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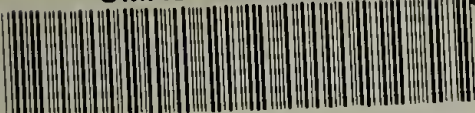
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FEDERAL-STATE RELATIONS DURING MEXICO'S RESTORED REPUBLIC:

OAXACA, A CASE STUDY, 1867-1872

A Dissertation Presented

By

Frank Samuel Falcone

Submitted to the Graduate School of the  
University of Massachusetts in partial  
fulfillment of the requirements for the degree of

DOCTOR OF PHILOSOPHY

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Major Subject History

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FEDERAL-STATE RELATIONS DURING MEXICO'S RESTORED REPUBLIC:

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## ABSTRACT

This dissertation is an attempt to provide a case study of the problems faced by Benito Juárez and the Mexican liberals in the period of Mexican history known as the Restored Republic (1867-1876) and the liberal's attempts to deal with those problems. The study focuses on the state of Oaxaca which was, in many ways, representative of the social, economic, and political conditions. Socially, the state was composed of a large unassimilated Indian population which the federal and state governments sought to incorporate into Mexican society by instilling in them the middle class values of the liberal leaders. The liberals attempted this social transformation by secularizing society. Thus, the liberal anti-clerical reforms of the 1850's, culminating in the Constitution of 1857. During the era of the Restored Republic, liberals unsuccessfully sought to translate the implicit promises of the Constitution into actions through such things as the creation of a system of public education and assumption of the role of the church in the provision of various social services.

Another major theme in the era was the liberal attempt to establish a federal political system. The experience in Oaxaca demonstrated not only the problems involved in such an attempt, but it also demonstrated that the nation was unprepared. In the short span of four years, from 1867 to 1871, the state was transformed from an integral part of the federal system to a tumultuous secessionist state under the leadership of Félix Díaz. Oaxaca was subjected to many of the political

pressures that affected Mexico during this era: the contest among liberals over how stringently the Reform Laws and the Constitution of 1857 would be upheld, the personal ambitions of individual state leaders, and the growing rivalry between Juárez and Porfirio Díaz on the national political level.

The political leaders of the Restored Republic were prisoners of their own history. Ever since independence, Mexican politics had been characterized by opportunism and a lack of any real ideological commitment. By decentralizing power, the Constitution of 1857 actually encouraged the independence of state governments and strong state leaders like Félix Díaz in Oaxaca or Negrete in Puebla or García de Cadena in Zacatecas and San Luis Potosi. In Oaxaca, Félix Díaz imposed his own political regime upon a state that had been split between the successful liberal factions, a phenomenon that occurred throughout Mexico.

Aside from political considerations, Mexico was handicapped in its efforts to rebuild the nation in a number of ways that the Juárez administration never really overcame. The most chronic problem faced by federal, state, and local leaders during the Restored Republic was the lack of funds. By 1867, the treasury had been empty for years and the national debt greatly increased. Almost every phase of the nation's economy had been disrupted or destroyed by years of warfare. Mines had ceased operation, agriculture existed on only the most primitive level, and commerce--the source of most tax revenues--had been



severely retarded. Hence, one of the favorite liberal economic panaceas was internal improvements. Despite the emphasis upon stimulating economic activity by building roads and introducing new commercial agriculture and industry, the era of the Restored Republic did not bring about a great economic upsurge. Oaxaca reflected the nation's economic problems. The state government had few sources of revenue at its disposal and, like the national government, unsuccessfully sought to develop internal improvements.

In summary, the study reveals that the regimes of Benito Juárez as president and governors like Felix Diaz in Oaxaca achieved few tangible results. This was the inherent tragedy of the Restored Republic. By the end of the era most villages remained unchanged, the people remained isolated, backward, and far removed from the pale of the modern world.

## TABLE OF CONTENTS

Chapter	Page
I. INTRODUCTION . . . . .	1
II. FEDERAL-STATE CONSTITUTIONAL RELATIONS . . . . .	13
III. THE EDUCATIONAL CHALLENGE . . . . .	25
IV. THE CHURCH AND SOCIAL WELFARE . . . . .	51
V. ECONOMIC POLICIES . . . . .	66
VI. FINANCIAL POLICIES . . . . .	86
VII. THE INSTRUMENTS OF ORDER . . . . .	102
VIII. FEDERAL-STATE POLITICAL RELATIONS . . . . .	111
IX. POLITICS IN OAXACA: JUÁREZ V. THE DÍAZ BROTHERS, 1867-1871 . . . . .	126
X THE END OF AN ERA: THE ELECTION OF 1871 AND THE REVOLT OF LA NORIA . . . . .	156
XI. CONCLUSION . . . . .	166
BIBLIOGRAPHY . . . . .	176

ARCHIVES CONSULTED AND KEY TO ABBREVIATIONS

Archivo General de la Nación	AGN
Archivo del Estado de Oaxaca	AO
Archivo de la Universidad de Benito Juárez	AUBJ
Archivo de Lic. Justo Benítez. Museo Nacional de Antropología e Historia. Correspondencia del Archivo de Ejército de Oriente.	AJB
Biblioteca Nacional de México. Archivo Benito Juárez	ABJ
Centro de Estudios de Historia de México. Condumex.	CEHM
Colección de Porfirio Díaz. University of the Americas	CPD
Hemeroteca Nacional. Universidad Nacional Autónoma de México	HN

## C H A P T E R I

### INTRODUCTION

On July 15, 1867, Mexico's continuing struggle to establish a viable political system began a new phase. On that date, Benito Juárez returned to the nation's capital to resume the direction of a government that had been forced to flee by the invading army of Napoleon III. When Juárez returned he continued the struggle that Mexican liberals had been waging since long before the Emperor Maximilian ever set foot on Mexican soil.

The collapse of the Imperial Intervention engendered a spirit of patriotic optimism among Mexicans in the summer of 1867.<sup>1</sup> Many Mexicans expected a great deal of the liberals who, after all, had issued the far-reaching Reform laws and the Constitution of 1857, had successfully withstood the civil war of 1858 to 1861, and had preserved the nation's sovereignty against the alien occupation. The very optimism with which many Mexicans greeted the return of Juárez to the capital, however, worked to the president's disadvantage. The problem was that many people saw the liberals as selfless patriots and, as such, were likely to be disillusioned when the liberals failed to maintain their heroic posture. Juárez and the liberals aroused hopes of immediate, tangible

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<sup>1</sup>Daniel Cosío Villegas. *Historia moderna de México. La República Restaurada. La vida política* (México, 1955), I, 111-13.

improvements in the lives of the people, and in the power and prestige of the nation. This, of course, proved impossible because, while liberals agreed on general goals, they were far from unanimous about the specific steps to be taken to achieve stability and progress.

In general, the years from 1821 to 1867 had been characterized by political turmoil, economic stagnation, and humiliating foreign intervention, as well as by ideological struggles between liberals and conservatives all over Mexico.

While historians are not yet agreed upon the origins and nature of the liberal/conservative contests, it is clear that by the period of the *Reforma* (1855-1867), they had developed certain dogmas that they wanted to translate into action.

The heart of nineteenth-century Mexican liberalism was individual freedom. While most liberal politicians may not have been philosophers, they instinctively believed that Man was perfectible, if society created institutions that allowed individuals to develop freely. Thus, liberal efforts focused largely upon creating a world, or an environment, that would encourage the evolution of all levels of Mexican society. Conversely, while most liberals celebrated the individual, they were increasingly wary of a strong centralized government.

Socially, Mexican liberals were egalitarian in abstract principle, but remained somewhat elitist in practice, a contradiction that reflected the middleclass background of many liberal leaders. This was but one of many contradictions in nineteenth-century Mexico. While liberals advocated equality of economic and political opportunity,

equality before the law and before the tax collector, they did not believe that the masses were ready to handle these freedoms and opportunities without some tutelage. Liberals tended to act paternally, assuming the right, if not the obligation, to decide how and when Mexican society should be improved.

Economically, the liberals were caught in another contradiction in their acceptance of a theory of non-intervention and their recognition that the government had to provide incentives to induce development of Mexico, they were forced to provide official incentives to private investors.

A political contradiction inherent in the liberals' beliefs was their faith in the sovereignty of the people. While liberal politicians celebrated the collective wisdom of the people, most liberals were unwilling to allow political decisions to be made without their guidance. Liberals had some reason to fear uncontrolled democracy in light of their nation's experience with demagogues and personalist leaders.

Because Mexican liberals in the nineteenth century were never unanimous about specific measures for perfecting their society, the evolution of a program that could be translated into action took place very slowly. Moreover, by the time the Restored Republic began in 1867, factionalism threatened to tear the liberals apart before they even began to implement their ideas.

Anticlericalism, an issue on which liberals had usually agreed, ceased to evoke the kind of commitment it had aroused during the Wars of the Reform and the Intervention. Federalism, an idea that had long

been regarded as a liberal political panacea, was challenged by the policies of Juárez and Lerdo in 1867.<sup>2</sup>

The principle of individualism, which liberals had long regarded as a prerequisite for development, was contradicted in the Juárez administration's economic program which included government subsidization of industrialization and internal improvement projects in order to encourage private entrepreneurs.<sup>3</sup>

The purpose of this study is to explore the efforts of the liberals of the state of Oaxaca to execute a program, and the problems they encountered. At the same time, it will seek to examine the nature of the relationship that evolved between that state and the federal government. Hopefully, such a project can serve as a case study of the larger issues of centralized control versus state autonomy that underlay the political life of the Restored Republic; and provide a commentary on the viability of political democracy in Mexico during the Restored Republic.

The state selected for this study was chosen for a number of reasons. In addition to the fact that it was the birthplace of such people as Juárez, Porfirio Díaz, Matías Romero and Justo Benítez, among others, Oaxaca had been a key site in the struggle between liberals and conservatives during the 1850's. Most Mexican states experienced this kind of political polarization, but Oaxaca's troubles were nationally significant because the men who were active there went on to become the

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<sup>2</sup>Emilio Rabasa, *La constitución y la dictadura* (México, 1956), 67.

<sup>3</sup>See Leopoldo Zea, *El positivismo en México* (México, 1943).

major protagonists in the nation's history for the last half of the nineteenth century.

The political polarization of the nineteenth century which eventually led to civil war and foreign intervention did not begin to affect Oaxaca until the late 1840's.<sup>4</sup> The liberal/conservative struggle in the state led to the accession of Benito Juárez as the temporary governor in 1847. During his year in office, Juárez committed his administration to a liberal-positivist program that emphasized progress through a program of material improvements. He gained sufficient public support with his programs to be elected governor in his own right in 1849. During his term as governor, Juárez exhibited the best aspects of a liberal administrator, launching an ambitious campaign to revive the economic and governmental life of the state. He fashioned an administration that undertook a wide range of reforms from organization of the state's National Guard, to the promotion of education and the construction of roads.

When his term ended, Juárez stepped down, but he was caught in the wave of conservative resurgence that brought Santa Anna back to power. Oaxacan conservatives generally were comprised of the wealthy oligarchy of large land and mine owners and Church officials. This group, which supported Santa Anna, was strongly opposed to the liberal reforms of Juárez who became the target of their attacks. Escaping an

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<sup>4</sup>Charles R. Berry, "The Reform in the Central District of Oaxaca, 1857-1867" (University of Texas unpublished dissertation, 1967), 72.



assassination attempt by a member of the conservative faction, Juárez was arrested and exiled on Santa Anna's orders in 1853.

The liberal assault upon Santa Anna, launched when the Plan of Ayutla was issued in March, 1854, was not immediately successful in Oaxaca. In fact, the liberals did not regain control of the state until January, 1856, after the brief tenure of the conservative, General José María García. Despite the return of the liberals, conservatives remained active in the state and, indeed, were able to launch a rebellion in Oaxaca in 1856 in protest against the famous Ley Lerdo, which limited the amount of land that civil and church corporations could hold. The law said that only land used for immediate operating needs could be retained, and all other land had to be sold.

While liberals attempted to administer states such as Oaxaca in the midst of this kind of political climate, two events in the nation's capital created a situation that led to the civil unrest of the late 1850's. The first was the promulgation of the Federal Constitution of 1857. The second was the vacillating policy of President Ignacio Comonfort in the face of a conservative-sponsored coup. Comonfort, who had come to power as a liberal, renounced his own government when he thought the conservatives were about to overthrow it, and gave Juárez, as president of the Supreme Court, a claim to the presidency. While these events were transpiring in Mexico City, the liberals in Oaxaca rewrote the state's constitution in accord with the Federal Constitution.

The commitment of Oaxacan liberals to their political creed was tested and tempered by the same conditions of internal strife that

affected all Mexicans in the decade after the promulgation of the Constitution of 1857. During that decade, Oaxaca witnessed the struggle between the liberals and conservatives that culminated in the French Intervention. Oaxaca itself was captured when Porfirio Díaz surrendered the state to the French in January, 1865. Minor resistance continued in the form of a few guerrilla bands operating in the mountains. Many Oaxacans, including Félix Díaz, fled to join Juárez's forces in the north.

During the Imperial occupation, however, many potentially active Oaxacans remained in the state and cooperated with or at least accepted the reality of the occupation. Only when the French troops withdrew in 1866 did the Imperial government begin to lose control. The Republican forces, led by Colonel Félix Díaz from the north and General Porfirio Díaz from the south, moved to recapture Oaxaca in July, 1866. The remaining months of 1866 were marked by the occupation of the state capital, and the pacification of outlying districts. Thus, as the Restored Republic began in 1867, Oaxaca returned to Mexican control under the military administration of Porfirio Díaz who was serving as commander of the Army of the East. In that position, Díaz used Oaxaca as a base of operations to continue his campaign against Maximilian, pursuing him to Querétaro.

The overthrow of the Imperial government occupied Mexican attention until the summer months of 1867. The effort to reestablish Mexican sovereignty created an atmosphere of patriotism that transcended many of the divisions among the nation's political leaders, not only in Oaxaca,

but in the nation as a whole. Thus, once again it can be argued that subsequent political events in Oaxaca illustrate more general trends in the nation during the years of the Restored Republic. In fact, the situation in Oaxaca was indicative of many of the conditions and problems that confronted the Mexican nation in 1867.

Oaxaca, isolated by mountains and long distances from the nation's capital, is a semi-tropical state characterized by rough mountains surrounding the central valley. The central valley has always been the economic and political center of the state. Most of the 600,000 Oaxacans in 1867 were descended from the Zapotec and Mixtec civilizations which had flourished in the area during the pre-Columbian era. For the most part, the state was rural and the Indians isolated from the center of government. The state's professional or middle class, which was always very small during the post-Independence period, was the only group that was ever politically active. This group, which consisted of doctors, lawyers, military men and landowners, dominated the political and ideological struggles of the nineteenth century in Oaxaca.<sup>5</sup>

While political activity remained the prerogative of a relative few, farming was the chief occupation of most Oaxacans. The major agricultural products in the state included maize, sugar cane, coffee and indigo, as well as a variety of vegetables such as tomatoes, beans, and

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<sup>5</sup>In 1867-68, the state listed only fifteen physicians and thirty lawyers in a population of over 600,000. See Oaxaca. Gobernador. *Memoria que el ejecutivo del estado presentó al congreso del mismo.* (Oaxaca, 1871), n.p.

avocados.<sup>6</sup> Because of the primitive agricultural methods, the general exhaustion of the soil after centuries of growing the same basic crops, and the absence of any feasible transportation facilities, agriculture was limited to local production and local markets.

Transportation in Oaxaca was confined to a series of wagon roads and trails between the various towns. Commerce moved over these roads only as fast as the numerous mules could pull or carry it. Generally, the maintenance of existing roads was the responsibility of the municipal governments, although, as will be discussed later, the state government occasionally lent financial support. In general, however, the municipal governments were too poor to provide much in the way of road construction or maintenance. As a result, by 1867, the only main roads extended from the capital north to Tehuacán, Puebla, and easterly toward Veracruz.<sup>7</sup> However, even these roads were little more than rough cart tracks.

Industry in Oaxaca was not very highly advanced by the time of the Restored Republic. The people of Oaxaca generally imported most manufactured goods with the exception of the few products produced by the state's limited light industries. By 1870, Oaxaca could only boast that it produced its own glass, soap, handwoven cotton, alcohol, and some iron.<sup>8</sup>

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<sup>6</sup>*Ibid.*, 23-24 and doc. no. 13.

<sup>7</sup>*Ibid.*, 19.

<sup>8</sup>*Ibid.*, 25 and doc. no. 15, n.p.

Although Oaxaca had supported some gold and silver mining during the colonial era, this industry was dormant after the civil unrest of the 1850's. Like agriculture, mining in Oaxaca was handicapped by primitive methods and the absence of easy access to markets. Miners had to pack their equipment in, and their ore out, on the backs of mules. The difficulty and the expense of large-scale mining, plus the apparent paucity of the mines, discouraged investors from developing new mines despite the encouragement of the state government.

These, then, were the conditions in the state after the overthrow of the Imperial government. Most Oaxacans were apparently ready and willing to forget about the war and return to their simple, pastoral lives. Most of the population remained scattered throughout the state clustering around the small district centers.<sup>9</sup> Under these conditions, the daily lives of many Oaxacans remained unchanged and untouched except for those moments when state political developments interjected themselves.

The anticlerical Reform Laws notwithstanding, the traditional church-centered village life resumed along familiar lines. Life still revolved around holy days and religious festivals. The farmers still met weekly to sell their products, barter for wares, or simply to trade gossip.

The people of Oaxaca continued to face the potential dangers of

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<sup>9</sup>Only about 8% of the state's population lived in the capital, or central district, during the years from 1867-1872.

epidemic diseases just as they had always done by hoping and praying that they would be spared. The state government began to provide vaccination information in the vain hope of educating the people; but, this was apparently not very successful since the state continued to republish this kind of information periodically. Similarly, the state was apparently woefully lacking in hospital facilities with only one public hospital located in a former convent in the capital. As mentioned in footnote 5, the state only claimed to have fifteen doctors as late as 1869.

Primary and secondary education was practically unknown. Only in the central district did schools exist and these had ceased almost completely during the years of unrest since 1856. Despite the fact that the state Constitution of 1857 made provision for public primary schools, Oaxacan children were not really afforded this luxury until after the overthrow of the Imperial government and the establishment of civil control in 1867.

These, then, were the conditions that existed in Oaxaca, as in so many other states in 1867. These were the conditions and problems that the liberals attempted to change and improve after more than a decade of struggle.

To provide a framework for understanding the liberals' goals and methods, the first chapter will examine the constitutional arrangements adopted at both national and state levels in 1857. These charters represent the formal or ideal relationship that the liberals envisioned for the federal and state governments in the rebuilding of the nation.

Subsequent chapters will explore the programs and accomplishments--in short, the realities of the liberal regime--by examining their social, financial and economic policies, security arrangements and, finally, the interaction of state and national politics.

While the term "Restored Republic" is generally understood to mean the period between 1867 and 1876, this study will concentrate on the first five years down to 1872. Two reasons explain this decision: first, these years coincide with the presidency of Benito Juárez when the chief policies of the Restored Republic were determined. The second reason is that Oaxaca's attempted secession from the Union in late 1871 marked the complete breakdown of the experiment in federalism in Oaxaca. Thereafter, the state was governed by authorities representing President Lerdo. Thus, the focus is on the years 1867-1872 although some chapters trace developments as far as 1876 to illustrate the contention that the Lerdo presidency was a continuation of the policies, goals, and methods of the Juárez administration.

## CHAPTER II

### FEDERAL-STATE CONSTITUTIONAL RELATIONS

Mexico's fifth Constitution was promulgated in February, 1857, after prolonged debates. These debates were primarily over methods, rather than goals, for what their authors were seeking was essentially an institutional structure that would leave Man free to develop his own abilities. The device the liberals felt best suited to that purpose was federalism.

First proposed in the Constitution of 1824, and again in 1857, federalism became a liberal panacea for most Mexican problems.<sup>1</sup> The inclination toward a federated government was generated by several factors: the ideas of the Enlightenment which assumed that Man could perfect himself; the example of Mexico's prosperous and powerful neighbor to the North; and a negative reaction to the conservative, centralized state which existed since the colonial era.<sup>2</sup>

The liberal ideal was most influenced by the United States. While many of the liberals' ideas and constitutional forms were borrowed from Europe, the United States' constitution offered Mexicans an appealing interpretation of federalism. Unlike the decentralized federalism

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<sup>1</sup>Jesus Reyes Heróles. *El liberalismo mexicano* (México, 1961), III, 337-38; 401.

<sup>2</sup>C. H. Haring, "Federalism in Latin America," in Conyers Read, ed., *The Constitution Reconsidered* (New York, 1938), 342.



of the ancient world, the United States' constitution brought to the western hemisphere a system of centralized federalism.<sup>3</sup> During the nineteenth century, centralization increased whenever the liberals grew stronger. This apparent paradox in the liberal position led critics such as Emilio Rabasa and Justo Sierra to argue that they were captivated by the rhetoric of federalist writers without really understanding the meaning of their words or the difficulties in fulfilling their promises.<sup>4</sup>

Federalists equated individual liberty with decentralization.<sup>5</sup> They believed that a political system based on the power of the states permitted the greatest individual opportunities. Unfortunately, the opportunities many federalist politicians were concerned with were their own. Federalism was generally the platform of political outsiders during the early years after independence.<sup>6</sup> Throughout most of the first thirty years of independence, federalism meant little to most of its adherents who either failed to understand it fully or never really cared to. A genuine melding of liberalism and federalism did not occur

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<sup>3</sup>William H. Riker, *Federalism, Origin, Operation, Significance* (Boston, 1964), 4-6.

<sup>4</sup>Sierra and Rabasa's positions are critically examined by Daniel Cosío Villegas in *La constitución de 1857 y sus críticos* (México, 1957).

<sup>5</sup>J. Lloyd Mecham, "The Origins of Federalism in Mexico," in Conyers Read, ed., *The Constitution Reconsidered*, 353-54.

<sup>6</sup>*Ibid.*, 355.

until the overthrow of the Santa Anna dictatorship and the Constituent Congress of 1855-1856. The catalyst that finally brought about the fusion of liberalism and federalism was the Catholic church.<sup>7</sup> The church, which had traditionally allied itself with the conservatives came under increasing attack from Mexican liberals after 1824. This criticism only heightened the gulf between liberals and the church hierarchy. Consequently, the Catholic church in Mexico aligned itself more and more with the group that best suited its interests--the conservative centralists. By 1855-1856, the lines of battle between the two groups had long since been drawn. It remained for the Constituent Congress to formalize this union of Mexican liberalism and federalism. Their work was completed when Mexico's fifth Constitution was promulgated in February, 1857.

The Constitution clearly emphasized the states as the repositories of the peoples' will. While the executive branch was conceived of as a weak agency, the unicameral legislature was invested with a great deal of power. Congress, composed of elected representatives of the people, was regarded as the true instrument of federalism. The members of Congress also regarded themselves in this way.<sup>8</sup> While Congress was expected to uphold the sovereignty of the states, each state

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<sup>7</sup>Paulín Machorro Narváez. *La Constitución de 1857* (México, 1959), 20.

<sup>8</sup>México. Congreso General Constituyente. *Constitución Federal de los Estados- Unidos Mexicanos* (México, 1857), 15-16.

was expected to rewrite its own charter in harmony with the federalist Constitution of 1857. In order to understand better the federalist relationship and the way in which it was affected by the exigencies of successive events, it is first necessary to examine the Constitution in greater detail.

The first item of concern to the constituents was the delineation of individual guarantees. Articles 2 and 5, for instance, declared that all who were born in Mexico were free. Any slave who set foot on Mexican soil was also free by virtue of his presence. Article 7 affirmed the freedom to write and to print--a guarantee the Juárez administration maintained even in the face of virulent personal attacks. The spirit of the Reform Laws was incorporated into Article 13 which adopted the *Ley Juárez'* abolition of special corporate *fueros*. The final article of this section provided the basis for Juárez' administration of Mexican affairs for the first ten years after the promulgation of the Constitution. Article 29 stated that in the event of invasion, serious disturbances of public peace, or anything else that seriously threatened society, the president, with the approval of the Congress, could suspend the guarantees granted in the Constitution for a limited time.<sup>9</sup> Juárez ruled Mexico during the War of the Reform and the Intervention by virtue of this clause. He also resorted to the suspension of individual guarantees in specific states during local uprisings.

The federated form of government was outlined in Title II,

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<sup>9</sup>*Ibid.*, 34-35.

## Article 40:

It is the will of the Mexican people to constitute a representative, democratic federal republic composed of free and sovereign states in everything concerning their internal management, but united in a federation established according to the principles of this fundamental law.<sup>10</sup>

The federal relationship was subsequently outlined in Title II with the specific provision that in no case could the state constitutions contradict the federal constitution. All powers not specifically delegated to the federal government were the prerogative of the states.

The division of powers followed the model of the United States' Constitution with an executive, legislative, and judicial branch. Congress was created as a unicameral body elected for two years.<sup>11</sup> Indirect elections, a legacy from past experience, were adopted revealing the framers' unwillingness to turn the selection of officials over to the people without some control. In so doing, the framers reflected the attitude of the founding fathers of the United States who also felt that unchecked democracy was dangerous.

The federal nature of the Mexican Constitution also was evident in Article 65 which allocated the power to initiate laws to the president of the Republic, Congress, and the state legislatures. Laws presented by the president and the states had to be submitted to a

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<sup>10</sup>*Ibid.*, 40.

<sup>11</sup>Amended to create a bicameral legislature with a House and a Senate on November 13, 1874. See Felipe Teña Ramírez, *Leyes Fundamentales de México, 1808-1957* (México, 1957), 698.

congressional committee before they could be presented to Congress for a vote. Congress was given a wide range of powers over the states: the admission of new states, approval of the federal budget with its concomitant share that each state would have to contribute, control of the National Guard units within the states and, of course, the right to pass enforcing laws.

The Constitution treated Congress as the collective voice of the states, and the executive as an administrative agent. Aside from emergency situations, executive duties were confined to the execution of laws, appointment and removal of administrative officials and titular leadership of the Army and the National Guard.<sup>12</sup>

Title V of the Constitution of 1857 dealt most specifically with the states. Article 109 instructed the states to adopt a popular republican representative government. In addition to this directive, the Constitution specifically denied the states certain unilateral powers. Without congressional approval they could not conduct foreign relations, issue their own currency or stamped paper,<sup>13</sup> or retain any permanent troops. The state governors were charged with the publication and execution of all federal laws. This function provided a certain amount of leeway for the state executives who could occasionally delay publication

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<sup>12</sup>One of the changes that Juárez unsuccessfully sought in the convocatoria of 1867 was the veto power for the executive.

<sup>13</sup>While the letter of this clause was observed, the spirit was not. Throughout the era of the Restored Republic, various federal mints scattered about Mexico often operated without any effective federal control.

of laws they disagreed with. The federal government, for its part, assumed responsibility for the protection of the states against foreign invasion and, upon the request of the states, in the event of internal disorders. Article 117 restated the federalist relationship by declaring that all powers not delegated to the federal government were the prerogative of the states.

The framers of the Constitution, at the invitation of the radical Ponciano Arriaga, added one final power to the list of federal prerogatives: the right to deal with all religious questions. This clause took control of the church out of the hands of state officials in the hope of applying a more even enforcement of federal policies.

The Constitution of 1857 indicates the development of liberal political thought. Time proved the framers of the Constitution were extremely unrealistic in their expectations. Clearly, it was impossible to reorder Mexican society by simply writing new constitutions.

Oaxaca's liberal constitution, promulgated on January 1, 1858, is indicative of one state's conception of the federal-state constitutional relationship.

In the official preamble of the state constitution, Manuel Dublán, president of the constituent assembly, affirmed the legislature's acceptance of the charge by the Federal Constitution to rewrite the state constitution along liberal lines.<sup>14</sup>

Following the example of the federal charter, the Oaxacan

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<sup>14</sup>Oaxaca, Congreso constituyente. *Constitución del Estado de Oaxaca* (Oaxaca, 1894), iv.

constitution began with a long list of individual rights. Most of the rights enumerated in Articles 1 through 21 repeat the guarantees of Federal Constitution: freedom from enslavement, freedom of speech, equality of all before the law and the prohibition of retroactive laws. The state constitution specified additional individual legal rights as well. Article 8 stated that no one could be compelled to testify against himself in any way. No one could be held for more than seventy-two hours without being informed of the charges against him; and an accused had to be brought to trial within a reasonable time. Further, no one could be tried twice for the same crime. Finally, these rules were declared by the Constitution to be inviolable.

Title II addressed itself to the sovereignty of the state and its affiliation with the federal government:

The state of Oaxaca is free and sovereign in everything that exclusively concerns its internal regulation, and it is obliged to guard the political Constitution of the Mexican Union and the general laws.

Article 24 recognized the state's territorial limits as defined by the Federal Constitution.

The form of government and the division of powers duplicated the federal example. Oaxaca adopted a popular representative republican government as instructed. It also organized the government into executive, judicial, and legislative branches. The state's Congress was a unicameral body whose representatives were elected for two year terms just as in the national Congress. The state constitution created a directly-elected legislature which reflected the liberal belief that an

elected representative body was the true repository of the people's will. The state constitution affirmed the state legislature's right to initiate laws and submit them to the federal government. The state legislature could pass laws on any matter not expressly assigned to the federal government by the Federal Constitution of 1857 including authorization of the state budget and the assignment of taxes. Its judicial powers were several: the formation of a civil code, criminal and procedural codes, and the right to grant amnesty in cases of capital punishment.<sup>15</sup>

Title IV delineated the office of Governor. Unlike the president of the Republic, the state's chief executive was directly elected; and, if no one received an absolute majority of the votes, the decision would then be made by the state legislature. Elected for four years, the governor's powers and duties included the publication and enforcement of federal and state laws and the naming of state officials including the *jefes políticos*. The governor was also empowered to fine the presidents and members of local *ayuntamientos* for failure to comply with the laws of the state and the nation. The governor served as the commander of the state's National Guard unit. Although the federal Congress controlled the administration of this agency, the governor was the immediate commander. His powers as commander were limited only to the extent that he needed permission from the state legislature to assume command. A secretariat headed by a secretary of the state was created

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<sup>15</sup>These tasks were not completed until 1869-1870.



to aid the governor. The secretariat handled the administration of laws for the executive. The secretary of state's signature had to be included on all the governor's regulations, decrees and orders in order for them to be valid.

The state was divided into administrative districts and then into *municipios* which were similar to United States' townships in their size. Each district was under the direct jurisdiction of a *jefe político*; each municipio was administered by an ayuntamiento. While the *jefes* were appointed by the governor, the ayuntamientos--the lowest level of government--were directly elected.<sup>16</sup>

Title VII contained miscellaneous clauses (including Article 91) which stipulated that Mexicans living in Oaxaca were obliged to serve in the National Guard; the organization of the National Guard itself was left to subsequent legislation.

Titles VIII and IX dealt directly with the state constitution. The former section made provisions for formal revision of the Constitution. A two-thirds vote of all members of the state Congress who were present was necessary in order to change the document. The latter title reflected the last article of the Federal Constitution which declared the state constitutions to be inviolable. If a state constitution was overturned or replaced by a rebellion, it would be reinstated as soon as that interruption could be concluded.

Thus, the two constitutions reflected, in general terms, the

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<sup>16</sup>Both of the offices were defined in subsequent laws.

framework for the revival of the Mexican nation. The relationship between the two levels of government was a revision of the federalist system which granted autonomy to the states in terms of daily functions and duties while it required them to obey and comply with federal laws. The commitment made to the constitutions was sincere for many Mexican liberals. They truly hoped and believed that such a document and such a system would provide the means for greater development of their nation.

The liberal political leaders who sought to reshape Mexico's destiny by means of written documents either ignored or were unaware of the enormity of their task. Constitutions and rhetoric meant little to people whose horizons were generally limited to walking distance. To the Mexican people, constitutions were of little consequence until they became the cause of one of the frequent political eruptions that disrupted the lives of all Mexicans during the nineteenth century. Furthermore, constitutions were worth little if they were unenforceable. This was certainly the case in 1857. Ten years and two major wars would delay the full application of that document and would seriously alter the government's approach toward it. During the period from 1857-1867, the Juárez administration, and in particular its key minister, Sebastián Lerdo de Tejada, became increasingly convinced of the need for greater central control of Mexico. Considering the events of the period, there is little wonder that the administration felt compelled to increase rather than diminish the federal government's powers.

The single most important factor in elevating the Constitution

of 1857 above its predecessors was the French Intervention. Once the conservatives cooperated with the French and the government of Maximilian, they helped sanctify the Constitution of 1857 as the symbol of national sovereignty rather than the manifesto of one political faction. When the liberal government of Benito Juárez assumed complete control of the government in 1867, it had a mandate to carry out the principles of the Constitution.

The problems that had been built into the Federal Constitution of 1857 remained for Juárez to deal with a decade later. By relying upon the judgment of the states to determine the priority and often the solution of their problems, the liberals ignored the fact that the states were ill-equipped to meet the enormity of the problems confronting them.

## C H A P T E R   I I I

### THE EDUCATIONAL CHALLENGE

When the liberals resumed control of Mexico in 1867, one of the most pressing responsibilities they faced was in the field of education. The challenge of creating a public system of education confronted not only the federal government but also the government of Oaxaca.

The liberals' educational program reflected the influence of Auguste Comte.<sup>1</sup> Comte, a Frenchman and advocate of a positivist philosophy, urged the study of exact knowledge, particularly the sciences. Much of the Juárez administration's educational program was the direct work of Gabino Barreda who had studied under Comte in France.<sup>2</sup> Barreda offered his own interpretation of positivism in his *Oración Cívica* which he presented in Guanajuato on September 16, 1867. This speech was published at the time Juárez was considering the reorganization of Mexico's educational system. In it, Barreda argued that a church-dominated

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<sup>1</sup>Albert J. Delmez, "The Positivist Philosophy in Mexican Education," *The Americas*, VI (1949), 32. See also Irma Wilson, *Mexico. A Century of Educational Thought* (New York, 1941), 225-35.

<sup>2</sup>Rubén Rodríguez Lozano, *Vida y obra del Dr. Gabino Barreda* (Puebla, 1968), 7. Barreda, in 1867, was the leading advocate of Mexican positivism. His interpretation of the Comtian philosophy called for the creation of a system that would guarantee the individual the opportunity to make a contribution to society. While this interpretation was acceptable to Juárez, it was later perverted, according to Leopoldo Zea, into the aggressive positivism of the Porfiriato. See Leopoldo Zea, "Positivism," in A. Robert Caponigri, ed., *Major Trends in Mexican Philosophy* (Notre Dame, 1966), 231-45.

education was insufficient for the development of a modern nation.<sup>3</sup> He contended, instead, that education should ultimately place its greatest emphasis upon the production of a "generation of logical, practical men."<sup>4</sup> Barreda made a distinction between the roles of the church and the state in the educational process. He contended that the church should assume responsibility for the infusion of a common set of values or loyalties based upon positivist principles.

Impressed with Barreda, Juárez urged his appointment to a special committee charged with reorganizing Mexican education in 1867.<sup>5</sup> Barreda is generally regarded as the guiding spirit of the committee's report. Ultimately, the report became the basis for Mexican education until after the Revolution of 1910. Juárez codified the Barreda report by decree on December 2, 1867, under the title of the Organic Law of Public Instruction for the Federal District.<sup>6</sup>

<sup>3</sup>Barreda's *Oración Cívica* is reprinted in Jorge L. Tamayo, ed., *Ley Orgánica de Instrucción Pública en el Distrito Federal, 1867-1967* (México, 1967).

<sup>4</sup>Delmez, *loc. cit.*, 35-36. Lic. José María del Castillo, secretary of Gobernación, described education as "the indestructible basis of the prosperity of the people, from which they will become freer and more opulent." Sría. de Gobernación. *Apendice de la Memoria que el Secretario de Estado y del despacho de Gobernación presento al sexto Congreso constitucional y documentos en ella se citan* (México, 1871), 39.

<sup>5</sup>*Ibid.*, 37. See also Rodríguez Lozano, *Vida y obra del Dr. Gabino Barreda*, 7-8.

<sup>6</sup>Manuel Dublán y José M. Lozano, eds., *Legislación mexicana. Colección completa de las disposiciones legislativas expedidas desde la independencia de la República*, 34 vols. (Mexico, 1876-1904), X, 193-205. The official newspaper, *Diario oficial*, meanwhile, touted the value of education as a means of bringing Mexico into the world of modern nations.

The translation of the administration's educational program into a law for the Federal District revealed the liberals' determination to adhere to the federalist principles of the Constitution of 1857. This document precluded the imposition of a national educational system. The Organic Law, accordingly, applied only to the Federal District although it was hoped that it would also serve as a model for the states in establishing their own educational systems.

Because it represents the educational program of the Juárez administration and because it did influence educational developments outside Mexico, it is worth examining the Federal Organic Law of Public Instruction' in some detail.

The Federal Organic Law stated with great confidence that the system it embodied was the most efficient way to inculcate the Mexican people with a sense of freedom as well as respect for the Constitution. The law specifically authorized the municipal governments of the Federal District and the federal government to share the cost of schools within the district. Four primary schools (three for boys, one for girls) were to be paid for by federal funds. Any additional schools deemed necessary by the municipal governments were to be financed out of local revenues. The Organic Law did not provide for a breakdown of the educational system by grades. Rather, the law listed the specific courses that constituted what the Barreda committee thought necessary for completion of a primary education. The primary curriculum was composed of reading, penmanship, Spanish grammar, letter-writing, arithmetic, the decimal system, rudiments of physics, the arts based on chemistry and

practical mechanics, linear drawing, morals, manners, notions of constitutional rights, and rudiments of history and geography, especially of Mexico.<sup>7</sup> These courses reflected Barreda's emphasis upon positivist education. Primary schools (which later evolved to grades 1-6) were part of a graduated program constructed so that the student's education was complete only after he had finished every phase of the educational program. In other words, each educational level, in fact, each course, was a progressive step in building a total body of knowledge. Such a combination of courses, it was believed, would produce a generation capable of making decisions upon rational scientific principles.

In addition to the primary educational system, the Federal Organic Law also called for the creation of several secondary schools which were essentially specialized preparatory schools. They were open to anyone who completed his elementary education and could qualify by passing a series of entrance examinations.<sup>8</sup>

While Juárez' special committee prepared the plan for education in the Federal District, the states prepared their own educational programs. In Oaxaca, the state legislature approved its own version of a liberal educational system with the Organic Law of Public Instruction on

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<sup>7</sup>Dublán y Lozano. *Legislación mexicana*, X, 193-94.

<sup>8</sup>Secondary education included the Schools for Preparatory Studies, Medicine, Surgery, Pharmacy, Agriculture, Veterinary Science, Engineering, Arts and Crafts, Natural Sciences, Fine Arts, Music and Speech, a Normal School, A School for Deaf-mutes, an observatory, an Academy of Literature, and Science and a botanical garden.

October 9, 1867.<sup>9</sup> The Organic Law of 1867 was actually a successor of an earlier attempt at public education which was initiated in 1858.<sup>10</sup> The first attempt had hardly been initiated however before the outbreak of civil war. The state government attempted to renew its primary educational program again in 1860, but the program was not very well-defined and it was not translated into action before affairs in the state were disrupted by the French Intervention. Consequently, the Oaxacan Organic Law of 1867 was the first significant opportunity liberals had to actually implement their ideas.

Félix Díaz expressed the liberal goals for education:

Intelligence is the auxiliary of strength, and for the same reason, education is the natural ally of work. A government pretends in vain to promote the public enrichment without promoting education. Only the study of the sciences brings in its wake, progress to agriculture, to the arts, to commerce, and every industry prospers.<sup>11</sup>

The federal and Oaxacan educational codes shared many features indicating the pervasiveness of positivism among Mexican liberals. Like the federal government, Oaxaca recognized the need for public assumption of an educational system. The state law endorsed the ideal of free compulsory education for all children between the ages of five and fifteen. Although the state retained the right to dictate educational

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<sup>9</sup>Oaxaca. *Leyes, decretos, etc.*, IV, 325.

<sup>10</sup>Oaxaca. *Ley Orgánica de Instrucción Pública decretada por el H. Congreso del Estado* (Oaxaca, 1861).

<sup>11</sup>Oaxaca. Gobernador. *Memoria* (1871), 62-63.



policies, local administration of education was left to educational *juntas* formed in each municipality. The state's Organic Law did not define the makeup of these juntas in any detail. In practice, the *ayuntamientos* or town councils usually assumed direct responsibility for education even though the law stated that the municipal councils were responsible to the *jefes políticos* whose role in the educational program was generally limited to that of a liaison between the municipal and state governments. The jefe was required to forward correspondence and funds from the state's Administrator of Public Instruction to the municipalities; he also forwarded, without comment, regular reports on education from local governments to the state. This administrative structure created a system which theoretically gave the state government control of policy decisions while relying upon the municipal governments to see to the enforcement of the policy.

Oaxaca's Organic Law also dealt with the curriculum for the schools carefully defining the areas of required study for at least the first five years. The specific requirements reflected the break from any religious orientation as well as the positivist emphasis upon science and reason. The general stress was on a practical, scientific (or technical) approach to learning. During the first year, students were required to study reading, writing, and basic arithmetic. In their second year, they again had basic reading and writing, but were also introduced to Castilian grammar and the rudiments of arithmetic. The third year of study exposed students to reading, courtesy, grammar, and more arithmetic. By the fourth year, the students were required to study writing and advanced grammatical problems as well as a course in

civics and an introduction to the decimal system. Commerical arithmetic was added to the curriculum for the sixth year as was world history and the concepts of the metric system.

At first glance, the new Oaxacan curriculum does not appear to be drastically different from the traditional pre-Reform elementary curriculum. Under the older system, students were also given religious instruction, and they did not have courses in civics and commercial arithmetic.<sup>12</sup>

In addition to the absence of religious instruction, it is clear that significant changes took place in the recipients of Oaxacan primary education. Prior to 1867, education generally had been the prerogative of the privileged. Schools were neither publicly funded nor were they obligatory except for the abortive attempts in 1858 and 1860. Schools were traditionally church-supported with the exception of a Lancastrian school in Oaxaca City. Under these circumstances, the curriculum was limited to subjects that church officials regarded suitable for the upper classes. Education was marked by a scholasticism that held little meaning for Mexico's lower classes.<sup>13</sup>

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<sup>12</sup>Jorge L. Tamayo, ed., *Ley orgánica de Instrucción Pública*, 9. This was apparently true in Oaxacan primary schools as well. See Berry, "The Reform in the Central District Of Oaxaca, 1856-1867," 38-39.

<sup>13</sup>The old curriculum was outlined in *Catecismo político dedicado á la instrucción primaria de la juventud oaxaqueño* (Oaxaca, 1857), 38-40. See also Fidel López Carrasco, *Historia de educación en el estado de Oaxaca* (México, 1950), 26-34; and George F. Kneller, *The Education of the Mexican Nation* (New York, 1951), 30.

In addition to specifying the curriculum, Oaxaca's new educational law included provisions for annual pupil examinations and teachers' reports. These provisions were the basis for subsequent state supervision of a wide range of details including the approval of new courses, the review of graduating students, and the criteria for hiring teachers. The director of the State Institute of Arts and Sciences was also the director of the state's primary educational system. In these ways, the state government retained some control of educational policies and standards.

The Organic Law paid lip service to the idea of education for women by calling for a system of primary education open to all citizens regardless of their economic status or sex. In practice, however, women never participated widely in the educational system (see Table I). While the liberals proclaimed their faith in the principle of equality of opportunity for all, in reality, they gave a very low priority to educating women.

While the Federal and Oaxacan Laws of Public Instruction theoretically represent the liberals' educational goals, the true test of their commitment to public education was the performance of the state and local administrations. In Oaxaca, the educational program was implemented visibly through the construction of new schools most of which were built in the initial years of the Restored Republic. Under the terms of the state's Organic Law, each municipality of 1000 people was to have a school and many local officials and *jefes políticos* strove to fulfill this goal. Governor Felix Díaz's administration (1867-71)

TABLE I

PRIMARY SCHOOLS, ENROLLMENTS, AND TEACHING STAFF, 1869<sup>14</sup>

DISTRICT	BOYS SCHOOLS	ENROLLMENT	GIRLS SCHOOLS	ENROLLMENT	FACULTY	STUDENT/ TEACHER
Centro	20	1784	3	167	22	88.6
Villa-Alvarez	19	603	3	204	19	42.4
Ocotlán	33	1567	3	173	33	52.7
Ejutla	21	960	1	26	20	49.3
Miahuatlán	54	3033	4	383	54	63.2
Pochutla	15	564	0	0	15	37.6
Jamiltepec	41	910	0	0	41	22.1
Villa-alta	40	1915	2	200	40	52.8
Juquila	7	236	0	0	7	33.7
Choapam	10	375	0	0	10	37.5
Nochixtlán	62	2381	2	300	62	43.2
Silacayoapam	44	1234	0	0	44	28.0
Coixtlahuaca	18	1019	0	0	18	56.6
Huajuápam	80	3054	0	0	80	38.1
Teposcolula	24	1040	0	0	24	43.3
Tlaxiaco	7	800	0	0	7	114.0
Etla	35	1211	3	281	35	42.6
Teotitlán	17	431	1	72	17	29.5
Cuicatlán	30	700	3	91	30	26.3
Tlacolula	17	795	3	80	17	51.4
Yautepec	12	804	0	0	12	67.0
Tehuantepec	13	726	0	0	13	55.8
Juchitán	11	156	0	0	11	14.1
Tuxtepec	16	539	0	0	16	37.0
Villa-Juarez	32	1275	3	112	32	43.3
TOTALS	678	28,166	31	2,089	679	

<sup>14</sup> Oaxaca. Gobernador, Memoria (1871), Doc. no. 69.

publicly committed itself to school construction, and in 1867 it found the Oaxacans receptive to such a building program. The initial enthusiasm may have been a reflection of the fact that the years of fighting between 1857 and 1867 had left Oaxaca's few schools in a moribund state.<sup>15</sup>

The execution of the primary educational program commenced almost as soon as the liberal armies regained control of the state in 1867. Community-minded Oaxacans did not wait for either the state or the federal governments to encourage school openings. Schools were organized and put into operation as early as March, 1867, when the districts of Villa-Alta and Ocotlán notified the state that their municipal schools attended by boys and girls were being taught by provisional teachers entirely supported by community funds.<sup>16</sup>

This exercise of local initiative had its roots in a desire for a normal existence after the years of warfare. As the jefe político of Juchitán observed in a letter to *La Victoria*, no schools had existed in his district for two years and his people were anxious to begin rebuilding their lives along more stable lines.<sup>17</sup> Public-spirited Oaxacans there, and elsewhere, regarded schools as a means of improving the

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<sup>15</sup>Berry, "The Reform in the Central District of Oaxaca, 1856-1867," 39.

<sup>16</sup>*La Victoria* (May 2, 1867), 1.

<sup>17</sup>*Ibid.* (May 26, 1867), 1.

community and as a sign of progress. For its part, the Oaxacan government administered by a military commander and a civil governor at the onset of the Restored Republic took pains to encourage this kind of local initiative wherever it occurred. In June, 1868, Luís Pérez Castro, editor of *La Victoria*, complimented the people of Villa-Alta for their actions. He particularly mentioned the jefe político, Pedro Renero, for his success in opening a number of schools in a relatively short time.<sup>18</sup>

Despite some initial activity, the state's districts were not uniform in their school programs. The major obstacle present in all districts was their lack of funds. As a later governor Miguel Castro observed:

In vain the Executive [of the State] reminded the *municipios*, in numerous circulars, of the obligation of the law to build and maintain primary schools, . . . The government saw with regret, that its instructions were dashed against the notorious poverty of the *municipios*.<sup>19</sup>

In an effort to aid the districts that could not afford to hire teachers, the administration of Félix Díaz occasionally authorized special funds. In January, 1870, the state legislature, at the governor's urging,

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<sup>18</sup>*Ibid.* (June 11, 1868), 4. *La Victoria* also cited other districts or individuals for their efforts, such as Tehuantepec, for secondary schools, and Miahuatlán when it opened several schools in the space of two months.

<sup>19</sup>Oaxaca. Gobernador. *Memoria que el ejecutivo del Estado presentada al congreso del mismo* (Oaxaca: Imprenta del Estado, 1873), p. 40.

agreed to pay the salaries of six teachers in Tehuantepec.<sup>20</sup>

The Oaxacan Law of Public Instruction had provided for the financial burdens to be shared almost equally between the state and local governments. It authorized a direct tax of 6-1/4 centavos per month for each taxpayer. The municipal governments were charged with the duty of collecting this tax which was to be used for school construction and maintenance. During the years from 1868 to 1871, the municipal governments annually collected 100,000 to 118,000 pesos in this way. But this was hardly sufficient to provide enough schools. It is evident, judging from frequent state complaints, that the local governments were not efficient in collecting this tax. The state government, for its part, annually allotted 100,000 pesos from the state budget to be disbursed to each district for teachers' salaries.<sup>21</sup>

While the state legislature occasionally authorized additional funds, these were totally insufficient to build, staff, and maintain schools for all school-age children in the state. The situation was commented on by public officials. As Benito Cartas, jefe político of the Central district observed:

With regard to the instruction of the people who compose this district which is totally native, with the exception of the capital, it is entirely retarded, so that the majority of municipal authorities do not know how to read, and even less how to write; because the pledge of authority to establish schools in each town is not enough; it has not been possible because of the lack of funds most of the time.

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<sup>20</sup>*La Victoria* (January 4, 1870), 4.

<sup>21</sup>*Ibid.* (November 3, 1867), 2; and *ibid.* (January 9, 1868), 3-4; and *ibid.* (January 8, 1869), 5.

This same kind of sentiment was expressed by the jefe of Villa-Alvarez, Cristóbal Salinas:

The people of the district are generally docile, hard-working, and economical. They do not know because no one teaches them. . . . Education would elevate them. . . . Primary instruction as the government proclaims it, does not satisfy the needs of the community. . . . There ought to be a school where there is a desire for intelligence. . . . The people want the promise of the executive [for funds] to be realized.<sup>22</sup>

Oaxacan education was also retarded by the dearth of qualified teachers. Some districts such as Tehuantepec and Ocotlán solved the problem by hiring itinerant teachers. In Tehuantepec, for instance, five villages employed the same teacher, Florentino González, in 1868 for an annual salary of twenty pesos each.

One reason the state legislature was disposed to relieve Tehuantepec of some of its financial burden was that district's efforts to go beyond primary level education. Tehuantepec was the only area outside of the Central district that supported a secondary school. The Colegio de Santa Infancia, as it was known, opened its doors in 1869. This *colegio* (or high school) began with rather modest course offerings: English, French and Castilian grammar, arithmetic, draftsmanship, and bookkeeping.

Despite so limited a curriculum, the school's opening was hailed in the capital as a substantial step "distinguished by the cultivation of science." [True to the positivist doctrines, Tehuantepec's *colegio*

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<sup>22</sup>Both statements are found in Oaxaca, *Memoria* (1873), doc. no. 6.



was oriented toward the ideal of a practical education which would provide Oaxacans with the opportunity to move into the ranks of the nascent Mexican middle class.] *La Victoria* stressed the overall benefit the school would bring to the state:

It is of little importance whether a town is called Teotitlán or Villa-Juárez, Miahuatlán or Tehuantepec; what we desire, what we seriously aspire to is that all are *one* by work, by instruction and by positive advances; since only by this method are the people made great, governments worthy, vigorous and esteemed.<sup>23</sup>

The model for secondary education in Oaxaca was the long-established Institute of Arts and Sciences created by the Oaxacan legislature in 1826.<sup>24</sup> From its inception, the Institute has been associated with liberal Oaxacans including the more innovative clergy. In the early years, priests were not only hired to teach in the Institute but several actually served as its director. Many members of the clergy had cooperated with and supported the Institute because they regarded it as a means of extending or continuing ecclesiastical influence in education. During the first year of liberal control in the mid-1830's, however, its curriculum was modified to give more emphasis to professional and technical training. Included in the courses offered at that time were: law, medicine, pharmacy, and mathematics. From then until the Reform, the Institute attracted many liberals, both priests and laymen. By the

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<sup>23</sup>*La Victoria* (February 9, 1869), 4.

<sup>24</sup>Ray F. Packard, "Institute of Arts and Sciences of Oaxaca" (M.S. Thesis: Mexico City College), 21.

mid-1840's, the Institute's liberal outlook was widely recognized, but it was only during the Reform era that clerical influence was reduced and finally eliminated.<sup>25</sup>

The Institute's success was at least partially attributable to the fact that it was the only state-supported secondary school in Oaxaca. It did not have to share its budget with Santa Infancia in Tehuantepec, and it drew students from all of Oaxaca. Throughout the Restored Republic, the state's programs for secondary education were concentrated at the Institute. From time to time it expanded its offerings to incorporate additional courses as the state government saw fit. Most of the twenty-six curricular programs offered by the Institute were available in Oaxaca City.<sup>26</sup>

The state was able to maintain a constant influence upon secondary education through a director of Public Instruction. The director, appointed by the governor, was empowered to make all personnel and curricular decisions. The state legislature, upon the recommendation

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<sup>25</sup>By 1867 the church was completely removed from the educational process.

<sup>26</sup>By 1868 the *cátedras* (chairs) in the Institute were:

Typography	French	Geography
Gymnastics	English	Physics
Music	Painting	History
Design	Syntax	Chemistry
Castilian	Logic	Pharmacy
Fine Arts	Mathematics	Natural History
Special legislature	Agriculture	Anatomy
Civil rights		Pathology
Greek		
Civil law		
Public law		

of the director, approved scholarship recipients and exemptions from the annual examinations which were required for advancement.

Oaxacans of various social strata expressed their support for public education in two ways: educated, literate and professional people wrote letters, editorials and speeches; the less sophisticated Oaxacans, living in the outlying districts, responded by voting for schools and by sending their children to attend these schools. *La Victoria* periodically published editorials and letters endorsing the positivist program. Luís Pérez Castro, editor of the Oaxacan journal in 1868, strongly urged that the federal government emphasize a scientific but utilitarian education:

We recognize our ignorance . . . we have a vehement desire that our people have a fountain from which to absorb a good education, neither literary, nor fine arts, but of useful and productive arts: we are conscious that a good carpenter, a good locksmith, a good mason, is more useful than the most knowledgeable Greek scholar, the best and most erudite Latin scholar, the most eloquent and florid poet and the most profound canonist.<sup>27</sup>

Throughout the period of the Restored Republic, other Oaxacans such as Juan N. Cerqueda, a lawyer in the central district, praised the administration's educational program. In a letter to *La Victoria* in 1870, Cerqueda expressed his hopes for the new educational system which he saw as an avenue for progress and modernization in Mexico.<sup>28</sup> Cerqueda

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<sup>27</sup>*La Victoria* (May 28, 1868), 3-4. Pérez Castro also spoke out vigorously in favor of an expanded educational program for women. However, as noted earlier, women were largely ignored by the educational system.

<sup>28</sup>*Ibid.* (March 14, 1870), 4. The editors of *La Victoria* also

also praised the state legislature for emphasizing education founded on scientific principles and professional training. An ardent advocate of positivism, Cerqueda argued that one method of establishing political stability was to promote a peaceful, productive, and industrious people through education.

The sentiments expressed by Cerqueda and Luís Pérez Castro illustrated the positivist belief in education as a means of engendering an era of peace. Their celebration of the virtues of work as a social and political panacea reflected the view that progress was possible only in a well ordered society. After the years of turmoil, the establishment of schools for the training of technicians and craftsmen was heralded as the inauguration of a new phase in the restoration of the Republic.

As Table I indicates the state of Oaxaca had only 30,255 pupils enrolled (28,166 boys and 2,089 girls) in primary schools in 1869-1870. These pupils constituted less than 5% of the state population (see Table 2) and in certain districts numbered less than 1% of the population.<sup>29</sup>

While it is not possible to state with precision the number of school-age children in Oaxaca in 1870, it can be presumed that they

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occasionally encouraged the expansion of the education program.

<sup>29</sup>*Ibid.* (December 4, 1868); and *ibid.* (December 28, 1868), 3; and *La Victoria* (November 2, 1867), 3. Complete figures were not available by 1867 because of the unsettled conditions and the general indifference to recording statistical information.

TABLE 2

POPULATION AND SCHOOL ENROLLMENT BY DISTRICT, 1869-1870<sup>30</sup>

DISTRICT	TOTAL POPULATION	SCHOOL POPULATION	PERCENTAGE OF POPULATION
Centro	47,758	1951	4.0%
Coixtlahuaca	13,021	1019	12.7
Cuicatlán	16,176	791	4.8
Choapam	9,581	375	3.9
Etla	22,677	1492	6.5
Huajuápam	37,113	3054	8.2
Jamiltepec	33,411	910	2.7
Juquila	14,854	236	1.5
Miahuatlán	31,163	3416	1.0
Nochixtlán	32,235	2681	8.3
Ocotlán	25,999	1740	6.6
Tehuantepec	19,410	726	3.7
Teotitlán	24,297	503	2.0
Teposcolula	24,885	1040	4.1
Tlacolula	33,813	875	2.5
Tlaxiaco	38,826	800	2.0
Villa-Alvarez	39,070	807	2.0
Villa-Alta	38,730	2115	5.4
Yautepec	20,909	804	3.8
Ejutla	15,197	986	6.5
Juchitán	27,335	156	0.5
Silacayoapam	19,071	1234	6.4
Pochutla	10,039	564	5.6
Túxtepec	17,987	593	3.3
Villa-Juárez	19,909	1387	6.9
TOTALS	632,456	30,255	4.7

<sup>30</sup>Oaxaca. Gobernador. *Memoria* (1870), doc. no. 69.

vastly outnumbered those enrolled. Some idea of the disparity between enrollees and the school age population is suggested by the 1895 census which indicated that at that time the 6-15 year age group constituted over 24% of the state's population (see Table 3). If the same percentage prevailed in 1870, and there is no reason to assume a smaller 6-15 year age group for that year, the number of children who should have been attending Oaxacan schools under state law was 151,789. In other words, only one child in five was enrolled in a primary school despite the commitment of state and municipal leaders to the ideal of public education.

The failure of the liberal regime to carry out its public commitment to provide free public schools for all children is even more clear when it came to girls. As evidenced in Table I, half of the state's districts never opened any primary schools for girls while the remaining districts had only 31 schools for girls as opposed to a total of 678 schools for boys.

It is difficult with the materials available to assess the quality of instruction provided in the schools that did exist. Some insight is offered, however, by the data on student-teacher ratios. One immediate observation is that the ratios were generally high and varied sharply from district to district, as shown by Table I.

The reasons for this variation are not related directly to the size of population. To be sure, the Central or Capital district (47,758 population) had one of the highest ratios (89 to 1) and the next largest district, Villa-Alvarez (39,070 population) had a ratio of 42 to 1, but two districts with almost identical population, Tlaxiaco

TABLE 3

SCHOOL-AGE AND TOTAL POPULATION IN OAXACA BY DISTRICT, 1895<sup>31</sup>

DISTRICT	TOTAL POPULATION	6 TO 10 YEARS	11 TO 15 YEARS
Centro	65,732	7,315 (11.1%)	7,119 (11.0%)
Coixtlahuaca	16,818	1,783 (10.6%)	1,590 (9.5%)
Cuicatlan	21,058	2,977 (9.5%)	2,424 (11.5%)
Choapam	11,734	1,508 (12.9%)	1,093 (9.3%)
Etla	24,060	3,144 (13.0%)	2,560 (10.7%)
Ejutla	30,032	4,337 (14.4%)	3,299 (11.0%)
Huajuápam	43,367	6,488 (14.9%)	4,735 (11.0%)
Ixtlán	27,077	3,397 (12.5%)	2,673 (9.9%)
Jamiltepec	44,994	7,287 (16.2%)	4,870 (10.8%)
Juchitán	44,534	6,587 (14.8%)	4,587 (10.3%)
Juquila	21,467	3,027 (14.1%)	2,597 (12.1%)
Juxtlahuaca	19,783	2,541 (12.8%)	1,811 (9.2%)
Miahuatlán	40,534	5,343 (13.1%)	4,411 (10.9%)
Nochixtlán	41,224	5,991 (14.6%)	4,257 (10.3%)
Ocotlán	33,472	4,468 (13.3%)	3,628 (10.9%)
Pochutla	20,398	2,933 (14.2%)	2,237 (11.0%)
Silacayoapam	27,169	3,670 (13.5%)	2,887 (10.6%)
Tehuantepec	31,009	4,128 (13.3%)	3,242 (10.5%)
Teotitlán	35,530	4,880 (13.7%)	4,053 (11.4%)
Teposcolula	31,068	4,530 (14.6%)	3,076 (9.9%)
Tlacolula	40,881	5,786 (14.1%)	5,043 (12.3%)
Tlaxiaco	63,282	9,166 (14.5%)	7,031 (11.1%)
Tuxtepec	28,399	4,366 (15.4%)	2,753 (9.7%)
Villa-Alta	40,118	5,363 (13.4%)	3,939 (9.8%)
Yautepec	23,462	3,017 (12.9%)	2,531 (10.8%)
Zimatlán	45,699	6,180 (13.5%)	4,704 (10.3%)
<b>TOTALS</b>	<b>872,902</b>	<b>120,181 (13.7%)</b>	<b>93,154 (10.6%)</b>

<sup>31</sup>México. Ministerio de Fomento. Direccion General de Estadística. *Censo General de la República Mexicana, 1895* (México, 1899).

(38,826), and Villa-Alta (38,730), had student-teacher ratios of 114:1 and 53:1 respectively.

Most of the districts with populations less than 20,000 people (Choapam--9,581; Pochútla--10,029; Juquila--14,854; and Cuicatlán--16,176) had relatively low student-teacher ratios ranging from 26:1 to 38:1. However, the districts of Ejutla (15,197) and Coixtlahuaca (13,021) had student-teacher ratios of 49.3 and 56.6 respectively. The same inconsistencies existed between the districts with populations above 20,000.

The student-teacher ratio was not directly proportional to the wealth of the districts. The Central District, for instance, the economic hub of the state, maintained the second highest student-teacher ratio in the state (89:1). In contrast, Juchitán, one of the remote agricultural districts and Cuicatlán, a mountainous, isolated district in the northern part of the state, had student-teacher ratios of 14:1 and 26:1 respectively. In fact, the student-teacher ratio was not directly proportional to the wealth of the district, the proximity of the state capital, or the size of the district. There was probably no single factor that determined the number of schools or the student-teacher ratios in the various districts. One can only conjecture about the real factors that affected the Oaxacan school program: the personality and predilections of state and local leaders, the effectiveness of the state government's encouragement; and the grass-roots commitment to the liberals' vision of education as a means to a greater, more unified society.



The federal government, insofar as Oaxaca was concerned, played only a minor role in the educational process. It did nothing to support primary schools or the Oaxacan Institute of Arts and Sciences, but it did provide secondary educational opportunities in the Federal District.<sup>32</sup> In fact, with the slow economic growth of some states, the burden of providing secondary specialized education fell increasingly to the federal government.<sup>33</sup>

Theoretically, the federal government made opportunities for higher education available to the citizens of all the states. However, since its schools were located in the Federal District, they were not easily accessible to the majority of Mexicans.<sup>34</sup> On the other hand, the provision of some scholarships by the federal government did open the door slightly.

Under these circumstances, the opportunities for advanced education belonged to those best able to afford them. The state government never actively undertook the creation of a system of higher education beyond the Institute. Recognizing the relatively low level of

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<sup>32</sup>Secondary schools created by the Juárez administration in the Federal District included a Law School, Medical School, School of Agriculture and Veterinary Science, an Engineering School, a School of Fine Arts and Trades, and a School for Deaf-Mutes. See Jorge L. Tamayo, ed., *Ley Orgánica de Instrucción Pública*, 24-25. See also Oaxaca. Gobernador. *Memoria* (1871), doc. no. 67.

<sup>33</sup>*La Victoria* (November 9, 1867), 1.

<sup>34</sup>*Ibid.* (November 23, 1867), 3.

development of the people and the poor condition of the treasury, the state abdicated the responsibility for advanced study to the Juárez administration.

In summary, then, the federal and state governments shared responsibility for education. The states assumed sole administrative responsibility for primary education while the federal government attempted indirectly to influence primary curricular policies by the example of the Federal Organic Law of Public Instruction. Ultimately, however, the final decision on curricular matters was left in the hands of the states. The pervasiveness of the positivist philosophy was evident in the educational programs established at both the federal and state levels. In the case of Oaxaca, the state appears to have anticipated the federal government as in the Organic Law of Public Instruction. The implementation of the state's education program was incomplete; but certainly at the primary level, Oaxaca's program complemented that of the federal government. Oaxaca needed no push from the Juárez administration to undertake its own version of a positivist educational system. Undoubtedly, this effort received at least moral support from the national capital.<sup>35</sup> The state's educational program, in turn, became a source of pride for many ordinary citizens

The state and federal governments were usually in accord on

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<sup>35</sup>J. M. Casauranc, ed., *La Educación pública en México á través de los mensajes presidenciales desde la consumación de la independencia hasta nuestros días* (México: Publicaciones de la Sría. de Educación, 1926), 13-14.

educational policies. The federal government, in fact, assumed responsibility for much of the technical, advanced education that was offered.<sup>36</sup> Rather than interpret this as a threat to their prerogatives, the states accepted the practice willingly. The major reason for their ready acceptance was the fact that it freed the state governments from the burden of developing their own secondary educational systems. Thus, the relationship between the federal and the Oaxacan governments was one of cooperation rather than competition in the field of education. Oaxaca's educational policies were built around this cooperation between the state and the Juárez administration.

Despite the enthusiasm for education expressed by its governors, including Félix Díaz, Oaxaca's educational program was only feebly pursued after 1870. Apparently, the municipal governments continued to be unable or unwilling to bear the costs of school construction, staffing, and maintenance. By the time of the Revolt of La Noria in 1871, all attempts at public education had ended in the state. On December 1, 1871, Governor Díaz closed all of the state's schools and ordered that state educational funds be diverted for other uses.<sup>37</sup> The

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<sup>36</sup>Francisco Larroyo, *Historia comparada de la educación en México* (México: Editorial Porrúa, 1956), 186-94. See also Kneller, *The Education of the Mexican Nation*; Irma Wilson, *Mexico. A Century of Educational Thought* (New York: Hispanic Institute in the U.S., 1941); Leopoldo Zea, *Del liberalismo a la revolución en la educación Mexicana* (México: Instituto nacional de estudios históricos de la revolución Mexicana, 1953).

<sup>37</sup>Oaxaca. Gobernador. *Memoria* (1873), 40-41.

order closing the public schools however was apparently only a formalization of a process that had been going on for some time. In 1872 the jefe político of Ocotlán, B. Alvarez, stated:

The state of primary education is generally moderate, because, as the Governor knows very well, in this district, and in others, the establishments of primary letters were closed early by the past [Díaz] administration for more than three years; thus it is that the people of this district are little advanced in the field of education . . . even the few schools that remain open are viewed with a great deal of abandonment, since the Law of Public Instruction that was created was neither respected nor reformed.<sup>38</sup>

Formal education in Oaxaca generally halted with the revolt in 1871 and did not resume on any major scale during the remaining years of the Restored Republic. The federal and state governments were too preoccupied with the maintenance of order to devote time or money to education.

Thus, the liberal educational program, based on positivist ideals and intent upon rebuilding Mexican society, was initiated with a great deal of hope and enthusiasm, but ended dismally. The major problem was the enormity of the task. The Mexican and the Oaxacan governments had no real experience with public education and were therefore handicapped in their efforts to create a system that would serve all of the people. Furthermore, the efforts of the federal and state governments were predicated upon the assumption that under a federal system, the people, through their municipal governments, would respond

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<sup>38</sup>*Ibid.*, doc. no. 6, n.p.

to the call for the creation and maintenance of a public school system. Finally, the educational program also assumed a peaceful, harmonious political relationship between the federal and state governments. As will be demonstrated in subsequent chapters, the educational program was doomed to failure because none of the above assumptions proved correct.

## C H A P T E R   I V

### THE CHURCH AND SOCIAL WELFARE

The era of the Restored Republic was a time of consummation rather than innovation in the evolution of social policy. This period was one in which both the federal and state governments sought to fulfill the promises of the Reform. In Oaxaca the restoration of the Republic in 1867 meant new responsibilities for the state government as it faced the challenge of creating, administering, and preserving a new society. In general, there were two responsibilities that presented themselves.<sup>1</sup> The first was the secularization of Mexican society implicit in the Reform Laws. Second, was the provision of social services, a role that had traditionally been left to private charity as represented by the church.

Of all the problems and/or responsibilities that confronted the victorious liberals in 1867, the final elimination of the church as a political and economic power was perhaps the least difficult. For all intents and purposes, the Catholic church was no longer a major factor in Oaxaca even before the interlude of the French Intervention.

In reality, the power and influence of the church had begun to decline in the wave of secularism that swept through the Catholic world

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<sup>1</sup>Exclusive of the provision of educational opportunities and the preservation of order, discussed in separate chapters.

in the eighteenth century. The effects of this decline were felt in Oaxaca long before the era of the *Reforma*; as the number of volunteers for service as priests and nuns declined steadily, church wealth began to disappear, and the incidence of disputes between church officials and laymen increased.<sup>2</sup> Because of its traditionally privileged legal and economic status during much of the colonial period, and because of its conservative political position after Independence, the church had been one of the most visible targets of the liberal reformers.

The movement to limit the power of the church which began shortly after Independence had grown steadily throughout the nineteenth century. In Oaxaca it began to gather strength during the decade of the 1840's with the rise into politics of such people as Benito Juárez, José Justo Benítez, Félix Romero, and Manuel Dublán.

Oaxaca was not exempted from the disorders that characterized Mexico during the 1850's and 1860's. The successful Revolution of Ayutla and the passage of the first anti-clerical laws evoked only a mild response from the church in Oaxaca. The church hierarchy in the state did not oppose this legislation even when the Lerdo Law of 1856 led to the adjudication of over 100 pieces of church-owned property ranging from *haciendas* and houses, to city lots.<sup>3</sup> The failure of the church to respond vigorously was most likely a reflection of an already

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<sup>2</sup>Berry, "The Reform in the Central District of Oaxaca, 1857-1867," 30.

<sup>3</sup>*Ibid.*, 79-80.

weakened condition.

Publication of the Constitution of 1857, however, led the Oaxacan church officials to drop their passive attitude. Church leaders went so far as to threaten denial of the sacraments to anyone who took an oath of allegiance to the new Constitution. The federal government, in turn, threatened to prosecute anyone, including clergymen, who opposed the new Constitution.

When conservatives revolted against the Comonfort government in December, 1857, Oaxaca was subjected to an invasion by the army of Conservative General José María Cobos who occupied the state for nearly a year. One consequence of the civil war that raged through Mexico in 1858-1859 was the federal government's acceleration of its attacks upon the church in an attempt to deprive the conservatives of a potential source of wealth. In July, 1859, the federal government claimed all ecclesiastical property and set forth a step-by-step elimination of the resources and manpower of the church.

In Oaxaca, the July law struck a blow at the church (particularly the regular orders) by calling for the suppression of all monasteries, the confiscation of all church properties except those specifically used for religious services, and the phasing out of all nunneries.<sup>4</sup> This last clause was strengthened on February 25, 1863, when the federal government ordered the complete suppression of all nunneries, the return of

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<sup>4</sup>*Ibid.*, 159-160. Other specific laws which followed in rapid succession were the Law of Civil Matrimony, the Law of Civil Registry, the Law of Non-Interference in Cemeteries and the Law Regulating Religious Holidays.



nuns to civilian life, and the refunding of their dowries. The latter law, however, was not enforced in Oaxaca until after the restoration of peace because the Reform program was interrupted by the struggle to maintain national sovereignty.

When the liberals regained undisputed power in 1867, however, they were divided over the enforcement of the anticlerical laws. The radical reformers generally favored an unrelenting consummation of the Reform laws that applied to the church while moderate liberals, including Juárez and Lerdo, were inclined to relax the strict enforcement of the Reform laws.

In Oaxaca the completion of the Reform laws focused upon the nunneries primarily because there was little else left of the former church wealth. Félix Díaz, military governor at the time, moved to enforce the law of February 26, 1863, which called for the closing of all nunneries. On April 18, 1867, he demanded in a private letter to the civil governor, José María Maldonado, that the state close all nunneries as soon as possible.<sup>5</sup> The nunneries as the last vestige of the former wealth and influence of the church had the only remaining property of any real value in the state. The convents were particularly coveted because they were easily convertible to public and private use.

The pressure from Félix Díaz was only partially motivated by his commitment to radical anti-clericalism. He was also moved by a very real political consideration--the opportunity to discredit the

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<sup>5</sup>*La Victoria* (April 21, 1867), 1.

provisional civil governor and thus enhance his own chances for election to that post.<sup>6</sup> Consequently, he sought to force Maldonado into a policy that would surely cause considerable discontent among Oaxaca's Roman Catholics.

After delaying and attempting to stall what was obviously a controversial move, Maldonado was finally forced into action by Díaz who caught the civil governor in a public contradiction. When the civil governor denied even knowing of the existence of the decree of February, 1863, Díaz had *La Victoria*, the state newspaper, publish a letter from Maldonado in which he referred to that very decree.<sup>7</sup> Because of this maneuvering, Maldonado was forced to carry out the federal law. In December, 1867, the outgoing governor ordered the state secretary of Hacienda to confiscate church property including all the nunneries in the state. The state duly reported that it was not only seizing the property in the name of the federal government, but that the state planned to use at least six convents for its own, rather than federal purposes.<sup>8</sup>

Oaxaca subsequently received from the federal government cession of the convents of San Agustín and Betlemites for its own use. The latter was designated as a civilian and military hospital. It was this

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<sup>6</sup>Berry, *op. cit.*, 315.

<sup>7</sup>*La Victoria* (May 12, 1867), 4.

<sup>8</sup>*Ibid.* (December 31, 1867), 4.

type of federal grant that enabled the state to transform the convent of San Francisco into Oaxaca's first General Hospital.<sup>9</sup> Thus, while enforcing the federal law, the state gained for itself the right to use confiscated property.

Roman Catholicism did not collapse in Oaxaca simply because of liberal attacks. The closing of the convents and the forced evacuation of the nuns aroused a great deal of sympathy among Oaxaca's loyal Roman Catholics.<sup>10</sup> But it was more than pity that was evoked by these measures; Catholics continued to act as a vociferous and influential pressure group. For example, they were able to delay the secularization of cemeteries in the state until 1870.<sup>11</sup>

During these years, the church and its supporters waged an open propaganda campaign against the Reform Laws. In 1870, the Catholic Society of Oaxaca (an organization dedicated to the preservation of church power and prestige) began distributing a newspaper, *La Verdad Religiosa*, printed in Puebla.<sup>12</sup> *La Verdad's* editor, Albino López, urged all Catholics to consider which public officials were most sympathetic to the church and to vote for them. In Oaxaca, *La Victoria* took

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<sup>9</sup>*Ibid.* (November 9, 1867), 4.

<sup>10</sup>Berry, *op. cit.*, 323.

<sup>11</sup>*La Victoria* (February 7, 1879), 4.

<sup>12</sup>*La Verdad Religiosa* (December 29, 1879), 3-4. HN

exception to this kind of stand and argued that the church was interfering in political matters. Thereafter, the two newspapers were engaged in an intermittent debate over the role of the church in Mexican society. The outspoken position of the Catholic Society and the ideological commitment of *La Victoria's* editors led the latter to take an increasingly strong stand against the Catholic church, and to warn against possible excesses. An editorial written by Pedro Ortega in 1870 contended that:

The Catholic Society [through its newspaper, *La Verdad*] does not limit itself to either religious discussion, or to works of charity, as it ought to . . . [and] they try to mix in political things. We believe that they do harm, that they damage themselves by their imprudent conduct, and that with time they will give occasion to the development of lamentable and exaggerated passions.<sup>13</sup>

The administration of Félix Díaz while not issuing new laws, undertook the enforcement of existing anticlerical legislation that had been carried out unevenly because of the unstable political conditions.<sup>14</sup> In general, this administration took an uncompromising attitude toward

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<sup>13</sup>*La Victoria* (August 29, 1870), 4.

<sup>14</sup>The denunciations of church and civil property were infrequent during Díaz' governorship; and the confiscations of property were generally confined to the immediate post-Intervention period when collaborators were required to pay fines. Since the denunciations were usually by the name of the piece of property, rather than specific location and size; and since the state's notarial archives were closed to this researcher, it is difficult to determine exact statistics. Note that Jan Bazant does not include Oaxaca in his *Los Bienes de la Iglesia en México, 1856-1875* (México, 1971).

the Catholics. Díaz not only supported the radicals after 1867, he also interpreted any opposition as a challenge to his civil powers.

It was largely in defense of Díaz that *El Siglo XIX*, a leading newspaper in Mexico City, published an attack upon the Sociedad Católica. Manuel Payno, a long-standing liberal and the editor of *El Siglo*, wrote:

We do not know if in some of the details the periodical [*La Verdad*] would be correct, . . . but in general, it is a fact that one could not dispute, that Oaxaca presents an aspect of peace, of order, of regularity in all its operations, which we truly desire for all the States of the Republic.<sup>15</sup>

In 1870 Díaz defined his position with regard to lax enforcement of the Reform Laws in his *Memoria* to the state legislature when he wrote that his administration was pledged to enforcing compliance with the Reform Laws. He also vowed to punish all who resisted these laws.<sup>16</sup>

Félix Díaz' administration did not undertake a widescale program of nationalization and disamortization despite his radical public attitude toward the church. This was not out of any lack of commitment on the part of Díaz but simply reflected the prostrated position of the church in Oaxaca. Having sustained the intense attacks of the liberals since 1858-1859, that institution had little real property left to surrender. Once the nunneries were seized, its holdings were reduced to

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<sup>15</sup>*El Siglo XIX* (August 22, 1870), 4.

<sup>16</sup>Oaxaca, Gobernador, *Memoria* (1870), 40.

virtually nothing.

By 1867 the wealth of the church was only a legend from the past. The liberals had successfully reduced the church's strength by taking over most of its property and taking over many of the functions it had once performed. Hence, by the time of the Restored Republic, any further attacks upon the church in Oaxaca were nothing more than gestures.<sup>17</sup>

As of 1876, the Catholic church in Oaxaca exercised little of its former economic or political influence. However, it still retained its spiritual hold on the populace. The proselytizing efforts of Protestant sects, despite permission by the state, achieved only minor results. Indeed, in the capital city, police protection was needed to protect Protestants from angry crowds opposed to the opening of an evangelical church.<sup>18</sup>

#### Social Welfare

The success of the Oaxacan liberals in reducing the Catholic church to a strictly spiritual role created a void in the provision of social services. Mention has been made of the transformation of convents into public hospitals, but the Church had performed other charitable services which it no longer was able to undertake. Would the state now assume responsibility for ministering to the needs of the unfortunate?

An early test of the state's capacity to do so was provided

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<sup>18</sup>*El Regenerador* (June 22, 1875), 4.

shortly after republican forces took control of the government. In September, 1867, heavy rains continuing over a period of weeks caused serious flood conditions in a number of areas. The most severe damage was incurred by the districts of Tuxtepec and Villa-Juárez.<sup>19</sup> The state government's first response was to dispatch some supplies to the survivors. When the full extent of the losses in property and lives became known, it was clear that these districts required more than a token gesture from the government. The Secretary of State, Félix Romero, however, asserted that while the state government wished to help the flood victims, its funds were already committed "to other indispensable objects."<sup>20</sup> Romero suggested, instead, that relief come from private citizens particularly the survivors of the floods in Tuxtepec and Villa-Juárez. Perhaps conditioned by tradition, official Oaxaca thus preferred to relegate the burden of aiding the unfortunate to unofficial sources.

Throughout the nineteenth century, dependence upon private rather than public charity was the characteristic approach to social welfare. The commitment to individual rights was not complemented by a corresponding concern for individual suffering. If Oaxaca was typical, and there is no reason to doubt that it was, liberal-controlled governments did not recognize a responsibility for relief.

The one relief measure that the state government did undertake

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<sup>19</sup>*La Victoria* (October 12, 1867), 4.

<sup>20</sup>*Ibid.* (October 17, 1867), 4.

was the provision of a number of pensions to the families of patriots. This appears to have been an area of welfare in which Oaxacans of all shades of opinion could readily agree. The following figures indicate the amount that the state spent on pensions to thirty-six survivors in families of military heroes and to ten civilian families who had suffered some hardship.<sup>21</sup> The sums below represent less than 2% of the annual state budget during the Restored Republic:

Military pensions	<u>1868</u>	<u>1869</u>	<u>1870</u>
	\$6,540.00	\$6,840.45	\$6,530.00

On December 30, 1868, the state legislature issued Decree Number 53 which established a *montepío*, or welfare fund to provide financial aid for widows and orphans.<sup>22</sup> The fund was entirely administered by the state government. Apparently because of the lack of capital, the state resorted to lotteries to raise funds for the *montepío*. It was in the creation of the lottery that the federal and state governments cooperated on the problem of relief. The federal government had prohibited all public lotteries, or raffles on June 28, 1867 because,

. . . lotteries are considered prohibited games and are prejudicial to society because they consume the savings of the fruits of labor of the less fortunate classes.<sup>23</sup>

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<sup>21</sup>Compiled from state budgets which were reprinted annually in *La Victoria* and in Oaxaca. *Leyes, decretos, etc.*, IV.

<sup>22</sup>*La Victoria* (January 11, 1869), 2.

<sup>23</sup>Dublán y Lozano, *Legislación mexicana*, X, 22.



Before decreeing the creation of a lottery, the state petitioned Congress for permission. While Oaxaca awaited the congressional approval, the state legislature allotted ten thousand pesos as an initial operating fund. This money was raised by the imposition of additional taxes upon the various districts until the lottery could successfully provide funds needed for the *montepío*.

In April, 1870, the state made one additional gesture toward Oaxaca's indigent population. The state announced the reopening of the official *monte de piedad*; or state pawnbrokerage.<sup>24</sup> This agency's operating fund was established by the state legislature at twenty thousand pesos.

With these steps, the state government's efforts on behalf of public welfare virtually ended. From the discussion above it appears that the state lacked any real commitment to a welfare program. The benefits granted were usually offered in response to cases of extreme emergency. Even in such cases, however, the state government made no significant effort. The lack of an immediate and extensive official reaction reflects the degree to which official Mexico had been conditioned to ignore the perpetual problems of human suffering and deprivation. In the cases of relief for flood and earthquake victims, and in the establishment of the *montepío*, the state and federal governments were not in direct competition. Perhaps one reason was the fact that neither government considered it an important or desirable prerogative.

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<sup>24</sup>*La Victoria* (April 25, 1870), 4.

Both governmental levels were willing to rely upon private philanthropy for at least partial assumption of the burden of relief work.

This relationship between government and the private sector suggests more than official indifference. It also reflects the poverty of the federal and the Oaxacan governments at this juncture in their history. Neither government had money available to undertake the necessary programs.

Another social function performed at one time by the church had been the provision of medical care for the poor. The church, and particularly the nunneries, had traditionally provided medical facilities, care for orphans, and jobs for those unable to help themselves in Oaxaca.<sup>25</sup> During the Restored Republic, the liberals' attacks upon the church focused on the nunneries and brought about their final elimination in Oaxaca. By 1867 most of the former church property had already been confiscated or depleted by forced loans during the years of warfare after independence. At the onset of the Restored Republic only the nunneries retained any real estate or buildings that could easily be converted to public use.<sup>26</sup> Once the nunneries were closed, the church ceased its welfare efforts in Oaxaca. With the suppression of the church's social services, the civil government found itself pressed into immediate action. The assumption of responsibility for social services was only reluctantly accepted by both the state and the federal government during the Restored Republic.

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<sup>25</sup>Berry, "The Reform in the Central District of Oaxaca," 18-19.

<sup>26</sup>*Ibid.*, 318-19.

Despite official reluctance, there was a genuine grassroots demand for services no longer offered by the church. For example, in May, 1867, the jefe político of Ocotlán requested the establishment of a hospital and a supply of potable water in his district citing the dire needs of the citizens there.<sup>27</sup>

It was in response to this kind of local pressure that the state government sought to convert former church property. When the nunneries were confiscated in 1867, one of them was converted to a General Hospital.<sup>28</sup> This project was rationalized in Positivist terms. The justification offered by the state government was that a hospital could undertake rehabilitative work that would eventually help produce a more orderly, stable society. Such a service would help transform the "ragged, filthy people" wandering Oaxaca's streets into useful, industrious, and peaceful citizens.<sup>29</sup> Accordingly, the government authorized the expenditure of approximately twelve thousand pesos annually for the maintenance of such an institution.

In addition to a hospital, the state government also subsequently granted additional funds for medical supplies and even for vaccinations for the people when epidemics threatened.<sup>30</sup>

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<sup>27</sup>*La Victoria* (May 26, 1867), 4.

<sup>28</sup>*Ibid.* (November 9, 1867), 4.

<sup>29</sup>*Ibid.* (May 18, 1867), 2; and *ibid.* (July 14, 1870), 2.

Aside from these infrequent and insufficient efforts, neither the federal nor the state government displayed a willingness to undertake the massive expenses and efforts necessary to relieve the Oaxacan people of their suffering. Even if the federal, state, and municipal governments had been unanimous in their commitment to a widespread educational system, they all faced a common problem: chronic poverty.

## CHAPTER V

### ECONOMIC POLICIES

When Mexican liberals returned to power in 1867, they were faced with the task of developing a program for the nation's economic revival and growth. Mexican economic life was static after the years of civil warfare and foreign invasion. Mines were badly deteriorated, agriculture was reduced to a minimum, industry was almost non-existent, and commerce was greatly impaired by the deplorable system of transportation. The political chaos of the preceding decade was only partially responsible for the dearth of economic life. Agriculture, for instance, was limited not only because of the years of warfare but also because of the poor natural conditions: irregular rainfall, poor soil, and primitive agricultural methods.<sup>1</sup> Industry had been greatly handicapped by the unsettled civil conditions, the reluctance of investors, and the expense of carrying their goods to markets. Commerce was similarly retarded by the prohibitive system of internal taxes and the expense and difficulty of transporting goods within Mexico and to the outside world.

When the Juárez administration resumed control in 1867, these were the conditions that required solution. The policies, that the liberals attempted, illustrated the contradiction between the liberal

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<sup>1</sup>Francisco Calderón, *Historia moderna de México. La República Restaurada. La Vida Económica*, Daniel Cosío Villegas, ed. (México, 1955), 52-53.

ideal of laissez-faire and the realities of underdeveloped nations in which private capital tended to invest in land. In general, the economic policies of the liberals during the Juárez administration were designed to revive agriculture, introduce new industries, and expand trade by fostering the development of a system of transportation. These grandiose goals ultimately forced the government to actively intervene in the functioning of the economy if it hoped to succeed. This chapter attempts to examine the economic programs and their effects on Mexico.

At the heart of all the liberal plans for economic growth was a recognition of the need for better internal and external communications. Without better roads, agriculture, mining, and commerce were fated to remain parochial activities. The great majority of Mexican farmers either engaged in subsistence agriculture or sold their crops to an extremely limited market. The mining industry, long considered the greatest potential source of wealth for Mexico, was also limited by transportation deficiencies. Consequently, public and private efforts to exploit Mexico's mineral wealth included the development of a system of roads and the promotion of railroads and river improvements as well. Just as farming and mining needed better roads and river transportation, commerce obviously was most dependent upon highway, river, and harbor improvements.

The liberals of the Restored Republic accordingly devoted a significant proportion of their energies and resources to the development of internal improvements. While the liberals advocated economic development without government interference, the federal government,

during the Restored Republic, provided subsidies for larger-scale projects which private entrepreneurs could not, or would not take on themselves. However, the state and national governments did not assume exclusive responsibility for their accomplishment. Liberal leaders preferred to grant virtual monopolies to private individuals or companies who were willing to undertake projects that the government deemed necessary. Furthermore, the federal government placed significant responsibility for internal improvement projects upon the state governments. Not only did the state governments provide much of the pressure for undertaking specific projects, they also bore a great deal of responsibility for the completion of projects approved by the federal government.

The state of Oaxaca witnessed the evolution of most of the liberal economic policies and provides an interesting example of their unfolding.

Oaxaca was basically an agricultural state although there were many kinds of economic activities. Agriculture was the traditional pursuit of the peaceful Zapotec and Mixtec Indians. Their farming methods like the rest of their lives were primitive. Their methods of cultivation and the crude implements they used were much the same as those of the colonial period. A description of these methods was given by an American observer:

Modern agricultural implements were not used by these people, the tilling of the ground being usually accomplished by means of a plow, said to resemble that used by the ancient Egyptians, where a sharpened log, sometimes shod with iron, fitted with a stick for a handle, scratches a shallow furrow in the soil. These plows are drawn by a pair of yoked oxen urged by a thorn fastened in the end of a long stick. The field may

also constitute a threshing floor, where, after the grain has been trodden out of the hulls by two or three horses and a burro hitched together and driven in a circle with the driver as the pivot, the first favorable breeze is utilized to waft away the chaff, the grain falling to the ground when the mixture is tossed into the air. After the cornfield has been harvested, the stalks or "Zacate," are stored in the branches of trees to prevent them from becoming food for the animals allowed to roam, while the corn is conveyed to conical adobe huts.<sup>2</sup>

The most important commercial crops in Oaxaca were cotton, cacao, tobacco, coffee, and indigo.<sup>3</sup> In addition, the state continued to produce a variety of staple foods for home consumption.<sup>4</sup>

The state attempted to develop some industries but these apparently did not amount to much by 1867. One of the few industries in existence by the time of the Restored Republic was cochineal production. The governor mentioned in his *Memoria* of 1867 that cochineal had been produced since the colonial period, but it had long since passed its peak because of the development of more easily produced substitutes in Europe and in Guatemala.<sup>5</sup> Cochineal was a dye produced from the

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<sup>2</sup>John Birkinbine, "Industrial Progress in Mexico. A Trail Through the Mountains of Oaxaca," Reprint from Vol. XXVI, no. 3 of the *Proceedings of the Engineers Club of Philadelphia* (Philadelphia, 1909), 25-26.

<sup>3</sup>Oaxaca, Gobernador, *Memoria* (1871), 26.

<sup>4</sup>These included maize, beans, and wheat, sugar cane, alfalfa, peanuts, tomatoes, peas, and citrus fruits. Berry, "The Reform in the Central District of Oaxaca," 42-43.

<sup>5</sup>Oaxaca, Gobernador, *Memoria* (1867), 27.



grinding of small red spiders that lived in large numbers on the nopal cactus abundant in the Oaxaca area. Besides providing employment for a number of people, the cochineal industry made wealthy men out of several Oaxacans who also played an important role in the state's economic affairs during the Restored Republic. Two of Oaxaca's wealthiest families, the Esperon and Maqueo families, reputedly used capital obtained from the cochineal industry to buy up large tracts of disamortized church property during the years of the Reforma.<sup>6</sup>

Periodic attempts were made in Oaxaca to stimulate new industries. In 1869, a group of individuals interested in promoting industry in the state formed a corporation and attempted to raise a capital stock of 200,000 pesos through the sale of shares.<sup>7</sup> The proposed company called itself "El Progreso," and its founders planned to use the operating capital for a variety of economic activities in the state. The entrepreneurs asked the state government to help establish these industries by providing some funds, and also, the use of national guardsmen as construction workers. The argument used to justify this unusual break with a laissez-faire policy was that only with such government

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<sup>6</sup>Porfirio Díaz, *Archivo del General Porfirio Díaz: Memorias y documentos* (México, 1950), II, 955-56.

<sup>7</sup>CPD. nos. 1285-1286. The proposal was presented unsigned to Porfirio Díaz, and was dated October 15, 1869. See also Cosío Villegas, ed., *Historia moderna*, II, 102.

assistance would the project be able to get off the ground quickly thereby widening the basis of growth for the state and the general public.

In their request, the proposers argued:

Many calls for action have been made in Oaxaca, but nothing has been completed. If the State wishes to place itself on the road to progress, it needs to demonstrate it. Such is the price of the salvation of the country.

The company also presented a two-year timetable for the establishment of a series of industries which included textile factories, ironworks, a foundry, meatpacking plants, a sugar refinery, cotton mills, coffee, tobacco, and cochinitilla plantations. The company also stated that it intended to develop mining in the state by importing new machinery.

The proposed company never became a reality (probably because of a lack of sufficient capital) but some individual efforts were made to begin new industries, and the state government did provide limited aid.<sup>8</sup> Despite the fact that such efforts made little significant headway during the Juárez and Lerdo administrations, the state continued to advertise Oaxaca as the home of potential new industries such as coffee, lumber, and even silk-raising.<sup>9</sup> In truth, however, by 1872, Oaxaca could cite only a few light industries actually in operation. These generally existed before 1867, and they supplied local products and

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<sup>8</sup>Oaxaca, Gobernador, *Memoria* (1870), 28.

<sup>9</sup>*Ibid.*, 28-29.

local needs: flour and sugar mills, soap factories, tanneries, three cotton gins, and even a gunpowder factory.<sup>10</sup>

Although agriculture was the main pursuit of Oaxacans, mining was also recognized as an activity with a great deal of potential value. During the colonial period, gold and silver mining had flourished briefly in the state. With independence, the mining industry began a long period of decline.<sup>11</sup> By 1870, the optimistic Félix Díaz reported in his *Memoria* that mining was still one of the state's greatest potential sources of wealth. In addition to gold and silver, the governor also reported that Oaxaca was rich in iron, lead, salt, and coal in a number of deposit areas in the state.<sup>12</sup> The governor also urged development of newly-discovered oil deposits. Oil was just becoming popular as a source of illumination. Actually, the oil enterprise had begun in 1868 when three partners, Senores De La Barca, Fernández, and Pritchard claimed oil fields in Pochútla. Their efforts were slowed because they first had to build roads to enable them to bring in their equipment. Not until after 1873 did they achieve any significant output.<sup>13</sup>

Díaz's report, in citing Oaxaca's iron, coal and oil resources,

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<sup>10</sup>*Ibid.*, 91-92.

<sup>11</sup>*Ibid.*, 60-63. See also Cosío Villegas, *op. cit.*, II, 126-26.

<sup>12</sup>Oaxaca, Gobernador, *Memoria* (1871), 29. The chief mining areas were: Ixtlán, parts of Juchítan, Jamiltepec, Pochútla, and Tlaxiaco. The most important of all mining districts, however, was Villa-Juárez. See also Oaxaca, Gobernador, *Memoria* (1873), 902-903.

<sup>13</sup>Cosío Villegas, ed., *Historia moderna de Mexico*, II, 125.

explained past failures to exploit them:

Mining, as well as other lucrative pursuits, have not received the kind of attention that they should have, because of the same circumstances that have paralyzed the rest of the Republic during the Revolution.<sup>14</sup>

However, he took pains to assure the state legislature that his administration was doing everything in its power to encourage the growth of new economic possibilities. He made it clear that:

. . . everyone, Mexican or foreigner has the liberty to make exploitations or investigations necessary for the discovery of minerals now in the underdeveloped lands, the public, or private lands.<sup>15</sup>

This statement reflected the benevolent policy toward foreigners that was pursued in Oaxaca during the Restored Republic. The results were quite modest however. In 1870, for instance, a Frenchman named Ossaye, with the approval of Félix Díaz' administration, initiated plans for a European agricultural colony to be established in Oaxaca for the purpose of growing cotton and indigo. It is not clear however whether or not the project ever began.<sup>16</sup> The Díaz administration's policy toward the foreign investor reflected the ideas of the Minister of Treasury, Matías Romero, rather than the isolationist attitude of Lerdo.<sup>17</sup> In so doing, Félix Díaz anticipated his brother's policy with

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<sup>14</sup>Oaxaca, *Memoria* (1871), 50.

<sup>15</sup>*Ibid.*, 50-51.

<sup>16</sup>Cosío Villegas, *op. cit.*, II, 76.

<sup>17</sup>Scholes, *Mexican Politics* . . . 144.

regard to foreign capital which the latter made a hallmark of his administration.

Not only did the state government recognize the need to diversify Oaxaca's economic activities, it also acknowledged the need for better internal communications in order to facilitate the hoped for economic growth. Oaxaca's problems were not unique. The national government openly acknowledged the problem as well. In his *Memoria* of 1868, the Minister of Fomento (Public Works), Blas Balcarcel said:

The lack of roads in Mexico is one of the causes that most retards the development of agriculture, industry, and commerce; . . . consequently, the sources of wealth remain paralyzed, without life and without movement.<sup>18</sup>

As in other parts of Mexico, the mountainous landscape made transportation difficult and expensive. Financial stringency together with political unrest had prevented Oaxaca from making any significant improvements in transportation since Independence. Even when funds had been available, the work would often be interrupted by disorders or banditry. Consequently, by 1867, the roads in the state were not much better developed than they had been during the colonial era. Most were little more than wagon trails; and even the better roads, such as the one that ran north from the state capital to Tehuacan, Puebla, were often

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<sup>18</sup> México, Ministerio de Fomento, *Memoria que el Sría. de estado y despacho de Fomento, colonización, industria y comercio de la República mexicana presenta al congreso de la union. Correspondiente al año trascurrido de 1 de julio de 1868 al 30 de junio de 1869.* (México: Imp. del Gobierno, 1870), 15-16.

impassable.<sup>19</sup>

A sensitivity to these conditions and a demand for improvement characterized educated opinion in Oaxaca at the beginning of the Restored Republic. The editor of *La Victoria*, Luís Pérez Castro, spoke for many of his compatriots when he called for an end to the banditry that infested the existing roads and the creation of a new communications network, both railroads and wagon roads, to link Oaxaca with both oceans.<sup>20</sup>

The Oaxacan desire for internal improvements--roads, railways, telegraph lines, canals--was a regional manifestation of a sentiment that was nationwide at this time. The problem for the government was how to respond to it; how to finance the undertakings demanded by public opinion. At both the federal and state levels the response was similar. Wherever possible they turned to the private sector. In granting concessions for railroads, highways, etc., they followed a practice that predated the Restored Republic.<sup>21</sup>

In Oaxaca the administration of Félix Díaz made internal improvements one of its major goals despite the tenuous state of its

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<sup>19</sup>A general picture of Oaxaca's roads becomes evident when one reviews the reports of the jefes políticos from the various municipios. These reports, which were regularly reprinted in *La Victoria*, provide a detailed picture of local conditions.

<sup>20</sup>*La Victoria* (August 31, 1868), 4.

<sup>21</sup>Cosío Villegas, *op. cit.*, II, 527.

finances. During his tenure as governor, the state undertook an admirably ambitious program. It sought to connect Oaxaca with the Pacific Ocean by building a major highway to Puerto Angel and authorized the enlargement of overland connections with both Mexico and the Atlantic Ocean by expanding the major north-south highway via Tehuacan.<sup>22</sup> Besides these two roads, the state also endeavored to maintain and improve its secondary roads. This task was left to the local governments. These roads were usually little more than well-worn trails between the various villages. They were maintained by the municipios under the direct supervision of the jefes políticos.<sup>23</sup>

The Oaxacan government received a number of requests from individuals for projects such as railroads and telegraph lines. The few potential sources of private capital in the state were not overly anxious to invest in road-building projects.<sup>24</sup> The municipios bore the major burden for the construction of such roads. This responsibility weighed heavily upon the people of the districts because they could ill afford to hire someone to build roads for them. It was not unusual, therefore, for the jefes políticos to get the work done by the "voluntary" labor of the people under their jurisdiction. One such case was

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<sup>22</sup>The progress of these two roads was closely followed in the state newspaper throughout the period.

<sup>23</sup>Oaxaca, *Leyes y decretos del Estado de Oaxaca*, II, 109.

<sup>24</sup>CPD. no. 1288. Unsigned letter to Porfirio Díaz (October 15, 1869).

cited in *La Victoria*. Referring to the jefe político of Pochútla who succeeded in completing his portion of the road to Puerto Angeī, the newspaper commented:

The people of the district voluntarily lent their services, and they have positively pledged to finish their labors quickly.<sup>25</sup>

There is, of course, no way to determine how freely the people of Pochútla volunteered in this case.

The government actively sought to promote this kind of activity as an expression of loyalty to the state.<sup>26</sup> In order to make voluntary labor more palatable, the government offered exemptions from both federal and state military service.<sup>27</sup> These exemptions were formally written into the contracts for specific projects and were apparently attractive to many villagers.

The advantage of free as opposed to wage labor was obvious; and, in order to procure this kind of cooperation, the various states often embarked upon public campaigns in which they sought the endorsement of leading regional figures for specific projects. In Oaxaca, the government was able to procure the endorsement of both Félix and Pro-firio Díaz for the road from Tehuacan to Puerto Angel.<sup>28</sup> This kind of

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<sup>25</sup>*La Victoria* (March 10, 1868), 4.

<sup>26</sup>*Ibid.* (March 13, 1868), 4.

<sup>27</sup>Cosío Villegas, *op. cit.*, II, 585.

<sup>28</sup>The endorsement of these roads was presented as an expression of local patriotism in the effort to rally the people to come out and work for nothing.



campaign accounts for the publicity given to the various districts as they completed their sections of the road with free labor. The completion of all sections of the road by 1871 was a tribute to the determination and the power of Félix Díaz's administration.

Porfirio Díaz had long been an advocate of public improvement especially road building and the establishment of telegraph communications between Oaxaca and Tehuacan.<sup>29</sup> While commanding the Army of the East, Díaz had named José Pardo to direct the construction of telegraph lines as soon as the area was under his control.<sup>30</sup> Once civil control was restored, the administration of Félix Díaz instructed the Institute of Arts and Sciences to offer courses in the training of telegraph operators and maintenance technicians, thereby freeing Oaxaca from dependence upon operators from the United States. While the federal army laid telegraph lines between Tehuacan and Oaxaca during the War, lines connecting the state with Veracruz and Puebla were constructed during the Restored Republic by private concessionaires.<sup>31</sup>

By 1870, Oaxaca's telegraph service was confined to the line from Tehuacan, Puebla to Oaxaca, a distance of 272 kilometers.<sup>32</sup> Throughout the Restored Republic, Porfirio continued to receive

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<sup>29</sup>Cosío Villegas, *op. cit.*, II, 559.

<sup>30</sup>*La Victoria* (August 9, 1867), 4.

<sup>31</sup>Cosío Villegas, *op. cit.*, II, 561.

<sup>32</sup>Ministerio de Fomento, *Memoria* (1870), 17-18.

proposals from private individuals who sought his support for one internal improvement or another. While some correspondents simply wanted the general to use his influence to have a road built to their district, entrepreneurs such as Juan A. Wolf and Emilio La-Sere were interested in enlisting Díaz's help in procuring approval of large-scale projects.<sup>33</sup>

Of all the projects for the improvement of Mexican commerce, the most grandiose was the construction of an interoceanic canal across Oaxaca's Isthmus of Tehuantepec. The value of such a crossing had long been recognized. For Mexico, the canal would mean easy communication between its Gulf and Pacific coasts; for other nations, it would mean a saving of the two thousand mile voyage around South America, and hopefully, Mexico would become the crossroads of the Western Hemisphere. The idea for the project had been discussed by Alexander von Humbolt as early as 1803, and the first Mexican survey was undertaken in 1824.<sup>34</sup> The proposed canal was important not only commercially but strategically as well. The United States recognized this and was among the first to propose the project to Mexico. As early as 1847, the United States unsuccessfully sought transit rights through the Isthmus. The ill-fated McLane-Ocampo treaty also included provision for the assignment of

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<sup>33</sup>CPD. no. 1038. Juan A. Wolf to Porfirio Díaz (June 9, 1868); *ibid.*, no. 1219, Hilario Cuevas to Porfirio Díaz (September 6, 1868); *ibid.* (November 9, 1868); *ibid.*, no. 940, Wolf to Díaz (August 18, 1868); *ibid.*, no. 1288, Wolf to Díaz (March 13, 1871).

<sup>34</sup>México, Ministerio de relaciones, interiores y exteriores de la República de México, *Memoria* (México, 1826), 14.

rights of transit across Tehuantepec. The United States' desire for those rights was explained by the chief of a Navy Department reconnaissance expedition in 1870, Admiral Shufeldt:

. . . a canal across the Isthmus of Tehuantepec is an extension of the mouth of the Mississippi River into the Pacific Ocean, converting the Gulf of Mexico into an American lake in time of war closing the Gulf to all our enemies.<sup>35</sup>

The canal project was started several times during the nineteenth century beginning in 1842 with an unsuccessful concession to José de Garay.<sup>36</sup> There were several other unsuccessful attempts in 1850, 1853, and 1860, all of them made on the basis of concessions granted to Americans.<sup>37</sup> Finally in 1867, Juárez granted a concession to an American, Emilio La-Sere, empowering him to undertake the joining of the two areas by intersecting Tehuantepec. Unlike the earlier concessions which called for a canal, the concession to La-Sere gave him three years to build a railroad and a parallel wagon road. La-Sere negotiated with the Juárez government over the details until January 7, 1868, when the following terms were agreed to:

1. The company was to build and maintain its railroad, a highway and telegraph lines.
2. The government granted the company land for railroad, the road and extra land on either side for its own use.

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<sup>35</sup>Cosío Villegas, *op. cit.*, II, 699.

<sup>36</sup>Dublán y Lozano, *Legislación mexicana*, IV, 507.

<sup>37</sup>Cosío Villegas, *op. cit.*, II, 700.

3. The company could import whatever materials it needed free of all duties.
4. The government allowed the company to collect all duties on goods and passages for seventy years.<sup>38</sup>

While La-Sere was initiating this enormous task, he also received the concession to build a canal across the Isthmus.<sup>39</sup> The canal project was viewed with some skepticism as evidenced by an editorial in *La Victoria* in 1870. Luís Pérez Castro expressed nationalistic resentment of "these reprobate and adventurous speculations. . . ." whose major goal is not to bring about important developments for Mexico, but only to take money from the government (in the form of subsidies).<sup>40</sup>

Despite the criticism, speculators like La-Sere benefited from the enthusiasm of many liberal leaders. Critics such as Pérez Castro generally proved to be correct however. In order for La-Sere to accomplish the task he set for himself, he needed a great deal more talent and capital than he had at his disposal. The Tehuantepec project never got beyond the planning stage.<sup>41</sup> Despite disappointment over the failure of La-Sere, Mexican planners did not forsake the isthmian project. On December 14, 1870, the federal government approved another project,

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<sup>38</sup>The agreement was printed in *La Victoria* (January 14, 1869), 1-2.

<sup>39</sup>*Ibid.* (March 21, 1870), 4.

<sup>40</sup>*La Victoria* (May 5, 1870), 3.

<sup>41</sup>Cosío Villegas, *op. cit.*, II, 706.

this time an inter-oceanic railroad proposed by Rene Masson. Like so many of its predecessors, however, this project was aborted by the failure of the concessionaires to put up the required bond.

Another foreign investor interested in the Isthmus of Tehuantepec was the Tehuantepec Company of New York. After the La-Sere project failed to materialize, the Mexican government issued a charter to the Tehuantepec Company on January 9, 1871.<sup>42</sup> Like the La-Sere concession, the company was instructed to build a railroad, a wagon road, and a telegraph line across the Isthmus. When the projects did not get underway, presumably because of the expense, the Mexican government, in 1873, granted the company a subsidy of 12,500 pesos for each mile of construction completed. As was the case with so many of these subsidies, the federal government proposed to pay for them by pledging part of the expected customs duties.

The project, however, remained only a dream throughout the presidency of Benito Juárez. On January 15, 1874, during Sebastian Lerdo de Tejada's tenure, the federal government reaffirmed its commitment to a connecting link between the oceans when the administration granted a two year extension to the company of Rene Masson for his railroad project efforts.<sup>43</sup> The Lerdo administration eventually provided a financial incentive for the completion of the project. On December 14,

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<sup>42</sup>Edgar Turlington, *Mexico and Her Foreign Creditors* (New York: Columbia University Press, 1930), 184-85.

<sup>43</sup>Dublán y Lozano, *Legislación mexicana*, XII, 555.

1874, the federal government pledged a bonus of 7,500 pesos for every kilometer completed after the first twenty kilometers.<sup>44</sup>

In 1875, Oaxaca was the site of still another internal improvement project. On May 29, the Mexican congress approved the granting of a contract to José Esperón for the construction of a railroad and parallel telegraph line between the city of Oaxaca and a suitable point along the Mexico City-Veracruz railroad line.<sup>45</sup>

The terms of the contract were very similar to those signed between the La-Sere and Tehuantepec companies and the Juárez administration. Like Juárez, Lerdo relied upon the entrepreneurs to pay for most of the project. The company was instructed to begin raising the necessary funds and to submit a proposed route to the Minister of Fomento. The company was given two years to complete the line.

The federal government agreed to reimburse the company for its efforts in several ways. The company was to be given virtually all profits from the operation of the railroad for fifteen years. The government did retain the right to collect a limited number of taxes and to fix the maximum rates for passenger and freight fares. As an additional incentive, the government granted 9,000 pesos for each kilometer completed after the first twenty. The government also gave the company an exclusive right of way to a seventy meter strip of land for

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<sup>44</sup>*Ibid.*, XII, 602.

<sup>45</sup>*Ibid.*, XII, 730-33.

the entire length of the line as well as any buildings, water, or other lands or materials belonging to the federal government free of charge if they were deemed necessary for the construction of the line. Furthermore, the contract called upon the federal, state, and even local governments to ". . . provide whatever protection and help the company needed" in its construction efforts.

The methods used to promote the development of Mexican transportation were consistent throughout the Restored Republic; the results were about the same. Like the Juárez administration, Lerdo's efforts on behalf of internal improvements were severely hampered by the government's limited funds and the inability of the various entrepreneurs to complete the projects they contracted. Also like the Juárez administration, Lerdo's term of office ended with little real accomplishment in the way of internal improvements in Oaxaca. By the time Lerdo was overthrown by Porfirio Díaz, Oaxaca still did not have an inter-oceanic canal, nor did it have a connecting line between the state capital and the Mexico City-Veracruz line.

Thus, by the end of the Restored Republic, Oaxaca's dream of greatness was still unfulfilled and Mexico's Gulf and Pacific ports remained isolated from each other. Commerce remained restricted to local consumption, and the major transportation improvements in the state consisted of the completed road from Oaxaca to Puerto Angel (completed under Félix Díaz) and the nearly completed section from Oaxaca to Tehuacan, Puebla (completed under Lerdo).

By the end of this period, road construction was the only

visible material improvement in Oaxaca. While railroad projects had been encouraged, the state and the federal governments were never able to provide the funds so that transportation projects could be completed; and private entrepreneurs were similarly unsuccessful in the state. Because of its distance from the commercial center of the nation, and its relative unimportance to foreign investors, Oaxaca remained an underdeveloped region even at the close of the Restored Republic.



## CHAPTER VI

### FINANCIAL POLICIES

The end of the Intervention in 1867 found the Mexican government in serious financial straits. Not only were the foreign and internal debts extremely high, but the years of warfare from 1857 to 1867 had effectively destroyed most of the normal sources of revenues. The nation received little from import duties because they had been pledged as payment for foreign debts.<sup>1</sup> The disruption of internal commercial activity by war conditions meant the decline of federal revenues from the *alcabalas* or sales taxes on goods entering the federal district. Finally, during the War of the Intervention, the federal government had surrendered the tax collecting duties to state, local and military governments.<sup>2</sup> The result of these conditions was to force the Juárez administration to reevaluate seriously its financial policies as it reentered Mexico City in 1867. Consideration of the nation's financial program was complicated by the fact that the president's extraordinary powers ended when Congress convened in November, 1867, and began to exercise its role in financial matters as prescribed in the Constitution

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<sup>1</sup>Cosío Villegas, *Historia moderna de México*, II, 234-35.

<sup>2</sup>México, Sría. de Hacienda y crédito público. *Memoria de hacienda y crédito público, correspondiente al cuadragesimoquinto año económico* (México, 1870), 678-79.

of 1857.<sup>3</sup> The reactivation of the legislature meant that the Juárez administration had to contend with the branch of the government that was most directly responsible to the desires and views of the state governments. As a result of these conditions, the Juárez administration was slow to evolve its financial policies.

During the Restored Republic both the federal and the Oaxacan governments tended to rely upon traditional forms of taxation. The major sources of federal revenues were the federal contribution, the profits from the sale of goods and property which had been nationalized, the products of maritime and frontier duties, revenue from the sale of stamped paper and from the postal service, and the federal share of the regional mints which were leased to private concessionaires.<sup>4</sup>

The federal contribution was the tax which relied most for its collection upon the cooperation of the state governments. In essence, it was a surtax of twenty-five per cent upon the revenues of the state governments. Established in 1861, it was a source of revenue that imposed a proportional burden upon the states.<sup>5</sup> Those states with the

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<sup>3</sup>Specifically, Congress was empowered to decree taxes and authorize expenditures; contract local loans and recognize the national debt; and prevent excessive restrictions on the nation's internal commerce.

<sup>4</sup>México, Sría. de Hacienda y crédito público. Sección quinta, *El erario federal en el último decenio, 1869-1879* (México, 1879), n.p.

<sup>5</sup>Dublán y Lozano, *Legislación mexicana*, IX, 337-38.

greatest revenues paid the highest amounts to the federal government. The Juárez administration had another great source of revenue available during the early years of the Restored Republic in the sale of nationalized property. Most of the goods and property came from two sources: the church and former supporters of the Imperial government, although most of the nationalized property had already been sold.<sup>6</sup> One other source was the wastelands which belonged to the federal government in each state. The sale of nationalized property was a boon not only for the federal government, but for the states as well. The latter were allowed to keep twenty percent of all goods and property auctioned off by the federal government.

Perhaps the oldest form of federal revenue was the system of duties on internal and external commerce. Customs duties and alcabalas, although separate taxes, both relied upon the sustained commercial activity of the nation. It is no wonder then that the federal and state governments consistently sought to encourage the revival of Mexico's commercial life through such projects as highway and road construction and harbor improvements. The alcabala (which will be discussed later) remained as the most glaring inconsistency in the liberal scheme of taxation based on commerce.

The sale of stamped paper was very similar to the stamp duties Great Britain imposed upon itself and upon the American colonies in

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<sup>6</sup>For an examination of the church wealth in Mexico by 1867 see Jan Bazant, *Las bienes de la Iglesias en México, 1856-1875* (México, 1971).

1763. All official documents including drafts, bills, receipts, dispatches, promissory notes, purchase invoices and sales receipts, contracts, bills of lading from muleteers, and in general all debts or obligations over ten pesos had to use stamped paper.<sup>7</sup>

Oaxaca, like other states, relied primarily for its revenues on the capitation or personal head tax, the alcabalas, and several specific direct taxes.<sup>8</sup> During the Restored Republic, one of the most pervasive state taxes was the capitation which was collected from all males between the ages of sixteen and sixty.<sup>9</sup> The capitation was strictly a state tax despite some discussion of converting it to a federal tax. The idea of raising the capitation to the level of a national tax was generally rejected, according to Francisco Calderon, by the states themselves. Not only did the state governments make it clear that they regarded the capitation as their own form of taxation, but they also began to enforce it more effectively.

In Oaxaca the ordinary rate, fixed by the state, was twelve and one-half centavos per month during the years 1867 to 1876. However, in 1867, the state also imposed an additional 6-1/4 centavos per month to help defray the costs of primary education.<sup>10</sup>

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<sup>7</sup>Cosio Villegas, *op. cit.*, II, 271-72.

<sup>8</sup>*Ibid.*, II, 355.

<sup>9</sup>Oaxaca, Gobernador, *Memoria* (1871), 45-46.

<sup>10</sup>Initially, during the Restored Republic, the products of this tax were designated to defray the costs of primary education. However,

Oaxaca retained the capitation tax in one form or another continuously from its introduction in 1815. Several reasons accounted for this. First, the natives accepted it placidly having become accustomed to it without any significant resistance.<sup>11</sup> Second, it was relatively easy to detect anyone who had not paid by simply checking the tax records; third, the capitation was retained because it was a regressive tax and therefore did not arouse the opposition of those in a position to remove it: the most wealthy and influential. Finally, the tax was a major source of revenue for the state. According to the 1870 budget, it was expected to produce about one-third of the total revenues. Combined with the 6-1/4 centavos additional tax money for primary education, capitation taxes accounted for approximately fifty percent of the anticipated state revenue. This percentage actually increased over the next several years to a point at which the regular and additional capitation taxes constituted over fifty-three per cent of anticipated tax revenues collected by the state.<sup>12</sup>

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in 1872-73, the state budget combined the revenues of all taxes into a general budget, and educational expenses were doled out of general state funds.

<sup>11</sup>Oaxaca, Gobernador, *Memoria* (1871), 46.

<sup>12</sup>Oaxaca, *Colección de leyes, decretos, circulares* (Oaxaca, 1878), V, 55-85. The significance of this tax is seen in the schedule of anticipated revenues for 1870:

Capitación	190,072 00
Productos de 6-1/4	106,034 00
Contribuciones de títulos	2,100 00
Productos de fincas del Estado	850 00
Asientos de gallos	700 00
Fondos de instrucción pública	7,200 00

The greatest burden of this method of raising revenues was borne by those least able to afford it and least able to protest. It was not coincidence, then, that Oaxaca as well as several other states with heavy Indian populations retained the capitacion through most of the nineteenth century.

Of all the fiscal legacies of the colonial period, the alcabala was most detrimental to Mexican commerce. The alcabala, a sales tax introduced in New Spain in 1575, survived at varying rates until the end of the nineteenth century despite its prohibition by the Constitution of 1857.<sup>13</sup> During most of the nineteenth century, it was synonymous with the sale of goods rather than with manufacturing. Initially, the alcabala was the exclusive prerogative of the Spanish government; but with independence and the subsequent political crises, it became the major source of revenue not only for the federal government but for many states, and even for municipal governments.<sup>14</sup>

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Costas y derechos de testimonios	150 00
Multas	1,500 00
Contribuciones directas	70,000 00
Contribuciones de la granas y añil	206,854 00
Registro civil	300 00
Periódico oficial	600 00
Telegrafo	2,000 00
Casa de moneda	3,800 00
	<u>592,160 00</u>

<sup>13</sup>Fernando Rosenzweig, "El desarrollo económico de México de 1877 a 1914," *El trimestre económico*, XXXIII (1965), 406.

<sup>14</sup>F. López Camara, *La estructura económica y social de México en la época de la Reforma* (Mexico, 1967), 179-80.

The alcabalas were collected in customs houses (aduanas) operated by the states. The number of aduanas in each state varied depending upon the size of the state, volume of trade, and the number of roads.<sup>15</sup>

The alcabala symbolized the fiscal short-sightedness and narrowness of the state leaders. In addition to imposing burdens on the exchange of goods with other states, the alcabalas were also subject to the worst aspects of parochial control. State and local governments, relatively free from careful supervision and scrutiny by the federal government, frequently violated the spirit of cooperation between themselves and the federal government by imposing their own extra duties on goods coming in from other states.<sup>16</sup> The combination of federal and regional alcabalas tended to discourage the very internal commercial activity the state and national governments wanted to promote.

Local officials directly responsible for the operation of the customs houses and forwarding the federal government's revenues were also a major problem in the functioning of the fiscal system. Despite the complaints of merchants, it was very difficult for the federal government to eradicate abuses of the alcabalas by state and local officials. The states believed that their viability depended upon retention of their most consistent source of revenue.<sup>17</sup> The dependence upon

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<sup>15</sup>*Ibid.*, 185.

<sup>16</sup>*Ibid.*, 180. See also Cosío Villegas, ed., *op. cit.*, II, 297.

<sup>17</sup>López Camara, *op. cit.*, 180.

alcabalas made it extremely unlikely that the states would give them up unless another source could be substituted. Intransigent state leaders, many of whom retained power because they controlled the treasury, were unwilling to cooperate with the federal government's efforts to eliminate the alcabalas. Without state support, the federal administration could not hope to reform the internal tax system. Consequently, Mexico was locked into a vicious economic cycle: high internal taxes were levied to raise revenue from commerce, which was depressed even further because of the high internal taxes.

The reason the federal government did not vigorously insist upon the elimination of alcabalas was official reluctance to relinquish the revenues raised in the Federal District. The national capital (the commercial center of the nation) had the most to lose by the abolition of internal taxes.<sup>18</sup> The alcabalas provided a lucrative source of tax revenue for the Federal District. The federal government could hardly insist that the states give up their alcabalas without eliminating the alcabalas from the Federal District; and it could ill-afford to cut off a source of revenue that equaled the maritime rents from the entire Pacific coast. Despite the fact that the alcabala system was generally regarded as a reactionary fiscal institution, it was retained through the years of the Restored Republic. In spite of the fact that they were

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<sup>18</sup>México, Secretaría de Hacienda, *Memoria de hacienda y crédito público correspondiente al cuadragésimo-quinto año económico presentada por el Sr. de Hacienda al Congreso del Union el 16 de Septiembre de 1870* (México, 1870), 717-18.



specifically banned by the Constitution of 1857, alcabalas continued to exist.<sup>19</sup>

Oaxaca retained its own alcabalas during the entire period of the Restored Republic, and after. However, in response to criticism for its continued use of the tax, the state reduced the list of its taxable items. On March 18, 1868, Governor Félix Díaz announced the abolition of the alcabala on a number of articles ranging from selected food-stuffs to manufactured goods of all types.<sup>20</sup> In voluntarily abolishing the alcabalas on these products, Oaxaca complied with the urgings of the federal government.

A very practical reason for Oaxaca's deemphasis of the alcabala was the fact that it was not a major source of revenue. In some districts, the state even lost money in the collection process. For example, in August, 1870, collection of the alcabala in the district of Tlaxiaco produced fifty-nine pesos while operating expenses were seventy-two pesos. The state suffered similar losses in Ocotlán, Zimatlán, Nochixtlán, and Tehuantepec. Despite the surplus collected in other districts, the net return from the collection of the alcabala was only

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<sup>19</sup>Article 124 of the Constitution of 1857 was amended to postpone the date of its effectiveness.

<sup>20</sup>*La Victoria* (April 2, 1868), 1; and *ibid.* (April 9, 1868), 3. See also *El Siglo XIX* (April 9, 1868), 3. The state legislature published a list of products that were exempted from the alcabala. While most items were agricultural products, the list also included all goods manufactured in the state, and all fish.

685 pesos per month in 1870.<sup>21</sup> The publicity notwithstanding, the state not only retained the alcabala taxes on many items but reported a rise in the revenues from them. Governor Díaz explained his reluctance to completely abolish the alcabala:

I am certain that the institution [the alcabala] is not in accord with the Constitution, . . . but in my mind it is very difficult to find other sources that substitute adequately, and have the capacity necessary to compete with it.<sup>22</sup>

By 1867, the liberals in Oaxaca found themselves without a wealthy church to draw funds from. While the church was left with little else for the successful liberals to attack, the same was not true of many of the conservatives who had cooperated with the Imperial government. When Governor Díaz promulgated the federal requirements that all collaborators register with the state for possible fines, 207 Oaxacans obediently complied.<sup>23</sup> The absence of wholesale reprisals against former conservatives and collaborators indicates a conciliatory attitude on the part of the state. Governor Díaz imposed only token reprisals and the radicals' thirst for vengeance was apparently satisfied by a single execution for treason. The only Oaxacan executed for

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<sup>21</sup>Figures available by comparing the monthly reports of the state's General Administration of Alcabalas reprinted in *La Victoria* (August 15, 1870), 2; and *ibid.* (September 19, 1870), 3.

<sup>22</sup>Oaxaca, Gobernador, *Memoria* (1871), 49-50; see also Cosío Villegas, *op. cit.*, II, 353.

<sup>23</sup>*La Victoria* (December 6, 1867), 2.

his role in the Intervention was Juan Pablo Franco who had served as the Imperial Visitor.<sup>24</sup> His execution touched off such a wave of sympathy for the victim that the government did not take any more lives.

The Juárez government added to the conciliatory atmosphere by decreeing in August, 1867, that in most cases collaborators would be punished by fines rather than confiscation.<sup>25</sup> Thus, only in extreme cases could the radicals expect any kind of confiscation.

In addition to the revenue raised by its own measures, the state also received some aid from the federal government. This took the form of subsidies to promote internal improvements such as roads, harbors, and widening rivers. In 1868 the only federal subsidy for Oaxaca was the sum of 36,000 pesos to assist in the construction of the road from Tehuacan, Puebla through the state.<sup>26</sup> Federal aid for Oaxaca's roads steadily increased, however, over the years of the Restored Republic. In 1870, 72,000 pesos were contributed for the road from Tehuacan to Puerto Angel in Oaxaca.<sup>27</sup> In addition, the government allotted an

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<sup>24</sup>Berry, "The Reform in the Central District of Oaxaca, 307.

<sup>25</sup>Dublán y Lozano, *Legislación mexicana*, X, 32.

<sup>26</sup>Federal budget for 1868 reprinted in *La Victoria* (August 6, 1868), 2, and in Mexico. Sría. de Hacienda y crédito público, *Memoria* (México, 1873).

<sup>27</sup>México, Ministerio de Hacienda, *Memoria que el Secretaría del estado y del despacho de Hacienda y crédito público presenta al Congreso del Union* (Mexico, 1870), n.p. Federal budget for 1870 also reprinted in *La Victoria* (November 7, 1870), 1. In 1868-69 the federal government consigned a total of \$1,199,000 pesos in subsidies to all the states for road construction and improvements. México, Ministerio de Fomento, *Memoria* (1870), 16-17.

additional 20,000 pesos for the construction of a road connecting Oaxaca and Chiapas through Tehuantepec. The Juárez administration also provided the engineers for these projects. A related expenditure undertaken by the federal government was a share of the approximately 150,000 pesos to be distributed among all states each year for harbor improvements. The precise amount spent in Oaxaca, however, is not available.

The inverse of the federal-state financial relationship was represented in Oaxaca as in other states by the federal contribution. Essentially a tax to be paid to the federal government on the state's taxes, this was a source of irritation to those states already hard-pressed to finance their own activities. The unpopularity of the federal contribution made it an effective lever in the government's campaign to induce the states to drop or reduce their alcabalas. Thus, in 1869, the federal government agreed that all states which abolished the alcabala would not have to pay full share of the federal contribution. In the case of Oaxaca which did not rely heavily upon the alcabala, the proposal required only a token gesture.

During the Restored Republic, Oaxaca was apparently never a significant source of financial assistance to the federal government. The state failed to yield large sums from the nationalization of goods, customs duties, or any other lesser type of tax. The only year in which it is possible to determine Oaxaca's share of the federal contribution was 1872 when the state sent 29,725,62 pesos to the federal government.<sup>28</sup>

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<sup>28</sup>Oaxaca, Gobernador, *Memoria* (1873), doc., no. 17.

Oaxaca's contribution represented only 1.82% of the federal government's total revenue from the contribution in the fiscal year 1872-73. The federal government only reported the total amount of its revenues from this source rather than itemizing it by state.<sup>29</sup> Consequently, it is impossible to determine whether or not Oaxaca's 1872 share of the federal contribution was representative of its annual portion. It seems likely, however, that revenues in the first year after the revolt of La Noria were disproportionately low.

One other aspect of the federal-state financial relationship that bears mention was the control and emission of money. By 1867, Mexico had eleven mints scattered around the nation including one in Oaxaca. Because of the prolonged period of instability, it had been very difficult for the central government to regulate their operations closely. The poverty of the national government during much of the century led it to lease the operation of the mints to private citizens.<sup>30</sup> In this way, the lessees paid the federal government a fee for the privilege, the private operators collected a fee for their services. While

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<sup>29</sup>México. Sria. de hacienda y crédito público. Seccion quinta. *El erario federal en el ultimo decenio, 1869 a 1879*, p. ix.

Year	Total federal contribution
1869-1870	1,327,568.96
1870-1871	1,448,062.73
1871-1872	1,302,996.24
1872-1873	1,619,554.42
1873-1874	2,228,544.25

<sup>30</sup>Cosio Villegas, *op. cit.*, II, 132.

the operation of the mints ostensibly remained under federal supervision, it often proved difficult to maintain strict control, particularly during periods of civil unrest and disorder. The Oaxacan mint serves as an example of this arrangement.

The Oaxacan mint was leased for twenty years in 1857 at the rate of 5,000 pesos per year. By 1867, however, the federal government had not received any of its anticipated revenue from the Oaxacan franchise.<sup>31</sup> Consequently, in 1869, the federal government absorbed the losses of the mint in Oaxaca and released it from its obligations for the preceding five years.

An indication of Oaxaca's relative unimportance as a source of federal revenues is given on Table I.

The first two columns present the value of nationalized goods confiscated, auctioned off, and the proceeds from the auction turned over to the federal government between 1869 and 1873 in the nation and in Oaxaca respectively. Most of these goods were the property either of the church, or sympathizers of the Imperial government. The striking thing is the inverse relationship between the national and the Oaxacan revenues. While the national total after 1870 remained around one-half million pesos per year, the value of all goods confiscated in Oaxaca dropped from around 5 per cent to less than 1 per cent of the national total.

There are several possible explanations for this. One is that

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<sup>31</sup>*Ibid.*, 161.

TABLE 1

COMPARISON OF MEXICAN AND OAXACAN REVENUES FROM NATIONALIZATION OF GOODS AND FROM MARITIME DUTIES<sup>32</sup>

YEAR	TOTAL VALUE OF GOODS NATIONALIZED IN MEXICO	VALUE OF GOODS NATIONALIZED IN OAXACA	MARITIME DUTIES FROM OAXACA (PUERTO ANGEL)	TOTAL REVENUES FROM OAXACA	REVENUES FROM IMPORT DUTIES & NATIONALIZATION OF GOODS IN MEXICO	OAXACA'S PROPORTION OF GOODS NATIONALIZED IN MEXICO
1869-1870	\$239,659.00	\$11,044.29 (4.6%)	\$96,659.85	\$107,704.14	\$13,631,860.77	.7%
1870-1871	614,735.92	33,748.67 (5.4%)	254.00	34,002.67	16,033,569.71	.2%
1871-1872	517,579.27	5,001.96 (.9%)	31.00	5,032.96	15,268,693.72	.02%
1872-1873	516,286.27	4,366.36 (.8%)	279.00	4,645.40	15,693,125.89	.02%

<sup>32</sup> Mexico, Secretaría de Hacienda y crédito público, *Memoria* (1873), 6, 18, 30.  
See also Ministerio de Fomento, *Memoria* (1870), 17.

by 1871 Oaxacans were no longer actively interested in pursuing a punitive policy against the church; another, is that there may not have been anything of value left to confiscate; or finally, that the internal political struggles in the state in late 1871 diverted attention away from confiscation. While the real reason may lie partly in each of the above, the unsettled political climate and ultimately the outbreak of the revolt of La Noria were the most likely causes. By 1871, the Oaxacan government had become increasingly restive under Juárez's administration, and was unwilling to do anything to sustain the government in Mexico City. The fiscal cooperation on which the federal system rested was one of the first things to collapse when a state government became hostile to the national authorities.



their lot, many refused to try to rebuild their former lives, choosing instead to turn to banditry.<sup>3</sup> Thousands of others were left to find their own way home. Many were unable or unwilling to do so. Some re-settled where they happened to be while others applied their military skills to independent operations.

The problem of controlling these elements confronted Oaxaca almost immediately after the victory over the Imperial government. On August 2, 1867, *La Victoria* reported the following conditions:

We have the disgust to announce . . . that vagrants and deserters, who with an aim of repressing their people, have formed some bands of malefactors.<sup>4</sup>

Oaxaca, however, proved an inhospitable place for the *ladrones*. The Oaxacan government had three agencies available for enforcing peace. The most powerful if least used was the federal army which was called upon only when local rebellions became serious. Federal troops were used sparingly in Oaxaca during the presidency of Benito Juárez perhaps reflecting the reluctance of state officials to call upon a federal agency to solve local problems; or perhaps reflecting Juárez' reluctance to send federal troops into his home state. Only after the rebellion of Félix Díaz in 1871 did the the federal army move into Oaxaca. Once involved, however, federal forces remained near the capital until the end of the Restored Republic.

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<sup>3</sup>Scholes, *Mexican Politics During the Juárez Regime*, 137-38.

<sup>4</sup>*La Victoria* (August 2, 1867), 4.

## C H A P T E R   V I I

### THE INSTRUMENTS OF ORDER

Despite the triumph of the Republic after nearly a decade of warfare, Mexico still had not freed itself from the scourge of internal unrest. Indeed, the problem of domestic security worsened during the Restored Republic as disorders of one form or another broke out in almost every state. In some cases, these disturbances were the work of restless generals like Trinidad García de Cadena in Zacatecas.<sup>1</sup> But the years of warfare also created a generation of homeless ex-soldiers who wandered the countryside living by their wits and often taking whatever they could. This group scattered through Mexico and included deserters and discharged soldiers. The latter were displeased by the sudden cessation of fighting in 1867, and the decision by Juárez and Lerdo to discharge immediately, nearly two-thirds of the federal army.<sup>2</sup>

The American Consul in Mexico City described the effects of this demobilization on former soldiers who returned to find their homes and farms destroyed by the fighting or ruined by neglect. Discontented with

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<sup>1</sup>Daniel Cosío Villegas, *Historia moderna de México. La República Restaurada. La vida política*, I, 243-244; 261-262; 264-265.

<sup>2</sup>México, Secretaría de Hacienda, *Memoria* (1868) Secretary of Hacienda, Matías Romero, justified the abrupt cut in the army ranks as a financial measure.

The most active and effective agency for the preservation of law and order in Oaxaca during the Restored Republic was the National Guard. Although the National Guard was administered by the state government, the federal government retained titular control. Article 85 of the Federal Constitution of 1857 gave the president the power to utilize the National Guard to preserve internal order and maintain external defense with the stipulation that the Guard could not be used outside its home state except with the consent of Congress. With such consent during national emergencies, the federal government could assume command of all available military forces. The Constitution also assigned Congress the responsibility of issuing the basic regulations for organizing, arming, and disciplining the Guard (Article 72, section 19), but left to the states the task of training the units. The National Law of Security issued in 1857 was based on the above provision.<sup>5</sup>

Oaxaca did not get around to organizing its National Guard until after the civil war that lasted from 1858 to 1861. Up until 1861, the defense of the state had been the duty of the federal army. On December 17, 1861, the state issued the National Guard Law, the basis for the organization, recruitment, and outfitting of the state's military force.<sup>6</sup>

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<sup>5</sup>Dublán y Lozano, *Legislación mexicana*, VIII, 347-360.

<sup>6</sup>Oaxaca, *Colección de leyes y decretos del Estado libre y soberano de Oaxaca*, II (Oaxaca: Imprenta del Estado, 1861), 271-281.

Under the provision of this law, all males between the ages of 16 and 60 years were liable for five years of military service. If unable to serve as soldiers, they were responsible for the provision of whatever supplies the government deemed necessary for the defense of the Constitution. Mexican independence, and the Reforma.

In order to insure that all possible men would be available, the National Guard Law established an elaborate registration system administered by the municipal governments. Each citizen was required to present himself to specially created registries. The penalty for non-compliance was stiff; anyone who failed to register was subject to having his term in the Guard doubled. Despite this coercive feature, Oaxacans consistently failed to cooperate with the registration system during the Restored Republic.<sup>7</sup>

The National Guard system established a hierarchy that paralleled the state's administrative structure. The governor, according to Article 61, section 7, of the state Constitution, was made the chief officer of the Guard. His approval or direct orders (which had to be confirmed by the state legislature) were required before the National Guard in Oaxaca could assemble, arm itself, or carry out any duties. Like the state political structure, the Guard was organized by district; and each district was under the charge of the jefe político. The jefes were responsible for the preservation of public order and security, and

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<sup>7</sup>*La Victoria* frequently contained messages from the state government to the people, reminding them of the requirement that they register for military service.

the Guard was viewed as an instrument for carrying out that duty. The *jefes* were also charged with organizing the efforts of the municipalities in the formation of their National Guard contingents. The *jefes'* duties were usually confined to logistical arrangements although they often served as officers in the Guard units as well. Thus, the *jefes políticos* combined political power with military power. This combination was strengthened by the *jefes'* power to grant or deny exemptions from military service.

The municipal *ayuntamientos* were also made part of the National Guard system. The local civil authorities were not only required to open the registries, but they were also made responsible for the initial organization of the Guard units within their jurisdiction. In conjunction with the *jefes políticos*, the *ayuntamientos* were required to form a *junta* to elect the junior officers for their Guard units. The state government, however, retained the right to name commanders and senior officers.

Despite the fact that the National Guard Law has been passed by the state government in 1861, the Intervention had caught Oaxaca without any home forces to defend itself. In fact, Oaxaca did not have a fully organized National Guard until 1869. Efforts to establish a Oaxacan National Guard were initiated not by the state but by the federal government. In June, 1867, the Juárez administration ordered its regional commanders in Oaxaca to release part of their forces for police duty, such as maintenance of road security.<sup>8</sup> It was during the exercise of

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<sup>8</sup>Oaxaca, *Colección de leyes, decretos, etc.*, X, 31-32.

these duties that the federal troops were used to train Oaxacan National Guardsmen.<sup>9</sup>

The Oaxacan state legislature added few embellishments to the National Guard Law during the Restored Republic. One noteworthy development, however, was the grant of broad discretionary powers to the governor as commander of the National Guard. Félix Díaz, as governor, was empowered to command the Guard personally whenever he considered conditions dangerous enough to warrant emergency action rather than having to wait for permission from the legislature, as the original law stipulated.<sup>10</sup> Díaz was also authorized to move the Guard units anywhere he felt they were needed in the state without obtaining prior permission from the state legislature. Consequently, in the hands of an ambitious or independent governor, the National Guard was a convenient and potentially powerful weapon.

A third instrument for the maintenance of internal security was the police force created for the Central District. This agency, whose functions were limited to the capital area, was jointly administered by the state and municipal governments. Law enforcement work by this body commenced almost immediately after the cessation of hostilities in 1867. To meet the demands of post-war conditions, the capital police force was created in December, 1867.<sup>11</sup> The force was composed of a municipal and

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<sup>9</sup>*El Siglo XIX* (February 13, 1869), 1-2.

<sup>10</sup>Oaxaca, *Colección de leyes. decretos...*, V, 111.

<sup>11</sup>*La Victoria* (December 17, 1867), 4.

a rural corps; its jurisdiction included all of the Central district, not just the capital city. Unlike the National Guard, which was instituted to deal with domestic uprisings and foreign invasion, the police force was primarily designed to enforce peace on a relatively local level.

While other states suffered from chronic unrest and often very serious uprisings during the Restored Republic, Oaxaca appears to have remained relatively tranquil. The combination of the three agencies discussed above proved a severe retarding force. An examination of the criminal activity reported during this period reveals that crime was not a serious problem in Oaxaca once the administration of Félix Díaz was firmly established.<sup>12</sup> This stability was not only a reflection of the firm hand wielded by Governor Díaz, it also reflected the war-weariness of the Oaxacan people. While the state did not face any large-scale uprisings such as were experienced by other states, several local rebellions did occur. The most serious of these broke out in the districts of Juchitán in September, 1870, and Ixtlán in 1871. Both incidents were ruthlessly crushed by Governor Díaz as the head of the National Guard.

To summarize, the federal government in matters of public security relied in the first instance on state authorities. The Juárez administration, with a greatly reduced army, expected state officials and

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<sup>12</sup>Based on weekly reports from the jefes to the state government, reprinted in each edition of *La Victoria* from 1867 to 1871.

state-controlled military forces such as the National Guard to preserve order. This policy was consistent with the federalist view that power should be decentralized; the National Guard was a manifestation of the principle that the people should arm themselves for their own defense.

Unfortunately, this system of state-controlled military forces could not be kept separate from the political rivalries of the Restored Republic. When tensions between national and state political leadership reached the breaking point, control of the Guard became crucial. In the case of the Revolt of La Noria in 1871, the National Guard responded to the call of Governor Díaz, not to that of the president.\*

Until the 1871 rebellion, the system of reliance upon state authorities for the maintenance of order worked exceedingly well in Oaxaca. Governor Díaz could boast in his 1869 report to the legislature that:

In effect, . . . when we see announcements every day in the periodicals of the other States, kidnapping, robberies and predatory assassinations; when in many parts one perceives the danger of the loss of life and fortune of the citizens; . . . the State of Oaxaca, remains tranquil without falling prey to the scandals that have occurred elsewhere.<sup>13</sup>

Why did Oaxaca enjoy a greater degree of tranquility than many other regions? The answer, perhaps, is found in the comment of the respected Mexico City newspaper, *El Siglo XIX*:

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\* Details of the 1871 rebellion are discussed in a later chapter.

<sup>13</sup>Oaxaca, Gobernador, *Memoria* (1870), 13.



Taxes are not exaggerated; disbursements have been made regularly; primary instruction progresses; statistical studies are extensive; peace has been preserved since the reconstruction of 1867; and the bandits and criminals have been punished and expelled from the state by the vigilance of the police.<sup>14</sup>

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<sup>14</sup>*El Siglo XIX* (August 22, 1870), 4.

## CHAPTER VIII

### FEDERAL-STATE POLITICAL RELATIONS

On August 25, 1867, Benito Juárez was feted in Mexico City at a banquet sponsored by General Porfirio Díaz.<sup>1</sup> Most of the leaders of the Mexican government and military were there to honor the president who had preserved the nation's sovereignty throughout the French Intervention. The occasion, however, was hardly festive.<sup>2</sup> Throughout the banquet, Díaz remained sullen in his seat instead of offering the customary first toast. As his silence became embarrassing, Juárez finally broke the tension by graciously rising and offering a toast to "Liberty and Independence."

The incident has been reputed to be one of the earliest signs of a break in the successful liberal coalition that had resisted both the conservatives and the Imperial government since 1858. Rather than marking the beginning of a new split between liberal leaders, the banquet illustrated the political climate at the close of the War of Intervention. It also foreshadowed the political problems that Juárez faced during the last four years of his presidency. The banquet

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<sup>1</sup>*Diario oficial* (August 29, 1867), 1.

<sup>2</sup>The following account is based on reports of the banquet presented in *La Victoria* (September 2, 1867), 1; and Jorge F. Iturrubarría, *Historia de Oaxaca*, IV, (Oaxaca, 1956), 17.

mentioned above actually had been organized by friends of the president and the general who hoped to overcome a growing rift between the two men that had begun even before the overthrow of Maximilian's government had been fully accomplished.<sup>3</sup> While the Díaz-Juárez differences were subsequently couched in constitutional arguments and altruistic issues, the underlying issue between them was power. As various liberal adherents polarized around Juárez and Díaz (and later around Lerdo), the political struggle for power was joined--this time among the victorious liberal group.

Porfirio Díaz was one of the many aspiring Mexicans who expected some reward for their services in the Wars of the Reform and the Intervention. Unlike the professional, non-political Mexican army of today, Díaz was raised in an age of caudillos characterized by Antonio Lopez de Santa Anna in which political power was a logical reward for faithful and successful military service. When rewards were not forthcoming, Mexico suffered the consequences in the form of revolts led by free-wheeling army officers.

The weak disjointed efforts of Juárez and the civil government during the Wars of Reform and Intervention had helped foster this attitude. During the Intervention, the Juárez government was unable to conduct a centrally-controlled military campaign. Instead, his administration had been forced to delegate power to various regional military

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<sup>3</sup>Iturribarría, *op. cit.*, IV, 17; and Daniel Cosío Villegas, *Historia moderna de México. La República Restaurada. La Vida Política* (Mexico, 1955), I, 76.

leaders.<sup>4</sup> Entrusted with wide-ranging political, economic, and military responsibilities, they acted largely on their own. They operated as best they could drawing men and materials locally often with few or no funds from the Juárez government. Consequently, throughout the prolonged period of warfare, the peripatetic central authority was more akin to a government-in-exile than a real power.

Equally illusory was the Constitution of 1857. For the patriot forces the only reality was the enemy. Operating in a constitutional vacuum, the regional chiefs became all-powerful within their respective bailiwicks. When the wars ended in 1867, it was unrealistic to expect these men to accept willingly the self-abnegatory role of a Cincinnatus. Despite the fact that Díaz did attempt to project this image, he typified the unsatiated ambitions of these men. When constitutional procedures did not bring success and rewards, they turned to extralegal means charging the central government with violations of the Constitution.

Under these circumstances, it was vital that the various state governments remain politically loyal to the central administration. Much of the political activity of the Restored Republic focused on gaining and holding control of the states by political means.

Benito Juárez and the group of advisors that surrounded him emerged from the Wars of the Reform and the Intervention as symbols of Mexico's struggle for autonomy. Whatever national pride had been

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<sup>4</sup>*Ibid.*, I, 71.

generated by these experiences was directed toward the federal government and its titular head. Thus, so long as Juárez and his advisors retained some of the mystique of selfless and long-suffering patriots, they remained above partisan attacks. Unfortunately for Juárez, and for the whole federalist system, he was unable to insulate himself from the political wranglings that turned the federalist experiment into a delusion. In fact, there is ample evidence that Juárez did not try to remain above politics throughout the era of the Restored Republic. Juárez exposed himself to political attacks almost immediately after regaining control of the national capital.

One thing that is clear about the political situation in 1867 was that Juárez and his closest advisors were convinced of the need to strengthen the central government and particularly its executive branch. This was at least partially because of the president's own ambition; but was also a product of Juárez' prior experience in trying to run the government, and his conclusion that the nation could not progress without a stronger central government to direct the affairs of state. The *convocatoria* demonstrated the conviction, shared by the president and Sebastian Lerdo de Tejada, that the federalist system established by the Constitution had to be modified so as to give greater power to the national government.

On August 14, 1867, Juárez issued the now-famous *convocatoria* calling for national elections.<sup>5</sup> This document, more than any other

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<sup>5</sup>Dublán y Lozano, *Legislación mexicana*, X, 49-56.

single factor, helped galvanize many of the president's potential rivals into open opposition. By calling for constitutional reforms without following the established amendment procedures, Juárez laid himself open to cries of righteous indignation.<sup>6</sup>

The convocatoria provided Juárez' rivals with an issue that offset his past record. By ignoring the constitutional amending procedures, he exposed himself to charges of perfidy. Not only Juárez, but his entire administration was discredited by this act.<sup>7</sup>

The fact that the convocatoria was drafted and engineered by Lerdo, rather than Juárez, made little difference to the president's antagonists. To them, the whole Paso del Norte group was guilty, and every member of the administration's inner circle became the object of open criticism. The ramifications of the convocatoria were greater than a few complaints from malcontents.

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<sup>6</sup>*El Siglo XIX* (August 18, 1867), 1. The constitutional changes proposed by Juárez were:

- a) establishment of a senate
- b) a two-thirds suspensive veto for the president
- c) all executive reports to Congress to be in writing, rather than personally presented
- d) limit the right of the permanent deputation to call special sessions
- e) fix the presidential succession beyond the president of the Supreme Court

The convocatoria also called upon the people to directly ratify the amendments, rather than follow the constitutional amending procedures.

<sup>7</sup>Frank A. Knapp, *Sebastian Lerdo de Tejada, 1823-1889*, reprint edition (New York, 1968), 124.

While the convocatoria drove a wedge into the ranks of the liberals, in truth, they had been factionalized before the end of the War of the Intervention. As Lerdo's biographer, Frank Knapp points out, the liberals were never really a unified political "party." They were personalist groups united against the conservatives. Once the conservatives were defeated, the liberal factions quickly demonstrated their tendency toward fragmentation. This was the case when Juárez issued the convocatoria.<sup>8</sup> Notwithstanding the political consequences, the convocatoria was a realistic response to the problems of the preceding decade. The experiences of Juárez and Lerdo had demonstrated that a loose federation was not feasible for Mexico by 1867.

There can be little doubt, however, that the convocatoria was a major political blunder. It provided an excuse for criticism of the Juárez administration and created an issue around which the supporters of Porfirio Díaz could rally: constitutionalism. The ensuing struggle for political power meant, for all intents and purposes, that the liberal experiment in federalism was doomed to failure before it ever began. Because the Juárez group retained control of the national government, opponents were forced to turn to state politics to build a political power base. Wherever they succeeded, the state administrations became increasingly hostile to the central government. Under these conditions, the federal system, which relied upon cooperation between the federal

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<sup>8</sup>*Ibid.*, 125. See also Cosío Villegas, *Historia moderna*, I, 141-42. See also Ricardo García Granados, *Historia de México desde la Restauración de la República en 1867, hasta la caída de Porfirio Díaz* (Mexico, n.d.), I, 43.

and state governments, began to break down. Instead of harmonious relations, the Juárez administration, and that of his successor, Lerdo, were confronted by the chronic anarchic political conditions they sought to avert.

The resumption of civil government in 1867 marked the opening phase in the internal struggle for political power. Initially, this contest revolved around Juárez and Díaz, but within a few years, the political situation was complicated by the rise of another strong national contestant: Sebastian Lerdo de Tejada. During the Restored Republic, advisors and admirers formed around each of the contenders. Each claimed a sizeable following. Each sought to expand his circle of followers primarily in the state governments so as to create a political power base. Each, through subordinates, was guilty of some political abuses. Mexican political lines were fluid as politicians aligned themselves with one political figure or another in the contest for control of the political system. State politics were generally characterized by rough tactics in which personalist groups supported one or another of the national political figures. State politicians also proved fickle, shifting their allegiances for a variety of reasons: local issues, their candidate's national prospects, and the relative strength of local leaders who influenced state politics. In general, the arena of state politics was a rugged contest in which ruthless and ambitious men fought for power. Ideology, though often espoused, was usually the excuse rather than the real reason for perversions of the institutions the liberals claimed to have fought for.



Thus, the struggle for state and local support was prolonged, tending to rally around individuals as well as ideological arguments. The *porfiristas*, adherents of Porfirio Díaz, saw themselves as the young, dynamic leaders of the future; their goal was ostensibly the preservation of the principles of the Constitution of 1857. They were the challengers who became increasingly aggressive in their quest for power. This group, also known as the constitutionalists, was generally drawn from the ranks of the disaffected. Many felt that the Juárez circle was closed and that the only road to their own success was blocked by the group that surrounded the president. Actually, the Porfirists were a strange assortment of people who were attracted to Díaz for a number of reasons. To begin with, Díaz was the only major candidate not already part of the Juárez administration. As such, he attracted the political have-nots who aspired to public office. A second group consisted of conservatives who saw his candidacy as the only real alternative to Juárez. The conservative support for Díaz was reinforced by his moderate enforcement of the anticlerical Reform laws. Díaz was also a logical hero for disappointed military men who recognized in him the only possible hope for continued power and prestige, particularly in light of Juárez' dismissal of a large proportion of the federal army in 1867.<sup>9</sup>

Porfirists were increasingly evident in all parts of Mexico as

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<sup>9</sup>Iturribarría, *Historia de Oaxaca*, IV, 30-31; Cosío Villegas, *Historia moderna*, I, 86-87; and Knapp, *Sebastian Lerdo de Tejada*, 152.

the Restored Republic progressed, and they apparently came from different classes rather than one particular social group. Thus, the Porfirists were a mixture of radicals and conservatives, militarists and civilians united only in their faith in their own ability to guide Mexico's destiny and their support of Porfirio Díaz in his quest for power.

Aside from these considerations, it is difficult to determine any significant differences between the Porfirists, Juárezists, and Lerdist. Despite the distinctions they may have drawn between themselves and all arguments about democracy and the elevation of Mexican society, these men remained politicians at heart.

Porfirists operated with a great deal of success in Oaxaca throughout the Restored Republic. The state was atypical in that both Juárez and his chief opponent came from Oaxaca; and yet, in other respects, it was representative of the political cross-currents and controversies that had affected Mexico since the Reform.<sup>10</sup> The ideological and political differences that characterized the Restored Republic were already visible in Oaxaca early in the period of the Reform. Conservatives who wished to retain their traditional positions in the social, economic, and political order did not simply retire in the face of liberal criticism. On the other hand, the liberals were hardly a cohesive, harmonious group. While Oaxacan liberals agreed that Mexican

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<sup>10</sup> Apart from Juárez and Díaz, a number of other national figures came from Oaxaca including Matías Romero, Sec. of Foreign Relations under Juárez; Ignacio Mejía and Manuel Dublán, outstanding congressional figures; and Justo Benítez, the Porfirist congressional leader.

society should break with its traditional patterns and all of its traditional inequities, they were by no means unanimous as to how this should be accomplished. Two factions became distinguishable among Oaxacan liberals: the radicals, or *puros*, and the moderates, known as *borlados*.<sup>11</sup> Up until the era of the Reforma, the state had been controlled by a coalition of landowners, mineowners, and professionals. The wave of popular support for liberalism continued to attract some members of Oaxaca's liberal group which was initially controlled by the *borlado* faction. While *borlados* were not an organized political party, they did share a fear of unbridled democracy and sought to prevent the rise of a demagogue. Attracting many of the state's professional men, the *borlados* have been described by Jorge F. Iturribarria in the following way:

They were sincere, but their intellectualism led them to err by mistakenly underestimating the possibilities of the people.<sup>12</sup>

The fact that the *borlados* traditionally attracted the more moderate liberals probably explains why many who purported to subscribe to the liberal cause during the Three Years War and the War of the Intervention were able to accommodate themselves to the French occupation. They were not radicals; they had a vested interest in maintaining some voice in the direction of state affairs.

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<sup>11</sup>Iturribarría, *Historia mexicana*, III, 474.

<sup>12</sup>*Ibid.*, III, 473.

The radicals, much less willing to temporize than the moderates, wished to see the promises and the spirit of the Constitution of 1857 translated into vigorous and immediate action.<sup>13</sup> For instance, in 1867, they wanted complete freedom of religious practice which meant breaking the monopoly of the Catholic church.<sup>14</sup> They also wanted to guarantee other fundamental freedoms such as free speech and a free press. They adopted a remarkably enlightened view toward justice, particularly toward the penal system, seeking to convert it into a means of retraining criminals rather than simply removing them from society. Their educational program was rooted in the hope of creating a citizenry imbued with a sense of patriotism and dedication to the perfection of Mexican society.<sup>15</sup>

While the moderate liberals sympathized with these goals, they were much more conscious of the need to preserve order. Consequently, when it came to implementation of the reform programs, moderates moved cautiously. It was this difference in approach that ostensibly led to clashes between the radicals and the moderates almost from the beginning of the period of liberal control. The developments of the Restored

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<sup>13</sup>Charles R. Berry, "The Reform in the Central District of Oaxaca, 1856-1867," 75.

<sup>14</sup>While the borlados agreed to the principle of complete freedom of religious toleration, they were not willing to pursue it vigorously.

<sup>15</sup>*Ibid.*, 144-145.

Republic must be viewed in the context of this fundamental split between the two groups of Oaxacan liberals.

The divisions within the liberal ranks were evident even during the War of the Reform. For instance, the borlados gained control of the Oaxacan legislature in 1858 while a radical, José María Díaz Ordaz, was elected governor.<sup>16</sup> His administration was marked by a great deal of criticism from his own party members. When Governor Díaz Ordaz personally took command of the state militia in January, 1858, he put his leadership of the liberals on the line. When he retreated from an attack upon the capital city, the state legislature called for his resignation and named Miguel Castro, a borlado and a close friend of Juárez, as acting governor. This coup was evidently undertaken without the president's knowledge because he personally intervened to prevent the appointment of another borlado as the head of the state militia.<sup>17</sup> This incident is indicative not only of the tactics of the borlados, but also of the political wrangling that occurred among the liberals even during moments of military action.

As governor of Oaxaca in the years after the war with the United States from 1848 to 1852, and later as president of the nation during the Restored Republic, Juárez attempted to conciliate the factions by

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<sup>16</sup>Iturribarría, *Historia mexicana*, III, 474.

<sup>17</sup>Juárez eventually exonerated Díaz Ordaz from charges that he retreated unnecessarily. The president restored Díaz Ordaz to active command of the state in November, 1859. See Iturribarría, *Historia mexicana*, III, 476.

making appointments from both groups. Despite such efforts, he was unable to overcome the growing friction between the moderate borlados and the radical puros. In view of subsequent political developments in the state, Juárez would probably have been better advised to have allowed the subjugation of the radicals. This group, which included Félix and Porfirio Díaz, Díaz Ordaz, José Benítez, and Tirburcio Montiel, formed the most intransigent resistance to Juárez and to the subordination of Oaxaca to the political influence of the federal government. Thus, the era of the Reform in Oaxaca was characterized by the internal dissention within the liberal ranks.

For the liberals, the French Intervention did what the War of the Reform could not do. The experience of the Intervention, identified as a conservative scheme to regain power, convinced many liberals that they were involved in a life and death struggle. The War of the Intervention temporarily rallied liberal support against the conservatives and also strengthened the radicals' ideological commitment. Nevertheless, during the Intervention most Oaxacans stayed in the state and accepted the rule of Maximilian rather than join the patriots in the hills. Those who remained and collaborated were regarded as traitors by the radicals.<sup>18</sup>

There was, of course, more to the liberal strife than ideology or patriotism. Many radical and moderate liberals who had carved

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<sup>18</sup>This was the spirit of the decree issued by Juárez on August 12, 1863. This decree made all who cooperated with the Imperial government liable to confiscation of their property.

careers from the military were also motivated by personal ambition. The obvious example is Porfirio Díaz, but his was by no means an isolated case. Military experience in Mexico had traditionally provided a power base in state and local affairs, and the war against the Empire was no exception. Juárez himself, perhaps reluctantly, contributed to this situation. The exigencies of war had forced him to distort the relationship between the central government and its regional branches. He had to grant virtual military and civil autonomy to his commanders in the field. In Oaxaca this meant that Porfirio Díaz, as commander of the Army of the East, was the chief executive over the areas that he could recapture from the Imperial forces. Isolated from Mexico City and even more from the oft-pursued Juárez, Díaz was left to his own devices. While he was not immediately successful--he managed to get himself captured in 1863--he went on to emerge as one of Mexico's chief military heroes and a political rival of Juárez in 1867.

When Benito Juárez entered Mexico City in July, 1867, he must have taken stock of the situation that confronted him. His nation had been devastated by a series of wars at least partially attributable to the liberals' campaign to end the old political, economic, and social system. He had to be aware of the need to legitimize his claims to the presidency. Juárez had, after all, assumed the reins of government during a civil war and had won a narrow victory in 1861. His presidency had been beset with internal and external attacks through his whole tenure in office, culminating in the four year occupation of

Mexico by the Imperial government, during which time he had his term extended until the end of the war.

These were the kinds of conditions under which Juárez attempted to regather the reins of government in 1867. One of the first things Juárez addressed himself to was a reversal of the process by which the central government surrendered its powers to the regional military commanders. It was in this context that he ordered the reduction of the army and issued the convocatoria with its attending constitutional amendments. The latter, in particular, reflected his administration's desire to secure greater centralized control quickly.



## CHAPTER IX

### POLITICS IN OAXACA: JUÁREZ v. THE DÍAZ BROTHERS, 1867-1871

By the time Juárez entered Mexico City, Oaxaca was safely in the hands of the Army of the East. Porfirio Díaz, who had recaptured the state in October, 1866, subsequently relinquished direct political and military control, and on December 11, 1866, he appointed his second-in-command, General Alejandro García, to the dual posts of state governor and commandant.<sup>1</sup> This, however, was only a temporary expedient. Within two months, Díaz split the civil and military commands, naming Juan María Maldonado, one of the liberal magistrates appointed to the state Supreme Court by Governor Juárez in 1857, and Félix Díaz, as military commander of the state.<sup>2</sup> This appointment marks the beginning of Félix Díaz' career as Oaxaca's political boss.<sup>3</sup>

Félix Díaz was only thirty-three years old when he was named military commander by his older brother. A native oaxaqueño, he studied briefly in the Seminary and the State Institute. Félix later joined the

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<sup>1</sup>Oaxaca, *Colección de leyes*, IV, 184.

<sup>2</sup>Berry, "The Reform in the Central District of Oaxaca," 31.

<sup>3</sup>The chief biographical highlights of his life were outlined in a special supplement to *El Siglo XIX*, (January 29, 1869).

Army in his brother's batallion and became an officer. Through don Porfirio's influence and his own performance against Indian uprisings, he rose through the ranks quickly becoming a lieutenant colonel by the age of twenty. In his early career Félix was by no means committed to liberalism. He had supported Santa Anna in 1853 and fought against the Revolution of Ayutla. He did not join the liberals until the War of the Reform was already underway. From that point on, however, he became one of the bright young liberal officers.

Don Félix was essentially a military man at this time. Up to the Intervention he had not indicated any strong ideological attachment, and, as noted above, switched belatedly to the liberal cause. The War of the Intervention gave him the opportunity to become a general, a patriot, and a hero. In 1862 he participated in the battle of Cinco de Mayo. Subsequently, he was wounded and captured only to escape and be able to participate in several of Mexico's famous battles including the sieges of Puebla in 1863 and Querétaro in 1867.

Success in war made him, as well as his brother Porfirio, likely candidates for future political office. But while his brother's aspirations focused on the presidential chair, Félix set his sights on the governorship of his native state. Jorge F. Iturribarría contends that Félix was always a member of the more radical faction of the liberals, but his early career indicates that Félix' radicalism was initially motivated by political considerations. He was not part of the wealthy class in Oaxaca. He did not have close ties with any of the traditional political leaders. Nor was he a member of Juárez' close circle of

confidants. But he was an ambitious man, and by the end of the War of the Intervention, he was a successful general. His entry into politics was as a man of the people who had risen to great heights because of the emergency of the times. In his first speech to the Oaxacan legislature in 1867, he described himself as:

A son of the people, a friend of liberty and democracy, educated in combat without instruction and without any knowledge of administrative science; and without any experience other than that of campaigns and battles...<sup>4</sup>

Félix Díaz sought the governorship for himself almost as soon as he assumed military control of Oaxaca in the Spring of 1867. With an eye toward the return of civil government and the anticipated elections, he began to wage a campaign to discredit the interim civil governor, Maldonado. The issue that Félix used was Maldonado's failure to act promptly to enforce the Reform laws.<sup>5</sup>

On April 18, Félix, as military commander of the state, took it upon himself to criticize Sr. Maldonado publicly for failure to carry out the presidential decree of February 26, 1863, which ordered all convents closed. This decree could not have been enforced during the Intervention, but once control had been restored to the legitimate government, Díaz demanded that Maldonado not only comply, but also publicly explain his recalcitrance.<sup>6</sup> Maldonado, in a letter dated

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<sup>4</sup> *La Victoria* (December 6, 1867), 3.

<sup>5</sup> This issue is tangentially discussed in chap. iv.

<sup>6</sup> *La Victoria* (April 21, 1867), 2.

April 24, denied ever hearing of the decree ordering the nunneries closed. Félix Díaz responded to the governor's disclaimer by producing correspondence which showed clearly that Maldonado was lying. *La Victoria* reprinted a letter from Porfirio Díaz to Maldonado dated April 23 which referred to an earlier letter reminding Maldonado of the decree of February 26, 1863.<sup>7</sup> In other words, Porfirio Díaz had actually told Maldonado of the order to close the nunneries before Félix had, and before Maldonado had publicly denied ever hearing of the decree.

The incident is particularly noteworthy because Félix Díaz, with a single stroke, was able not only to embarrass the civil governor but also to discredit the borlado faction. In the eyes of the Oaxacan radicals, Félix had demonstrated that they were correct in their assumption that the borlados were not to be trusted with the enforcement of the Reform laws. In the wave of national pride that followed the Intervention, Maldonado's mistake probably cost the borlados prestige among politically-neutral Oaxacans as well. With this incident, Félix Díaz projected himself into the leadership of the radical faction in the state. At the same time, he managed to hasten the resignation of Maldonado who gave up his office five days after Félix issued his original letter of criticism and the day before he denied ever hearing of the order for the suppression of the nunneries.<sup>8</sup>

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<sup>7</sup>*Ibid.* (May 9, 1867), 1.

<sup>8</sup>Berry, "The Reform in the Central District of Oaxaca," 321.

On May 6, 1867, Juárez ordered Porfirio Díaz to announce the appointment of Miguel Castro as acting governor.<sup>9</sup> Castro, a long-standing borlado, had served as interim governor in 1858 and would eventually be reappointed to that position after the Revolt of La Noria. Castro was entrusted with both civil and military powers. Félix Díaz subsequently joined his brother who was mounting the last offensive that would end with the occupation of Querétaro and Mexico City.

The selection of Castro is intriguing. Not only was he a member of the borlado faction, a wealthy landowner, a lawyer, and a mineowner, but he had remained in Oaxaca during the Intervention rather than join the patriots in the mountains. Even more significant, he had served as counselor of government to the French during the occupation. He was, therefore, technically liable to some kind of punishment in 1867. The fact that he not only went unpunished, but was chosen acting governor indicates Juárez' reliance upon more experienced administrators rather than reaching into the ranks of the younger, less-known, and perhaps less powerful group of liberals for his appointees. Politically, Castro was a known commodity for the president. He was also a close friend, and thus theoretically, more reliable.<sup>10</sup> But from the viewpoint of the radicals, his choice served to strengthen their belief that Juárez meant to shut the doors to their ambitions.

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<sup>9</sup>Oaxaca, *Colección de leyes*, IV, 202.

<sup>10</sup>Iturribarría, *Historia mexicana*, III, 475.

During the summer months of 1867, Miguel Castro continued to serve as acting governor and prepared to conduct the elections for new federal and state officials in October and November. This position gave him considerable power and political leverage. One of his political appointments, for instance, was Pedro Pardo, a borlado, who became editor of the state newspaper. The political significance of this appointment was demonstrated during the controversy over the president's convocatoria of August, 1867. At a time when many liberals broke with Juárez, the Oaxacan state newspaper was silent on the controversial document despite the fact that radicals denounced it strongly in their correspondence with Porfirio Díaz.<sup>11</sup> The convocatoria provided an issue that reopened the split in Oaxacan liberal ranks.

As the elections approached, the borlados seemed firmly in control of the state government. In addition to the interim governorship, the post of acting interior minister with control of the electoral machinery was in the hands of a borlado and Juárezist, Félix Romero. The alliance of the borlados with Juárez encouraged opponents of both to gravitate toward the Díaz brothers. In this camp were bureaucrats and professional men including the head of the state's postal service,

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<sup>11</sup>*La Victoria* (August 30, 1867), 1. Compare this to reports in *El Siglo XIX* (August 25, 1867), 3. *El Siglo* reprinted a protest against the convocatoria from Puebla:

The Club "Amigo del Puebla" protests against the decree of August 14...Because it is against the will expressed by the Mexican people...

Dr. José F. Valverde.<sup>12</sup>

The unpredictability of Oaxacan politics became evident when the borlado faction, for all of its apparent advantages, was unable to field a strong candidate for the governorship to rival Félix Díaz. Juárez, who might have selected a candidate in his home state, was strangely passive. In this situation the borlados decided not to oppose Félix Díaz, and, instead, concentrated their efforts on winning control of the state legislature.

Don Félix' formal quest for the governor's chair was bolstered by the endorsement of his illustrious brother. In an open letter, Porfirio and Justo Benítez recommended to their friends that they support Félix for the governorship and Lic. Juan Mata de Vásquez as Regent of the state Supreme Court.<sup>13</sup>

For his part, Félix saw an opportunity to disarm borlado opposition by supporting Félix Romero for the regency of the state Supreme Court instead of Porfirio's candidate, Mata de Vasquez. Félix' decision to defy his brother's wishes caused an immediate reaction. On September 17, Porfirio instructed his chief aide in Oaxaca, José F. Valverdé, to caution Félix not "to display his impulsive nature" and to

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<sup>12</sup>Others were: Manuel Toro who had been appointed Treasurer of the State by Governor Díaz; Luís Pérez Castro, editor of *La Victoria*; Francisco Mira, Treasurer after Toro was removed; Juan Figueroa, as chief auditor of the state; Pedro Toro, General Administrator of Alcabalas.

<sup>13</sup>CEHM. Porfirio Díaz and José Justo Benítez, an open letter (September 11, 1867), doc. no. 88.

offer his help to Mata de Vásquez.<sup>14</sup> When Félix did not respond and rumors of his accommodation with the borlados vis-a-vis Félix Romero continued, Porfirio stepped up his correspondence with supporters urging them to persuade Félix to support Mata de Vásquez.<sup>15</sup> Valverde, meanwhile, informed Porfirio of the political machinations in the state in a letter on October 2:

It has come to our attention that the plan of the enemy consists of leaving the liberal camp free [of dissent] so that Chato [Félix Díaz' nickname] will be the governor, provided that they triumph in the state congress, so that it is possible to dictate to the Governor or to make him do as they please.<sup>16</sup>

Valverde's suspicions about the borlado's intentions were worse than he originally reported to Porfirio. Not only had the borlados actively sought an accord with Félix, but he was apparently committed to the political bargain, as well. Félix stubbornly refused to switch his support for the regency of the Supreme Court from Romero to Mata de Vásquez as his brother insisted.<sup>17</sup> Porfirio, in exasperation, warned Félix that he ran a great risk in reaching an accommodation with the borlados

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<sup>14</sup>CEHM. doc. no. 89. Porfirio Díaz to José F. Valverde (September 17, 1867).

<sup>15</sup>*Ibid.*, doc. nos. 91-93 (September 23, 1867); (September 25, 1867); (September 25, 1867).

<sup>16</sup>*Archivo Díaz*, V, 120-21. José F. Valverde to Porfirio Díaz (October 2, 1867).

<sup>17</sup>Mata Vásquez had been Porfirio's chief campaign coordinator in Oaxaca.



rather than trying to win complete control of the state government with porfirista support:

It is preferable to lose the elections than to be Governor with an antagonistic President of the Tribunal and antagonistic Deputies.<sup>18</sup>

Federal and state politics were closely interrelated in 1867 as both Porfirio Díaz and Juárez sought to control affairs in Oaxaca, thereby assuring themselves of a pliable governor, state legislature, and deputies to the federal legislature. Thus, while Díaz dealt with his brother's display of ambition and independence, he also attempted to have his own supporters elected to key positions. Don Porfirio's efforts were at least matched, if not surpassed by Juárez, and his key aide, Miguel Castro.

The extent of Juárez' direct knowledge and involvement in Oaxacan political affairs is indicated in a series of letters from Castro in late September, 1867. On September 25, Castro referred to two lists of candidates that he had received from Juárez.<sup>19</sup> Castro's letter is significant for several reasons. In the first place, it indicates that Juárez was in direct contact with the incumbent governor who not only controlled the electoral machinery of the state, but was also a partisan supporter of the president. Furthermore, Juárez was

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<sup>18</sup>CEHM. Porfirio Díaz to Félix Díaz (October 30, 1867).  
[no doc. no.]

<sup>19</sup>ABJ. Ms. J. 15-2443. Miguel Castro to Benito Juárez (September 25, 1867).

apparently making his preferences for Oaxacan elected officials known, thereby disputing any contention that the president was somehow above politics. Juárez was kept informed about the latest developments throughout the summer and fall months as the campaign intensified. In September, Castro warned Juárez that Félix was emerging as the leader of the opposition in the state, and that the latter was on very good terms with most of the *jefes políticos* "who, as you know, control the elections, and most people vote as they command."<sup>20</sup>

Despite the rising strength of Díaz, Castro was somewhat reluctant to seek reelection for himself, despite pleas from borlados such as José López Viascan. López Viascan also advised Juárez of Félix' activities, and urged the president to convince Castro to seek the governorship on his own.<sup>21</sup>

The Oaxacan elections for state and national officers began on September 22, 1867. According to the Federal Organic Electoral Law, the state was divided into fifteen electoral districts--one for every 40,000 inhabitants. The *ayuntamientos* of each electoral district further divided the districts into sections of 500 people. Each section chose an elector by a vote of all males (18 years old if married, and 21 years old if single). The electors cast their ballots between

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<sup>20</sup>ABJ. Ms. J. 15-2443. Miguel Castro to Juárez (September 25, 1867).

<sup>21</sup>ABJ. Ms. J. 20-3373. José López Viascan to Benito Juárez (September 30, 1867). López Viascan was recommended as Inspector of the Mails by Castro just before the latter left office.

he was nominated separately by the brothers for two different posts.<sup>25</sup>

Porfirio expressed his anger with Félix in his correspondence with supporters throughout the campaigns.<sup>26</sup> At one point he instructed Valverde that he was not to compromise with the borlados; and if Félix insisted upon a rapprochement with them, he should be abandoned to his own fate.<sup>27</sup> Nevertheless, Porfirio also prevailed upon Lic. Pantoja who unsuccessfully sought a reconciliation between Félix and the Porfirian candidate, Juan de Mata Vásquez.<sup>28</sup>

While the Porfirists' camp attempted to close ranks and pursue the elections, the Juárezist-borlado coalition was similarly engaged.<sup>29</sup> The major difference between the Juárezist and Porfirist campaign activities was the fact that the former controlled most of the machinery of the state government. Most significant was the untiring support that Acting Governor Castro gave to the president's cause.

Most of the Porfirists' comments on the campaign were directed

<sup>25</sup>CPD. no. 897. Letter to Porfirio Díaz (October 29, 1867).

<sup>26</sup>*Ibid.*, no. 900. Fidencio Hernández to Porfirio Díaz (November 2, 1867).

<sup>27</sup>CEHM. doc. no. 105. Porfirio Díaz to Valverde (October 30, 1867).

<sup>28</sup>*Ibid.*, doc. no. 106. Porfirio Díaz to Valverde (November 1, 1867).

<sup>29</sup>CPD. Patricio Leon to P. Díaz (October 16, 1867).

at the state government's intervention in the electoral process. José

F. Valverde complained:

In the operation of the elections it [the state government] committed a thousand dirty tricks, and frauds, and the last was that the Governor, Castro, after promising that the government would not interfere in the elections, removed the jefe político, Mauleon, and the president of the ayuntamiento at midnight on the night before the election.<sup>30</sup>

The implication of Valverde's charge was that the governor was using his power to name and remove local officials to gain control of the electoral machinery. Valverde's charge was not unique. Several other Porfirists reported some kind of government intervention. Juan N. Méndez wrote from the district of Juajuápam:

The general government and that of the State, have not omitted interfering, and using force . . . The corruption, the threats of persecution of our agents have been the order of the day. . . .<sup>31</sup>

A similar charge of government interference was levied by Genaro Olquín of Silacayoapam who took personal credit for an electoral victory in his district, and also thanked Porfirio for his promise of electoral victory later in the elections for the state legislature.<sup>32</sup>

Communications between Juárez and his supporters indicate the extent of Juárez' activities in Oaxaca. For example, Castro wrote

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<sup>30</sup>*Archivo Diaz*, V, 76-77. José F. Valverde to P. Díaz, (September 25, 1867).

<sup>31</sup>*Ibid.*, V, 268-69. Juan N. Méndez to P. Díaz (October 25, 1867).

<sup>32</sup>CPD. Genaro Olquín to Porfirio Díaz (November 6, 1867).

Juárez that there were certain enemies of the administration in federal offices in the state, and he advised the president to get rid of them. Castro referred specifically to the chief officer of the Federal Treasury in Oaxaca and the administrator of Stamped Paper, the two federal administrators charged with collection of federal revenues in Oaxaca. Castro urged the president to name José Romero, brother of Matías, which Juárez agreed to do.<sup>33</sup> Porfirists, on the other hand, charged the president and his supporters with repeated interference in the state elections. Aparicio Cruz of Teposcolula wrote Díaz that the election of deputies to the state legislature was being "conducted in the face of much opposition from the jefe político, but we will overcome his opposition as we did in the election of president."<sup>34</sup>

The reason both Díaz and Juárez were so interested in the outcome of the state elections was made clear in a letter from Porfirio to Justo Benítez. On October 21, while awaiting the presidential results from Oaxaca, Díaz referred to the fact that control of the state legislature was vital because this body "has the power to influence the computation of the votes."<sup>35</sup>

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<sup>33</sup>ABJ. Ms. J. 15-2451. Miguel Castro to Benito Juárez (October 23, 1867). Bernardo Carbajal also urged Juárez to remove unsympathetic federal employees within the administration of stamped paper. *Ibid.*, Ms. J. 15-2399. Bernardo Carbajal to Juárez (October 30, 1867).

<sup>34</sup>CPD. Aparicio Cruz to Porfirio Díaz (November 9, 1867).

<sup>35</sup>AJB. Legajo 53, no. 8947 (Porfirio Díaz to Justo Benítez October 21, 1867).

Porfirio Díaz chose to believe the allegations of his supporters and refused to accept the news that he had lost the election for president in his home state. The electoral figures reported by Miguel Castro informed Díaz that Juárez' margin of victory was approximately three to one.<sup>36</sup> Unlike previous Mexican presidents, Juárez enjoyed a rare moment when the only opposition came from within his own party and was not a serious threat.

In the national elections, Juárez easily beat off the challenge of the Porfirists despite the frantic efforts of Díaz' supporters such as Justo Benítez, the chief Porfirian liaison man in Congress, and Francisco Zarco, who was not only one of the leading liberals in Congress but was also editor of the influential *El Siglo XIX*. Díaz' response to the presidential election in Oaxaca was made in a letter to Castro:

. . . although you declare that it [Juárez' victory] was the will of the state, we already know that the will of the people is more powerful than that of the governing figures, and that it has elected the man who, before August 14, was our flag, our pride, and the basis of our hopes; but that with his actions of that date, . . . he had demonstrated that he is not a man in whose hands we ought to put the future of the nation; I well recognize the opinion of the whole Republic and I do not believe that he has been elected.<sup>37</sup>

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<sup>36</sup>Based on incomplete statistics reported in *La Victoria* and *Diario oficial*. Statistics on the selection of electors in the individual districts do not exist.

<sup>37</sup>*Archivo Díaz*, V, 73-75. Exact election figures are not

The election of Félix Díaz as governor and the election of state deputies was apparently less controversial than the presidential election. Francisco Rincón, who subsequently became Félix' secretary of the state, stated that Díaz' prospects on the eve of the election were excellent because Félix already controlled a majority of the districts. Miguel Castro, on the other hand, had "worked to the last hour personally, and by means of subordinate agents; but in my opinion he will not get 8000 votes."<sup>38</sup>

Félix won the governorship on November 10, 1867, defeating Castro and Matías Romero in a direct election that was not entirely free from coercion. The following table presents the election results as reported to the state legislature in November, 1867 (see table on page 142).

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available for either the primary or the secondary elections, which were held on October 6. The state officially announced that Juárez obtained a majority of electoral votes on October 19, 1867. (*La Victoria*, October 12, 1867), 4. From reports to Díaz in the *Archivo Díaz*, and from *La Victoria* and *Diario oficial*, it is possible to determine that the districts of Teotitlan de Camino, Huajuapam, Teposcolula, Villaalta, Centro, Zimatlán and Etna voted for Díaz for president; while the districts of Tehuantepec, Miahuatlán, Tlacolula, Ocotlán, and Villa-Juárez voted for Juárez for president.

These results are available in *La Victoria*, October 12, 1867 and October 19, 1867, and in *Archivo Díaz*, V, pp. 103-04, 152, 167-68, 182-84, and 218-19; as well as partial reports in *Diario oficial*, October 15-November 10, 1867.

While Díaz failed to carry his home state, his campaign succeeded in marshalling public opinion against the constitutional changes proposed in the convocatoria of August. The state, in a direct vote during the primaries, voted down the proposed constitutional changes, 86,852 to 23,462. (*La Victoria*, December 13, 1867), 3.

<sup>38</sup>CPD Francisco Rincón to Porfirio Díaz (November 9, 1867).

TABLE 4

DISTRICT	MIGUEL		MATIAS		FELIX		TOTAL
	CASTRO		ROMERO		DÍAZ	OTHER	
Centro	2181 (38%)		14 (0.5%)		3262 (58.5)	148 (3.0%)	5605
Cuixatlán	53 (2%)				2913 (98.0%)	1	2967
Etla					5147 (100%)		5147
Teotitlán					3660 (98.0%)	102 (2.0%)	4024
Nochixtlán			1 (0.4%)		6492 (99.0%)	3 (0.6%)	6496
Teposcolula	128 (3%)		7 (1.5%)		4411 (92.0%)	217 (4.5%)	4763
Coixtlahuaca					2478 (100%)		2478
Tlaxiaco					8332 (100%)		8332
Huajuápam	283 (4%)		6 (1.0%)		6449 (93.0%)	161 (2.0%)	6899
Zimatlán	131 (2%)		1 (0.5%)		8552 (96.0%)	39 (1.0%)	8723
Juquila					3191 (100%)		3191
Ocotlán	589 (10.4%)				5086 (89.6%)		5675
Tlacolula	231 (3.0%)		1 (0.1%)		6816 (96.5%)	14 (0.4%)	7062
Miahuatlán	18 (0.3%)				5877 (99.7%)		5895
Ejutla	1 (0.1%)				2791 (99.9%)		2792
Pochutla	188 (11.4%)				1453 (88.6%)		1641
Silacayoapam	6 (0.1%)				6102 (99.9%)		6108
Juchitán	49 (1.0%)		2 (0.1%)		4259 (97.3%)	69 (1.6%)	4379
Tehuantepec	344 (11.0%)		85 (0.5%)		2458 (80.0%)	268 (8.5%)	3155
Tuxtepec	2551 (95.0%)				111 (4.0%)	23 (1.0%)	2685
Villa-alta	7708 (93.5%)		2 (0.1%)		392 (4.7%)	129 (1.7%)	8231
Villa-Juárez	3525 (73.5%)		20 (0.4%)		1137 (23.6%)	129 (2.7%)	4810
Choapam	2556 (100%)						2556
Jamiltepec	907 (18.4%)		12 (0.3%)		3958 (80.4%)	46 (0.9%)	4923
Yautepec	6321 (99.5%)				34 (0.5%)		6355
TOTALS	27,770 (22.3%)		413 (0.4%)		95,361 (76.4%)	1348 (1.0%)	124,892

<sup>39</sup>*La Victoria* (November 12-29, 1867). Note that in the districts of Tuxtepec, Villa-alta, Villa-Juárez, Choapam and Yautepec, Castro did extremely well, while Félix Díaz, running against the incumbent won 76% of the total vote. On first glance, these figures indicate a free election. However, the fact that 19 districts reported majorities of 90% or more indicates controlled balloting.



Castro had been nominated late in the campaign, and though endorsed by Juárez, he gained his only real support from those borlados who found Félix Díaz totally unacceptable. The name of Matías Romero was likewise a gesture rather than a real political movement as the state prepared to face the restoration of the Republic under the political leadership of Juárez in Mexico and Félix Díaz at home.

The elections for deputies to the state legislature which were simultaneous with the voting for governor resulted in a victory for the supporters of Félix and Porfirio Díaz.<sup>40</sup> The fourteen-man state legislature was composed of eight deputies who were loyal to Félix, three porfirists, and only three supporters of Miguel Castro and Juárez.<sup>41</sup> The

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<sup>40</sup>The split between the brothers was still not healed at this time, as indicated by Porfirio's comment to Valverde on November 8:

You are instructed to convince Félix that he has interpreted his instructions incorrectly, and that he should not abandon the body to the enemies.  
CEHM. doc. no. 108. Porfirio Díaz to José F. Valverde (November 8, 1867).

<sup>41</sup>CPD. no. 853. Miguel Castro to Porfirio Díaz (November 18, 1867); and *Ibid.*, no. 856. José F. Valverde to Porfirio Díaz (November 13, 1867). The deputies elected were:

Centro: Francisco Rincón (félixista)  
Zimatlán: José M. Toro (félixista)  
Atitlán: Luís Pompa (félixista)  
Teotitlán: Valeriano Regules (félixista)  
Tlaxiaco: Feliciano García (félixista)  
Teposcolula: Matías Rozas (félixista)  
Huajuápam: José Pardo (félixista)  
Miahuatlán: Mariano Jiménez (félixista)  
Etlá: Juan Escobar (juárista)  
Ixtlán: Joaquín Mauleon (juárista)  
Tehuantepec: Agustín Canseco (juárista)  
Tlacolula: Sebastian Luengas (porfirista)  
Silacayoapam: José Segura y Guzman (porfirista)  
Ocotlán: Manuel Rojas y Silva (porfirista)

elections for governor and state legislators marked the emergence of Félix rather than Porfirio Díaz as the force to be reckoned with in Oaxacan politics.

The city of Oaxaca was in a festive mood on December 1, 1867, Inauguration Day. At noon, the governor-elect arrived at the government building in a carriage escorted by the president of the legislature, and the head of his government agencies. After the swearing-in ceremonies, Governor Díaz addressed the legislators pledging that his administration would work to "promote the prosperity, the progress, and the happiness" of the state; and, also, he promised to submit to the legislature a specific program within a few days. The acting president of the state legislature, Francisco Ríncon, then offered his support to the new governor. After the ceremonies, the new officials adjourned to the governor's home for a day of festivities.<sup>42</sup>

The celebration and the gaiety of Inauguration Day could not alter the fact that Oaxaca remained divided politically. In the new state legislature, although supporters of Félix and Porfirio Díaz had a numerical advantage, some borlados retained considerable influence, particularly Joaquín Mauleon, a long-standing borlado who was elected president of the legislature on November 22, 1867.<sup>43</sup> He also had himself appointed chairman of the committees on Justice and the Grand Jury.

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<sup>42</sup>*La Victoria* (December 6, 1867), 3-4.

<sup>43</sup>*Ibid.* (December 20, 1867), 3.

Similarly, another borlado who retained influence was Francisco Rincón, acting president of the legislature, and chairman of the committee on the legislature, and chairman of the committee on the Public Treasury and also a member of the committee on Public Instruction.

While the influence of the borlados in directing state affairs was in a decline after the elections, it is clear that they sought to weaken the power of both Félix and Porfirio Díaz by continuing the break between them. Thus, when Félix removed two *jefes políticos* who had been appointed by Porfirio when the latter had been military commander of the state, Miguel Castro wrote to the general informing him of the new governor's actions:

This deed appears to me to be notoriously unjust and ungrateful, particularly with Fidencio [Hernández], whom you named and who, in my opinion, is more deserving than all the *jefes políticos* of the state. . . . For this reason, I believe that his removal is an insult.<sup>44</sup>

Porfirio responded ironically that he would try to use his influence, if he had any, to correct the injustice.

Díaz, like most Mexican political leaders of the era, recognized the importance of the state governors in the operation of the political system established by the Constitution of 1857. In order for the federalist system to work, it needed the cooperation of the state governments. Given the political framework in 1867, this meant that the governors were the keys to an effective federal-state political relationship. The governors were responsible, for instance, for the publication

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<sup>44</sup> *Archivo Díaz*, V, 386-87. Miguel Castro to Porfirio Díaz (December 7, 1867).

and enforcement of all federal laws. An unsympathetic governor could delay promulgation of legislation and, therefore, retard the implementation of the federal government's programs.

The right to name state administrators made the governor the key political figure in the state. From his office came all political rewards. Without the support of the governor, a political faction found itself outside the decision-making process. It is no wonder, then, that the borlados sought an accord with Félix Díaz. But he, in turn, needed their cooperation to build his own power base in the state.

In making his administrative appointments in 1867 and early 1868, the governor demonstrated a willingness to heed the desires of the borlados. José F. Valverde suggested that Félix' choices bore the mark of Romero.<sup>45</sup> Valverde was particularly suspicious of Romero since the latter was largely responsible for the rapprochement between the radicals and the moderates in the state. Valverde's bitterness may have been partially due to his unsuccessful bid for the state legislative seat from Etna which he lost to Juan Escobar, a borlado.

In filling the important *jefes políticos* positions, Félix had an opportunity to build a personal political machine. These officials, after all, served as the direct links between the state government and the people. They also served indirectly as the local links with the federal government. Appointed by the governor for two-year terms, the *jefes* were the "superior authority of the district."<sup>46</sup> Their duties gave

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<sup>45</sup>*Ibid.*, V, 381.

<sup>46</sup>Oaxaca, *Colección de leyes*, V, 357-58.

them wide-ranging powers from the publication of laws to their enforcement. Public security was also their responsibility, and as such, they were empowered to impose *levas* upon their districts. This power, more than any other, made the jefe a man to be respected and feared. Acting as the administration's watchdogs, they were required to report any laxity on the part of public employees such as treasury or customs officials. They were given limited judicial powers enabling them to impose fines from five to one hundred pesos and even imprisonment or forced labor for infractions. This power, along with the initial supervision of the district's National Guard, meant that the jefes could fine, draft, and imprison anyone who violated the state's laws. In the hands of an able and fair administrator, this powerful post could be an instrument for preserving order. In the hands of the wrong people, however, it could be the instrument for oppression, extortion, and injustice.

Félix Díaz' selections of state officials occupied most of his attention in the interim between his election and the end of the year.<sup>47</sup> When he named his jefes políticos on December 13, 1867, Díaz demonstrated his political shrewdness by including borlados and supporters of his brother, as well as his own adherents, thereby building a political power base for himself among all factions. He named, for instance, Manuel Maldonado, brother of the former governor, and a borlado, as jefe in the district of Tlacolula; and Ambrosio P. García, of Villa-Juárez

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<sup>47</sup>CPD. November 12, 1867; November 15, 1867; November 17, 1867.

and Patricio Hernández of Tuxtepec.<sup>48</sup> As footnote number 48 indicates, several jefes were avowed Porfirists. Men such as Felipe Cruz (Tlaxiaco), Felipe Dávila (Etna), and Luis Santibáñez (Tehuantepec) had been Porfirio's campaign supporters during the election of 1867.<sup>49</sup> These appointments indicated that Félix was more receptive to a reconciliation with his brother.

The political balance of power in the state undoubtedly was in favor of the supporters of the Díaz brothers by the end of 1867. When the state legislature passed a bill naming the president "benemerito" of the state and presented him with an engraved sword, the Porfirists' champion was honored even more. The state legislature not only named Porfirio Díaz "benemerito" of the state, but it also authorized the governor to purchase the estate of La Noria from Manuel Dublán for \$25,000 pesos to be turned over to Porfirio as a reward for his services.<sup>50</sup> From that hacienda, Díaz, after returning to Oaxaca in February, 1868, began his long-range campaign to build support for his presidential aspirations.<sup>51</sup> Unwilling to sit quietly until 1871, Díaz moved

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<sup>48</sup>*La Victoria* (December 13, 1867), 4. The personal affiliation of the men selected was known by the time they were appointed by Díaz. For a list of the new jefes and their affiliations see Table 5.

<sup>49</sup>*Archivo Díaz*, V, 34-35. Porfirio Díaz to José F. Valverde (September 11, 1867).

<sup>50</sup>Iturribarría, *Historia de Oaxaca*, IV, 31.

<sup>51</sup>*Ibid.*, IV, 32.

TABLE 5  
JEFES SELECTED IN 1867

<u>District</u>	<u>Name</u>	<u>Affiliation</u>
Etla	Felipe Dávila	Porfirist
Cuicatlan	Manuel Zuñiga	Félixist
Teotitlán	Anastasio Díaz	Porfirist
Nochixtlan	Romualdo Zarate	Félixist
Tlaxiaco	Felipe Cruz	Porfirist
Silacayoapam	Ignacio Vásquez	Félixist
Huajuapam	José Seqúra y Gúzman	Porfirist
Coixtlahuaca	Manuel Sánchez	Félixist
Zimatlán	Pedro Toro	Porfirist
Ocotlán	Martín González	Félixist
Miajatlán	Vicente Ruiz	Félixist
Juquila	Maximiano Serret	Félixist
Pochútla	Justo Ziga	Félixist
Jamiltepec	Manuel Maldonado	Juárist
Yautepec	Ramon Piño	Juárist
Tehuantepec	Luis Santibañez	Porfirist
Juchitan	Maximo Piñeda	Félixist
Villa-Juarez	Ambrosio García	Juárist
Villa-alta	Pedro Romero	Juárist
Choapam	José María Sánchez	Juárist
Tuxtepec	Patricio Hernández	Juárist

into his hacienda and began actively corresponding with supporters all over Mexico.<sup>52</sup>

In 1868, Félix moved to consolidate his hold on the state by exercising his patronage powers further. He removed Pedro Pardo, a faithful supporter of Miguel Castro, as editor of *La Victoria* and replaced him with Luís Pérez Castro. From that point on, the state newspaper gave the governor unquestioning support. Félix moved to mend his political fences with his brother by appointing José F. Valverde Judge of the First Instance in the district of Juchitán.<sup>53</sup> This move signified a new phase in the relations between the brothers. Valverde, as noted earlier, was not only one of the sharpest critics of Félix' co-operations with the borlados, but had also been Porfirio's candidate for a seat in the state legislature. Another Porfirian supporter, Pablo Pantoja, was named a district judge in 1868.<sup>54</sup>

The state government got off to a rather inauspicious start in its first year under Félix Díaz. The new state administration suffered a political embarrassment when Díaz' state treasurer, Manuel Toro, who been an appointee of Félix, was accused of malfeasance by the federal government.<sup>55</sup> Toro was indicted before the state legislature acting as a

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<sup>52</sup>*Ibid.*, IV, 32.

<sup>53</sup>*La Victoria* (April 9, 1868), 4.

<sup>54</sup>ABJ. Ms. J. 22-3688. Pablo Pantoja to Benito Juárez (August 7, 1868).

<sup>55</sup>*La Victoria* (June 4, 1868), 4.



judicial body in November, 1868, and was found guilty of not reporting the state's revenues to the federal government and failing to collect taxes on land titles.<sup>56</sup> Understandably, the Juárezists in Oaxaca enjoyed the discomfort of the Díaz administration and occasionally reminded the governor of the incident. The prosecution and conviction of Toro suggests that Juárezist influence was still strong and that Félix Díaz did not have complete control of the state legislators. *El Siglo XIX* suggested that the conviction of Toro dampened the chances of a rapprochement between the Díaz brothers apparently because Porfirio felt that Félix should have intervened to protect a staunch Porfirist.<sup>57</sup>

The Toro episode may have persuaded Governor Díaz of the need to gain even more control over the legislature rather than depend upon loose alliances. At any rate, he began to concentrate his attention on the elections held in 1869. These included the selection of eight deputies for both the federal and the state legislatures.

Understandably, all political figures with state and national ambitions were also interested. On the national level, the elections in Oaxaca were essentially a race between the Porfirists and the Juárezists. Sebastian Lerdo de Tejada, who was reputedly building a political machine for himself at this time, was singularly unsuccessful in Oaxaca. There his greatest weakness was his reputation as an avowed centralist.<sup>58</sup> He was regarded as a threat to the state's autonomy and

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<sup>56</sup>*Ibid.* (November 16, 1868), 4.

<sup>57</sup>*El Siglo XIX* (December 29, 1868), 3.

<sup>58</sup>Knapp, *Sebastian Lerdo de Tejada*, 140.

to the authority of the government. Nevertheless, his following in other states did grow enough to represent a threat to Juárez.

In Oaxaca, however, the juáristas and the few supporters of Lerdo had to contend with the power of Félix Díaz. Despite the embarrassment of the Toto incident, Díaz' prestige and his control over the state increased steadily. By February, 1869, *El Siglo XIX* wrote of Félix:

General Félix Díaz, as well as his Secretary, D. Francisco Rincón, may have faults which are inherent in mankind; but their present conduct as state officials is clearly justified by the fact that there have been neither robberies, nor plagues, nor assassinations, nor rebellions, nor disorder of any kind in the state that they govern.<sup>59</sup>

Thus, while the national political candidates began to plan their strategies for the congressional campaign, Félix Díaz was recognized as a capable, tough-minded, and independent governor. Accordingly, Porfirio Díaz, in his quest for a stronger political base moved toward closer relations with his brother.<sup>60</sup>

The Oaxacan congressional elections, convoked for November 6, 1869, demonstrated the extent of Félix' political strength. Although borlados such as Mauleon and Rincón were returned to the state legislature, the majority of new state legislators were supporters of the

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<sup>59</sup>*El Siglo XIX* (February 3, 1869), 3.

<sup>60</sup>*Ibid.* (February 10, 1869), 4.

governor.<sup>61</sup> While borlados retained some influence in the state legislature, the extent of Díaz' control over the state rapidly approached the conditions described by the American commercial agent in Oaxaca, Lummis L. Lawrence, in 1872:

I doubt if any ruler in the world has controlled more personal power [than the governor]. The Courts and the Judges were his most servile tools. The Federal and State members of Congress were of his own selection and have been for the last four years.<sup>62</sup>

In the national elections, held on October 6, the Juárez administration actively campaigned in the state.<sup>63</sup> José Justo Benítez, worried that he would lose his seat in the Mexican legislature, asked for Porfirio Díaz' help against Lerdo who allegedly said that Benítez would be eliminated.<sup>64</sup>

A critic of Juárez, the historian Niceto Zamacois, has condemned the president for electoral crimes all over Mexico in 1869, particularly in Mexico City where his supporters were charged with everything from

<sup>61</sup>*La Victoria* (November 9, 1869), 4. Manuel Rójas y Silva was a Porfirist alternate deputy who replaced Martín González in 1868. The other deputies elected were: José María Toro, Sebastian Luengas, Luís Pompo, Ramón Ruíz, and Juan Escobar. Luengas was the only borlado elected.

<sup>62</sup>National Archives Microfilm Publications. *Despatches from United States Consuls in Oaxaca, 1869-1878* (Washington, 1964). Despatch sent January, 1872.

<sup>63</sup>*La Victoria* (November 6, 1869), 4.

<sup>64</sup>*Archivo Díaz*, VIII, 26.

stuffing ballot boxes to jailing opponents.<sup>65</sup> These charges were not levied in the Oaxacan press where the state government rather than the federal government controlled the electoral machinery.

The elections brought a slight increase for the Juárezists in the federal legislature. Despite this, or perhaps because of it, political unrest increased in 1869. The apparently perpetual domination of national politics by the small closed Paso del Norte group helped turn frustration into rebellion as a number of rebellions broke out in 1869 and 1870. These years were particularly turbulent considering that major rebellions broke out in Puebla, Tamaulipas, Nuevo Leon, Sinaloa, and San Luis Potosi.<sup>66</sup>

Oaxaca suffered a local uprising of its own in the district of Juchitán where villagers who had been smuggling indigo and brazilwood refused to submit to state taxation. Governor Díaz took personal command of the state's National Guard unit and crushed the smugglers mercilessly, eliminating many. Díaz was apparently reacting to more than a simple case of smuggling. Some *juchitecos* were greatly dissatisfied with the conduct of two Porfirists, Priciliano Martínez and Marcos Matus. When the governor entered Juchitán to rout out the reported smuggling activity, he extended his attacks to include those who dissented with his officials. While the exact sequence of events is not

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<sup>65</sup>Niceto de Zamacois, *Historia de Méjico desde Sus tiempos mas remotos hásta nuestros días* (Barcelona, 1881), XX, 745-55.

<sup>66</sup>Scholes, *Mexican Politics*, 135.

clear, the governor's actions caused an outburst of violence in the district. One Juárezista in Juchitán, Albino Jiménez, complained of the state government's actions to the federal government.<sup>67</sup>

Félix Díaz, in turn, reacted to further resistance by waging a war of attrition against the district even to the extent of entering a church and carrying off a statue of the district's patron saint, Saint Vincent.<sup>68</sup> In their distress, the Juchitecans appealed directly to President Juárez, but he responded that he could do little for them since the governor had declared that a state of rebellion existed. Privately, however, Juárez requested that Díaz at least return the holy statue which the governor disdainfully agreed to do. Although the rebellion in Juchitán was subdued within six months, the state government occupied the district for the next year and a half.<sup>69</sup>

The incident in Juchitán revealed one of the principal weaknesses of the federal system. The Constitution of 1857 limited federal intervention in the states to those occasions when the state legislatures invited federal forces. Thus, in a situation such as Juchitán, the president of the Republic was constitutionally bound to allow the state governor broad discretion in dealing with the crisis.

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<sup>67</sup> *Archivo Díaz*, IX, 86-87; see also CPD. B. A. Jiménez to Porfirio Díaz (November 15, 1869).

<sup>68</sup> Iturribarría, *Historia de Oaxaca*, IV, 35-36. Félix Díaz mentioned the incident only indirectly in his *Memoria* of 1871.

<sup>69</sup> CPD. José Montesinos to Porfirio Díaz (April 21, 1871); CEHM. doc. no. 3128 (May 5, 1871).

## C H A P T E R X

### THE END OF AN ERA: THE ELECTION OF 1871

#### AND THE REVOLT OF LA NORIA

Félix Díaz' disdain for the federal government reflected the increasing weakness of the Juárez administration in the state. As the end of Juárez' four-year term approached, his opponents became more outspoken all over Mexico. The ambitious and restless Lerdo resigned from the Cabinet on January 14, 1871, to prepare his own campaign.<sup>1</sup> Porfirio Díaz, still encamped on his hacienda, maintained his contacts with supporters all over the nation while his chief political advisor, Justo Benítez, conducted his campaign in Mexico City.

By 1871, Juárez had little real influence in Oaxaca. While his most consistent supporters served a certain nuisance value, they did not seriously challenge the power of Félix Díaz. The problem for Juárez was that members of the borlado faction had maintained a close political relationship with him not out of conviction, but out of expediency. They had supported him in order to gain political leverage against Félix Díaz. As Díaz grew stronger and more independent of the Juárez administration, the borlados were less inclined to oppose him. Furthermore, Díaz was astute enough to use his patronage powers to convince the borlados of the

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<sup>1</sup>Knapp, *Sebastian Lerdo de Tejada*, 150.

value of supporting him. Thus, as the elections of 1871 approached, it became increasingly unlikely Juárez could claim a broad base of political support in Oaxaca.

In July, 1871, an incident in the district of Ixtlán, birth-place of Juárez, demonstrated the waning influence of the borlados. In the district, Fidencio Hernández, former jefe político and a Juárezista, led a disturbance against an Austrian miner the governor had authorized to investigate the mineral resources in the district.<sup>2</sup> Hernández, who had been removed as jefe by Félix in 1867, was encouraged by Miguel Castro who not only regarded the area as his own domain but also resented Díaz' interest in developing mining. The former borlado governor encouraged harassment not only of the Austrian but also of various state appointees. These officials, including the jefe político, the local tax collector, and the district judge finally had to flee to the capital. Once again, as in Juchitán, Félix Díaz reacted swiftly and harshly to a challenge to his authority.

The incidents in Ixtlán and Juchitán demonstrated one of the principal bases of Félix' domination over the state--his control of the National Guard. The governor had begun building the strength of the state National Guard almost immediately after his inauguration in 1867. By 1871, he had effectively mobilized a well-equipped force that numbered about 3000.<sup>3</sup>

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<sup>2</sup>*Diario oficial* (August 29, 1871), 3; and *ibid.* (September 12, 1871), 3. See also Iturribarría, *Historia de Oaxaca*, IV, 45.

<sup>3</sup>*Archivo Díaz*, IX, 87; ABJ Ms. J. Mauleon to Juárez (October 7, 1868).

The election campaign was waged during the first half of 1871 as supporters of the three national candidates addressed themselves to the question of Juárez' reelection. As Cosío Villegas has noted:

Juárez propagated his candidacy with the magic formula that reelection was peace. . . . The Porfirists openly, and the Lerdist in a whisper, said that reelection meant war.<sup>4</sup>

The national elections for deputies to Congress were held in June amid increasingly angry cries of fraud. Opposition newspaper in Mexico relayed numerous incidents of government interference as they were reported from the various states.<sup>5</sup> There is little doubt that supporters of Juárez did resort to some interference in an attempt to defeat the challenge of Lerdo and Díaz for the presidency. Félix Díaz complained that the federal government's worst electoral abuses occurred in July and August; and that the Juárez administration sent agents into Oaxaca "with the purpose of buying the authorities."<sup>6</sup>

While it is difficult to determine Juárez' personal role in

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<sup>4</sup>Cosío Villegas, *Historia moderna*, I, 412. *Diario oficial* wrote in 1871:

Reelection is peace, because every state, with the exception of some people in Nuevo Leon, have accepted the legality of reelection. *Diario oficial* (November 10, 1871), 3.

<sup>5</sup>Emilio Velasco, editor of *El Siglo XIX* wrote on July 14: Notices received confirm the abuses of authority and the incidents of violence without number committed by the federal executive and his agents. . . . The use of armed force and a cynical corruption have been . . . employed by the juaristas.

<sup>6</sup>*Diario oficial* (November 27, 1871), 2-3.



these activities, it is equally difficult to believe that he was unaware of the activities on his behalf, particularly those of the federal troops under the command of War Minister, Mejía.<sup>7</sup> In late July, 1871, in the midst of the presidential election, Mejía ordered General Ignacio Alatorre (who had replaced Porfirio Díaz as commander of the Army of the East) to prepare to move into Oaxaca in case of trouble.<sup>8</sup> This action was understandably greeted with charges of coercion and intervention by the Porfirists all over Mexico.

The national and state elections were held in Oaxaca on June 25, 1871, and were marked by violence and coercion by all parties. Félix Díaz, by now the virtual dictator of the state, was unchallenged for re-election and was reported as the unanimous choice of the people.<sup>9</sup> The newly-elected members of the state legislature in 1872 were all supporters of the Díaz brothers thus completing their political domination of the state.<sup>10</sup> The voting for the state's electoral college similarly reflected the political hegemony of the Díaz brothers. According to the

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<sup>7</sup>CPD. no. 1790. Letter from Ocotlán to Porfirio Díaz (July 18, 1873).

<sup>8</sup>Reported in *El Mensajero* (July 3, 1871), 3. Unfortunately, Mexico City's newspapers are the only available source for the electoral information, and they carry only incomplete statistics.

<sup>9</sup>*El Siglo XIX* (July 3, 1871), 3.

<sup>10</sup>They were: Lic. José D. Iturribarría, Juan Fenochio, Lic. Nicolas Caballero, Manuel S. Pardo, José M. Irigoyen, Antonio Ramos, Apolinar Castillo, Feliciano García, Albino Zertuche, Gabriel Serranto, Francisco Cerranza, Lic. Sebastian Luengas, Lic. Ignacio Muñoz, Lic. Jose M. Pardo, Lic. José M. Ballesteros, and Mariano Jiménez.

electoral statistics that Oaxaca submitted to the congressional permanent deputation, Porfirio Díaz was the unanimous choice of the Oaxacan people for president.<sup>11</sup>

The voting statistics, alone, indicate that Félix used his control of the state government and the political machinery to achieve a complete political victory. The electoral figures confirmed what many people including Juárez must have been aware of. By July, 1871, Oaxaca, under the control of Félix Díaz, was for all intents and purposes politically independent of the federal government.

Despite the successes of the Díaz brothers in Oaxaca, they were unable to prevent the reelection of Juárez by the new national Congress

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<sup>11</sup>*El Mensajero* (July 28-August 30, 1871). Compiled from statistics as they were reported. The voting in the Oaxacan electoral college, by district, was as follows:

DISTRICT	P. DÍAZ	JUÁREZ	LERDO
Capital	61	0	0
Villa-alta	84	0	0
Ocotlán	79	0	0
Miahuatlán	91	0	0
Jamiltepec	75	0	0
Tuxlahuaca	59	0	0
Huajuapam	99	0	0
Tamazulapam	97	0	0
Coixtlahuaca	61	0	0
Nochixtlán	59	0	0
Yolos	112	0	0
Yalalag	67	0	0
Tlacolula	78	0	0
Tehuantepec	86	0	0
Juchitan	58	0	0
Etla	62	0	0
<b>TOTALS</b>	<b>228</b>	<b>0</b>	<b>0</b>

on October 12, 1871.<sup>12</sup> The reelection of Juárez signaled the beginning of the end for the experiment in federal-state relations as envisioned in the Constitution of 1857. On November 8, 1871, Porfirio Díaz issued the Plan of La Noria in which he denounced Juárez for abusing the presidency and called for revision of the national Constitution. News of the Plan of La Noria prompted a sarcastic response from *Diario oficial*:

Young Moses has come today sounding his trumpets, and the new tablets, with the name of the Plan of La Noria, have fallen upon the heads of the Mexican people.<sup>13</sup>

With the support of the Oaxacan legislature, Félix Díaz followed the Plan by issuing a proclamation withdrawing the state's recognition of the federal government and seceding from the Union.<sup>14</sup> Two days later Félix justified the rebellion in true nineteenth century liberal language:

The political course of the government of Sr. Juárez has undermined our republican institutions: his conduct has destroyed public liberties, and placed our independence in danger.

There is no justice because the federal justices are political instruments in the states; . . . there is no national army because the armed divisions are the hangmen of public liberties, and not defenders of public freedoms; there is no national representation,

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<sup>12</sup>Knapp, *Sebastián Lerdo de Tejada*, 1560157.

<sup>13</sup>*Diario oficial* (November 14, 1871), 2-3.

<sup>14</sup>Oaxaca, *Leyes, decretos*, V, 437-38.

because the election has been vicious in some places.<sup>15</sup>

The summary withdrawal of Félix Díaz indicated not only his alliance with his brother and his personal ambition but also the extent of his control over the state government. The legislature's willingness to follow the lead of the governor reflected the extent of his personal following rather than widespread discontent with the Juárez administration.

Oaxacan support for the rebellion was not unanimous, however, as *Diario oficial* reported that various members of the Oaxacan legislature had published a protest against the Plan of La Noria.<sup>16</sup> Juárezists Miguel Castro and Félix Romero were declared fugitives by the revolutionary army.<sup>17</sup>

The declaration of secession brought all viable state government to a halt as Félix Díaz assumed complete civil and military control.<sup>18</sup> He immediately diverted all of the state's funds to his

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<sup>15</sup>*Diario oficial* (November 27, 1871), 2-3.

<sup>16</sup>*Diario oficial* (November 17, 1871), 3. *Diario* also reported the state capital was an "armed camp, and that the people were subjected to all kinds of exactions."

<sup>17</sup>The rebel forces printed their own newspaper, *Insurrección*, in which the declaration against Castro and Romero were published.

<sup>18</sup>Oaxaca, Gobernador, *Memoria* (1873), 2-3.

campaign and unsuccessfully called upon the National Guard to follow his lead.<sup>19</sup> While it is clear that the revolutionary forces in Oaxaca were extensive, the attempted revolution did not arouse the immediate widespread support of the people that the rebels had anticipated. When the rebels occupied the capital district, opposition centered in the district of Ixtlán where Félix Romero assumed executive power as the second-ranking state official with the endorsement of Miguel Castro. Romero's claim to constitutional authority was quickly supported by loyalists in Jamiltepec, Juquila, Tehuantepec, and Juchitán.<sup>20</sup>

The federal government responded by ordering the commander of the Army of the East, General Ignacio Alatorre (who had been alerted for possible trouble) to move into Oaxaca. Alatorre quickly snuffed out the revolt routing the rebels in the battle of San Mateo Xindihuí on December 22, 1871.

Félix Díaz, whose ambition led him to the mistaken assumption that he could take the state out of the Union, was captured and summarily executed by Juchitecans who were bent on revenge for his harsh actions in their district while Porfirio Díaz barely escaped into the mountains.

Despite the failure of the revolt in Oaxaca, President Juárez

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<sup>19</sup>National Archives, *Despatches from U.S. Consuls in Oaxaca*, n.p. *Diario oficial* also reported that Díaz had confiscated all federal tax money, and withheld it for his own use. *Diario oficial* (November 20, 1871), 3.

<sup>20</sup>*Diario oficial* (December 10, 1871), 2.

was denied the opportunity to rebuild the federal-state political relationship when he died suddenly in July, 1872. The remaining years of the Restored Republic were directed by Sebastian Lerdo de Tejada who attempted to rely heavily upon the old borlado leaders in Oaxaca, particularly Miguel Castro and Félix Romero. On the day Juárez died, Castro was named governor. Castro's tenure in Oaxaca, like that of Lerdo in Mexico City, was marked by unrest. The Oaxacan legislature, which retained a considerable number of Félix' and Porfirio's supporters, proved so troublesome that it passed a resolution asking the governor to resign in 1873.

Once the situation became critical in Oaxaca, Lerdo dispatched General Alatorre to take command declaring that a state of emergency existed. Lerdo also appointed Lic. José Esperón as acting governor on November, 1873. Esperón, ruling as a caretaker governor for Lerdo, retained office until he was driven out by Porfirist forces in the revolt of Tuxtepec on January 27, 1876.

Thus, the years after the revolt of La Noria were marked by a continuation of the trends that had been established during the years in which Félix Díaz was governor. The growth of the Porfirian movement continued throughout this period gathering enough strength to challenge the federal government first within the political system and then from without. A second trend that emerged was the failure of the experiment in federalism as outlined in the Constitution of 1857. Ultimately, the federalist system failed in Oaxaca because the Constitution relied heavily upon the good will and cooperation of the state governments.

The state of Oaxaca demonstrated the fragile nature of the federalist system when a state resisted the influence of the federal government. Not only did the central government lack the power to force its policies upon the states, but the various components reverted to the principle that they were separate sovereign entities that could grant or withhold their allegiance to the federation as they saw fit. Under these political conditions, state governments that were controlled by personalist leaders were extremely susceptible to a breakdown of the federal-state relationship.

Oaxaca, controlled by the brother of the most powerful personalist leader Mexico has ever known, was on an inevitable collision course with the federal system as soon as Félix Díaz assumed the governorship, and as long as the central government remained closed to the ambitions of Porfirio Díaz.

## C H A P T E R   X I

### CONCLUSION

Oaxaca was a fruitful choice as a case study for several reasons. To begin with, the state was a microcosm of the social, economic, and political conditions that existed during the Restored Republic, and the liberal response to those conditions.

Socially the state was faced with a large unassimilated Indian population which the federal and state governments sought to incorporate into Mexican society by instilling in them the values of the liberal leaders many of whom were professional men who were members of the middle class. Thus, education was viewed as the means by which to transform the "ragged and filthy" Indians into an informed and an industrious citizenry.

While some liberal leaders in Mexico and in Oaxaca made a genuine effort to assure the people a free publicly-supported education, their efforts were limited by the restrictions imposed by the Constitution of 1857. Specifically, the Constitution left the burden of implementing the educational program in the hands of the state and local governments. The dangers or weakness of the federal-state relationship quickly became evident.

The liberal educational programs in Oaxaca were neither extensive nor were they terribly successful. The problem for the state



government was one which also plagued the other states during the era of the Restored Republic: poverty. Few states could afford extensive educational programs. Consequently, the liberal dream of a generation of liberally-oriented children trained in acceptable public schools was not to be. The example of Oaxaca raises an interesting question for the rest of the nation. Did any state maintain a commitment to public education throughout the years from 1867 to 1876? One would surmise that education was an expendable luxury during the era, particularly in states controlled by administrations faced with threats of civil uprisings or administrations which were themselves planning to rebel against the federal government.

Clearly, in the case of Oaxaca, education was quickly abandoned when the government of Félix Díaz needed money for military expenditures in the 1871 revolt.

In more general terms, the liberal attacks upon the church in Oaxaca and the rest of the nation were not accompanied by civil assumption of social services on any extensive scale. While the state government did provide a hospital and some relief to widows and orphans, it cannot be argued that the people were any better off under the secularized state than they had been under the care of the Catholic church. In fact, the demise of the church's programs was followed by an extended period during which the federal and state governments were too poor or too preoccupied to provide even minimal social services. There is no reason to believe that Oaxaca was atypical in its reactions to the responsibility for social reforms, but this cannot be determined until

studies such as this one are made of each of the states during the Restored Republic.

Long before the successful Revolution of Tuxtepec led by Porfirio Díaz in 1876, the experiment in federalism had already failed in several Mexican states including Oaxaca. The experience in Oaxaca demonstrated the folly of attempting to establish a federal political system in a nation that was unprepared. Once again Oaxaca serves as a case study of the federal-state political relationship because in the short span of four years, from 1867 to 1871, the state was transformed from an integral part of the federal system to a tumultuous secessionist state that claimed the right to break with the federal government and reassert its autonomy. Oaxaca was subject to many of the political pressures that affected Mexico during this era: the contest over how stringently the Reform laws and the Constitution of 1857 would be upheld, the personal ambitions of individual state leaders, and the growing rivalry between Juárez and Porfirio Díaz on the national political level.

Even while the Imperial government was fighting its last battles for survival, the liberals in Oaxaca began to factionalize. The two issues that split the group of patriots who had fought against the government of Maximilian were the quest for power and the enforcement of the spirit of the Constitution of 1857. The latter provided the issue over which the state politicians, moderates, and radicals could disagree. In reality, however, the constitutional issue was simple a vehicle for satisfying the personal ambitions of political leaders not

only in Oaxaca but throughout Mexico.

The political leaders of the Restored Republic were prisoners of their own history. Ever since independence, Mexican politics had been characterized by opportunism and a lack of any real ideological commitment. Consequently, it was unreal to expect that every political figure in Mexico would selflessly subordinate his own interests in a political system that emphasized the sovereignty of the state governments. By decentralizing power, the Constitution of 1857 actually encouraged the independence of state governments and strong state leaders like Díaz in Oaxaca or Negrete in Puebla, or García de Cadena in Zacatecas and San Luis Potosi. In the case of Oaxaca, don Félix imposed his own political regime upon a state that had been split between the successful liberal factions, a phenomenon that occurred throughout Mexico during the Restored Republic. In such a context, a powerful personalist leader such as Díaz was able to control the various political factions, and thus build a tight political rule. This was exactly what several other state governors did under the federal political system created by the Constitution of 1857.

The proliferation of local and regional contenders, each with a set of personal supporters, remained a serious problem for the Juárez administration throughout the years of the Restored Republic. Even the politicians who accepted the federalist concept and worked within the framework it established helped create an unwieldy political environment that made political consensus difficult to achieve. Ultimately, the Mexican experiment in federalism failed because it assumed that the

sharp distinctions between the various states and the interest groups within them could somehow be blunted; and the varied elements of Mexican society blended into a united nation.

During the Restored Republic, the Juárez administration, faced with the political exigencies of the period, sought stronger more direct influence in states such as Oaxaca by building support among political factions such as the moderate borlados. Despite the efforts of Juárez, the proliferation of local and regional contenders remained a serious problem from 1867 through 1876. Ultimately, in Oaxaca, as in several other states, the federal-state political relationship broke down in revolt.

In looking beyond the political machinations of the period, it becomes clear that Mexico was handicapped in its efforts to rebuild the nation in 1867 in a number of ways, and that the Juárez administration did not really overcome those handicaps.

One of the most chronic problems faced by all Mexican political leaders whether they operated at the federal or at the state level during the nineteenth century was the lack of funds. By 1867, the treasury had been empty for years and the national debt had greatly increased. The Mexican economy had generally stagnated through the years of warfare since independence. Neither the federal nor the state governments were in a position to unilaterally undertake any significant reform programs because of their strained financial situations.

Almost every phase of the states' economies had been disrupted or destroyed by the years of war. Mines had ceased operation,

agriculture existed on only the most primitive level, and commerce--the source of most tax revenues--had been severely retarded. Hence, the liberal preoccupation with internal improvements. Despite the emphasis upon stimulating economic activity by building roads and introducing new commercial agriculture and industry; the era of the Restored Republic did not bring about a great economic upsurge. Mexico's transportation revolution (envisioned by Juárez and Lerdo) had to wait until the presidency of Porfirio Díaz who successfully courted the necessary foreign capital during his long tenure in office.

Oaxaca reflected the nation's economic problems to a large extent. The state government had few sources of revenue at its disposal other than personal taxes or special assessments for specific expenditures. Such taxes had only limited potential in a poor state. Consequently, the Oaxacan government had to turn elsewhere for future revenues. Like the national government, Oaxacan leaders sought the solution to their financial problems in the development of internal improvements reasoning that better transportation meant closer and more regular commercial relations with the rest of the nation and the world. Accelerated commercial activity also meant increased tax revenues for the state government, increased jobs for the people, and wider markets for the state's products. Thus, the Oaxacan government sought the construction of highways, railroads, canals, and harbor improvements as well as the most grandiose project, the trans-isthmian canal across Tehuantepec.

Similarly, the state government sought to encourage the

development of new types of mining and the introduction of new industries during the Restored Republic.

The question of the fiscal relationship between the federal and state governments is one which confounded the men who took control of Mexico during the years of the Restored Republic. The basic problem in the federal-state fiscal relationship was the gulf between the power to tax and the ability to collect. The efforts of the Juárez administration to lower and abolish internal tax barriers, for instance, were unpopular and difficult to enforce unless the state governments chose to comply.

Even when the federal government was able to induce the states to abolish or at least lower their aclaabalas, it had to agree to lower the taxes required from the state governments. The problem for the Juárez administration was that its tax policies were based upon long-range planning and the beneficial effects were not felt during Juárez's lifetime. Again, it was Porfirio Díaz who profited from the mistakes of Juárez.

Once more the federal government was limited by the federalist principles of the Constitution of 1857. Without the power to direct the economic policies of the whole nation, there was little effective growth. The result was an economy that foundered lamely while states such as Oaxaca unsuccessfully attempted to accomplish their economic renaissance individually. Conversely, Oaxaca, which failed to bring about its own economic growth, never proved a significant source of revenue for the federal government during the Restored Republic.

Despite the initial optimism that accompanied the return of the Juárez administration in 1867, there were few instances of economic success by federal or state administrations, particularly during the years from 1867 to 1872. The problem was the gap between planning and execution. By opting for a program of large-scale, internal improvements, for instance, the federal and state administrations committed themselves to long-term programs. They also undertook projects that were extremely difficult and expensive to achieve. When the federal government relied upon individuals and states to share the burden, they failed to respond. Neither the federal nor the state governments were ever able adequately to meet these responsibilities. Oaxaca graphically illustrated the problems faced by the state governments when they attempted to bring about their own economic development.

Consequently, the regime of Benito Juárez as president and governors like Félix Díaz in Oaxaca achieved few tangible results. This was the inherent tragedy of the economic situation during the Restored Republic. Time and the dictatorship of Porfirio Díaz substantiated the faith in the potential wealth of Mexico though perhaps not in the way that the liberals of the Restored Republic had envisioned. Because his tenure was cut short by death, Juárez presided over an economic program that failed to bring about the immediate rejuvenation he had hoped for. His administration's few accomplishments were greatly overshadowed by the subsequent spectacular economic developments that occurred during the administration of Porfirio Díaz.

Because of the tremendous drain of manpower and resources during

the civil and foreign wars and because of the general poverty of the federal and state governments, there was little money left for the development of social programs such as education, welfare, and social services.

By the end of the era of the Restored Republic, many villages remained unchanged since the colonial era. The Mexican people in states such as Oaxaca remained isolated, backward, and removed from the pale of the modern world. In fact, many were worse off by the end of the era in terms of their need for immediate social services formerly provided by the church.

The nation and the state of Oaxaca were confronted with one other general problem: civil unrest. The national government (conscious of the need to retain the support of the states) was reluctant about using harsh tactics against local and regional unrest. The administration of Félix Díaz in Oaxaca, on the other hand, was much more brutal and in the short run much more successful in satisfying the positivist desire for an orderly, stable society. In both cases, the Mexican people lost something. They were either victimized by the absence of an effective federal imposition of peace, or they had to endure the excessive law-and-order tactics of state leaders like Félix Díaz.

The years from 1867 to 1872 brought few noticeable reforms to Mexico. The hopes that had been raised by the promises of the Constitution of 1857 did not provide the immediate surge of prosperity and stability that many liberal supporters expected, and the results were



inevitable considering Mexico's past political history. The liberals began to factionalize. The factionalization helped create opposition to the Juárez administration in almost every state including Oaxaca, and the development of this type of opposition made the successful operation of the federal system nearly impossible.

Oaxaca provided a very good example of what happened to the federalist system when the state government was directed by a governor who was unwilling to abide by the cooperative spirit implied in the Constitution of 1857. Without cooperation and harmony, the relationship between the states and the federal government was unproductive and ultimately led to a complete breakdown in the entire experiment in Mexican federalism. Similarly, the state exemplified the tendency toward personalist rule under a decentralized political system.

It remained for Porfirio Díaz to demonstrate the ways in which the Constitution of 1857 could be perverted into a strong viable document and the basis for creation of Mexico's longest dictatorship. In order to accomplish this transformation, Díaz destroyed the fundamental liberal concept of the federal-state relationship.

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NOTES ON ARCHIVES, MATERIALS, AND  
RESEARCH FACILITIES

Every researcher who faces field research does so with a certain amount of trepidation no matter how much preparation he has done before moving off on his own. Despite the prior warnings of potential problems from an older and wiser mentor, I packed my bags and my family and headed for my first trip to Mexico and, ultimately, to Oaxaca.

The first thing one learns about researching topics in state history is that there are few complete collections of government documents in either the states or in the National Archives.

The latter institution, headed by the gracious and scholarly director, Dr. Rubio Mañe, contains the greatest nineteenth century collection of bound and unbound documents to be found anywhere. Consequently, I was able to spend a considerable amount of time perusing the records of the Ministers of Gobernación, Fomento, Guerra, and Hacienda. Unfortunately, none of these branches of the Juárez administration were very active nor were they careful about keeping records. The secretary of Gobernación, for instance, only published one Memoria during the years from 1867 to 1872. Consequently, while the limited documents did provide some information, they were not nearly enough to provide a complete picture of official activities.

Similarly, the Hemeroteca Nacional in Mexico City (which is the repository of the nation's periodical collection) contained the most complete run of the Oaxacan periodical, *La Victoria*. However, neither

the Hemeroteca's collection nor that of the archives in Oaxaca was complete.

The Biblioteca Nacional proved somewhat useful because of its extensive collection of Juárez' correspondence as well as some pamphlet literature.

With this research as a background, I then ventured forth into Oaxaca where I quickly discovered what field research is really like. The first lesson to be learned is that there is a wide gap between catalog listings and the realities of the state's archival holdings. One also learns why so little has been done and is likely to be done on nineteenth-century state history.

Woodrow Borah's articles on state archives notwithstanding, Oaxaca has no significant archives to speak of. Since Borah's survey of archives in the 1930's and 1940's, the Archivo del Estado has been allowed to deteriorate beyond the point of salvation. Many documents have been lost because they were stored in the basement of a church that was subsequently flooded. Subsequent to my first visit in 1969, the state archives have been virtually closed to researchers such as myself who might at least have been able to point out some things of value that remained intact. Two trips to the state only served to reinforce the sense of helplessness at the deterioration of the state's historical treasures. A much more realistic portrayal of the potential research problems in Oaxaca is found in Richard E. Greenleaf and Michael C. Meyer's *Research In Mexican History* which has just been published.\*

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\*Note. See Bibliography for complete information.

During the limited time I was allowed access to the state archives, I was not permitted to browse freely but had to sit at a small table outside the door and ask for the papers of specific *ramos*. The attendant was a little old man who was obviously suspicious and also quite obviously uninterested in rummaging through his musty domain. Despite these conditions, the Archivo did provide some of the invaluable records of the Díaz administration.

The Archivo Municipal de Oaxaca is housed above a municipal office building and is in much better condition than the state archive, perhaps because Oaxaca's leading historian, Jorge F. Iturribarría serves as director and maintains an office there. Despite the fact that the shelves were orderly, and I was allowed to roam freely, all but a fraction of its reputed holdings were missing. When I asked Sr. Iturribarría where I might find the *fuentes* he had used for his state history, he asked why I needed to bother and suggested I try the nearest bookstore to buy his works.

While I was never able to get much cooperation from Iturribarría, I was more fortunate in dealing with Lic. Luis Castañeda Gúzman who is himself an historian and a collector of old documents and pamphlets. He was sympathetic and provided a few useful tips on researching in Oaxaca.

After these experiences, I left Oaxaca with the unmistakable feeling of impending loss. Although some work is being done by concerned archivists, many historical treasures are already lost or destroyed and chances are that many more will be. Subsequent trips to the state have not changed that impression.

My two additional trips to Mexico proved more fruitful than the first. This researcher would like to point out that while the state archives were only moderately fruitful, there are other valuable sources of research data. The most important private collection of material dealing with the era of the Restored Republic is the unedited *Colección de Porfirio Díaz* which is now available at the University of the Americas. Scholars interested in Porfirian history cannot possibly complete their research without consulting this collection which contains nearly one million documents and is under the direction of Professors Laurens Perry and Stephen Niblo. These two gentlemen are themselves undertaking exciting research into Porfirian history and are extremely gracious and generous in sharing their information and command of the field.

Another private collection that proved very useful was the *Centro de Estudios de Historia de Mexico* which is a remarkable collection of documents on Mexican history sponsored by the Condumex corporation in Mexico City. The company has amassed a valuable private archive that includes rare government documents and private correspondence as well as secondary sources, and it has made these materials available to any interested scholar.

One other source that proved useful was the Archivo del Lic. Justo Benítez which is located in the *Museo Nacional de Antropología* as part of its collection of correspondence of the Army of the East. While the holdings are spotty, they do include valuable correspondence between Benítez and Porfirio Díaz.

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