitalizados bajo esta subvención.

Les damos nuestras sinceras gracias por la consideración que concede a esta propuesta.

ATENTAMENTE
"SUFRAGIO EFECTIVO, NO REELECCIÓN"
H. Puebla de Z., 26 de abril de 2019.

SECRETARIO JUÍDICO DEL TRIBUNAL SUPERIOR
DE JUSTICIA DEL ESTADO DE PUEBLA
ABOGADO GUILLERMO MORALES RODRIGUEZ

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