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DANGEROUS WOMEN AND MACHO MEN:  
PRESERVING SEXUAL DIFFERENCE IN ORIZABA MEXICO, 1920-1940

by

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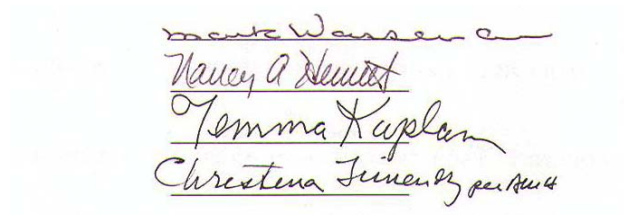
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ABSTRACT OF THE DISSERTATION  
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This dissertation explores how citizens and legal officials in Orizaba, Mexico interpreted the national project to restructure gender relations following the momentous revolution of 1910-1920. I argue that the state's project to modernize sexual difference by providing education, job protection, and expanding rights in the family for women was part of larger mission to insure that women would be capable mothers and wives. Women, however, sometimes capitalized on these legal changes to challenge men's authority which created multiple tensions in the workplace, family and community. Moreover, laws aimed at preserving sexual difference often created unintended consequences that ultimately challenged state efforts to modernize patriarchy, masculinity, and femininity. My research demonstrates that family, labor, community, and state policy are not mutually exclusive categories but rather each informs the other. In addition, the state's push to modernize gender relations while preserving sexual difference conflicted with anterior forms of masculinity. Women's education and their expanded rights in the family and the workplace conflicted with working class men's belief that the revolution had redeemed their dignity which should then reinforce their power.

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*Sex constitutes the most fundamental distinction between members of the human race.*<sup>1</sup>

## Introduction

On January 7<sup>th</sup> 1907, workers from the textile mill Río Blanco in Orizaba faced federal troops who violently repressed their labor strike. Workers angered over years of poor wages, working conditions, and high prices at company stores, demanded redress from President Porfirio Díaz. Although historians have long debated how the violence actually began, one periodical, *El Diario del Hogar*, reported that several women standing in front of the company store challenged male workers to take action against abusive patrons and to “act like men and not like cowards.”<sup>2</sup> The workers burned the store and Díaz sent federal troops to quell the violence. In the bloodshed that ensued, many workers lost their lives. Orizaba, much like the 1906 Cananea miners’ strike in Sonora, became one more flashpoint that erupted into a cataclysmic revolution (1910-1920) that killed over one million people.<sup>3</sup>

Historians have long explored Orizaba’s male dominated textile industries, unions, and their role in labor and social unrest. However, few have explored how gender informed many facets of daily life including family, labor, community relations, and

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<sup>1</sup> Rodríguez, Doria, “O Sexo e o Crime” *Vida Political* (August 8, 1926) cited in Sueann Caulfield, “Getting into Trouble: Dishonest Women, Modern Girls, and Women-Men in the Conceptual Language of ‘Vida Policial’ 1925-1927,” *Signs*, Vol. 19, No. 1 (Autumn, 1993), 146-176.

<sup>2</sup> “Los Conflictos Oberos” *Diario Del Hogar*, January 10, 1907. Also see Margaret Towner, “Monopoly Capitalism and Women’s Work during the Porfiriato,” *Latin American Perspectives*, Vol. 4 No. 1-2 Women and Class Struggle, (Winter-Spring, 1977) pp. 90-105. For more on women’s roles in working class and social movements in Mexico see María Antonieta Rascón, “La Mujer y la Lucha Social,” in Elena Urrutia ed. *Imagen y Realidad del Mujer* (Mexico: Sep-Setentas, 1975), 139-174.

<sup>3</sup> Rodney D. Anderson, “Mexican Workers and the Politics of Revolution, 1906-1911,” *The Hispanic American Historical Review*, Vol. 54, No. 1. (Feb., 1974), 94-113. For more on the strike at Río Blanco also see Karl B. Koth, “Not a Mutiny but a Revolution: The Río Blanco Labour Dispute, 1906-1907,” *Canadian Journal of Latin American and Caribbean Studies* [Canada] 1993 18(35): 39-65.



public morality as well as state passage of civil and penal codes.<sup>4</sup> Postrevolutionary officials legalized divorce, enacted labor protections for women, initiated new legal codes pertaining to prostitution, and passed sweeping education reform in an attempt to modernize women's roles in Mexican society.<sup>5</sup> These reforms not only impacted how men and women understood their roles in postrevolutionary society, they also created an opportunity for women and men to contest and interpret the social, legal and political changes that occurred following the revolution.

In this dissertation I argue that the state's desire to preserve sexual difference was an integral part of a larger project to establish a modern, disciplined, and economically productive society between 1920 and 1940.<sup>6</sup> Because postrevolutionary officials believed that working class men were unruly and unreliable, the state increasingly emphasized the need to incorporate women in the postrevolutionary project. Consequently, officials expanded women's legal rights in the family and in the workplace while also monitoring their morality and public behavior. Officials believed that these legal changes would create a "modern" Mexican woman who would be a better wife and mother. Legal

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<sup>4</sup> For analyses of Orizaba's textile industries and its role in the Mexican Revolution see Bernardo García Díaz, "La Clase Obrera Textil Orizabeña Durante los Años Veinte," *Investigación Económica* [Mexico] 1982, 41 (162) 179-196. Also see Díaz, "La Clase Obrera Textil de Valle de Orizaba," *Migraciones y Origen*, [Mexico] 1988 3(6) 77-108. For labor and wage structures in Orizaba's factory communities see Aurora Gómez-Galvarriato Freer, "The Impact of Revolution: Business and Labor in the Mexican Textile Industry, Orizaba, Veracruz, 1900-1930." (Ph.D diss., Harvard University, 2000.) For an analysis of the cotton textile industry, labor conditions, strikes, and revolutionary participation see, Jeffrey Bortz, "Authority Re-Seated: Control Struggles in the Textile Industry during the Mexican Revolution," *Labor History*, [Great Britain] 44 (2), 2003, 171-188. Also see Bortz, "Without Any More Law than Their Own Caprice: Cotton Textile Workers and the Challenge to Factory Authority During the Mexican Revolution," *International Review of Social History* [Great Britain] 1997 42(2): 253-288.

<sup>5</sup> For an analysis of how postrevolutionary education affected women see, Mary Kay Vaughan, *Cultural Politics in Revolution: Teachers, Peasants, and Schools in Mexico, 1930-1940*, (Tucson: University of Arizona Press, 1997).

<sup>6</sup> Sexual difference not only refers to biological difference but also informs how gender roles are constructed in society based on sex. Sexual difference informs how gender as a body of knowledge is employed to explain differences between men and women and how this informs the differing status of men and women. See Joan Scott, "La Querelle des Femmes' in the Late Twentieth Century," *New Left Review*,

changes were also a response to the vice, instability, and promiscuity officials associated with urbanization and modernization. Poverty, disease, prostitution, alcoholism, and the ever increasing number of illegitimate children greatly concerned legislators. Educated women with greater rights to execute their familial responsibilities would be far better equipped to manage many of society's social problems. As result, the state passed sweeping education, labor, and familial reforms that both expanded women's rights and enhanced sexual difference.

At the same time, the fact that women fought in the revolution, organized in labor unions, became increasingly outspoken, and dressed in clothes many believed were sexually provocative, also fueled the debate over women's roles in society.<sup>7</sup> Moreover, the revolution created new opportunities for some women to demand equality and protection from the state officials. The state believed that women "needed" protection so as to carry out their responsibilities to community and family more effectively. But officials also maintained that women needed to understand their "proper" role in society. Legislators not only both explicitly and implicitly tied the passage of new rights for women to securing sexual difference, they made the passage of these laws and protections contingent upon women's honorable, dignified, and moral conduct. Chaste and honest women therefore formed the social fabric on which officials hoped to build a new and ordered society based on sexual difference.

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I/226, November-December 1997. Also see Myra J. Hird, "Re(pro)ducing Sexual Difference," *Parallax*, 8 (4) October 2002, 94-107.

<sup>7</sup> Labor publications *El Machete* and *Pro-Paria*, Catholic periodicals such as *El Reproductor*, and mainstream newspapers such as *El Cosmopolita*, *Los Sucesos*, and *El Voz de Orizaba*, all explored from a variety of viewpoints, the debate over women's changing roles in society.

While officials increasingly called upon women to transform postrevolutionary Mexico, the state never intended for women to become political actors or skilled workers. Rather, liberal officials hoped that educated women would instill in their children the state's values of discipline, sobriety, and hard work.<sup>8</sup> Men would still be skilled workers and heads of the household; however, they increasingly had to share power with their wives. While the state sought to preserve sexual difference, new labor, penal, and civil laws also undermined anterior forms of patriarchy. These new laws in many ways challenged men's power over their wives and children.<sup>9</sup> My goal, is to also uncover how the postrevolutionary state created opportunities, often unintentionally, for women to challenge men's power and how men and women interpreted legal and social changes in a diverse community such as Orizaba.

Working class men reacted to legal changes, women's increased presence in the workforce, and the rise of early feminism in different ways. While some championed women's equality with men, most viewed women's postrevolutionary roles as ancillary. Men were union leaders, skilled laborers, and providers while women were to use their education to be better mothers and wives.<sup>10</sup> In this way, the state's mission overlapped with the goals of activist men who called for women's emancipation from labor repression. Men's new found power on the factory floor dovetailed with their right to

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<sup>8</sup> The term "liberal" refers to those who favored secular education, free trade, and expanded suffrage rights. Liberals also championed the legalization of divorce which earned the ire of conservatives who believed that this undermined familial stability.

<sup>9</sup> Patriarchy implies men's systemic domination over resources and women. However, this relationship is not static but rather changes according to customs, laws, and economic relationships. Mexico's revolutionary period instituted laws that reformed "anterior forms of patriarchy" which held that men could subjugate their wives and children as they saw fit. The Mexican state's drive for modernization was not only a program to construct schools, infrastructure and industry, but also to reconfigure social relationships in a way that represented a "modern" state. Women's familial rights were part of this initiative.

<sup>10</sup> For example, Governor Felipe Carrillo Puerto and his predecessor Salvador Alvarado advocated women's equality in Yucatan during the 1910s and 1920s. See Anna Macías, "Felipe Carrillo Puerto and

protect “helpless” women from corrupt patrons or state officials. The revolution therefore exacerbated a debate that was emerging in the late nineteenth century Orizaba as state officials and citizens were scrambling to understand and redefine women’s roles within a modernizing society.

The Catholic Church’s continued social and cultural influence also posed a challenge for liberal legislators. Many such as Veracruz Governors Cándido Aguilar and Adalberto Tejeda believed that the state had to eradicate the final vestiges of church influence which had made women “conservative and ignorant.” This mission was especially prescient in regions such as Orizaba. Orizaba’s persistent radicalism was immersed in a conservative and catholic community. This alone created many divisions between those who sought to preserve the power of the church and those who wanted to undermine what they believed was a “corrupt and ignorant” institution. Society’s ideas about the roles of women only further complicated this struggle. For example, state rhetoric extolling the importance of motherhood and men’s expressed desire to protect “their” women fit well within Church dogma that underscored the importance of motherhood and female subordination. Conversely, state laws also created opportunities for women to use their roles as mothers and wives to demand protection from abusive patrons, husbands and state officials while also challenging church law that forbade divorce. Consequently, the postrevolutionary government’s intervention in the family in some ways undermined men’s power over women and children in an attempt to modernize familial relations.

### **Why Orizaba?**

Today, Orizaba's once vibrant textile and railroad industries that produced great wealth during the postrevolutionary years are nearly absent. Only the well known Moctezuma Brewery, which French entrepreneurs established in 1896, still produces some of Mexico's most popular brands such as Sol and Dos Equis. The quaint city center, Parque del Castillo, contains the Palacio de Hierro (Iron Palace) which Orizaba purchased from Belgium.<sup>11</sup> The municipal government inaugurated the building in 1894 and for many years, it served as the Municipal Palace. Today it contains a charming café that sits across the street from the Parroquia de San Miguel Cathedral, which the Spanish constructed during the eighteenth century, and several shops and vending stands. A few streets behind El Palacio lay the central market where rural workers still convene to sell their agricultural products and local merchants peddle their wares.

Further away from the town center, Orizaba's well kept zócalo gives way to an older infrastructure and a few remaining colonial edifices that survived the devastating earthquakes of 1937 and 1973. However, Orizaba's Parque Castillo located several blocks from the zocalo is situated at the foot of a tall mountain pass and hosts hundreds of residents, especially on the weekends where young children jump on trampolines, climb about on large inflatable slides, or drive small electric cars that they rent by the half hour. The entry to the park is marked with a statue of Francisco Gabilondo Soler, the creator of "Cri Cri" (The Singing Little Cricket) who wrote over 200 children's songs and hosted a radio show for Orizaba's children between 1934 and 1962.<sup>12</sup>

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<sup>11</sup> Carlos Calero, *Orizaba. Prólogo de Leonardo Pasquel*, (México: Editorial Citlaltépetl, 1970).

<sup>12</sup> Ibid.

Orizaba has never hosted a vibrant night life, (although recently new establishments have emerged near the town center). That is left to the Port of Veracruz, roughly 90 miles away which boasts an active and diverse coastal culture and the second largest Carnival festival in Latin America (next to Rio de Janeiro Brazil). Orizaba in many ways is still connected to its conservative and traditional past. Although Orizaba now has several restaurants and bars which cater to a variety of tastes and interests, you can still find cantinas where choridos spill out from behind the smoky air and swinging doors which still mark these historically male-only establishments. Tradition also informs how the faithful continue to mark the celebration of the saints. Stories of these festivals emerge from newspapers nearly one hundred years old which capture the traditionalism of a Catholic community that ran headlong into an emerging working class movement that was largely anticlerical and revolutionary. It was this dichotomy that initially attracted me to a town well known only for its labor activism and textile industries.

During my many visits to Orizaba, I had the opportunity to tour the now defunct yet famous Río Blanco textile factory which marked the beginning of labor's struggle in Orizaba against the Porfirian Dictatorship.<sup>13</sup> I gazed upon old photos and became lost in a world that was once the pride of Mexico's textile industry. The walls were peeling, the floor weathered, and many of company records were scattered on the floor with years of bird droppings covering their yellow and frail pages. Within those now illegible pages lay pieces of stories never to be told. Too often, these are the frustrating realities that historians face. However, as I sipped coffee in local cafes, and conversed with the kind and attentive archivists in the Archivo Municipal de Orizaba, it became clear to me that

Orizaba's well documented labor movements were only one facet of the social changes and struggles that took place in this community following the end of the revolution in 1920. The period 1920 to 1940 comprised the consolidation phase of the Mexican Revolution during which a variety of social interests struggled to make sense of Mexico's revolution and to determine its outcome. That few had delved into the social and cultural history of this captivating community both perplexed and fascinated me.

During the time I lived between Jalapa and Orizaba I uncovered many histories contained in judicial, civil, penal, labor and statistical archives in the Archivo General del Estado de Veracruz in Jalapa, the Archivo Municipal de Orizaba, and the Archivo General de la Nación in Mexico City, as well as in several newspapers that circulated throughout Orizaba during the 1920s and 1930s. Catholic newspapers still had a wide circulation during this time but so did labor journals, all of which championed women's rights in some form. It was here that I began to question whether or not there had been a women's rights movement in Orizaba, similar to what occurred in Mexico City. If so, then I wondered what emerged from this struggle and how state reforms and community ideas about women's and men's traditional gender roles affected social and cultural changes. It seemed to me that so much was missing from the stories that emerged about Orizaba during and after Mexico's revolution.

As I attempted to answer many of these questions, it became clearer that the working class movement that many historians had explored was far more complicated than women's participation in labor activism and the successes or failures of these strikes and unions. As Thomas Klubock explains in his research on gender and labor in Chile,

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<sup>13</sup> I want to thank historian Jeffrey Bortz for allowing me to accompany him to Río Blanco in his effort to salvage factory records. His efforts have garnered the attention of Orizaba's municipal officials who are

historians have often overlooked how gender affected social and labor movements.<sup>14</sup> It became apparent to me, that the state's preoccupation with gender roles and its importance in ordering postrevolutionary society coupled with the ideas of Orizaba's citizens about the role of women in a changing society informed many of the debates over female roles in the family, workplace and community. Therefore analyses of state policy, labor, family, community, morality, honor, ethnicity and gender cannot be pursued independently. Rather, they overlap in ways that inform how men and women understand their roles in family, community and labor relations. In addition, only through incorporating how men and women interpreted and reacted to state intervention into their daily lives can historians attain a more complete understanding of social change. Raymond Williams explains that men and women demonstrate a varying degree of resistance and accommodation in their interpretations of legal and social changes.<sup>15</sup> I would add that how working class men and women understood postrevolutionary society in Orizaba was based on their understanding of their traditions, religion, and labor and community relationships which in many ways helped determine the outcome of state initiatives.

Citizens in Orizaba often interpreted changes in labor and civil law and penal codes differently than residents of larger regions such as Mexico City. Orizaba's intimate community and the continued strength of Catholic traditions coupled with an influx of migrant workers and the urbanization of a once small and rural region, created divisions that fueled debates over morality, feminism, and the social ordering of sexual difference.

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now attempting to safeguard this factory's history.

<sup>14</sup> Thomas Klubock, *Contested Communities, Class, Gender, and Politics in Chile's El Teniente Copper Mine, 1904-1951* (Durham, Duke University Press, 1998).

<sup>15</sup> Raymond Williams, *Marxism and Literature*, (Oxford: Oxford University Press, 1978).



My goal is to explore how Orizaba's citizenry interpreted the broader national project to order differences legally and socially between men and women as an essential component of transforming society into a productive, ordered, and moral community. Their goal, in part, was to raise the standard of living, and ultimately make Mexico economically competitive on the world stage.

I do not present these struggles as futile or as confirming ideas about the revolution's inability to address women's inequality in Orizaba. Rather than simply maintaining that the Mexican Revolution was a masculine project that reaffirmed men's dominance in Mexican society, I suggest that despite legislative efforts and local traditions to retain the importance of sexual difference following the revolution, these efforts created opportunities as well as impediments to the advancement of women.

This dissertation is comprised of five chapters. The first section of chapter one explores how Orizaba evolved from a backwater region in the early nineteenth century to an economic powerhouse by the time of Mexico's revolution. The chapter uncovers the multiple influences that helped shape Orizaba's unique social structure which included migration, industrialization, urbanization, Catholicism, Protestantism, feminism, and the rise of the working class. The second section of chapter one examines how these influences contributed to changes in law, gender relations, and the community's ideas about feminism, labor activism, honor, and masculinity. I then trace how women held differing interpretations of feminism and women's role in society throughout the 1920s and 1930s.

In chapter two I provide an in depth analysis of the state's legalization of divorce as part of the larger project to preserve sexual difference. Postrevolutionary liberal

officials reasoned that if women had greater familial rights they could better perform their duties as wives and mothers. In addition, officials also hoped that the legalization of divorce would create an incentive for marriage. If working class men and women understood that they could divorce, they would be more likely to marry and stave off the growing tide of illegitimate children.

While men used the courtroom to embarrass their wives and challenge their honor and morality, women seized on new legal opportunities to expand their familial power. This led to the federal government's passage of the Civil Code of 1928 which declared that women no longer had to obey men in the family.<sup>16</sup> Nonetheless, few men faced punitive action for adultery. However, many men did lose custody of their children and were forced to pay alimony and child support for abuse or transmission of a sexual disease. These changes demonstrate how state interference into familial relations at times undermined anterior forms of masculinity. Men increasingly faced the possibility of litigation as the state stepped up *its* paternalist role. While few women or men sought divorce following state legalization in 1917, the numbers seeking divorce increased throughout the 1930s and 1940s. This indicates that while divorce was still a social taboo, working class men and women were growing less concerned with the social ramifications of a scandal. Litigants did however invoke prevailing ideas about masculinity, femininity, motherhood, honor, and morality in their presentations to the court. The affidavits I explored for this chapter were contained in the civil archives in the Archivo General del Estado in Jalapa, Veracruz. At times, the transcripts not only capture how men and women understood the legal and social changes that were taking place, but also

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<sup>16</sup> Adalberto Tejeda, *El Nuevo Código Civil del Estado de Veracruz-Llave* (Xalapa: Talleres Gráficos del Gobierno del Estado, 1932).

demonstrate how these ideas changed between the legalization of divorce in 1917 and the period that concludes this dissertation in 1940.

Legal changes in family law reflected changes in women's social roles, yet state officials attempted to frame these changes within the boundaries of marriage and motherhood. Women could seek legal recourse if a spouse was abusive, adulterous, or not fulfilling familial responsibilities. However, state protection for women and children did not necessarily carry over into instances of sexual abuse or violence. Rape was difficult to prove and therefore none of the cases of sexual abuse I examined for chapter three involved women. Rather, all of the cases involved estupro (statutory rape). Chapter three explores how state rhetoric to protect women and children in the family was based largely on their chastity and honorable conduct. Sexual abuse laws changed very little following the Mexican Revolution. In most cases, attorneys had to prove a girl's chastity and honesty in court. These cases which are located in the penal archives of the Archivo General del Estado de Veracruz and also appeared in Orizaba newspapers, demonstrate that protectionist rhetoric did not carry over into violations of bodies. In addition, dominant scientific theories which emerged during and after the revolutionary period confirmed sexual difference. Men were *naturally* licentious while women were susceptible to corrupting forces. As a result, families needed to carefully watch over young girls.

In Orizaba, court officials expected parents to guard the "modesty" of their children from men who could not help their "natural" sexual urges, while attorneys argued that the state's failure to properly educate working class men contributed to derelict behavior. Cases of estupro or charges against men who ran off with "honorable"

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daughters indicate that this was one area of law that did little to challenge dominant social ideas that women and girls had few rights if they did not conform to proper behavior. While some women challenged state officials to bring redress in cases of sexual abuse, penal law in these cases demonstrates that there was little movement on the part of legal officials to challenge popular ideas about men and women's sexual behavior. These cases not only indicate a desire on the part of state officials to preserve sexual difference, it also suggests that women's honorability was essential to ordering the postrevolutionary project.

Chapter four not only explores how Mexico's revolution and Orizaba's rapid urbanization and industrialization transformed labor relations, but also examines how family and community relationships influenced the ways men and women understood work and their respective roles in the labor movement. Women worked, demanded better labor conditions, and inserted themselves within a broader debate about the role of women in postrevolutionary society. As a result, Orizaba's labor movement was far more gendered than most historians have recognized. Women's increased presence in the workplace and their role in anarcho-syndicalist organizations concerned some state officials and labor organizers who feared that women might emasculate skilled labor while undermining their principle role as mothers and wives. These changes led state officials to pass new labor protections while freeing women from requiring their husband's permission to work outside of the home. Although women attained new labor rights and freedoms, labor unions and state officials did not consider women to be skilled laborers or viable political citizens with voting rights. As a result, the state introduced legal changes and protections so as to affirm sexual difference, not undermine it. New

labor laws that protected women in the workplace emphasized their weakness, susceptibility to disease, and inability to be effective mothers of postrevolutionary citizens if they labored outside of the home.

The state's preoccupation with sexual difference not only informed family and sexual abuse laws, it carried over into labor codes that reified men as workers and women as mothers and wives. However, this did not prevent women from challenging state officials, union leaders and working class men to recognize them as workers and union members. Women who were labor activists increasingly challenged men's power, and some viewed patriarchy as a greater problem than capitalist exploitation. While women did not enjoy their male counterpart's initial labor victories, the revolution did create a space for women to insert themselves into postrevolutionary labor movements and this necessitated responses from both working class men and state officials to address their increased presence in masculine spaces.

Chapter five concludes with an analysis of how the state's drive to preserve sexual difference affected the way officials shaped regulations about prostitution, public space, and health policies. Health and prostitution regulations in Orizaba resulted from a struggle among residents, prostitutes, and municipal officials over who controlled public space, regulated morality, and policed prostitutes' bodies. Officials in Orizaba attempted to organize social space by cracking down on clandestine prostitution as part of the postrevolutionary project to eradicate disease and facilitate order and stability. In addition, state and health officials were specifically concerned with prostitution because syphilis could be passed on to a child during childbirth. As a result, women's bodies posed a specific risk to the future health and economic development of the nation. In

Orizaba's communities, residents' fears of illicit sexual behavior and "indecent," coupled with prostitutes' defense of their personal liberty and charges that they could not find adequate employment, came together to challenge state rhetoric that continued to encourage sexual difference.

## Chapter 1

### **Orizaba and Its People: Industrial Growth and Social Change**

Mexico's climate and landscape are tremendously diverse. The northern part of the nation is comprised of arid deserts dotted with lush forests, farmland and mountainous terrain. The Sierra Madre Oriental mountain range spans over 600 miles from northeastern Mexico south through Nuevo Leon and into northern Puebla where it joins the Sierra Madre Occidental. Central Mexico includes the nation's largest cities, Mexico City, Puebla, and Guadalajara, and forms a plateau which has a temperate climate. The southern regions are lush and tropical as well as mountainous. The diverse landscape of Mexico almost defies classification into climatic zones because, for example, the mountain town of San Cristobal de las Casas in the southern most state of Chiapas rises to nearly seven thousand feet which allows for very chilly conditions amidst a hot and steamy Caribbean state.

The state of Veracruz, where Orizaba is located, also has a diverse climate. The coastal region, which borders the Gulf of Mexico, has tropical rain forests in the south and coastal savannahs in the northeast. Central Veracruz is mountainous and therefore the climate is not extreme. Orizaba, located nearly 90 miles from the port city of Veracruz, is semi-tropical in nature and provided an escape during the colonial period from the steamy climate in the Port of Veracruz. Orizaba, which sits at about 4,200 feet, also offered a refuge from the scourge of malaria and yellow fever which was so common in the coastal region of Veracruz. In addition, El Pico de Orizaba is the highest peak in Mexico and the third highest in North America, rising to 18,700 feet. Many today still come from Europe and the United States to challenge their mountain climbing skills. The

mountainous climate, the abundance of waterways, and Orizaba's location in between the port of Veracruz and Mexico City made it an ideal place for settlement and development.

Orizaba and the surrounding towns of Córdoba, Ixhuatlancillo, and Zongolica were ethnically diverse, especially Zongolica where in 1900, nearly 70 percent of the population spoke the indigenous language Nahuatl.<sup>1</sup> Because Córdoba's climate is warmer than that of Orizaba, it became an important producer of sugar cane. Sugar production required intensive labor which led to Spanish importation of slaves. The Spanish were never able to fully assimilate Indigenous peoples who lived in small communities near Orizaba. In addition, because Orizaba was not a central location for sugar production, it appealed to runaway slaves or those who sought to escape Spanish control. As a result, there was a great deal of racial mixing in Orizaba during the colonial period. Orizaba's position as a far flung outpost of the Spanish crown thus created a space for those to challenge the marriage patterns based on Spain's institution of the *systema de castas*.<sup>2</sup> Today, Orizaba's population is mostly mestizo. However, the city serves an attraction for indigenous peoples from surrounding communities who bring their agricultural goods to Orizaba's open air markets.

Following Mexico's independence from Spain in 1821, entrepreneurs and nascent industrialists planned trade routes to improve access to Mexico City from the port of Veracruz. As Mexico's largest seaport, much of the nation's imports and exports passed through its docks. Engineers devised two viable routes, one passed through Orizaba and the other through Jalapa. In 1857, Don Antonio Escandón, a resident of Orizaba, was able

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<sup>1</sup> Nancy Folbre, "Population Growth and Capitalist Development in Zongolica, Veracruz," *Latin American Perspectives*, Vol. 4, No. 4 (Autumn, 1977), pp. 41-55.

<sup>2</sup> Patrick Carol, *Blacks in Colonial Veracruz, Race Ethnicity, and Regional Development* (Austin: University of Texas Press, 2001) Second Edition.



to secure the financial resources to construct a rail line.<sup>3</sup> The British company Imperial Mexican Railway took over the construction project in 1864 and finally completed it in 1873. Orizaba became the transit point between Veracruz and Mexico City and as a result, railway shops cropped up throughout the region. Entrepreneurs' increased interest in Orizaba was reflected in Charles Lempriere's 1860s assessment of Orizaba's potential;

It is hardly possible to conceive of a healthier, a more delicious, or a more advantageous position for a large departmental city. Situated...above the level of the sea, surrounded by fertile valleys and magnificent forest, on the high road from the capital to the principal seaport of the Republic, it seems to contain every qualification for the man of business or leisure to desire in a place of residence.<sup>4</sup>

Orizaba with its abundant water supply and salubrious climate led to the growth of businesses and industry. Initially Orizaba was an agricultural center which produced cotton, some sugar, tobacco, and tropical fruits. By the late nineteenth century however, Orizaba was fast becoming a center for the textile industry.

### **Industrial Growth**

The years following Mexican independence in 1821 were tumultuous. Mexico's presidency changed hands over thirty times between 1824 and 1855 and only one served out his term.<sup>5</sup> The conflict between liberals and conservatives over Church power, consolidation of federal authority, and terms of trade left Mexico fragmented and unruly. In addition, Mexico's war with the United States 1846-1848, the War of Reform 1858-1861, and the French occupation of Mexico 1863-1867, further exacerbated Mexico's internal struggles. Following Benito Juarez's effective uprising to dislodge French

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<sup>3</sup> Alice Foster, "Orizaba--A Community in the Sierra Madre Oriental," *Economic Geography* Vol. 1, No. 3 (Oct., 1925), pp. 356-372

<sup>4</sup> Charles Lempriere, *Notes in Mexico in 1861 and 1862*, (London: Longman, Green, Roberts, and Green, 1862) p. 57, quoted in Daniel D. Arreola, "Nineteenth-Century Townscapes of Eastern Mexico," *The Geographical Review* (January, 1982) Vol. 72 No. 1 pp. 1-19.

<sup>5</sup> Michael C. Meyer and William Sherman, *The Course of Mexican History*, (New York: Oxford University Press, 1991) Eleven of the presidential transitions involved General Antonio Lopez Santa Anna.

control and the subsequent execution of the French emperor Maximilian, Mexico started down a path to stability. Yet despite the chaos that comprised much of the first half of the nineteenth century, industrialists understood the productive potential that lay in many of Mexico's cities and towns.

Orizaba's industrial roots extend back to the middle of the nineteenth century when Orizaba was a sleepy mountain town along the path to Mexico City. Industrialist Lucas Alamán established Orizaba's first textile mill, Cocolopan, in 1841. Two hundred and twenty workers labored in this mill which was the largest and most modern in Mexico at the time.<sup>6</sup> Foreign industrialists who financed its construction would continue to play a significant roll in the development of industry. Investors from Spain, England, France, the United States and Germany increasingly invested in Orizaba's nascent industries. The arrival of the railroad in 1873 also helped provide a boom to the textile industry as well as the sugar, tobacco and coffee industries that cropped up in the neighboring towns of Huatusco, Zongolica, Nogales, and Cordoba. Other industries such as wheat refineries, beer making factories, and shoe work shops all were part of a rapidly changing industrial landscape.

During the dictatorship of Porfirio Diaz (1876-1910), Mexico underwent rapid social and economic change. Diaz's "carrot and the stick" policies stabilized Mexico through patronage with local governors and municipal leaders while also cracking down on illegal smuggling and dissent through a loose organization of rural forces who enforced the dictator's will on those who sought to destabilize his regime. Diaz gradually centralized power within a smaller and smaller circle and held fraudulent elections to

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<sup>6</sup> Rodney Anderson, *Outcasts in Their Own Land, Mexican Industrial Workers, 1906-1911* (DeKalb: Northern Illinois University Press, 1976).

insure his power. While corruption and authoritarianism ruled the day, Diaz's economic policy encouraged foreign investment which led to the growth of Orizaba's railroad and textile industries. French investment in the textile industry led to the construction of the textile factory Cerritos in 1882 which was indicative of the movement of foreign investment that was increasingly a part of Mexican industrialization. One year earlier industrialists also began to work on the textile factory San Lorenzo. US investor Tomás Braniff funded the construction of what would become two of Mexico's largest textile factories, Santa Rosa and Río Blanco. Río Blanco became the largest textile factory in Mexico employing over 4,000 workers by the turn of the century. By the time of the Mexican Revolution in 1910, many considered Orizaba to be a stalwart of Mexico's productive capacity and the city came to be known as the "The Manchester of Mexico."<sup>7</sup> Orizaba had close to three hundred retail stores, four banks, five flour mills, one electrical production plant, ten tobacco shops, two seamstress workshops, and four iron works.<sup>8</sup> French capital also funded the construction of Mexico's oldest brewery, Moctezuma which opened in 1894 and still produces beer today. The industry employed both men and women and grew to produce well known brands such as Dos Equis and Sol. In addition, garment workshops emerged as a direct result of the textile industry's growth. Two of these, La Suiza and La Especial, employed over 500 women.<sup>9</sup> Aside from domestic service, sewing, tobacco and coffee provided the vast majority of positions for women who worked outside of the home. Tobacco, while not Orizaba's largest

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<sup>7</sup> Anderson, *Outcasts in Their Own Land*.

<sup>8</sup> Ibid. Also see Notice of the principle industrial establishments haciendas and ranches in Orizaba, Archivo Municipal de Orizaba (AMO), Estadísticas, Caja 267, Exp. 8 July 23, 1906.

<sup>9</sup> Bernardo García Díaz, *Orizaba, Veracruz: Imágenes de sus historia*, (Xalapa: Archivo General del Estado de Veracruz, 1989).

commercial product, was a principle employer of women at the end of the 19<sup>th</sup> century. Orizaba had one of the six largest tobacco workshops in Veracruz which employed 355 workers, 195 of which were women.<sup>10</sup>

Orizaba's rapid industrial growth led to a marked population increase. Between 1877 and 1910, Orizaba's population more than doubled from 14,000 inhabitants to 35,000.<sup>11</sup> And by 1930, the population had reached nearly 43,000.<sup>12</sup> One sixth of Orizaba's population worked in industrial manufacturing, and the city itself had become an attractive industrial base with evidence of modernization. Foreign investment in part led to the growth of Orizaba's industries and the modernization of the community which attracted campesinos from the countryside. Census reports indicate that Spanish, French, German, and British ownership of haciendas and factories predominated in Orizaba.<sup>13</sup> The growth of industry attracted rural workers who could no longer support themselves or their families because either large landowners or the railroad industry had taken their land. Indeed the tension that the loss of land produced coupled with poor labor conditions in Mexico's growing cities, eventually helped spark the hostilities that led to Mexico's Revolution in 1910.

The foreign presence in Orizaba also influenced the development of working class organizations. For example, in February of 1873, The Society of Missionaries of the Episcopal Church of the United States began a peaceful tradition of working class dialogue. Later, William Cooper and Jose Rumbia helped initiate the development of the *Circulos de Obreros Libres* in Rio Blanco. Many members were militant *Magnonistas*

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<sup>10</sup> Díaz, *Orizaba, Veracruz: Imágenes de sus historia*.

<sup>11</sup> Censo Junta Local, AMO, Estadística, Caja 895, Exp. 1, 1930.

<sup>12</sup> *Ibid*

<sup>13</sup> Industrial relations in Orizaba, AMO, Estadística, Caja 253, Exp. 6, 1907.

and socialists who spoke out against the ravages of capitalism and exploitation.<sup>14</sup> In addition, Duncan McCormish and Thomas Henghey, workers at the factory El Yute, helped found Orizaba's first soccer team in 1902.<sup>15</sup> This became an outlet for working class participation outside of work and led to the development of other sports such as baseball as well as the municipal government's creation of the Sports Union of Orizaba during the Mexican Revolution. Factory owners encouraged the formation of these organizations as an alternative to the cantina which they feared undercut worker's productivity while also allowing idle and inebriated workers to plan illegal strikes. Many believed that sports would promote healthy activities that could distract workers from vice and labor activism.

Increased foreign investment, industrial development, and productivity also led to the modernization of infrastructure. The renovation of stone streets, the town's creation of the municipal cemetery in 1895, the opening of a sanitarium in 1883, as well as the erection of the Teatro Llave in 1896 visibly demonstrated the changes in Orizaba. In addition, El Palacio de Hierro (The Iron Palace) in the city center was the Belgian pavilion at the Paris International Exhibition in the late nineteenth century. The Mexican government bought the iron building, had it dismantled and then shipped it to Orizaba, where officials reconstructed it in the city center. Today it is no longer the municipal palace but continues to house some government offices and an attractive café which overlooks the city center. By the turn of the century Orizaba was fast becoming a modern Mexican city. An article appearing in *La Cosmopolitan* in 1905 proudly described the

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<sup>14</sup> Bernardo García Díaz, *Orizaba, Veracruz: Imágenes de sus historia*, (Xalapa: Archivo General del Estado de Veracruz, 1989). The Magonistas were those who followed the anarchist influence of Carlos and Enrique Magón.

<sup>15</sup> *Ibid*

changes in Orizaba's society; "Orizaba's modernization, modern buildings, institutions of credit, daily trains, local theater, festivals, all of which comprise its distinguished society."<sup>16</sup>

However, Orizaba's cantinas, sports clubs, and vecindades, stood in stark contrast to the development of "high culture." Local theaters, opera houses, and civic organizations were indispensable to a developing air of cosmopolitanism among Orizaba's growing elite. Impressive civic celebrations, largely for foreigners and local elites, increasingly demonstrated a well established divide in Orizaba between the wealthy and those that labored for them inside factory walls or in their homes as domestic servants. Orizaba had become a city of two classes, foreign industrialists and the workers who labored for them.

### **Orizaba's Industrial Class**

By the turn of the century, peoples from surrounding communities and cities far away began to migrate to Orizaba in search of work in the booming textile industry. Immigration provided the extra hands needed to churn the engine of Orizaba's multiplying factories. However, more than just hard working laborers, migrants also carried regional cultural identities into the urbanizing region.<sup>17</sup> Workers came largely from four regions, Puebla, Oaxaca, Mexico City, and Tlaxcala. The workers who came to Orizaba from Puebla were searching for higher wages and better jobs. Although Puebla had one of the largest textile industries in the nation, it could not absorb the influx of migrants who poured into the colonial city after many campesinos lost their land to

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<sup>16</sup> Author unknown, "Viajes Por El Estado: Orizaba (De "La Revista Azul" de Veracruz)" *El Cosmopolita*, Orizaba, 22 Octubre, 1905)

<sup>17</sup> Díaz, *Orizaba, Veracruz: Imágenes de sus historia*.

speculators during the 19<sup>th</sup> century. In addition, Orizaba's textile factories paid better wages on average than what workers could earn in Puebla.<sup>18</sup>

Workers who migrated from Oaxaca were largely Mixtec Indians. The Mixtecs who came from various regions of Oaxaca were different from the Nahuatl speaking Indians of Zongolica who remained largely isolated and chose not to work in Orizaba's factories.<sup>19</sup> Although the Mixtecs did not experience the level of land expropriation that central Mexicans endured, they still fell prey to privatization of communal land which forced them to seek work in urban areas. Many of these laborers first went to work on tobacco farms in San Andres Tuxtla, located in southern Veracruz, but later some moved to Orizaba. Mixtecs who became familiar with migratory routes were highly transient. They could work in the factory for a short period of time and then return to agricultural labor when it suited them. Interestingly, the Mixtecs initially did not join union movements or other labor activities because they did not form an identity related to working class production.<sup>20</sup> They viewed themselves as temporary workers and therefore chose not to assimilate.

The workers from Mexico City formed a large proportion of those who immigrated to Orizaba. The 1891 census lists 777 Orizaba residents who migrated from regions around Mexico City.<sup>21</sup> Many of these workers, who first came to Orizaba during the 1870s, were militant activists who had lost their battles in Mexico City and were

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<sup>18</sup> Bernardo García Díaz, "The Formation of the Working Class in Orizaba" Translated Nair M. Anaya and John Mason Hart in John M. Hart ed. *Border Crossings, Mexican and Mexican-American Workers*, (Wilmington: Scholarly Resources, 1998) pp. 49-70 Also see Diaz, *Textiles del valle de Orizaba (1880-1925) : cinco ensayos de historia sindical y social* (Xalapa, Veracruz: Universidad Veracruzana, Centro de Investigaciones Históricas, 1990).

<sup>19</sup> *Ibid*, Also see Nancy Folbre, Population Growth and Capitalist Development in Zongolica, Veracruz, *Latin American Perspectives*, Vol. 4, No. 4 (Autumn, 1977), pp. 41-55.

<sup>20</sup> Díaz, "The Formation of the Working class in Orizaba."

<sup>21</sup> Mexicans that were not born in Orizaba from regions around Mexico City, AMO, Fomento, Caja 190, Exp. 1, February 2, 1891.

looking for new opportunities to organize. Finally, workers from Tlaxcala also carried ideas of labor activism into the industrializing region of Orizaba. However, they were unusual in that they came charged with evangelical Methodism. The Methodist evangelical movement in southern Tlaxcala found support among many migrant workers who used their previous proselytizing to attract converts and to promote the first militant workers' organization in Rio Blanco, the Gran Círculo de Obreros Libres.<sup>22</sup> The confluence of migrant influence, the rapid modernization of Orizaba's industries, the anti-paternalist philosophy among Orizaba's factory owners, and the ability of large factories to assimilate many workers from diverse regions, hastened the development of a textile proletariat. These laborers became part of a revolutionary force that would thrust Mexico into a cataclysmic revolution between 1910 and 1920.

### **Catholicism**

Despite the expanding number and diversity of migrants Orizaba remained a devoutly Catholic community. During the colonial period, the Franciscans, Carmelitas, Juaninos, Josefinos, and the orders of Santa Teresa all constructed churches and convents in Orizaba. As a result, throughout the nineteenth and early twentieth century, the city became a conservative stronghold in a state where liberal anti-clericalism was carrying the day. Even when the local population jeered French Emperor Maximilian as he arrived in the Port of Veracruz in 1861, Orizaba's population, craving stability and an end to the divisive politics that embroiled liberals and conservatives, welcomed the emperor in 1864 as a savior of the Catholic Church during the French occupation of Mexico (1863-1867).<sup>23</sup> This however was premature as Maximilian proved to be far more liberal

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<sup>22</sup> Díaz, "The Formation of the Working class in Orizaba."

<sup>23</sup> Díaz, *Orizaba, Veracruz: Imágenes de sus Historia*.



than many conservatives had hoped. He did not undo the liberal reforms that appeared in Mexico's constitution of 1857 and, as a result, he fell out of favor with conservatives as well with liberals, who viewed his presence as another imperialist encroachment on Mexican sovereignty.

Following the demise of the French occupation, the church retained great influence over Orizaba's culture. Popular church newspapers such as *El Siglo Se Acaba* published poetry and special interest stories while also admonishing readers about the immorality of modern society and the dangers of anticlericalism. This theme did not disappear even following the revolutionary years. While the Church eventually lost its centuries old control over education and the radical working class movements in Orizaba were vehemently anticlerical, these developments only served to agitate supporters of the Church.<sup>24</sup> Newspapers such as *Pro-Paria*, *El Rebelde*, and *El Radical* represented respectively the revolutionary ideas of communism, anarcho-syndicalism, and socialism. All were highly critical of church officials which only fueled the gulf between radicals and church supporters.<sup>25</sup>

However, the situation in Orizaba was far more complicated than simple polarization. Despite the thousands of industrial workers who associated the church with fanaticism, ignorance and corruption, anticlericalism never equated to atheism. Constitutionalist revolutionaries understood this phenomenon.<sup>26</sup> Newspapers supportive

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<sup>24</sup> Although the state eroded much of the Catholic Church's control over education following the Wars of Reform (1858-1861), the lack of financial resources, and Porfirio Diaz's carrot and stick approach to consolidating his power, allowed the Catholic Church to retain much of its control over rural education. See Paul Vanderwood, *The Power of God Against the Guns of Government, Religious Upheaval in Mexico at the Turn of the Nineteenth Century*, (Stanford: Stanford University Press, 1998).

<sup>25</sup> For an historical analysis of the press in Orizaba see Héctor E. Ortega Castillo, *La Prensa en Orizaba: Su Historia* (Morelos: Talleres de la Comunidad Morelos, 2002).

<sup>26</sup> The Constitutionalist forces under the leadership of Coahuila Governor Venustiano Carranza and General Alvaro Obregón opposed the indigenous rebels who fought with Emiliano Zapata. They proposed a far

of the Constitutionalist forces during the revolution emphasized their faith while chastising the corruption and power of the church. Moreover, Many of Orizaba's residents remained devout Catholics despite labor activism and state sponsored rhetoric that attacked Catholicism's drag on modernity.

The tension between Orizaba's faithful and the state's growing assault on the power of the Church reached a crescendo in 1937. Governor Tejada, a vehement opponent of the Catholic Church, exacerbated tensions over state interference in Church affairs when he limited the number of priests who could minister and where they could hold mass in the state of Veracruz. During a police raid on an illegal mass in Orizaba, police shot fourteen year old Luisa Sanchez in the back. Her death received international attention and exposed the continued tension between officials' anticlerical campaign and church officials who berated the state for enforcing harsh policies that closed churches and persecuted priests.<sup>27</sup> Thousands of Orizaba's citizens poured into the streets and clashed with police. Several days of demonstrations followed the girl's death which culminated in many local residents storming the churches. The state finally capitulated and reopened the cathedrals.<sup>28</sup>

The struggles over anticlericalism, however, were not the only ones to emerge at this time. As members of high society displayed their opulence, they fueled anger over poor wages and inequities among workers. Elite white men in fancy foreign made suits and women dressed in the finest Parisian fashions attending the theater, sipping tea or

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more business friendly model of liberal government yet conceded this platform to a certain degree in the Constitution of 1917 which introduced far reaching labor, land, and familial reforms.

<sup>27</sup> J. Mondragón A. *Gráfico-Histórico de los Sucesos del 7 de Febrero de 1937 en la Ciudad de Orizaba, Veracruz*, (Orizaba: 1937) This store was also covered in Time Magazine. See "Orizaba Martyr," *Time Magazine*, February 22, 1937, <http://www.time.com/time/magazine/article/0,9171,770602,00.html>

<sup>28</sup> Ibid.

coffee in cafes, constantly reminded factory workers, local vendors, and unskilled laborers of their pecuniary situation. By the turn of the century, Orizaba's increased industrial production, led to the formation of a growing working class movement. This movement was not limited to textile workers as an increasing number of unskilled workers, some of whom were women, joined a movement that helped spark Mexico's revolution. The fact that foreign capitalists owned many of the factories and workshops only fueled the growing discontent among Orizaba's working class.<sup>29</sup>

By the turn of the century Orizaba had become a major industrial capital, yet its infrastructure was limited. Less than half of Orizaba's roads were paved and during the rainy season, merchants often relied on mules to pull carts and carry goods through the mud. Water was available in many homes, but it was not potable; and electricity and telephone service was confined largely to the city center.<sup>30</sup> Most local residents relied on the Orizaba River to provide the water necessary to cook and wash clothes. This led to outbreaks of disease throughout the revolutionary period and in subsequent years.

Most of Orizaba's population was poor, underpaid, and overworked, and they often lived in substandard housing. Men often claimed that their inability to provide for their families and to attain dignity and respect in the workplace fueled their involvement in Orizaba's growing labor militancy. An article in *El Cosmopolita* during the strike at Río Blanco in early 1907 describes angry workers and an oppressed citizenry, many of whom slept in local parks, on the streets or in dilapidated housing where the rain pours in

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<sup>29</sup> Diaz, *Orizaba, Veracruz: Imágenes de sus Historia*, p. 33. For more on the Río Blanco strike see Karl Koth, "Not a Mutiny but a Revolution, The Río Blanco Labor Dispute 1906-1907," *Canadian Journal of Latin American and Caribbean Studies*, Vol 18, no. 35, 1993.

<sup>30</sup> AMO, Estadística, Caja 261, Exp.9, October 20, 1906. This report details available services, schools, and conditions of infrastructure.

through their roofs.<sup>31</sup> Life in Mexico's *vecindades* was cramped and unsanitary. Local health agencies described outbreaks of tuberculosis and other communicable diseases that some experts at the time related to unhealthy and unventilated factories and poor living conditions in factory provided housing.<sup>32</sup>

For women the situation was even worse. Women worked largely in unskilled position that paid far less than men. In addition, the high numbers of widows throughout the state of Veracruz, and in Mexico as well, contributed to poverty. In Veracruz in 1921, widows numbered 51,562 as opposed to 15,519 widowers.<sup>33</sup> Women who labored as laundresses, seamstresses, tobacco workers, or domestics often worked two or even three jobs while many of their children also worked in order provide housing and food. Daycare did not exist and so mothers had to rely on extended family, or if possible, take their children to work with them. Visibly impoverished women created opportunities for working class men to call attention to an exploitive state that allowed patron's to victimize women and children.

### **The Revolution Comes to Orizaba**

With the exception of mining, cotton textiles were the largest industry in Mexico, and Orizaba was one of the largest producers in the nation. Six textile factories and a major jute mill employed about seven thousand workers in 1906.<sup>34</sup> The textile industry produced satin, flannel, yarn, and handkerchiefs, while the jute mill Santa Gertrudis, the largest of its type in Mexico, manufactured rope, bags, and other products. One firm, the

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<sup>31</sup> Author unknown, "Pan Pan Pan" *El Cosmopolita*, January 6, 1907.

<sup>32</sup> AGEV, Secretaría General de Gobierno, Junta Central de Conciliación y Arbitraje, Caja 1, Exp. 11, 1918. This report documents a case of tuberculosis in a cigar factory. Also see AGO, Salubridad, Caja 561, Exp. 20, 1919. This report explores women's illnesses which officials associated with unclean factory work.

<sup>33</sup> *Boletín de la Sociedad Mexicana de Geografía y Estadísticas, 1922-1923*, Estado de Veracruz, Datos Geográficos, (Veracruz: 1922).

<sup>34</sup> Anderson, *Outcasts in their own Land*.

Compañía Industrial de Orizaba (CIDOSA) owned four of the city's textile factories while Compañía Industrial de Veracruz founded Santa Rosa in 1898. French industrialists controlled both of these companies.<sup>35</sup>

By 1905, working class organization had grown tremendously and threatened the Porfirian model of industrial development. Factory owners who paid poor wages, required long hours and forced workers to shop at factory stores with inflated prices led to growing unrest. Workers increasingly challenged the authority of patrons through strikes or walkouts which at times led to violent repression. In 1906, strikes took place in the copper mines of Cananea and Sonora, the railway industry throughout Mexico, and the cotton textile mills of Tlaxcala, Puebla and Orizaba. Workers had grown enraged over diminished wages, poor treatment, dangerous working conditions, and the inability to unionize and strike without harassment or violent repression. On January 7, 1907, this tension exploded in what nearly every Mexican schoolchild knows as Río Blanco. Accounts of how this strike began vary. One newspaper, *Diario del Hogar*, reported that women standing in front of the Río Blanco company store, challenged male workers to defend their honor because they were not able to purchase food for their families: "You are not Mexicans, you are humiliated cowards."<sup>36</sup> Whatever the impetus for the outbreak of hostilities, workers sacked and burned the store. As a result, President Díaz sent in forces to quell the uprising which resulted in the death of several hundred workers. Río Blanco called attention to the growing labor militancy in Orizaba and contributed to a growing national movement that sought to remove Díaz from power.

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<sup>35</sup> Díaz, *Orizaba, Veracruz: Imágenes de sus Historia*.

<sup>36</sup> *Diario del Hogar*, "Los Conflictos Obreros," January 10, 1907, Archivo General del Estado de Veracruz (AGEV), Archivo de Leonardo Pasquel, Ciudades, Caja 35, January 10, 1907.

When the revolution began in late 1910, Orizaba became a pivotal city in redefining working class relations. Men and women joined labor organizations comprised of anarchists, socialists and Marxists. In addition, the U.S. invasion of the Port of Veracruz in 1914 initiated a wave of nationalism which spread throughout Orizaba. This led revolutionary forces to enlist thousands who sought to resist U.S. control of Veracruz. In addition, the radical working class organization, the Casa del Obrero Mundial which emerged in Mexico City in 1912, moved to Orizaba in 1915.<sup>37</sup> The Casa had nearly 50,000 members at the height of its organization. The leader of Mexico's Constitutionalist forces Venustiano Carranza needed labor's support in order to gain the upper hand against opposing revolutionary forces. As a result, Carranza signed an alliance with the Casa in February 1915. However, he had never intended to create an independent labor bloc. The agreement shattered the neutrality of labor, which had been highly suspicious of all the military factions. The worker's alliance with Carranza undermined any support they might have given to Zapata or Villa. Some workers never sympathized with the Zapatistas largely because they viewed campesinos as fanatical devotees of the Catholic Church.

By 1915, The Casa had trained about 7,000 workers (The Red Battalions) to fight with Carranza's Constitutionalist forces some of whom came from Orizaba.<sup>38</sup> The Red Battalions however, would never be allowed to construct an oppositional base to Carranza's power. A struggle quickly emerged between the Department of Labor which

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<sup>37</sup> Barry Carr, "The Casa del Obrero Mundial, Constitutionalism and the Pact of February, 1915" in Elisa Cecilia Frost ed. al, *Trabajo y Los Trabajadores en la Historia de México*, (Tuscon: University of Arizona Press, 1979) 603-632.

<sup>38</sup> John Mason Hart, *Revolutionary Mexico, The Coming and Process of the Mexican Revolution*, (Berkeley: University of California Press, 1987). Also see Hart, *Anarchism and the Mexican Working Class, 1860-1931* (Austin: University of Texas Press, 1978).

was loyal to Carranza, and the Casa del Obrero Mundial, some whom did not trust the Constitutionals. This is evident in many of the labor negotiations during 1915 where anarchists and those who opposed or did not trust the Constitutionals refused to meet with Department of Labor officials during mediations.<sup>39</sup> The rivalry served to split the labor ranks. In Orizaba, two groups, soldiers and those who stayed on the job pledged their loyalty to the Department of Labor. Divided loyalties expanded Carranza's power but a final showdown was in the offing. The Federación de Sindicatos Obreros de México launched a general strike in 1916 that paralyzed utilities.<sup>40</sup> Carranza ordered governors and military commanders to seize radical propaganda, punish its authors, and in some cases to murder socialists and anarchists. By the end of 1916, the Casa was in ruins.

Nonetheless, by late 1916, Constitutionals began drafting a new constitution that included many legal reforms that marked a major victory for both peasants and workers. Carranza's pledge to restore communal land and Article 123 of the Mexican Constitution which granted far reaching labor reforms empowered workers, and led to creation of the CROM (Regional Confederation of Mexican Workers) in 1918.<sup>41</sup> Marjorie Ruth Clark concluded in her 1934 classic analysis of the working class, that labor, however corrupt, had secured control over politics in Orizaba to a greater extent

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<sup>39</sup> Rafael Zuraran Capmany to the Department of Labor concerning a meeting between striking seamstresses and tobacco workers, Archivo General de la Nación (AGN), Trabajo, Caja 98 exp. 6, April 18, 1915. This file documents the distrust workers had for the Department of Labor.

<sup>40</sup> Ramón Eduardo Ruíz, *The Great Rebellion, Mexico 1905-1924* (New York: W.W. Norton and Co., 1980).

<sup>41</sup> Labor leader Luis Morones founded the CROM in 1918. The national union boasted close to 350,000 workers by 1920. However, the CROM also sought equilibrium between capital and labor which often subordinated workers' interests to the desires of government officials. By the late 1920s, leftists and some officials increasingly noted the CROM's corruption. See Ruíz, *The Great Rebellion*. Kevin Middlebrook notes that "the prohibition against involvement in religious or political affairs and the requirement that unions file regular reports with state labor authorities on the use of unions dues" also fomented descent. See Kevin Middlebrook, "State Structures and the Politics of Union Registration in Postrevolutionary Mexico," *Comparative Politics*, Vol. 23, No. 4. (Jul., 1991), pp. 459-478.

than other regions of Mexico: “It is certainly not to be denied that the textile unions have very often been guilty of gross misuse of their power. This has been especially true of the unions in the Orizaba district where they have controlled not only the factories but the town governments as well.”<sup>42</sup> More modern analyses of working class struggle such as Jeffrey Bortz’s work on the textile industry have concluded that workers attained substantial changes in factory and daily life.<sup>43</sup> Although working class struggles remained endemic throughout Orizaba’s history long after the revolution, many workers believed that Mexico’s Revolution had vindicated them.

While many men who worked as skilled laborers in the textile or railroad industries enjoyed significantly higher wages, women and unskilled workers continued to struggle.<sup>44</sup> Cost of living indices for Orizaba in 1933 indicate that for a family of five, a minimum of 3.75 pesos was necessary to provide the basic necessities of life including clothing, food, and housing. This amount rose ten percent by 1935. While skilled textile workers could earn up to eight pesos a day during this time, many workers did not earn more than two,<sup>45</sup> and most women earned from one to two and half pesos a day if they picked coffee, rolled cigarettes or sewed clothing.<sup>46</sup> The revolution did initiate new

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<sup>42</sup> Marjorie Ruth Clark, *Organized Labor in Mexico* (Durham: University of North Carolina Press, 1934) 191-192.

<sup>43</sup> Jeffrey Bortz, “Authority Re-Seated: Control Struggles in the Textile Industry during the Mexican Revolution,” *Labor History*, 44 2 (2003) 171-188.

<sup>44</sup> Aurora Gómez-Galvarriato Freer, “The Impact of Revolution: Business and Labor in the Mexican Textile Industry, Orizaba, Veracruz 1900-1930,” (Ph.D. diss Harvard University, 1999)

<sup>45</sup> The Commission of Minimum Salary in Orizaba reported that although the textile industry was the important industry in Orizaba, many workers did not earn more than two pesos a day, far less than the 3.75 needed to sustain a family. Archivo General del Estado de Veracruz (AGEV), Commission of Minimum Salary, Secretaria General de Gobierno, Junta Central de Conciliación y Arbitraje, Caja 1022, Exp. 50, November 29, 1932.

<sup>46</sup> *Ibid.* In addition, divorce affidavits are an excellent source for wage information. In most divorce proceedings, the litigants had to reveal their wages. Complaints from women to the Department of Labor indicate that their salaries remained quite low throughout the period examined for this dissertation. For example, a sample of women who worked for La Violeta, a cigar manufactory, indicates that they earned approximately one peso a day. AGEV, Union of Tobacco Workers versus William Meyer y Cia for



efforts to expand education, improve the infrastructure, and provide better health care. However, women, along with many unskilled men, did not experience the same level of improvement that skilled workers enjoyed during the 1920s and 1930s. Women were not regarded as workers. Rather revolutionary officials recategorized women as new and improved Mexican mothers and wives who were educated supporters of a paternal state that sought to preserve sexual difference. This precluded women in many cases from accessing well paid employment or highly skilled jobs.

Nonetheless, the revolution ushered in a concerted effort among state officials to modernize Mexico's infrastructure, institutions, and social relations. In Orizaba, officials constructed new schools which expanded educational opportunities for women. The numbers of municipally supported schools grew from 12 in 1877<sup>47</sup> to 37 urban schools and 2 that serviced rural areas in 1930.<sup>48</sup> In addition, officials initiated vaccination campaigns to eradicate communicable diseases and also increased oversight over vendors who sold milk and other foodstuffs. In Orizaba, the Department of Health oversaw this mission although officials at times surely received bribes to look the other way. Nonetheless, the numbers of those immunized for infectious disease grew throughout the 1920s and 1930s.<sup>49</sup>

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unjustified firing, Secretaria General de Gobierno, Junta Central de Conciliación y Arbitraje, Caja 80, Exp. 44, November 16, 1932.

<sup>47</sup> Casimiro Castro, *Álbum del Ferrocarril Mexicano, Colección de Vistas Pintadas Del Natural* (México: Establecimiento Litográfico de Víctor Debra El concepto de honorabilidad debe complementaron el hábito de la honradez. El concepto de honorabilidad, se adquiere en el hogar y en la escuela, por medio del ejemplo y el conocimiento, el niño a medida que va forjando de la espíritu la masa psíquica el complejo de sí va plasmando las voliciones y y Ca., Editores, 1877).

<sup>48</sup> Carlos Calero, *Orizaba. Prólogo de Leonardo Pasquel*, (México: Editorial Citlaltépetl, 1970).

<sup>49</sup> Report on the implementation of vaccination programs in Orizaba, AMO, Salubridad, Caja 1116, exp. 120, 1938. Despite the successes, the report notes that ignorance and cultural influences prevented many of Orizaba's citizens from attaining vaccinations. Another report also from 1938, notes continued problems with potable water and sanitation. This report claims that typhus, typhoid fever, and dysentery continued to pose significant health threats. "Many people use the rivers as bathrooms and then

While material conditions in Orizaba changed throughout the period examined in this dissertation, there were also cultural transformations that challenged how men and women understood their roles in postrevolutionary society. Indeed urbanization, industrialization, and the state's drive to modernize gender roles together constituted an assault on the very fabric of what constituted honorable behavior. Women in the workforce, flappers in the streets, and the rise of nascent feminist organizations, challenged anterior forms of domesticity that citizens associated with women's chastity, motherhood and piety. Women walking the streets at night, working in factories, and demanding greater access to political institutions coupled with their increased presence in social organizations marked a turning point in Mexico's social organization that still clung to the tradition of sexual difference. The state posited that an educated and industrious society was in part intended to restructure ideas about acceptable femininity that would broaden the parameters of honorable behavior, yet maintained that officials needed to control women's sexuality. Reforms in family, labor, education, and regulations pertaining to public morality and conduct all reveal how the state sought to transform gender relations while assuring that men and women would be dedicated to gender specific tasks and roles. This however created ironic contradictions and opportunities to challenge the gendered system of social ordering in ways that the state did not intend.

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drink the water." The report contains guidelines for preparing meals including peeling fruit and thoroughly cooking vegetables. AGO, Salubridad, Caja 1116, exp 117, 1938.

### Women's Rights and Feminism

Venustiano Carranza's 1917 Law of Family Relations proclaimed women's right to hold *Patria Potestad* (custody of children), declared women and men's conditional equality in the family, and more importantly, legalized divorce, including no fault divorce. In addition, far reaching labor reforms specifically targeted women. Reforms included limits on night work, prohibitions on working in dangerous industries as well as provided women with family leave. These paternalistic policies intended to protect Mexico's mothers, emphasized women's vulnerability. In addition, reformers also focused their efforts on "moralizing" Mexico through expanding women's education and emphasizing the importance of proper motherhood and moral behavior. These new programs which sought to maintain sexual difference produced unintended consequences. They created a space for women to challenge men's traditional power in the family and to demand greater rights which stimulated women's social movements in the 1930s.

Clearly the state did not intend reforms to undermine patriarchy, although officials did at times note the problems of traditional machismo which they associated with drinking, crime, unruliness, and an overall lack of discipline. Rather, liberal officials were concerned that illiterate and fanatical women would undermine the revolutionary goal of creating a secular, modern, and prosperous nation. Educational opportunities and officials' need to incorporate women into *their* revolutionary vision meant confirming women's roles as wives and mothers. Yet this also served to challenge men's traditional power. Judges in Orizaba addressed this concern directly. In 1934, Orizaba Civil Judge Ignacio Flores Guerrero explained that women's new legal rights contained in the Civil Code of 1932 challenged men's traditional authority.

The legislature modified the legal capacity of women in the New Civil Code which granted equal rights to women. Because of this, some say that this violates men's rights. These laws were enacted to guarantee the rights of children and to ensure the protection of women who are an essential component in constructing a safe, wholesome, and stable environment for children and for society.<sup>50</sup>

Judge Guerro's observation captures the ironic contradictions between modernizing gender relations to preserve sexual difference and challenging men's power to control their wives. Yet, rights for women in the family were also a means to slow the growing tide of illegitimate births while securing the "private" domain for women. In this way, the revolutionary project was a continuation of Porfirian ideology which viewed women as central to maintaining family stability, childhood education, and spousal support. Women who were shrewd in economic matters of the family and morally educated their children would greatly augment the stability and productivity of the Mexican worker. The revolutionary project maintained that expanding women's familial rights would solidify their position in the family, not undermine it. Therefore legislators did not intend for changes in family and labor law to extend to the streets or the voting booth.

The emergence of feminism, the state's adoption of new divorce and patria potestad laws and the enactment of the Civil Code of 1932, declaring marriage an equal relationship, set off a highly contentious debate over male power in the family, masculinity, honor and dignity. While men believed that as workers they had attained new rights, they felt undermined in familial matters. Women could divorce men, attain custody over the children, demand spousal support, and by 1932, they no longer had to obey male authority. The paternalist state had legally supplanted male familial power. As a result, the stage was set for a contested process that involved a struggle over the

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<sup>50</sup> AGEV, Tribunal Superior de Justicia, Orizaba, Juzgado Segundo, Exp. 83, 1934.

definitions of worker, wife, husband, mother, morality, honor and dignity that played out in Orizaba's homes, factories and neighborhoods.

The labor movement in Orizaba which initially supported women's participation coupled with state led efforts to educate women and to encourage their participation in charitable organizations and temperance campaigns created opportunities for women to increase their public role while also working within the community's accepted ideas about sexual difference. For example in 1915, *Las Damas de Orizaba*, a group of middle class women who formed a beneficent society during the revolution, announced a concerted effort to address childhood poverty: "In Orizaba little or nothing has been done to address the immediate needs or to provide effective aid for children whose needs are especially acute among the working class."<sup>51</sup> Organizations such as *Las Damas* became increasingly common during and after the revolutionary period. These women answered the call of modern legislators who asked women to carry their maternal and educative role into communities in the form of charity organizations. In Orizaba, women joined the Red Cross and formed alliances with Orizaba's male dominated Rotary Club. These largely middle and upper class women provided a moderating force to the evils of modernization which included poverty, vice, and violence. However, while these organizations were largely moderate in their politics, their public presence called attention to the inequalities that remained following the revolutionary period.

Most women in Orizaba were not feminists nor did they seek to directly challenge gender roles. However, the revolution opened a floodgate of leftist critiques that called attention to the problems that women endured in the workplace and at home. Anarcho-

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<sup>51</sup> Author unknown, "Una Grande Obra de Protección a la Niñez, Las Damas de Orizaba Van a Deicarse de los Niños," *Boletín de la Vanguardia*, July 17, 1915, p. 1. *Las Damas* still operates today in Orizaba and is largely an upper class charity organization.

syndicalists in Orizaba welcomed women's participation in their unions, marches, and labor sponsored periodicals. While women who initially joined these organizations derided abusive patrons and corrupt officials who paid them poorly and abused them in the workplace, participants also began to note men's exploitation of women.

However, there were also women who berated co-workers who challenged the status quo. At time female workers expressed their dismay when other women joined men on the picket lines and shut down factories. These women complained that those who joined anarchist organizations undermined their ability to support their families. For example Señoritas Carmen Romero, Ernestina Arenas, and Mariá Núñez complained to the Department of Labor in 1915 that thirty anarchist women prevented them from entering the sewing workshop *La Suiza* because they refused to join a labor union. The women who claimed that the union members' ideas were "repugnant" and that their actions were starving their families, demanded that the newly formed Department of Labor take action against the women.<sup>52</sup> Eventually the women were allowed to return to work with the stipulation that the factory owner could no longer hire women who would not join the union.

In addition, during the Mexican Revolution, communist publications such as *El Machete* and feminist papers such as *Luz*, called for women's emancipation from both capitalism and patriarchy. However, by the 1920s it was clear the despite the forum that labor organization had created for feminist literature, men were not motivated to include women as skilled workers or to accede to feminist demands for equality. Working class men preferred to speak on behalf of "their" exploited women to call attention to

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<sup>52</sup> From the Director of the Department of Labor Marcos Lopez Jiménez to Inspector Manual Diaz, April 28, 1915 AGN, RT, Caja 98 exp. 27.

continued abuses.

By the 1920s, an increasing number of women in Orizaba, and in Mexico as well, complained that they were not just enduring poor wages and poverty, but also men's abuse at home, at work or in the streets of Orizaba. Women began to seize new opportunities to question men's traditional rights to control their labor, to demand obedience, and to determine their movements in public. Clearly the turmoil of the revolutionary period created a discursive space to address gender inequality. Prominent newspapers in Orizaba such as the *El Voz de Orizaba*, *Pro-Paria*, and *Los Sucesos* all periodically, if not frequently, addressed issues of women's equality, suffrage, education, their role in the family, and women's place in a modernizing community. The level of support depended on the publication. *Pro-Paria*, a leftist labor publication, frequently printed articles exploring feminism and women's rights. Orizaba activist Violeta Migueili Gonzales published an ongoing column in *Pro-Paria*, "Feminismo" which addressed a variety of women's issues. Yet in many ways, *Pro-Paria's* tolerance of feminism did not extend to the family or the workplace. Labor leaders and male workers may have helped coordinate spaces for women to critique a system of gender inequality, but in the factory and in the home, they remained traditional gender hierarchies.

Many other local newspapers and magazines also framed women's rights within their traditional roles as mothers and wives. Even following the election of Lazaro Cardenas in 1934, most of Orizaba's news and special interest publications warned that feminism could undermine traditional society. An article that appeared in *Los Sucesos* in 1937 attempted to balance criticism of feminists with the realities of women's lives.

There are isolated cases of women who have not digested the freedom that they have been given and have confused this with libertinism. These cowards are poor women who have atrophied and will go through life without enjoying it and as such they are an infuriating anathema to the modern woman...[however] We do not have the right to harshly judge today's woman because a few of them have forgotten their sacred duties to the home, society and the nation. We are in an epoch of transition and most women struggle, study, and valiantly stand next to their compañeros however unhappy or joyful.<sup>53</sup>

Assessments such as this demonstrate a tension between conformity and a growing segment of women who did not behave, dress, or conduct themselves according to popular notions of femininity. In Orizaba, most citizens still clung to Catholic constructions of proper womanhood. Even in the late 1930s women were supposed to be pious, obedient, and dutiful yet, as the article indicates, some women failed or refused to conform.

In addition, following the revolution cultural influences from other regions of the world became much stronger. Mexico's stability, economic growth, and better relations with the United States allowed for a cultural transference of ideas especially through cinema and literature. The flappers of the 1920s caught on in Mexico City. Bobbed hair, short skirts, and women's increased participation in athletics indicated that major changes were underway. For example, in Mexico City the newspaper *El Universal* critiqued a US silent film, *Modern Women*

Our era...of ascendant progress in civilization, has brought with it the unbinding of women in every sense: physically, morally, socially, psychologically, and materially. Today the woman is not what she was...the weak being who, from the stone age until the beginnings of this century, has not had a voice nor a vote, nor a

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<sup>53</sup> Author unknown, "La Mujer Moderna", *Los Sucesos*, August 14, 1937 *Los Sucesos* was a member of the United Press of America but local owners published the newspaper in Orizaba. In 1932, the Confederation of Unions of Workers and Campesinos of Orizaba boycotted the newspaper for revealing the details of a planned labor march.



will of her own. Women grow more powerful every day...The vogue for bobbed hair, hygienic and aesthetic, has spread to every corner of the world.<sup>54</sup>

This was not limited to Mexico City. Despite Orizaba's more traditional culture, women also participated in sports and bobbed their hair. A 1929 photo of a women's basketball team which was part of Orizaba's Association of Sports shows nine women in shorts, bobbed hair, and one with a cigarette in her mouth which challenged popular ideas of traditional femininity. Las Pelonas, as they were called in Mexico, represented a fundamental challenge to traditional femininity and often endured both verbal and physical attacks.<sup>55</sup>

While many in Orizaba warned that rampant feminism could emasculate men and destabilize the family, perspectives that challenged these assertions did make their way into local publications. The widely circulated cultural magazine *Alborado*, addressed changing gender roles in Orizaba and called upon women to resist men who sought to preserve their inequality.

Do not forget, eternal and incorrigible mother, that the son bites the chest that gives him life...Do not listen to the moans of egoistic men who want to imprison your charity...Perfect equality is the banquet of love. Giving life and help to one another equally is the treasure of life. He is you, he is yours, he is yours!<sup>56</sup>

This article provides an example of how many women understood feminism not only in Orizaba but in Latin America more generally. Women's equality in this example did not deny women's charitable and motherly place in society. However, unlike suffrage

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<sup>54</sup> Advertisement for *Mujeres Modernas* (El Universal, July 9, 1924, sec. I, p.5) in Anne Rubenstein, "The War on 'Las Pelonas' Modern Women and Their Enemies, Mexico City, 1924" in Jocelyn Olcott, Mary Kay Vaughan, and Gabriella Cano, *Sex in Revolution, Gender, Politics, and Power in Modern Mexico*, (Durham: Duke University Press, 2006), pp. 61-62.

<sup>55</sup> Rubenstein, "The War on 'Las Pelonas' Modern Women and Their Enemies, Mexico City, 1924"

<sup>56</sup> G. Martínez Sierra, "Feminismo, Feminidad, Españolismo" *Alborada* April, 27, 1924, p. 4,8.

movements in the United States and England, women who participated in feminist movements in Orizaba, or Mexico for that matter, did not deny their femininity but rather embraced it as something that deserved respect.<sup>57</sup> Women organized as mothers, workers, and “communities of sisters” to challenge both capitalism and men’s domination over skilled labor and family life. While there’s no evidence that there was a potent feminist movement in Orizaba following the revolution, there is plenty of evidence in court documents, labor arbitration files, newspapers, and in official complaints to municipal leaders to suggest that the revolution and the changes it engendered created a space for women in Orizaba to question men’s traditional power.

While women’s rights movements grew in Mexico City throughout the 1920s and 1930s, men continued to consolidate their control over skilled labor. Unions, while not prohibiting women from joining, clearly defined skilled labor as masculine and therefore protected men from the threat of female competition.<sup>58</sup> This may have been even a greater factor in Orizaba because labor leaders controlled the municipal government into the 1930s. Labor leaders tolerated a discourse of women’s emancipation as long as it did not undermine men’s domination over labor. Clearly textile unions used their new found power to guarantee a masculine work force. While women did work in the textile industry in Orizaba, their numbers were small and they usually worked only in unskilled positions.

Indeed the Institutional Revolutionary Party (PRI) in partnership with organized labor sought to preserve sexual difference in the workplace while promoting the

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<sup>57</sup> Francesca Miller, *Latin American Women and the Search for Social Justice*, (Hanover: University Press of New England, 1991).

<sup>58</sup> This was also the case in other regions such as Puebla. See Susan M. Gauss, “Masculine Bonds and Modern Mothers: The Rationalization of Gender in the Textile Industry in Puebla, 1940-1952,” *International Labor and Working Class History* 2003 (63): 63-80.

importance of motherhood and domesticity.<sup>59</sup> Nonetheless, the state's new emphasis on women's postrevolutionary role, however, antiquated, coupled with labor unions' openness to women's participation during the revolution, helped foment a consciousness among women workers who shared labor experiences and embraced the promises of a postrevolutionary state to create more opportunities for women. In her work on women coffee workers in Veracruz, Heather Fowler-Salamini argues that women created new social networks and friendships and participated in new forms of sociability that included the streets and dance halls. In addition, women did not view their labor as "supplementary" but rather sought to create long-term viable employment.<sup>60</sup> This was especially true among single women and widows. This was the case in Orizaba where women in the tobacco and sewing workshops organized together, held union elections, and sought to create a better environment for Orizaba's "mothers and sisters." By the early 1930s, some of these women's organization constructed alliances with middle class feminists.

Despite the failure of the national suffragist movement in the 1930s, women's struggles in the workforce and in feminist organizations indicated that women were not simply thinking of themselves as wives and mothers but also workers, organizers, and patriots. The space between traditional domesticity and the state's mission to encourage participation in reordering society in postrevolutionary Mexico allowed women, as Mary Kay Vaughan has pointed out, to become mediators between state officials and the family

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<sup>59</sup> María Teresa Fernández-Aceves, "Once We Were Corn Grinders: Women and Labor in the Tortilla Industry of Guadalajara, 1920-1940," *International Labor and Working-Class History* 2003 (63): 81-101. Also see Alan Knight, "Popular Culture and the Revolutionary State in Mexico 1910-1940," *Hispanic American Historical Review*, 1994 74:3, 37-43.

<sup>60</sup> Heather Fowler-Salamini, "Gender, Work, and Working-Class Women's Culture in the Veracruz Coffee Export Industry, 1920-1945," *International Labor and Working-Class History* 2003 (63): 102-121.

in order to modernize patriarchy.<sup>61</sup> The state had hoped to turn women's energy away from the Catholic Church in order to inculcate the values of liberal, secular society. While many historians have portrayed correctly a masculine revolution that sought to confirm women's domesticity, they have often overlooked the ironic contradictions of the revolution's involvement with creating educated, modern women while attempting to retain sexual differences. This created opportunities for women to question men's domination of their labor, bodies, labor, and sexuality. While many women continued to view themselves within the confines of their roles as mothers, servants, and wives, increasingly, women, from various classes began to question tradition.

The next chapter will explore how changes in family law and civil codes created spaces for women not only to question male authority, but also to face their husbands in a legal setting. The state's codification of marital equality, the elimination of obedience in marriage, and the legalization of divorce, sent shockwaves through traditional communities that viewed such changes as sinful and representative of the decay of modern society. Yet, for those few women that braved public scorn, dishonor, and the potential wrath of abusive husbands and court officials, the courtroom increasingly became a space of contestation where men sought to embarrass their wives and affirm their honor and masculinity, while women challenged men's ability to control them.

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<sup>61</sup> Mary Kay Vaughan, "Modernizing Patriarchy: State Policies, Rural Households, and Women in Mexico, 1930-1940," in Elizabeth Dore, and Maxine Molyneux eds. *Hidden Histories of Gender and the State in Latin America*, (Durham: Duke University Press, 2000.) Also see Patience Schell, "Of the Sublime Mission of Mothers of Families: The Union of Mexican Catholic Ladies in Revolutionary Mexico," in *The Women's Revolution in Mexico, 1910-1953*, eds. Stephanie Mitchell and Patience Schell (New York: Rowman and Littlefield Publishers, Inc. 2007), pp 99-123.

## Chapter 2

### **“I am Honorable Your Honor”: Divorce, Marital Equality, and Sexual Difference, 1915-1940**

On June 3<sup>rd</sup> 1925, Orizaba attorney Manuel Dominguez wrote that changes in divorce law had placed the “modern legislator” at odds with the “antiquity” of the Church: “Enemies of the old forms of canonical rights which considered the matrimonial knot indissoluble, have recognized through the modern legislator that there are legitimate causes of divorce and rushed to place these in legal texts.”<sup>1</sup> Likewise on January 5, 1926, Orizaba attorney Luis Martínez maintained that allowing men and women to escape dangerous, unhealthy, or unsupportive relationships would not only encourage couples to marry, but would allow them to rectify an unhappy marriage:

The modern concept of rights cannot conceive of an artificial or fictitious marriage that does not satisfy the aims for which it was created and impedes the fulfillment of social necessities which is the basis of marriage [having children and providing mutual support]...In this form, a legal union [between husband and wife] which did not fulfill its [social] obligation and constituted an obstacle to social progress, would allow a couple to amend their ways, make a new home and life, and fulfill the most sacred of rights: the right to happiness.<sup>2</sup>

Venustiano Carranza’s revolutionary government passed the Law of Family Relations in 1917 which legalized divorce, including no fault claims, throughout Mexico. Despite protests from conservatives and the Church, revolutionary state officials maintained that far reaching familial reforms were integral components of modernization following the revolutionary period 1910-1917. The Law of Family Relations and later the Federal Civil Code of 1928 were part of the state’s legal machinery to redefine women’s familial roles within a modern concept of patriarchy. Women were no longer to be

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\*\*Some of the names in this chapter have been changed to protect the identities of the families.

<sup>1</sup> Archivo General del Estado de Veracruz (AGEV), Tribunal Superior de Justicia, Orizaba, Juzgado Segundo, Exp. 134, June 3, 1925.

<sup>2</sup> AGEV, Tribunal Superior de Justicia, Orizaba, Juzgado Segundo, Exp. 134, January 5, 1926.

“beasts of burden or objects of men’s pleasure” but rather active revolutionary participants who under the watchful eye of legal officials, would play an integral role in creating hardworking, moral, and industrious families.<sup>3</sup> Indeed revolutionary officials concerned about working class vice and immorality explicitly argued that the working class was the means to moralize and stabilize Mexican society. Women and mothers therefore must be integral to socially re-engineering the Mexican family.

Much of the recent historiography claims that the Mexican Revolution reaffirmed patriarchy and subsumed women within a masculine social project.<sup>4</sup> While revolutionary officials clearly sought to preserve sexual difference, how they executed this objective produced two ironic contradictions. First, legislators expanded women’s authority in the family to secure their domestic role, but by doing so, created an opportunity for wives to challenge their husband’s traditional authority in matters pertaining to the family. Following the state’s reformation of family law, women could seek divorce, custody, support, and patrimony for children born out of wedlock. Second, these legal changes emerged at the same time working class men won greater rights in the factory. How would working class men in Orizaba who fought so hard to achieve better wages, and

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<sup>3</sup> Jocelyn Olcott, *Revolutionary Women in Postrevolutionary Mexico* (Durham: Duke University Press 2005). Also see Mary Kay Vaughan, “Modernizing Patriarchy: State Policies, Rural Households, and Women in Mexico, 1930-1940,” in *Hidden Histories of Gender and the State in Latin America*, ed. Elizabeth Dore and Maxine Molyneux (Durham: Duke University Press, 2000), 194-214. Vaughan argues that the national project under President Cardenas during the 1930s attempted to “modernize patriarchy” thereby undermining anterior forms of male familial power.

<sup>4</sup> Legal officials institutionalized the Mexican family and nationalized motherhood thereby subjecting Mexico’s families to judicial surveillance. While this process began during the 19<sup>th</sup> century, the push to “modernize” Mexico following the Revolution set in motion a series of laws that would restructure patriarchy. Judges, legislators, and elected officials provided a network of judicial involvement that superseded men’s authority in the home. See Maja Mikula ed. *Women, Activism and Social Change*, (Routledge Research in Gender and Society) (New York: Routledge, 2005). For more on how revolution challenges systems of patriarchy see Temma Kaplan, “Final Reflections, Gender, Chaos, and Authority in Revolutionary Times,” in Olcott, Vaughan and Cano eds. *Sex in Revolution*, 261-276.

legal recognition of unions and strikes respond to legislation that expanded women's ability to challenge their familial authority?

Legislators' decision to implement groundbreaking legal changes helped produce two important outcomes. First, amendments to previous civil codes created a paternal order focusing on motherhood. By extending its legal arm into family matters, the state challenged anterior forms of patriarchy that charged men with control over their wives and children. Legislators therefore furthered their paternal role in mediating family disputes to secure marital stability and to protect women and children. While undoubtedly systems of patronage and legal malfeasance at times affected the outcome of court cases, most judges demanded evidence to support litigants' claims. More important however is the fact that men could not rely on a favorable decision because they *were men*. Between 1919 and 1941 in Orizaba, women won 48 percent of divorce cases and men won 44 percent. (Eight percent of the cases did not contain enough documentation to determine the outcome.) These statistics suggest that while customary male power may have remained an integral part of Orizaba's social and political culture, this did not guarantee a victory in court. Mexico's modern project included a judiciary system that, while noted for its corruption, was in many cases concerned with the rule of law rather than traditional forms of male power. Thus Mexico's legislators, while seeking to consolidate power and institutionalize the Revolution, also believed that the rule of law was an essential component of creating a modern state. Indeed legislators commonly referred to law and judicial processes in Europe and the United States as benchmarks that needed to be emulated. While legal officials may have personally sympathized with men who complained about their wives in court, most judges demanded evidence. The fact

that men could not rely on the court to uphold automatically their familial power produced a fundamental tension between the national project to bureaucratize and modernize Mexican families in traditional regions such as Orizaba while preserving sexual difference.<sup>5</sup>

Second, legal changes allowed the courtroom to become a theatrical space where both men and women invoked various understandings of honor, dignity, masculinity and femininity. They often challenged the state's hegemonic project that struggled to supplant "diseased traditions" with bourgeois morality and "modernity."<sup>6</sup> However, litigants were adept at shaping various social and cultural influences in order to legitimate their complaints and demonstrate their viability as legal actors in post-revolutionary society.

As Raymond Williams explains in his analysis of Gramscian hegemony;

Its internal structures are highly complex, as can readily be seen in any concrete analysis. Moreover (and this is crucial, reminding us of the necessary thrust of the concept), it does not just passively exist as a form of dominance. It has continually to be renewed, recreated, defended, and modified. It is also continually resisted, limited, altered, and challenged by pressures not at all its own.<sup>7</sup>

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<sup>5</sup> Steve Stern, *The Secret History of Gender: Women, Men and Power in Late Colonial Mexico* (Durham: University of North Carolina Press, 1995). Steve Stern has noted that various factors such as class, religion, and ethnicity informed regional peculiarities in late colonial Mexico.

<sup>6</sup> Scholars have defined masculinity as it applies to Mexico, in many ways depending on region and time period. In this chapter masculinity refers to men's ability to control the actions of their wives and children and to be able to thwart their wives challenges to their familial control in a legal setting. However, it should be noted that masculinity is a term that is fluid and changing depending on region, time period, and social setting. Masculinity for example, in a factory setting where men worked largely with men, implied a differing set of social relations than how men understood masculinity in relation to their authority in the family. For more on masculinity see Steve Stern *The Secret History of Gender: Women, Men and Power in Late Colonial Mexico*. Stern argues that men's ability to dominate both sexually and publicly led to displays of violence and inebriation. Also see Matthew Gutmann, *The Meanings of Macho: Being a Man in Mexico City* (Berkeley: University of California Press, 1996) and James Taggart, *The Bear and His Sons* (Austin: University of Texas Press, 1997). Heidi Tinsman and Pablo Picatto argue that wife beating was an integral part of demonstrating masculinity among men who could not materially support their families. See Heidi Tinsman, "Household *Patrones*: Wife-Beating and Sexual Control in Rural Chile, 1964-1988," in *The Gendered Worlds of Latin American Women Workers* (Durham, NC: Duke University Press, 1997), 264-96. Also see Pablo Piccato, *City of Suspects: Crime in Mexico City, 1900-1931*, (Durham: Duke University Press, 2001).

<sup>7</sup> Raymond Williams, *Marxism and Literature* (Oxford: Oxford University Press, 1978), 112.



The state's modernization campaign therefore, created spaces for women and mothers to assert their rights at a time when the state intended to preserve their domesticity through expanding their rights in the family. As a result, the courtroom served not only as a legal space; it was also a stage for citizens to represent their interests and interpretations of law and customs in ways that they hoped would win judicial sympathy and shape Mexico's modernization project. Paul Vanderwood has argued in his analysis of postrevolutionary Mexico, that many believe that modernization was an "inexorable, overwhelming historical current."<sup>8</sup> However, people from all social classes and ethnic backgrounds influenced how the postrevolutionary project played out. Clearly state officials and elites fought to shape the modern project to their advantage yet others resisted or negotiated these efforts.

Revolutionary legalization of divorce did not initially lead to large numbers of court cases. This was probably due to the fear of public embarrassment, lack of trust in state officials, the strength of the Catholic Church, and the high costs associated with hiring an attorney. Documents held in the *Archivo General del Estado de Veracruz* in Jalapa contain only eight petitions for divorce between 1915 and 1925. Following 1925, the number of petitions increased but not substantially. Only in the late 1930s did the numbers of divorce petitions increase substantially. While the greater number of affidavits may have been due to the working classes' increased acceptance of divorce, it is also likely that better wages prompted men and women to protect their economic interests. Court records indicate that textile and railway workers were well-paid and had

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<sup>8</sup> Paul Vanderwood, *The Power of God Against the Guns of Government, Religious Upheaval in Mexico at the Turn of the Nineteenth Century* (Stanford: Stanford University Press, 1998) 15. For more on how gender informed Mexico's modern project see Nichole Marie Sander, "Gender, Welfare and the 'Mexican Miracle': The Politics of Modernization in Postrevolutionary Mexico, 1937-1958," PH.D. Diss. (University of California, Irvine 2003. 255 pp).

much to lose if their wives were able to demonstrate their husband's culpability. Men could be forced to pay a large percentage of their wages to their wives and children. It should also be noted that the number of affidavits that women filed solely for the purpose of attaining more support increased as well. Many factory workers involved in divorce proceedings were also well paid, and as a result, women and judges refused to tolerate men's refusal to provide material support for their children. Yet, women also had much to lose. If the court found them culpable, they lost custody of their children and any rights to financial support. They also had to wait two years before remarrying. The state also legalized no fault divorce, although few litigants took advantage of this clause. This was probably due to the limits that the court awarded under such circumstances as well as litigants' need to either defend or redeem their honor and dignity. In addition, under no fault divorce, women usually retained custody of the child. This prompted some men to pursue fault divorce in an attempt to obtain custody and not pay support.

The large number of litigants who worked in the textile and railroad industry seems to indicate that citizens' ideas concerning divorce were directly related to class. Nonetheless, divorce was rare in Orizaba. Only 73 cases of divorce appear in the civil archives between 1915 and 1940. Of the 73 cases only 39 involved professionals. Of those cases where individuals listed occupations, 30 worked in textile factories the railroad industry, or in secondary factories. Nine male litigants held positions as teachers, traders, business owners, or doctors. This could suggest that in Orizaba, the vast majority of men involved in divorce proceedings were working class. However, the unfortunate gap in the statistical information does not provide conclusive evidence. Of the 73 cases of divorce filed between 1915 and 1940 men filed for divorce in 37 of the affidavits while

women filed 34. One case was filed jointly. Litigants appealed six of the rulings to a state or federal court which overturned five of the municipal rulings.

Reasons for divorce were highly gendered. Women who filed for divorce did so to escape violence, mental abuse, inebriation, or adultery. In nearly all of the affidavits women claimed that they worked very hard to save their marriage but simply were not able to sustain their efforts in the face of danger or humiliation. Women also emphasized their honorability, weakness, and need for protection. In doing so, they cleverly reified customary notions of female domesticity to challenge their husband's authority. However, this strategy also reinforced male domination. Maternalism as a legal strategy in many ways played into state sponsored discourse that maintained that women needed protection. Women's defense therefore provided an interesting contradiction.<sup>9</sup> Men who filed for divorce complained that their wives had either abandoned their "conjugal home," were insulting or irrational, did not perform their domestic duties or were unfaithful. Unlike women, men usually appealed to the court to *restore* their diminished honor and dignity. Women often claimed their husbands offended their honor but did not explicitly ask legal officials to restore their honor.

Women and men formulated legal arguments that represented various identities. Mothers took advantage of state discourse that emphasized mother's importance to the revolutionary project and the court's need to protect them and their children. Mothers often represented themselves as weak and deserving, honorable and religious, or as equal

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<sup>9</sup> For more on how women used maternalism as a tool to expand their roles outside of the family into issues of equality, poverty, and citizenship see Nikki Craske and Maxine Molyneux eds. *Gender and the Politics of Rights and Democracy in Latin America* (New York: Palgrave Publishers, 2002). For current movements in Mexico see Janet Gabriel Townsend, Emma Zapata, Joanna Rowlands, Pilar Alberti, and Marta Mercado, *Women and Power: Fighting Patriarchies and Poverty*, (London: Zed Books, 1999).

partners that demanded that the state follow through on its legal obligations. As laws changed, women's arguments increasingly melded state sponsored discourse with local traditions that emphasized their right to protect children's well being and a man's honorable duty to provide for his family. Some of these women undoubtedly affirmed social norms that associated women with domesticity, loyalty, piety, and honor. However, women cleverly did so to underscore the state's need to sanction abusive and adulterous husbands.<sup>10</sup> In other words, they positioned their plight within a discourse that underscored the need to protect the future sons of la patria. Middle and upper class women utilized similar tactics, but were more apt to invoke their honor and claim their rights to familial equality, especially after the state passed the Civil Code of 1928 which granted women familial equality.<sup>11</sup>

Men's legal affidavits also represented various identities. Men invoked their working class "machismo" to highlight their wife's infidelity and to demonstrate their strength while other cases underscored men's victimization and entwined the need for the court to protect their personal honor with safeguarding the moral fortitude of the community. Working class men, *much like* their middle class counterparts, often appealed to the court to sanction wives who were immoral and disobedient which undermined their honor, dignity, and masculinity. Men, unlike women, also faced the humiliation of relying on a paternal figure to redeem his diminished honor. Facing the loss of control

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<sup>10</sup> For more on how culture informed women's accommodation or resistance of paternal structures in Medellin, Colombia see Ann Farnsworth-Alvear, *Dulcinea in the Factory Myths, Morals, Men, and Women in Columbia's Industrial Experiment, 1905-1960* (Durham: Duke University Press, 2000).

<sup>11</sup> Working class women did not always include honor and dignity as part of their defense. Rather, they used words such as "moral, caring, loving, devoted, weak, and poor" to embarrass their husbands and win the court's sympathy.

over their marriage was surely difficult for some men to accept, especially those that attorneys identified as “macho.”

The similarities in how workers and middle class men used honor and dignity in court could be related to several factors. Many well paid working class men had fought for better wages and working conditions and readily asserted their working class dignity during labor disputes. Conversely, both working class men and women were aware of social perceptions that associated them with immorality and vice. Legislators concerned with modernizing working class men often portrayed them, the backbone of industrial development, as hard drinking, violent, and unruly citizens who needed to be “tamed” in order to become obedient and dutiful participants of the post-revolutionary project.

Creating moral working class men therefore was integral to establishing a productive and stable state. Orizaba attorneys often noted that alcoholism, infidelity, and spousal abuse were associated with “certain social classes.”<sup>12</sup> Moreover, legislators and attorneys maintained that working class and poor families potentially endangered the state’s vision of modernity, and therefore they stood to gain the most from legislative intervention that clearly defined gender roles, hard work, motherhood, education, and morality. Because the state emphasized the positive effects new family laws would have on working class families, especially in smaller communities, the stage was set for subalterns to negotiate fundamental traditional beliefs concerning sexual difference, violence, masculinity, and honor.

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<sup>12</sup> Archivo General del Estado de Veracruz (AGEV): Fondo, Tribunal Superior de Justicia Sección: Ciudad, Orizaba: Serie, Juzgado Segundo, Exp. 194, March 27, 1939.

Clearly legislators embraced a gendered ideology of sexual difference as part of the revolutionary goal.<sup>13</sup> Yet constitution's language of equality, promises to grant suffrage, and the state's encouragement of post revolutionary mobilization in order to "uplift" la patria stood in stark contrast to legislative discourse that sought to preserve domesticity. Divorce affidavits, sociological studies, legal codes, and newspapers reveal how class, regional identities, local customs, and the state's project to modernize the family through divorce and marital equality created conflictive spaces that exposed diverse and contested interpretations of the Revolution's goals. While the new "revolutionary mother" was to be educated, moral, and disciplined, wives and mothers from all social classes and regions had their own ideas of what the revolution represented. Indeed many in Mexico probably understood that dramatic changes were taking place in Mexico. Women's revolutionary participation included the soldadera, madre abnegada, chica moderna, and mujer nueva.<sup>14</sup> Moreover, women's intrusion into wage labor and other "masculinized" spaces destabilized popular conceptions of mother and femininity which necessitated state action to reposition women within a gendered yet "modern" project.

Changes in family law also created fundamental tensions between conservative and liberal legislators. Conservatives held fast to "traditional" notions of femininity and fought to retain the Church's role in moralizing women. Conservatives had long held that

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<sup>13</sup> The use of "sexual difference" in this chapter follows Joan Scott's argument that "gender is the social organization of sexual difference. But this does not mean that gender reflects or implements fixed and natural physical differences between women and men; rather gender is the knowledge that establishes meanings for bodily difference. These meanings vary across cultures, social groups, and time since nothing about the body, including women's reproductive organs, determines univocally how social divisions will be shaped...Sexual difference is not, then, the originary cause from which social organization ultimately can be derived. It is instead a variable social organization that itself must be explained." See Joan Wallach Scott, *Gender and the Politics of History* (New York: Columbia University Press, 1989, 2).

<sup>14</sup> Olcott, *Revolutionary Women in Postrevolutionary Mexico*, 17.

organized religion and its intimate role in uplifting the family was paramount in creating stable and moral families. Therefore the state should protect and promote Christianity as part of its project to stabilize the Mexican family. Liberal legislators sought to incorporate women into the post-revolutionary secular modernization project. While religion was important, liberals feared fanaticism and ignorance they associated with Catholic ideology. As Alan Knight so eloquently explains, “The generation of 1910-40 inveighed against the entire value system and practices of Catholicism -particularly popular Catholicism which, they reiterated, encouraged sloth, drink, disease and superstition. Again, revolutionary ideology chimed in with working class anarchism, which stressed not only the evils of Catholicism, but also the need for workers to educate, discipline and morally uplift themselves.”<sup>15</sup> While the state’s mission may have “chimed in with working class anarchism,” they also maintained the importance of women in creating a hardworking and sober industrial workforce. The liberal state redefined femininity and motherhood in a way that would not prevent women from working outside of the home as long as they were concerned primarily with creating educated, moral, and hard working families. In their view, women should educate and inculcate the values of the state to create a new Mexican family that was educated, secular, stable, and hard-working.

Nonetheless, creating a nation where men and women were equal and women functioned as fully entitled citizens was not the state’s mission. Legal changes as well as the state’s new emphasis on the importance of secularizing women’s education and protecting them in the workplace signaled legislators’ inclusion of women and mothers as

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<sup>15</sup> Alan Knight, “The Ideology of the Mexican Revolution, 1910-40,” *Estudios Interdisciplinarios de América Latina y El Caribe* VIII 1, 1997.

integral to the construction of the post-revolutionary state, but did not create gender equality. Rather, education was necessary to prepare a woman for motherhood and to produce “modern sons for a modern nation.”<sup>16</sup> Even during the Cardenas’ years, 1934-1940, when many legislators seemed to sympathize openly with Mexico City’s feminist movement, civil codes continued to emphasize women’s domesticity.<sup>17</sup> Married women may have achieved “equality” in the family but the 1917 code still required them to tend to their domestic duties and attain their husband’s permission to work outside of the home. Apparently motherhood was still a woman’s primary occupation.

### **Evolution or Regression? Transformations in Civil Law**

The Constitution of 1857 laid the foundation for increased state surveillance in familial matters. Under Mexico’s Reform Laws of 1857, marriage became a civil ceremony. These laws coupled with other encroachments on Church power led to the bloody reform wars between liberals and conservatives which knelled the death blow to the Church’s legal authority in family matters. Freed from the Church, the state now encroached on “sacred” spaces once reserved for the family priest. While mid-nineteenth century liberals portrayed secularization of the family as vital for constructing a “modern” society, some women did not see this as a step forward. In traditional communities, many lamented the loss of the “sacred” family to the auspices of state authority. For example, in an 1896 child custody case in Orizaba, Josefina Mendez lamented;

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<sup>16</sup> Nikki Craske “Ambiguities and Ambivalences in Making the Nation: Women and Politics in 20<sup>th</sup>-Century Mexico,” *Feminist Review* 79 (2005): 116-133, 122.

<sup>17</sup> Veracruz’s civil code adopted in 1932 was based on the Federal Civil Code of 1932. Although the code declared women equal to men in family relationships and allowed them to work without their husbands’ permission, it also stated that their right to do was based on their ability to maintain their domestic duties. C. Ing Adalberto Tejeda, Gobernador Constitucional del Estado, *El Neuvo Código Civil de Estado de Veracruz*, (Motivos de Inspiración Fundamental que Expone; ante la H. Legislatura (Xalapa-Enriquez: Talleres Gráficos del Estado, 1932).



I appear before the court because I am forced to occupy the position of defendant. My face is flush but my conscience is calm...Gentlemen, it is sad and horrifying to have to yield the veil of private life which all laws have respected. Now you seek to clarify the mystery that keeps the heart secret and expect me to trust the power and honesty of legal papers.<sup>18</sup>

Josefina's fear of revealing her private life in a courtroom was not only frightening, it also violated her traditional beliefs that family life was a sacred and private matter. While the legal codes had changed, smaller communities often shunned laws that challenged tradition.

Nineteenth century feminists also protested new regulations guised in paternal language, which further repressed women's rights. Historian Anna Macias notes that this discontent was based on the passage of new civil codes that infantilized wives, retaining many of the vestiges of church law that dictated that women should be subservient to their husbands in matters of property and family relations.<sup>19</sup> However, the 1870 civil code also expressly noted the importance of mothers in raising moral, educated and hard working children. Silvia Arrom argues that nineteenth century civil codes that represented changing ideologies pertaining to motherhood served to expand gradually, not diminish, women's familial rights.<sup>20</sup>

The Civil Code of 1870 set in motion a series of familial reforms, (including the right for women to seek civil separation) that would erode the last vestiges of colonial law. Under colonial law the state awarded patria potestad (custody) only to fathers. The

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<sup>18</sup> AGEV, Tribunal Superior de Justicia: Sección, Orizaba, Juzgado Segundo, 1899-1909, exp. 34, 1900.

<sup>19</sup> Código Civil del Estado de Veracruz Llave, 1870, AGEV, biblioteca.

<sup>20</sup> Anna Macias, *Against All Odds: The Feminist Movement in Mexico to 1940*. (Westport: Greenwood Press 1982). Also see Joel Francisco Jiménez García "Evolución de la Patria Potestad en el Derecho Mexicano a Partir del Código Civil del Distrito Federal y Territorio de la Baja California de 1870 a la Actualidad." *Instituto de Investigaciones Jurídicas de la UNAM*. Revista de Derecho Privado, Nueva Época año iii, num. 8, mayo-agosto de 2004, 3-61. Garcia maintains that while the civil codes favored men, they also allowed mothers to retain custody of their children if they were not held culpable in the separation. See also Edgard Baqueiro Rojas, "El Derecho de Familia en el Código Civil de 1870," *Revista de la Facultad de Derecho de México* [México] 1971 21(83-84): 370-394.

father had power over his child and the legal right to use the child's property for his benefit. If the father died, the court awarded custody to whoever the father appointed in his will. If there was no will or if the father had not named a successor, the mother retained limited guardianship over her children only if she remained celibate and did not remarry.<sup>21</sup> Due to state recognition that mothers were an essential component of childhood development, the civil code declared that mothers could hold patria potestad in the event of a legal separation or the death of the husband. Officials during the nineteenth century began to recognize that childhood was a critical stage in human development. As a result, motherhood became more important which made it difficult for officials to deny women the rights they needed to carry out their duties.<sup>22</sup> The code also allowed legal separation on the grounds of mutual consent and re-established other necessary conditions that existed during the colonial period including illness, physical abuse or cruelty, adultery, or prostituting one's wife. Despite these provisions that allowed women

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<sup>21</sup> Joel Francisco Jiménez García, "Evolución de la Patria Potestad en el Derecho Mexicano a Partir del Código Civil Del Distrito Federal Y Territorio De La Baja California De 1870 a la Actualidad". *Instituto de Investigaciones Jurídicas de la UNAM, Revista de Derecho Privado*, nueva época, año III, núm. 8, mayo-agosto de 2004, 3-61. Also see Carmen Ramos-Escandon "Legislación y representación de género en la nación mexicana: La mujer y la familia en el discurso y la ley 1870-1890" in *Mujeres y naciones en América Latina. Problemas de inclusión y exclusión*. Barbara Potthast y Eugenia Scarzanella, eds. (Berlin: Vervuert Iberoamericana, 2001), 115- 133.

<sup>22</sup> Silvia Arrom, "Changes in Mexican Family Law, the Civil Codes of 1870 and 1884" *Journal of Family History* 1985 10(3): 305-317. Also see Sonia Calderoni Bonleux, "'De todos los objetos de la señora se dio por recibido el depositario...'. La Institución del depósito en Nuevo León, 1859-1910," In "El Divorcio en Monterrey, un Recurso Femenino Frente a las Estrategias del Poder Domésticos y Social (1840-1910) (Ph.D. diss., Universidad Iberoamérica, 2000). El Depositario made provisions for legal separation before divorce legalization. Those that fled a conflictive household often moved in with family members. This was a common practice for troubled families through out the nineteenth century. For more on nineteenth century family law and litigation see Laura M. Shelton, "Families in the Courtroom: Law, Community and Gender in Northwestern Mexico, 1800-1850." (Ph.D. diss., University of Arizona, 2004). For more on how liberalism transformed family life in other Latin American regions see Christine Hunefeldt, *Liberalism in the Bedroom, Quarreling Spouses in Nineteenth Century Lima* (University Park: Penn State University Press, 2000).

to escape a violent or destructive relationship, legal officials did not apply codes evenly. For example, the civil code retained a double standard for adultery.<sup>23</sup>

The Civil Code of 1884 reflected the Porfirian ideology that women needed to be “defanaticized” before they could attain greater rights. The *Científicos* were extremely suspicious of women’s close affiliation with Church doctrine which they believed prevented women from properly instilling secular values such as frugality, hard work, and discipline in their children. As a result, the Civil Code of 1884 retained all of the family provisions contained in the 1870 version with very minor exceptions.<sup>24</sup> Federal legislators loyal to Porfirio Diaz implemented education programs that they hoped would reduce illiteracy and undermine the church’s influence over women.

Although historians note that the Civil Code of 1870 and 1884 provided greater legal rights for women as opposed to ecclesiastic law, it did so to confirm their domesticity. Husbands administered their wives’ property and had to provide permission for their wives to work outside of the home. Civil Codes also instructed women to obey their husbands, follow them in job relocations, provide moral education for children, and perform domestic duties. Women who shirked these responsibilities had to endure their husbands’ charges of not providing mutual support as outlined in the civil codes.

### **Moralizing the Working Class: The Debate Over Divorce**

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<sup>23</sup> Arrom, “Changes in Mexican Family Law, the Civil Codes of 1870 and 1884” For men, adultery was an offense only if they had sexual relations within the “conjugal home”, if the lover became a concubine, or if the lover publicly “defamed” his wife. Conversely, the state retained ecclesiastic law for women. If the court found a wife culpable, the judge usually ordered her to be “deposited” in an honorable home; usually belonging to her in-laws or her parents.

<sup>24</sup> México: D.F. *Código civil del Distrito Federal y Territorio de la Baja California / Reformado en virtud de la autorización concedida al ejecutivo por decreto de 14 de diciembre de 1883*, Francisco Díaz de León, ed. (México: 1884). During Mexico’s Porfirian period, 1876-1910, the state increasingly emphasized women’s educational and moral role in the family as part of a broader project to maintain stability and create a strong work ethic among children.

The Law of Family Relations was part of the Constitutionalist's larger project to eradicate fanaticism, secularize and moralize families, create educated revolutionary citizens, and protect women and children. Allowing men and women the right to divorce expanded the state's oversight of familial morality. In addition, legislators hoped that divorce would entice those who had not yet married civilly to do so. State officials maintained that if men and women understood that they could leave an unhealthy or dangerous union, they would be more apt to marry. Divorce laws therefore provided men and women the ability to recreate their familial life thus promoting a central tenet of individualism and liberal ideology, "human happiness."<sup>25</sup> Nonetheless, the crucial question was how would revolutionary leaders implement these changes and what type of debates would emerge from such far reaching legislation?

While Orizaba was traditionally Catholic, its labor movements and nascent feminist organization that emerged just before and during the Revolution clearly influenced the state's passage of these new rights.<sup>26</sup> For example, in 1914, Constitutionalist leader Venustiano Carranza ordered Veracruz military governor Cándido Aguilar to make concessions to workers and peasants and institute new labor

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<sup>25</sup> Many US historians have explored the relationship between divorce, women's rights, individualism, liberalism, and human happiness. For example Norma Basch argues that pro divorce feminists and conservative women complicated the conservative/liberal dichotomy that came to define the debate over divorce and women's rights in nineteenth century Indiana and New York. See Norma Basch, *Framing American Divorce: From the Evolutionary Generation to the Victorians*. (Berkeley: University of California Press, 1999). Also see E. Mavis Hetherington and John Kelly, *For Better or For Worse: Divorce Reconsidered*. (New York: W.W. Norton & Company, 2002). For a history of divorce in the United States and its cultural and economic impacts see Nancy F. Cott, *Public Vows: A History of Marriage and the Nation*. (Cambridge: Harvard University Press, 2002).

<sup>26</sup> Orizaba's communities were an amalgamation of conservative Catholic influence, feminism, and working class activism. Historian Hiram A. Angel Lara notes that industrialization "did not move Orizaba away from nor did it end the conservative characteristic of Orizaba, which was being reinforced by the Porfirian regime. The Porfirian regime [enriched] the upper classes who wore Parisian fashion to Sunday mass and encouraged the moral conventions that permeated [Orizaba.]" As a result, "Orizaba, was a mixture of Industrialization and custom..." Hiram A. Angel Lara, *Orizaba en el Siglo XIX Antecedentes de su Conservadurismo* (Orizaba, México: Asociación Orizabeña de Promoción a la Comunidad, A.C. 1998) 15.

and family initiatives. While the labor concessions are well-known for attempting to reduce the violence that plagued regions such as Orizaba, historians have not explored Aguilar's divorce decree.

In December 1914, Aguilar legalized divorce in the state of Veracruz. He appealed to the modernizing forces of Europe and the United States and reasoned that "cultured nations" recognize that married women's rights should not be denied. "In past times, women's weakness and lack of education led to restrictions. This prevented their judicial involvement. However, in our current state these conditions have disappeared because it is undeniable that women have progressed in education and instruction."<sup>27</sup> Expanding women's legal rights would position family law within an international context of liberalism while allowing women to play a greater part in the state's modernizing project.<sup>28</sup>

The state's new emphasis on family and its professed duty to protect women and children was part of this mission. The Constitutionalist project set out to attain broad support for its "liberal mission" in order to emancipate workers, stabilize Mexico, increase production, and demonstrate its presence internationally. A modern society protected its citizens, enforced its laws, educated the underclass and created an environment for prosperity. Undoubtedly these ideas clashed with regional power brokers and elite families and still do today. Nonetheless, the state had instituted a new constitution that promised rights and protections and created a new legal space for citizens to demand those rights.

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<sup>27</sup> AGEV, *Candido Aguilar's Civil Decree*, Gobernación y Justicia, Legislación/ Leyes y Decretos, Caja 13, Exp. 450, June 18, 1915.

<sup>28</sup> Legislators often cited France and the United States as models of liberalism, culture, and economic prosperity.

To institute these legal changes, Carranza needed to attain support from conservative communities and therefore did not want locals to perceive Constitutionalists as atheist usurpers of local tradition. In regions where the Catholic Church was strong, liberal legislators invoked a discourse that was anti-clerical but not anti-religious. For example, an article appearing in *La Humanidad*, (a widely circulated newspaper that sympathized with the liberal Constitutionalist movement) stated that the revolution was not atheist nor did it seek to destroy religion. Rather, the revolution was a movement to modernize la patria by removing the corruption and reactionary nature of the church which impeded modernization.<sup>29</sup> Some historians have suggested that the state therefore supported the Church as a moralizing force to entice those who were suspicious of the Constitutionalists' anti-clericalism.<sup>30</sup>

Liberals also held that the family was the principle unit of social organization, and as such, women's power to moralize the family would instill the high ideals of hard work, morality, and loyalty to the nation.<sup>31</sup> Another article appearing in *La Humanidad* in 1916 described in detail the new revolutionary woman who would be educated, smart, and part of creating stable, productive, and moral families. "The maternal hand has been in pain for too long and now it will rise to regenerate the moral and intellectual capacities of their sons."<sup>32</sup> With this goal in mind, legislators continued to define women's social roles within the traditional context of domesticity and motherhood while also expanding their

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<sup>29</sup> Author unknown, "La Revolución no es anti-religiosa, sino anti-clerical", *La Humanidad*, October 16, 1916.

<sup>30</sup> Following the Mexican Revolution, the Church and State shared similar interests including moralizing the working class. See Patience Schell, *Church and State Education in Revolutionary Mexico City* (Tucson: University of Arizona Press, 2003).

<sup>31</sup> Liberal revolutionary discourse often lamented that the nineteenth century state allowed women to fall prey to religious fanaticism and illiteracy. Educating women and reconstructing their roles beyond house cleaners and wives was part of a program to make women active participants of revolutionary reconstruction.

<sup>32</sup> Author unknown, "Para el Hogar y Para las Damas" *La Humanidad*, October 16, 1916.

role in constructing the post-revolutionary state.<sup>33</sup> As we will see, this inherent contradiction informed how men and women constructed their arguments in the courtroom. Mothers armed with their duty to modernize and moralize la patria questioned men's authority and challenged the state to enforce the rights it had promised, while men worked to retain a "traditional" patriarchy that implicitly granted them the authority to discipline their wives.

The state also cited subaltern immorality as an indication that the working class needed moral reformation. Legislators spoke of women's family rights as part of a larger modern project, but also maintained that legalizing divorce would "moralize" Mexico's poor and working class families by stemming the rising tide of illegitimate births. Fathers' failure to provide economically for their children also provided a motivating factor in stemming childhood illegitimacy through divorce. Making fathers accountable would reduce the burden on state funded benefit societies and alleviate childhood poverty. This was clearly a concern in Orizaba where a census report at the turn of the century indicated that as many as 90 percent of children were illegitimate as opposed to around 60 to 70 percent in Mexico City.<sup>34</sup> State officials cited Church propaganda as the primary reason why citizens were reluctant to accept state authority over matrimony. George Winton's missionary report from 1916 supported this argument. Winton explained that priests not only taught their parishioners that civil marriage was a sin but

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<sup>33</sup> For examples of how other Latin American communities understood honor and dignity see Sueann Caulfield, *In Defense of Honor: Sexual Morality, Modernity, and Nation in Early Twentieth-Century Brazil* (Durham: Duke University Press 2000) 21. Caulfield argues that, "Many young legal and medical authorities attacked the earlier beliefs that social preoccupation with virginity or sexual honor was a mark of advanced civilization and moral superiority, arguing to the contrary that it manifested the backwardness of Brazil's traditional political and social institutions. Like their more conservative colleagues, however, reformist jurists were concerned about the effects of "modern life" on women's moral and maternal functions, and thus on the nation's future generations."

<sup>34</sup> Archivos Históricos de Orizaba (AHV) Ramo: Estadística, Caja 895, 1900. The state defined illegitimacy as the birth of a child to parents who were not married civilly.

moreover that any secular ceremony was void in the eyes of God.<sup>35</sup> While Winton undoubtedly had an agenda, converting Catholics to Protestants, local newspapers made similar arguments.

Although divorce nationwide initially remained rare following legalization, this did not appease conservative legislators who feared that divorce, far from creating familial stability among the working classes, would undermine family solidarity. In 1922, Federal Deputy Ramos Pedrueza explained:

Divorce is an obstacle to the unification of two souls. How can two people feel united when they live in perpetual distrust? It also hinders family stability because there is a constant possibility of divorce...Where is the necessity to establish such a law? Did the working class ask for it? Did the poor? Certainly not, because they are not married. The poor do not need divorce and surely they do not need such a horrible example for family stability.<sup>36</sup>

Pedrueza maintained that the working class and poor families did not need divorce because they were not married and did not initiate social action for legalization. How then would divorce improve the morals subalterns who stood the most to gain from “Christian morality”? Although not explicit, Pedrueza suggested that the working class adhered strongly to their traditional mores which not only threatened social morality but also the stability of Mexican families. Workers, due to their “depraved” customs, needed better examples and guidance in order to be part of a stable, productive, and Christian society. Conservatives maintained that opposing divorce would strengthen families and establish the importance of the Catholic Church in family life. Liberals countered access to divorce would modernize Mexico’s families and provide an opportunity to rectify

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<sup>35</sup> George B. Winton, *Mexico Today, Social, Political, and Religious Conditions*, 1916, AGEV, Call number F1208-W56. Many other citizens refused ecclesiastic marriage as well due to priests charging exorbitant fees.

<sup>36</sup> Antonio Ramos Pedrueza. “El Divorcio y el Porvenir de la Familia Mexicana,” in *Conferencias*, Eusebio Gómez de la Puente ed. (México: 1922): 24.



destructive marriages. Legal changes therefore could facilitate marriage if the opportunity existed for men and women to leave a physically or mentally destructive relationship. In either case, the working class was the means to strengthen Mexican society. Workers however were not necessarily receptive to such efforts. In Chihuahua's mining communities for example, working class who desired to be part of the "gente decente" did not necessarily favor middle class values concerning marriage. They constructed their own culture around cantina life, hard work, and personal honor.<sup>37</sup>

Labor arbitration documents in Orizaba both during and after the Mexican Revolution suggest that factory workers strived to achieve material stability which they associated with supporting a family and living with "dignity." Moreover, a high wage could allow workers to engage in the traditional practice of maintaining a concubine. The ability to support a concubine demonstrated status among elites as well as working class citizens.<sup>38</sup> These were rights or privileges that many workers believed they had won as a result of the Revolution. Clearly the state's legalization of strikes and unions indicate that at least initially this was the case. The working class had won the right to live as "gente decente" as part of the capitalist work ethic that equated hard work with rewards. Yet increased state power in familial matters created a contradictory message. First, elites advanced a project that associated honor, dignity, and masculinity with hard work and a comfortable life style for families. But the state also empowered mothers. Court documents indicate that working class men believed that steady employment, hard work,

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<sup>37</sup> William French. *A Peaceful and Working People: Manners, Morals and Class Formation in Northern Mexico, 1880-1920*.

<sup>38</sup> Robert Mcaa, "Marriageways in Mexico and Spain, 1500-1900," *Continuity and Change* [Great Britain] 1994 9(1): 11-43. Complaints women made in divorce affidavits also indicate that this tradition persisted through the early and middle part of the twentieth century.

and providing for one's family was part of an honorable man's responsibility, and if they were fulfilling these obligations, women should not question their authority.

Traditional forms of patriarchy represented both customary ideas of male authority and state civil codes that continued to codify sexual difference and gendered divisions of labor. The state may have passed numerous labor, educational, and familial reforms designed to improve women's condition, but did so to preserve a sexual division of public and private labor.<sup>39</sup> Better education for women, expanded familial rights, and workplace protections were *only* intended to create better mothers and wives. Nonetheless, state plans to carefully resituate the boundaries of masculine/feminine and public/private created opportunities for women to demand what the revolutionary leaders had promised, better living conditions and equality for mothers and women.

While the liberal project set out to modernize Mexico's families, the legal process they forwarded was not easily implemented in traditional communities such as Orizaba. Working class men were accustomed to controlling and "disciplining" their wives and children and objected to the state's encroachment on their authority. In addition, priests had a long history of familial involvement and were not about to willingly hand over their clerical role. These relationships overlapped in ways that complicated revolutionary official's attempts to transform authority structures.

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<sup>39</sup> Legislators and labor unions' preservation of a masculine and feminine dichotomy around labor and house was also common in Europe and the United States. However, entrenched local traditions in Orizaba, the continued strength of the Catholic Church, and the violence of Mexico's Revolution created a vast amalgam of ideologies that sought to give meaning to the revolution, i.e. modernization and progressive legislation, while reconstructing sexual difference that was not based purely on anterior forms of masculinity. For more on labor and gender in Latin America see John D. French and Daniel James, "Squaring the Circle, Women's Factory Labor, Gender, Ideology, and Necessity," in *The Gendered Worlds of Latin American Women Workers, From Household and Factory to the Union Hall and Ballot Box*, Eds. John D. French and Daniel James (Durham: Duke University Press, 1997), 1-30. This scholarship addresses the problems with binary approaches to understanding gender and labor. For more on the United States see Ardis Cameron, *Radicals of The Worst Sort, Laboring Women in Lawrence Massachusetts, 1860-1912* (Chicago: University of Illinois Press, 1993).

### **Expanding the Irony: Tradition and the Civil Code of 1928**

In 1928, the federal legislature under the presidency of Plutarco Elias Calles initiated a new civil code that expanded the Law of Family Relations. One of the most progressive in the world, the Civil Code of 1928 granted women full equality. Article 167 decreed, “Husband and wife have the same authority and voice in the house.”<sup>40</sup> In addition, Article 169 gave women “the right to work without her husband’s permission” but made it contingent upon her fulfilling her domestic duties about which “the husband was permitted to make a judicial appeal.” And finally, men and women had the same legal right to leave the parental home at age 21, nullifying the previous age of 25 for women. While the code retained women’s domestic importance, it responded to feminist demands for familial equality.<sup>41</sup>

State expansion of women’s legal equality increasingly clashed with social customs which remained entrenched in Orizaba during the 1930s. Many in the legal community expressed anxiety over how expanding women’s rights would conflict with traditional male power. Veracruz governor Adalberto Tejeda commented on Veracruz’s adoption of the Federal Civil Code in 1932,

It is not known whether or not customs have presented themselves in ways which have undermined equality. Equality must and will exist when customs adjust to the new modalities of the social revolution. It could be that specific concepts of the law, such as equality, are taking place in diseased traditional communities where law and custom are mutually incompatible. In this case, the legislator has gone ahead, convinced that the reciprocity of custom and law will stimulate themselves to cooperate side by side...<sup>42</sup>

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<sup>40</sup> Adalberto Tejeda, *El Nuevo Código Civil del Estado de Veracruz-Llave* (Xalapa: Talleres Gráficos del Gobierno del Estado, 1932).

<sup>41</sup> For a comparison of how the Civil Code of 1928 compared with other family codes see Goran Therborn, *Between Sex and Power: Family in the World 1900-2000*. (New York: Routledge Press, 2004).

<sup>42</sup> Adalberto Tejeda, *El Nuevo Código Civil del Estado de Veracruz-Llave*, Article 16.

Tejada's concerns were widespread among local representatives, attorneys, and citizens in Orizaba as well as national legislators. For example, Orizaba teacher Dr. Eduardo R. Coronel, writing for *Labor* magazine, commented that

Women [feminists] claim that women who abandon the home improve the human species. Yet they cannot replace the advantages of the social nucleus, which is constituted by the physiological family. Women can best fulfill this by acting as a wife and a mother. Whereas the man works and looks for bread for his wife and her children, the woman, on the other hand, now fights against the intimate order that will threaten the health and joy of men.<sup>43</sup>

Coronel managed to capture the fundamental tension between men's traditional power over women and changing gender roles that many argued threatened social stability. How then would familial equality affect the national discourse on gender? Would the continued advancement women's familial rights cement social and political differences on subjects such as Church authority, gender roles, and women's rights? And more importantly, how would such far reaching familial legislation play out in secondary cities such as Orizaba where tradition remained a central component of daily life?

Granting greater familial rights also allowed legislators to continue a program to nationalize motherhood for the good of la patria. Alexandra Minna Stern argues that the nationalization of women in Mexico during the 1920s and 1930s was an attempt to create a paternal order that focused on motherhood. Women, specifically mothers, were increasingly part of a state project that sought to create social stability and morality.<sup>44</sup> During the 1930s and 1940s, Jocelyn Olcott observes that agrarian reformers in Mexico City sought to remake women's roles, transforming them "from sexualized and

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<sup>43</sup> Eduardo R. Coronel, "El Femenismo" *Labor*, num. 6, August, 1931.

<sup>44</sup> Alexandra Minna Stern, "Responsible Mothers and Normal Children: Eugenics, Nationalism, and Welfare in Post-Revolutionary Mexico, 1920-1940," *Journal of Historical Sociology*, 12 4 (1999): 369-397.

subjugated ‘beasts of burden and pleasure’ into mothers and modern revolutionary citizens,” yet still securing male privilege in post-revolutionary society.<sup>45</sup>

Securing “male privilege,” however, did not equate to unequivocal familial power. While it is true that throughout the 1930s the state viewed men as family heads and continued to privilege them in labor and familial law, new civil codes cemented a growing contradiction: how was the state’s expansion of women’s rights going to affirm their domesticity? Legislators were being forced to grapple with economic and social realities that increasingly placed women in “public” spaces once reserved for men. For example, in 1941, an editorial appearing in *Del Manana* (a newspaper that targeted students and teachers) addressed women’s changing roles as part of modernization while also circumscribing their social roles within traditional domesticity. “We can now see...that it is not enough for a woman to only love her home...[however] I do not want to say that they should hate their domestic activities...which is exclusively incumbent upon women to perform.”<sup>46</sup> In other words, it became increasingly acceptable for women to take on responsibilities outside of the home provided it did not impede their domestic and maternal obligations.<sup>47</sup>

Nonetheless, the state’s codification of marital equality, despite restrictions, continued to expand legal and social spaces for women to challenge men. For example, in 1934, Orizaba Civil Judge Ignacio Flores Guerrero explicitly explained the difficulties men had with legal changes:

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<sup>45</sup> Jocelyn Olcott, “Worthy Wives and Mothers: State Sponsored Women’s Organizing in Postrevolutionary Mexico,” *Journal of Women’s History*, 13 4 (2002): 106-131, 115.

<sup>46</sup> Author unknown, “Tópicos Femeninos,” *Del Mañana, Revista Mensual: Órgano de difusión y estudiantil de la Escuela Secundaria y Preparatoria de Orizaba*. (July 10, 1941): 7.

<sup>47</sup> Mexico is not the only example of this. Eileen Findlay Suarez argues in Puerto Rico that providing divorce rights gave all classes the right to exit a destructive relationship and forge a new family that would augment social stability. See Eileen Findlay Suarez, *Imposing Decency, The Politics of Sexuality and Race in Puerto Rico, 1870-1920* (Durham: Duke University Press 1999), 120.

The legislator modified the legal capacity of women in the New Civil Code which granted equal rights to women. Because of this, some say that this violates men's rights. These laws were enacted to guarantee the rights of children and to ensure the protection of women who are an essential component in constructing a safe, wholesome, and stable environment for children and for society.<sup>48</sup>

The judge's observation demonstrates three essential points. First, the state's role was grounded in the protection of children. Second, officials associated childhood protection with upholding mother's importance in the family. Third, judges were not necessarily concerned with preserving traditional forms of masculinity or male power. As a result, women could challenge their husband's authority, but the right to do so was also grounded in preserving sexual difference. As Judge Flores Guerrero explained, women's new rights were designed to expand their legal capacity so as to construct a safe familial environment. Therefore, the nationalization of women in Mexico during the 1920s and 1930s was an attempt to create a paternal order that focused on motherhood.<sup>49</sup>

While the state intended new laws to preserve sexual difference, the laws created legal space for women to question their husband's alcoholism, violence and adultery, which in turn challenged sexual difference. Men demonstrated a growing frustration with their wives ability to challenge their behavior in a court of law and often complained that their wives had become hard headed, disobedient, and immoral. Now that the state had more completely placed its paternal arm within citizens' bedrooms, men were forced to turn to the courts to reaffirm their familial power, at times invoking their "machismo" to attain the support of male judges. As a result, the court room became a space where modernity and custom struggled to reconcile the contradictions of sexual difference.

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<sup>48</sup> AGEV, Tribunal Superior de Justicia, Orizaba, Juzgado Segundo, Exp. 83, 1934.

<sup>49</sup> Alexandra Minna Stern, "Responsible Mothers and Normal Children: Eugenics, Nationalism, and Welfare in Post-revolutionary Mexico, 1920-1940," *Journal of Historical Sociology*, 12 4 (December 1999), 369-395. Also see Nichole Marie Sanders, "Gender, Welfare and the 'Mexican Miracle': The Politics of Modernization in Post revolutionary Mexico, 1937-1958" (Ph.D. Diss. University of California, Irving) DAI 2003 64 (3): 1034-A. DA3085992.

### Class, “Traditional Values” and Honor in Orizaba’s Courts

In 1940, Dr. Enelda Fox, head of social services of the Mexico City Child Welfare Association, conducted research on traditions and social class in specific Mexican regions. In her brief observations of Orizaba she noted that women in upper class families were dedicated to the house, Church, and family as opposed to middle class families who she claimed were open to women working outside of the home and less concerned with public perception of women’s morality. When describing familial morality and the problems of illegitimacy she wrote, “If an unmarried girl of the upper social class has an illegitimate child, the matter is concealed and the child is sent to an orphanage. Otherwise the girl becomes an outcast...on the other hand; a girl of the middle class who has an illegitimate child usually keeps it and is not cast out of her family and circle of friends on that account.”<sup>50</sup> Middle class families in more provincial regions such as Orizaba were also far more progressive in matters of female education and employment than their elite counterparts. Her findings seem to fit with newspapers that targeted middle class readers which elicited support for feminist movements and questioned male domination in familial matters.

Fox’s evaluation of the “lower classes,” or peasantry, finds fascinating cultural differences and similarities with their elite counterparts. “Living together as man and wife without legal registration is frequent,” however parental chaperoning of daughters was common among both social classes as well as close Church affiliation. In any case, court records indicate that men who were not married perhaps enjoyed greater freedom.

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<sup>50</sup> Norman S. Hayner. “Notes on the Changing Mexican Family,” 493. Also see Lomnitz, Larissa Adler and Pérez-Lizaur, Marisol, *A Mexican Elite Family, 1820-1980: Kinship, Class, and Culture*, (Princeton: Princeton University Press, 1988), 294 pp.

For example, a woman usually had to present evidence to prove paternity if she wanted to receive material support for her child.

Litigants integrated the various identities associated with customs, class, gender, ethnicity, and region into legal arguments that necessitated evidence. Often these various identities came together in a deposition both to emphasize factors that litigants deemed important to court officials and to retain their own subjective voice and understanding of their personal plight. For example, when Luis Rivera filed for divorce and custody in 1925, he cited his wife's "strong-headed nature" and her unwillingness to breast feed their child, Suzanna. His wife, Luz Maria Sanchez, contended that her eight month old child was healthy and provided a doctor's statement attesting to the child's well-being. Luz also claimed that Luis was a violent husband who endangered the well-being of herself and their child. In response to Luis' charges that she had deprived Suzanna of nourishment she argued, "I have demonstrated morality and humanity for my small daughter and she should not be removed from her motherly support."<sup>51</sup> To do so was not in the interest of the daughter's health or well-being. Luz laments, "tearing a child from the arms of a mother" was certainly an "inhuman act." Understanding the state's protectionist role, she asked the judge, "What fault does this innocent and helpless creature hold in light of the fault shared by the parents?...There are reasons of moral order, humanity, and common feeling that reign in this case which indicate that this small child should remain at my side."<sup>52</sup>

Luz placed the revolutionary promise to protect mothers within a discourse that called attention to a mother's piety, natural weakness, and love for her child. While the

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<sup>51</sup> AGEV, Tribunal Superior de Justicia, Orizaba, Juzgado Segundo, Exp. 134, April 14, 1925.

<sup>52</sup> Ibid



post-revolutionary state may have been invoking a discourse of secularization and anti-clericalism, Luz still believed it to be necessary to address her piety as an indicator of her morality and honor. When she addressed Luis' concern that she would impede his visitation rights, she answered, "My honorability and my religion prevent me from depriving my helpless child from her father's paternal love."<sup>53</sup> Luz therefore constructed an argument that highlighted her maternal role, morality, and my honorability that was grounded in her understanding of local tradition and legal requirements. Luz never asked the court to restore her honor; rather she entwined her piety and *natural* love for her child with her legal right to seek the court's protection of a "weak mother." Luz played to social perceptions of female weakness thereby demonstrating her need for, and her right to, the court's protection.<sup>54</sup>

Judge Román Badillo found that both Luz and Luis were more concerned with depriving each other of their marital rights than they were about the "moral damage they were inflicting upon Suzanna." He awarded custody to the paternal grandparents.<sup>55</sup> Although Luz lost in court, she and her attorney constructed their legal argument through a fascinating amalgam of identities that indicate her social class, religious identity, and awareness of legal codes. In addition, her defense highlighted the devotion, piety, honor and loyalty that a judge expected from an *elite* woman. While Luz may have clearly

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<sup>53</sup> AGEV, Fondo: Tribunal Superior de Justicia, Orizaba, Juzgado Segundo, Exp. 134 June 3, 1925

<sup>54</sup> Women who invoked weakness to attain the protection of the court created a paradox that many feminist scholars have noted i.e. protection reifies difference. See Joan Scott, *Only Paradoxes to Offer, French Feminists and the Rights of Man* (Cambridge: Harvard University Press 1997).

<sup>55</sup> The state's civil codes expressly codified the need to protect children. Protecting mothers was integral to protecting children; however, if a judge surmised that both parents were undermining the child's welfare, he reserved the right to award custody to either the maternal or paternal grandparents. Unlike men who often asked the court to reestablish their familial authority and honor for the good of the community and nation, women relied on the state's self proclaimed role to protect women and children in order to benefit la patria. The tie to la patria is crucial in this case. The parents' arguments did not take precedent over the needs of the child. The judge held both parties culpable and maintained that removing the child from the home better served the interests of Suzanna. This case is fascinating on many levels.

believed her argument was a true representation, she also knew that emphasizing maternal qualities was an effective way to undermine her husband's authority while perhaps attaining judicial sympathy.

Men also invoked various identities in the courtroom. However men, unlike women, often addressed the damage women had inflicted on their dignity and honor. Working class men presented disobedient, stubborn, and unfaithful wives as not only damaging to their personal honor but also to the dignity and morality of the community. For example, on September 6, 1918, railroad mechanic David Cardenas filed for divorce against Inés Andrea Gomez. In his testimony, David claimed that shortly after their marriage his wife became violent and frequently insulted him. Stating that he was merciful, David explained that he had not punished Inés. Rather he tried to persuade Inés to recognize her domestic duties and to respect her "deserving husband."<sup>56</sup> David further explained that he properly scolded Inés "using kind words" in order to give her the proper direction she "needed." Not appreciating his "gentle manner", Inés "let fly with offensive insults and later left their home in the middle of the night." Inés' refusal to amend her "violent and odious" ways deeply offended a man of "honor," thereby necessitating his legal action.

Inés' testimony presented a far different account of their marriage. Inés explained that she attacked her husband with insults intended to hurt his pride but did not use filthy or gross language. Rather it was David who used obscene language which "as a lady" she was not accustomed to. Inés admitted to leaving their house in the middle of the night but did so to avoid her husband's violent temper. Following the testimony of two neighbors,

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<sup>56</sup> AGEV, Tribunal Superior de Justicia, Orizaba, Juzgado Segundo, Exp.530, September 7, 1918.

Judge F. Salcedo ruled that what the witnesses claimed they viewed to be violent, insubordinate, and irrational behavior did not meet the criteria of such offenses as stated in the civil codes. Because David Cardenas could not provide the evidence to support his claims, the judge did not find in his favor. As a result, Inés attained the right to financial support as long as she did not remarry and “lived honestly.” Although Inés could not remarry if she wished to continue receiving support, she was no longer obligated to fulfill the requirements of her marriage. Moreover, despite offenses to David’s honor and his complaints that his wife was not fulfilling her legal marital obligations, his lack of evidence in a court of law produced an outcome that signaled wife’s ability to successfully challenge her husband’s authority in the family.

This divorce proceeding is part of a larger social struggle between traditional forms of gender relations that granted men such as David Cardenas with the right to control and discipline his wife and the legal changes that granted women greater familial rights. In Orizaba, much like Mexican society, traditional beliefs charged men with supervising their wives and children. Custom dictated that women, especially in working class cities and villages where feminist movements sat along side Catholic traditions, were submissive, churchgoing, and dutiful wives and mothers. For David, his affidavit demonstrates both an understanding of the law and what he believed to be his customary rights as a man. Men traditionally had the right to discipline their wives, providing that they did so in a way that was not brutal. Because David resisted his customary right to punish his wife, he demonstrated a compassion that most men would not have had under similar circumstances. He could have “corrected” her behavior by force, but chose not to. Moreover, David’s emphasis on compassion clearly indicates his control over the

situation and perhaps diminishes his humiliation in court. Inés' insults were more injurious because her husband had demonstrated lenience which many may not have expected from Orizaba's working class men. Indeed testimony from attorneys in Orizaba during the 1920s indicates that violence was commonplace among "certain social classes."<sup>57</sup> In other words, he could have beaten her but chose not to. Instead of demonstrating appreciation, Inés attacked her husband with insults offending his honor. Because Inés had strayed from her dutiful path, it was her husband's responsibility to instruct his wife. David's ability, or inability, to control the behavior of his family was closely associated with his masculinity and dignity. Because Inés did not recognize his authority, David sought the rectitude of the court to redeem his diminished masculinity and honor.

David Cardenas' understanding of honor was somewhat different from men who sued in court in later decades. His testimony was poised and controlled. He did not speak to the larger issues of community, morality, and social justice. Rather his honor was integrated with his rightful duty to instruct his wife. David also demonstrated that he behaved honorably. He was not violent, but rather composed and calm, characteristics that the court may have associated with cultured men. Even more interesting, however, is the fact that David, and many other litigants, invoked honor as an integral part of litigation. It would seem that the state's legalization of divorce and expansion of women's familial rights also created a space for litigants to invoke honor and dignity in an attempt to shape the state's authority over the family, while also creating a viable legal defense.

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<sup>57</sup> AGEV, Tribunal Superior de Justicia, Orizaba, Juzgado Segundo, 1939-1940, Exp. 194.

### **The Endurance of Honor**

Litigants' appeals to honor and dignity were essential tools that both men and women invoked to demonstrate how one had offended the other. Men complained that women's infidelity, immorality, and lack of obedience had diminished their honor and dignity while women invoked honor and dignity as commensurate with faithful and pious mothers and wives who were shamed by a violent or unfaithful husband. However, litigants' preoccupation with honor is also intriguing. Was "honor" not a colonial construct? Why in the midst of Mexico's post-revolutionary project did litigants still invoke honor in their legal defense? How litigants such as David and others may have understood honor is undoubtedly complicated and clearly many factors inform how men and women represented this concept in the courtroom.

Unlike the colonial period when the Spanish aristocracy associated honor with blood lineage, independence ushered in a reformulation that no longer attached honor to blood and social status. Changes in culture began to reflect that men who worked hard, provided for their family, and did not engage in criminal behavior were entitled to honor. Working class men who had won victories in the factory during the Mexican Revolution undoubtedly felt entitled to the respect, dignity, and honor they believed the Porfiriato denied them. This was certainly the case in regions such as Orizaba where factory workers comprised a large percentage of the population. Working class men commonly invoked their honor and dignity during factory disputes and portrayed factory owners as disreputable thieves who undermined the goals of the revolution. Undoubtedly, factory men carried many of these tactics and concerns into family court to shore up their authority at home. Thus during the consolidation period of Mexico's Revolution, 1920-

1940, men increasingly invoked machismo, honor, and dignity in court. The judge, in many ways, became a *new patron* as men engaged in a duel for who would control their wives and daughters.

Women understood these contentious relationships and clearly knew that many of Orizaba's residents considered women who were chaste, faithful, and good mothers to be honorable regardless of class. However, elites also associated honor with public perceptions of proper behavior (*honra*). In other words, elites and legal officials associated women who did not behave according to the "decorum of their sex" with the lower classes. Orizaba's elites and legal officials noted that "disreputable" behavior was common among the working class. Such a charge necessitated a response in court and as a result shaped many of the litigants' affidavits. If violent and immoral behavior was common among subalterns, then why should the court punish them? Yet women in court found it necessary to perform their honor in front of a judge. A faithful and loving wife and mother surely did not deserve the slap of an unfaithful "borracho." Working class and poor women therefore were not devoid of honor, but their honor could be questioned. Litigants may have believed that they needed to re-present elite forms of morality in order to attain judicial sympathy. Women borrowed from these constructs to shame their abusive and adulterous husbands, while men attempted to retain anterior forms of patriarchy and shore up their diminished honor when their wives behaved in similar ways. In either case, litigants' use of honor was both fluid and fixed. Local traditions informed how men and women understood dignity and honor, but litigants also shaped these constructs to fit their individual case depending on the circumstances involved.

Legal officials were also concerned with how to understand and define honor.

*The Supreme Court's Annals of the Jurisprudence* stated that

Honor is not precise or definable because it is essentially a term that is spiritual and shifting. It not only covers reputation, but it also pertains to all juridical and moral goods that are related to social concepts of honor such as the name of the children, the integrity of the home, the proper respect of women, the right to love and conjugal stability.<sup>58</sup>

The court's definition is rather vague, but it demonstrates that both a legal and social usage of honor was still important during the state's program to modernize Mexico. The enduring preoccupation with honor may also be related to the passage of new civil and penal codes pertaining to equality, divorce, and adultery. Adultery according to the penal code of 1929 was still listed as an "offense against one's honor."

However, this is not to say that honor was purely subjective. Indeed when plaintiffs and defendants spoke of honor, they nearly always used it in a moral context relating to one's behavior or how a community understood one's moral actions. However, *offenses* to one's honor or dignity are far more complicated and subjective. For example, in some cases upper class men and women appealed to their social status in order to demonstrate how insults and physical abuse were far more deleterious to people who were not accustomed to such behavior.

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<sup>58</sup> José Flores Sánchez. "El Adulterio Como Agresión al Honor," (Thesis: Universidad Nacional Autónoma de México, 1935), 14. For more on honor, penal codes, and adultery see, José Andrade Gonzáles, "El Adulterio como Figura Delictiva", Thesis (Universidad Autónoma de Mexico: D.F. 1933) In Gonzáles' discussion of honor and dignity he explains that they are in part determined by class relations. "Acts that are normal for some are dishonorable for others. Economic inequalities also change the amplitude of these concepts. If someone is born into a good family of social standing but cannot attain certain [economic of social] activities, he would stain the honor and dignity of the family...The feelings honor, dignity and embarrassment, are also purely abstract, subjective concepts, which vary from one person to the other. One attains honor through a clean life, neatness, and proper conduct." I should also note that both of these theses were written in 1933 and 1935 which would seem to suggest that there was a preoccupation with issues pertaining to family, adultery, honor and social stability. The state's passage of the Penal Code of 1929 and its revision in 1931, and the Civil Code of 1928 represented further consolidation of Mexico's Revolution as officials grappled with how to reconcile social changes within new laws.

Newspaper articles in Orizaba as well as divorce affidavits also suggest that most community members in Orizaba probably agreed that for working class men, hard work, honesty in the workplace and community, and providing for one's family were part of honorable and dignified behavior.<sup>59</sup> The social emphasis on hard work as part of man's honor may be an indication of how society viewed the new industrial man, which comprised the majority of Orizaba's male population, or perhaps how workers viewed themselves. For women, mainstream newspapers reflected the idea attitudes that women's primary function was motherhood and the maintenance of a household. Yet they also reflected changes in women's roles which were occurring, however slowly, in Orizaba.<sup>60</sup>

References to men's honor retained their salience throughout the 1920s and 1930s and were often closely associated with diminished familial authority. Men relied on the prudence of a male judge to punish disobedient and immoral wives who had abandoned their "honorable" and hard working husbands. A deposition from 1926 provides a useful example. Jose Orozco, a railway worker, filed for divorce and custody of his two children in 1926. When the court did not rule in his favor, Jose appealed the court's decision to the State Supreme Court in Jalapa. Unfortunately the first case has been lost. Nonetheless, his appeal indicates that Jose understood duty, honor, and masculinity as an

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<sup>59</sup> For example, *La Libertad* a paper dedicated to the "Culture and Progress of Orizaba," dedicated a section in 1944 to what the editors believed comprised honorable behavior for men. The article highlights honesty, abstinence from vice and inebriation and providing a virtuous example for children. "Un Hombre Honrado," *La Libertad*, October 8, 1944, 4. The same edition contained another article, "Honrabilidad y Honradez" which explored both men and women's roles in creating a virtuous example for children.

<sup>60</sup> For example, the periodical *Del Mañana* which the editors described as a "cultural and student based periodical of primary and secondary education in Orizaba" noted that women's roles in society were changing: "Long ago, the activities of women, with exceptions, were confined to the home. Now they extend into areas that were once forbidden. [Women] now hold positions in the modern world that previously were reserved exclusively to the masculine sex." "Tópicos Femeninos," *Del Mañana*, no. 4, July 10, 1941, 10-11.



integral part of his legal defense. In the deposition presented in Jalapa, on May 24, 1928, Jose argued that his wife abandoned their “conjugal home” without justification and took his two young children thereby offending his honor. He then implored the court to redeem his “diminished honor.” His wife, Raquel Castillo, said she left their home because her husband used offensive language and had committed adultery. Jose’s deposition demonstrates the complexity of legal change and social custom as he addresses the court’s responsibility in redeeming his honor:

Honorable judge, I have entrusted you in good faith to safeguard my personal interests which involve my blemished and offended honor. [Nonetheless I need to ask] Is this the tribunal of justice that is a symbol and incarnation of social hope? Why should I doubt this tribunal if it is comprised of honorable men? Where would we go if the precise ear of justice did not hear the whispers of our reasons and defenses? Can your experience and high intellectual and moral power penetrate the most secret aspects of our lives? Would it not present a sad example if our conscience and morality were not represented before this worthy court and if the people's spirit were not comforted by the notion of justice?<sup>61</sup>

Jose’s use of morality and social justice are tied to the degradation of his personal honor. Jose understands, like David Cardenas, that the judge is a paternal figure that could intercede on behalf of maintaining male authority in the family. His question, concerning who he would turn to if “the precise ear of justice” did not rescue his diminished honor, speaks to his loss in the lower court and asserts that only the Supreme Court can redeem his honor. This tension underscores men’s social expectations that they alone were heads of the family in a “modern world” even as the state was increased its surveillance over family matters.

State Superior court Judge Francisco Rendón, focused his ruling on what he deemed to be irrefutable evidence that Raquel had provided contradictory testimony. The judge cited a letter that Raquel wrote stating that she had abandoned her home but that

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<sup>61</sup> AGEV, Tribunal Superior de Justicia, Orizaba, Juzgado Segundo, Exp. 75, May 24, 1927.

she could not recall if Jose had abused her. The judge wrote that proof necessitates non-contradictory evidence. Moreover, Raquel's testimony was inconsistent with her charges that her husband left her to move in with another woman. Because Raquel had admitted to abandoning her home first and had not sought legal action until after one year, the judge ruled that she was culpable and awarded Jose custody of their two children. Jose Orozco won his appeal. Yet, the judge never mentions honor, dignity or character in his ruling. Rather, the court emphasized the validity of Raquel's testimony in determining the best interest of the children and the outcome of the case.

The state's passage of the Federal Civil Code of 1928, ratified in Veracruz in 1932, abolished the need for women to obey their husbands. The state's increasing presence in familial life undoubtedly transformed how men and women framed their affidavits. Divorce cases throughout the 1930s continued to demonstrate men's frustration with the legal process. Their appeals to honor, dignity, and women's immorality became an integral part of a larger strategy to win not only their cases, but also to present women's offenses in a way that was detrimental to *la patria*. Husbands entwined traditional ideas of male power within legal arguments, at times even invoking the dignity associated with being a "macho." In 1934, Victoriano Gúzman, an unmarried commercial worker, attempted to retain custody over his child, Francisco, (from his lover whose name is also Raquel) due to her immoral behavior. Victoriano explained that she left the child in his care when she traveled out of town to pursue relationships with "two other lovers." Victoriano claimed that Raquel's expectation that he should turn Francisco over to her would be immoral and violate what was in the child's best interest. The debate too, entailed a struggle over which party had violated the other's honor.

Victoriano's attorney argued that the judge "in his quality as a man" should understand how an unfaithful "woman" offends a "macho's dignity and honor."<sup>62</sup> Because the court was comprised of men, surely the judge would understand the plight of a hard worker whose "woman" had impugned his honor. The attorney's use of "macho" implies a complex relationship between the judge, Victoriano, and Raquel. Victoriano was forced to humble himself in front of a paternal judicial official and beg the court to restore his honor. Because Victoriano can no longer control his wife's behavior, he must admit to his inability to retain his wife's affection. His attorney's reference to his client's machismo, while conjuring up images of "chest beating," underscores the gravity of the offense to a "traditional" man who should be able to remedy the situation, but cannot. The judge, therefore, "as a man" must act as a surrogate spouse and a parental figure to discipline his wife. In this way, Raquel humiliated him twice. She committed adultery which offended his honor and his pride, and she forced him to admit this in front of another man.

Raquel rebuffed Victoriano's claims stating that there was no evidence that she had "two" lovers and lived immorally and that such accusations "slandered *her* honor." In addition to the debate over offenses to honor and dignity, Raquel also claimed her rights as "a woman and mother." Citing the new civil codes, she maintains that women and men are equal and that she has equal rights to maintain custody over their child. Judge Flores Guerrero agreed that men and women had equal familial rights and that in most cases a mother should retain custody of the child. Yet in an anti-climatic ruling with little explanation, Judge Guerrero ruled that he would not order Victoriano to turn the child over to Raquel. Citing new civil codes, he concluded that the same equal union that

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<sup>62</sup> AGEV, Tribunal Superior de Justicia, Orizaba, Juzgado Segundo, Exp. 83, 1934.

produced a child must also be considered equally where a child is involved following the dissolution of a marriage or relationship. The judge never addresses equal rights for women per se as part of a “modern” society. Rather, the well being of the children and familial stability seem to be the basis for his ruling. What seems strange is that Victoriano presented no testimonial proof to support his claim that Raquel had behaved immorally which was required in most other extant cases. However, Raquel does not deny leaving Francisco in Victoriano’s care which could have swayed the judge’s decision.

In many of the court cases from Orizaba, judges often referred to the safety and health of children as the primary consideration. Clearly if a husband could prove that his wife was “immoral,” unfaithful or not supportive, he was awarded custody and not required to pay support. However, in cases where men accused their wives of insubordination or immoral conduct, judges were reticent to rule on behalf of the husband without evidence, even if they may have sympathized with their argument. In other words, men could not rely on their appeals to traditional male power, machismo, and honor alone to sway legal officials. In cases where children were involved, the state’s primary objective of protecting children clearly outweighed subjective appeals to morality, dignity, and honor. State officials maintained, as the legal codes stipulated, that motherly care was imperative for the proper development of children. Therefore, women usually constructed a legal argument around this expectation. Men therefore had to demonstrate that their wives were incapable of providing proper care for their children if they wanted to win their case.

In later cases men often equated their loss of familial power to the moral degradation of Orizaba’s community. Because the state held that the family was the

primary unit of social stability and modernization, litigants increasingly borrowed from this discourse to demonstrate how the state was not fulfilling its obligations. In other words, if new legal codes were to protect families and serve the interests of *la patria*, then litigants had to find a way to associate their personal plight with the court's stated mission. Some men went as far as to argue that if the magistrate refused to uphold their traditional power, then the community as a whole could suffer. For example, Antonio Garcia, a textile worker, filed for divorce in 1935 arguing that his wife abandoned their home and pursued an adulterous relationship with a former boyfriend with whom she became pregnant. Antonio explains,

I wait for the rectitude of the Court and for the moral precedent that it must set for the future conduct of women in this town. I say this because immorality has spread in such a way that it has become all too frequent. The bad conduct is a commentary on our town that should prevail upon the court to sanction unfaithful wives, such as mine, with the deprivation of material support. I am a humble worker who lives honestly within the moral customs which are the firm base of honest families. But it is not because I am humble, poor, and dark, that I lack dignity. I therefore ask the Court, assaying with all justice of my case, putting itself in my place, of being the husband of a woman who has no affection for me, whom has left her modest home, and does not perform her domestic duties, and now has the affection for another man, her ex-fiancé and because of this...she is an unfaithful and bewitched viper...<sup>63</sup>

Antonio's apparent rage extends beyond his wife's behavior. His request that the judge place himself in Antonio's position implies a sympathetic relationship that, as a man, the judge can surely understand. Nonetheless, Antonio's wife forced him to submit his authority to another man who must therefore redeem his honor. Moreover, Antonio's argument suggests that the court, through ruling on his behalf, cannot only restore his dignity but the dignity of the community. He cleverly integrates his plight within the state's larger project of instilling morality and creating familial stability. Antonio believes

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<sup>63</sup> AGEV, Tribunal Superior de Justicia, Orizaba, Juzgado Segundo, Exp. 184, May 4, 1935.

that it is important to highlight his hard work and dedication within a legal argument in order to underscore the gravity of his wife's adultery. Antonio also states that he does not have to be white or rich to have dignity, which speaks to many of the ethnic issues that were still quite palpable following the Mexican Revolution. His reference to poverty and ethnicity seems to demonstrate that his "dignity," which his wife has undermined, is all he had left.

Perhaps the most interesting aspect of Antonio's argument is that the state, because it now is the arbitrator of marital discord, must uphold his dignity and the dignity of the community. In this way, Antonio places the plight of his own personal drama within a larger context of community decay which requires the court's prompt action. Judge Gustavo Pasquel ruled that Antonio had not provided sufficient witness testimony to prove that his wife had abandoned their home and committed adultery. He was ordered to pay alimony and all court fees. Although the judge may have been sympathetic to Antonio, the state's mission was a "modern" one. Evidence, rule of law, and justice, while far from perfect in postrevolutionary Mexico, were crucial mechanisms of modernization. The state's need to legitimate its judicial process through the rule of law, created fissures in familial structures that had long held men's unquestionable power over women.<sup>64</sup>

Judicial references to equality and evidence however does not indicate an ideological shift in how the state viewed women's roles. Women may have achieved "legal equality," but social norms and legal codes continued to affirm female domesticity. Nonetheless, the language of the Revolution, its emphasis on equal rights and uplifting women, provided spaces for women to present themselves as legal actors and participants

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in civil society. While it's true that despite the gradual economic and social transitions in Orizaba that necessitated women's work outside of the home, much of the community held fast to traditions that equated women with piety, motherhood, and domesticity. Yet women were also challenging these customary boundaries. They were not doing so to attain any modern concept of feminist rights. Rather, most of these women took advantage of legal openings to attain more from their husbands and the state. Indeed the Revolution, regardless of the debate over revisionism, created openings for women to challenge boundaries. For this reason, many of Orizaba's residents became openly concerned with women's defiance of customary gendered behavior. Community complaints to municipal officials during the 1920s and 1930s about women who sold pulque, ran vending stands, or frequented cantinas often rebuked women for not acting according to the "decorum of their sex." Challenges to women's morality were increasingly common and, as a result, women from working class families may have believed it was necessary to navigate this complicated terrain of custom and legal rights in a court of law. In these cases, motherhood and a mother's love took center stage as essential components of demonstrating honor and dignity.

### **A Dutiful and Honorable Mother**

In Orizaba, like much of Mexico, the courts were overwhelmingly concerned with the welfare of children. Women therefore integrated their "natural" ability to nurture their children into a larger defense that called attention to a father's responsibility to provide for his family. In doing so, they underscored the problems of men's violence, alcoholism, and infidelity and why such behavior was not only an affront to women who "behaved morally" but also threatened the mission of la patria. In the following case

Elvira Freeman and her attorney borrowed from popular conceptions of femininity that Orizaba's elites associated with motherly honor and integrated them within a legal argument to question her husband's authority and to demand that the state fulfill its self-professed legal responsibility to protect her and her child.

In October of 1916, Nicolás Huerta, a railroad mechanic, took custody of his two year old daughter following the couple's separation because Elvira was not providing a "good moral example" for their daughter. The way Elvira shaped her defense demonstrates how mothers used popular notions of "natural roles" in an attempt to sway a sympathetic judge. Elvira's affidavit appealed to the "natural" union of marriage and motherhood and emphasized the court's responsibility to respect the "weaker" spouse in the marital relation.

The natural union, not legal, is not regulated by our legislation, but by the regulation of natural affiliation. When one dissolves a natural union between a man and a woman, without sufficient reason, which is a natural union between a man and a woman... who will protect their children? Will the stronger spouse be able to snatch a weak son? If one is not able to establish grounds for divorce, nor adultery, nor nullify a marriage, who is to decide which spouse is culpable and who will establish the judicial authority over the situation of the children? It is a detriment to the child if the judicial authority should permit a ruling that is based on a whim or bad passion.<sup>65</sup>

Elvira emphasized the court's moral role to protect women and children and did so through invoking her "natural marital union" which she believes supersedes civil law and harkens to an era when marriage and family life were sacred. Elvira argued, "On the high and *natural* [my emphasis] reason that inspires these legal dispositions, it should not be necessary to say what we should always respectably consider, the noble action that a mother exercises to effectively nourish her son and understand the satisfaction that

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<sup>65</sup> AGEV, Tribunal Superior de Justicia, Orizaba, Juzgado Segundo, Exp. 42, October 25, 1916.



maternal love gives her which is the sweet work of caring for her child.”<sup>66</sup> A woman’s “natural” position as the weaker spouse and caregiver places customary rights alongside Elvira’s understanding of her legal right to custody. Judge Eduardo Macarty ruled that Elvira had not displayed “poor conduct” and that according to civil codes, children under the age of three should be remanded to the mother’s care. Whether or not Elvira’s argument swayed the court is difficult to determine.

Nonetheless, mothers’ appeals invoking their weakness and maternal love remained a viable strategy in later divorce and custody cases. However, the emphasis on the importance of uplifting la patria may indicate how the language of the Revolution affected litigation. As mentioned in the previous section, both mothers and fathers realized that emphasizing their child’s well-being could earn a judge’s sympathy. Throughout the 1930s, the state’s mission to protect children and stabilize families became clearer as government officials embarked upon new social programs targeted at alleviating childhood disease, poverty, and prostitution. While many of these campaigns targeted the “immorality” or inability of mothers to care for their children, officials increasingly noted the importance of male role models and their duty to provide materially for their families.<sup>67</sup> For example, when Javier Ortega filed for divorce and custody over his children in 1930, he asserted that his wife, Josefina Carillo, abandoned their “conjugal home.” Josefina claimed that she did not leave her conjugal home because she did not have one. Javier, as a husband and father, had not fulfilled his honorable duty to provide a safe and stable home for Josefina and their child. As a result they moved in with Javier’s parents.

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<sup>66</sup> Ibid.

<sup>67</sup> Bliss, *Compromised Positions*.

Due to the difficulty of her living arrangements, she left her in-laws' home with her young son. Josefina's argument that she lacked "power" over her life was crucial to her defense. She claimed that the civil code's discussion of the word power is associated only with those who have the ability to make crucial decisions regarding moving residence. She and a six month old child did not have the ability to provide a place to live which highlights her husband's responsibility to provide materially for his family. Much like Antonio Garcia's case, she also understands the importance of community morality to judicial officials. If the judge failed to recognize her plight, he would "deal a death blow to humanity, community morality, and to all children in their infancy. In my case where my son is six months old, he needs maternal care, warmth, and his mother's milk. To remove him from my side would surely prepare him for death and... undermine the spirit of which the laws were intended."<sup>68</sup>

Judge Miguel Limón Uriarte ruled that Javier had not proved abandonment and therefore Josefina retained custody of the child and received material support. Josefina's legal argument underscored public morality and customary ideas pertaining to domesticity, weakness, and her husband's duty to provide for his family. Similar to the previous cases, this judge also demonstrated overwhelming concern for the welfare of the child. "The civil code which states that children younger than three should remain with their mother reflects the arrangement of the moral order which dictates that young children need the care of their mother."<sup>69</sup> Maternal care, a women's primary role, was an essential component of uplifting *la patria* and demonstrates how tradition at times overlapped with civil law.

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<sup>68</sup> AGEV, Tribunal Superior de Justicia, Orizaba, Juzgado Segundo, Exp. 419, December 30, 1930.

<sup>69</sup> AGEV, Tribunal Superior de Justicia, Orizaba, Juzgado Segundo, Exp. 419, April 31, 1931.

Men had endured the state's gradual erosion of their authority since the 1870 Civil Code. Legally, women no longer had to obey their husbands nor seek their permission to work outside of the home. Nonetheless, because the state retained its view that moral mothers were vital to the development of children it was far easier for men to question legally the morality of their wives. Legal codes continued to maintain the importance of women's morality and motherhood. This undoubtedly explains why women believed it was so important to demonstrate their honorability and maternal care in a court room. However, laws that expanded women's rights so as to make them better mothers created a fundamental tensions between state power, men's customary rights, and women's expanding freedoms. For example, legislative elimination of women's marital obedience in the Federal Civil Code of 1928 informed how litigants framed their legal arguments. Court depositions indicate that some women viewed themselves as equal participants in the home and demanded that the court uphold their legal rights.

While appeals to honor, maternal love, and dignity appear in working class women's affidavits, middle class and elite women in Orizaba placed a greater emphasis on their innocence and honor. A highly detailed and rich example of abuse and abandonment from 1932 sheds light on how women invoked honor to express their frustration with the Revolution's promise of greater rights for women. When Maria Silva filed for divorce from Jorge Martínez, a school teacher in the textile community of Nogales, she complained that her husband, without reason, "beats me and uses words and expressions that would offend any woman, who like myself, conducts themselves with the *honor and dignity* [my emphasis] of a worthy wife..."<sup>70</sup> Her husband Jorge claimed that he was not violent. Rather, Maria abandoned their home and moved to Veracruz

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<sup>70</sup> AGEV, Tribunal Superior de Justicia, Orizaba, Juzgado Segundo, Exp. 367, October 10, 1941.

because Jorge would not tolerate his wife's "strong nature" and unwillingness to properly support him. Maria explained that she moved in with her "desperately poor" family in Veracruz to escape her husband's "brutal blows and filthy language." In a lengthy letter, Maria not only described the abuse she endured, but also questioned the court's prudence in canceling their deposition because she was late to the proceeding.

The train arrived five minutes late. Please understand I have a delicate daughter that I was forced to bring with me despite the weakness of my sex and the gentleness of my girl...What shameful dictatorship would refuse a poor lady with a so small creature after such a lengthy trip because they did not arrive with exactitude? What authority would prevent me from presenting the answers to the twenty-nine questions I had with me? Where are the rights and privileges that the Revolution has guaranteed women?...Why would the court wish to muddy my reputation?...[This action] constitutes a true offense to an honored woman.<sup>71</sup>

Her argument demonstrates the fundamental tension between customary male power (a husband's authority), court privileges and priorities, and women's ability to question both. Moreover, the case also reveals the continued salience of honor and "weakness" as essential components of legal defense. Maria believed it was necessary to maintain her honor as a woman and a wife to negate any justification for her husband's violence. Yet she also demonstrates her honor in order to question the prudence of the court.

Maria's case was unusual in several ways. Maria re-presented her honor to underscore the hypocrisy of a revolution that had supposedly expanded women's rights. If the system was in fact fair, then why would the magistrate not make an exception for a situation that she was not able to control? The court eventually tried this case, and two witnesses supported Maria's description of Jorge's violent nature. In addition, a doctor's note also attested to Maria's injuries. Claiming that there were procedural violations

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<sup>71</sup> Ibid.

associated with the witnesses' testimony, Judge Miguel Salgado ruled that Maria had not provided ample proof that Jorge had abused her.

Maria appealed her case to the State Supreme Court which overturned the lower court's decision in Orizaba. In Judge Agustín Garza's ruling, he explained that the lower court did not properly explore Jorge's charges that Maria had abandoned her "conjugal home." Because Jorge had not demonstrated sufficient proof for his claims, the court ruled that neither party was without fault. Judge Garza reasoned that according to the civil codes pertaining to mutual fault, the child should remain with the mother and Jorge should provide material support. In an interesting and rather unusual procedure, Judge Garza also rebuked Jorge for a letter he wrote to his wife which may have questioned her chastity before marriage. "In this case it necessary to take into account the questions that Mr. Martínez compiled which demonstrate his lack of discretion and limited honor. He reveals acts that are truly embarrassing for any lady. General ethics alone should have been enough to force this man to be quiet."<sup>72</sup>

This case raises several important questions. If the Superior Court's observations are correct, then why did the magistrate in Orizaba overlook the validity of Jorge's charges that Maria abandoned their home? Could Jorge's social position in the community have affected the judge's decision? This case also raises important questions about honor. Maria clearly assumed that she had honor and the Superior Court's reference to Maria as a "lady" indicates that the court accepted her right to honor. Jorge was a teacher, a position that was often associated with education and "middle class morality." The magistrate's censure of Jorge for "not keeping quiet" demonstrates that

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<sup>72</sup> AGEV, Tribunal Superior de Justicia, Orizaba, Juzgado Segundo, Exp. 367, October 10, 1941.

such a man should know how to behave and, moreover, because he did not demonstrate an understanding of “general ethics” he undermined his honor and public standing. The court’s attitude suggests that they viewed this case as a middle class civil action because the attorneys never make an argument associating the litigants’ class with physical abuse and foul language. In other words, because they were middle class citizens, they should have known better. This case also demonstrates the multiple legal avenues that the Revolution had opened. New legal codes and increased bureaucratization were part of the state’s efforts to consolidate and institutionalize the Revolution. By co-opting the discourse of the Mexican Revolution, the state increased its own power while expanding citizens’ rights. The family, therefore, became the essential target of reform since it was the principle unit of social organization. The future citizens of la patria had to be protected. Women used this discourse to attain custody of their children, demand material support from their husbands, and insist on what the revolution had promised, equality.

### **Conclusion**

This chapter makes two central arguments. First, the state’s legalization of divorce and later the passage of the Civil Code of 1928 created legal spaces for women to challenge their husband’s authority. Contrary to some historians’ claims that the Mexican Revolution simply preserved patriarchy, the cases analyzed here show that the particular way the state addressed patriarchy--through modernizing the workplace and family--threatened men’s authority in the home at the same time workers won better wages and working conditions. Liberals, who represented these legal changes, were far more concerned with “moralizing” the working class and creating social stability than they were with preserving anterior forms of patriarchy.

Second, changes in law created a legal stage for men and women to express their customary notions of masculinity, femininity, honor, and dignity within a legal discourse to challenge state authority or sway a sympathetic judge. Legal changes allowed commonly held perceptions of motherhood, fatherhood and sexual difference to play out in the courtroom, thereby providing valuable insight into how Orizaba's working class men and women understood their marriages, traditional responsibilities, and legal rights. As a result, the courtroom became a theatrical space where modernity met custom. Women who sought divorce, child custody, and material support used motherhood as part of a larger strategy that integrated traditional notions of femininity and religion within legal arguments to demand protection and equality. As a result, women at times were able to challenge effectively male familial authority and to demand that the state uphold its commitments. Between 1915 and 1940, women won 48% of their divorce or custody suits thereby demonstrating that men could not simply rely on another a male judge's sympathy. The Revolution did institute, however problematically, the rule of law.

The fact that reforms in the civil codes occurred at the same time men won far reaching reforms in the factory also informed how men understood women's challenges to their authority. Men, therefore, like women, integrated customary notions of male power into broader legal arguments that questioned women's morality and marital dedication. While still heads of the family, men increasingly faced the possibility of judicial interference in their marital relations. This had far reaching effects. The "private" domain of family life, once only accessible to priests, was now open to state surveillance. Men not only had to answer to their wives' charges, they had to appeal to another male figure head to redeem their honor. Therefore the courtroom became a duel not only

between men and women, but also between husbands and the male judges who heard their cases.

Women also had to learn how to navigate legal changes while invoking customary notions of femininity and motherhood to challenge men's authority. Women had won greater rights in the family but believed that they had to affirm their domesticity, weakness, and honor in order to challenge effectively their husbands' authority. Toward the end of the period covered in this chapter, the ways men and women represented themselves changed as the state increasingly sought to institutionalize the revolution. As legislators passed new laws, women expanded their arguments from customary expectations that they provide proper maternal care and domestic duties to their right to claim equality in the family. However, these arguments were often divided along class lines.

Middle class women were more apt to assert their equality and honor as a central component of litigation. Men, on the other hand, of differing social classes, continued to appeal to honor, dignity, and customary rights that charged women with denying proper maternal care and spousal support. This is probably due to the fact that despite the state's expansion of women's familial rights, legislators continued to couch women's equality within new laws that re-codified women's domestic responsibilities. In other words, women were equal provided that they performed their domestic duties. In this way, the state's passage of new legal codes created an irony that alternately affirmed traditional domesticity and created a space for women to undermine anterior forms of patriarchy. Nonetheless, these changes also informed various forms of violence in Orizaba. While there is no evidence to indicate that violence in the family grew following the Mexican



Revolution, undoubtedly the collision between expanded women's rights, men's victories in the factory, and a state that sought to modernize yet preserve sexual difference had explosive consequences. If the revolution had finally vindicated working class men, how would they confront increasing challenges to their authority? Did the world of union halls and factory floors create space that facilitated violence at home?

The state's postrevolutionary project maintained women's centrality in constructing a progressive and modern nation well into the 1940s. Nonetheless, the fact that it did so to create better mothers and stronger and more stable families did not preclude women from advancing their own interests. Borrowing from the state's discourse that constructed women as the moral backbone of Mexican society, women moved their "moralizing" mission outside of the home into classrooms, doctor's offices, labor unions, temperance societies, and suffrage movements. In this way the state's project to establish sexual difference within the context of liberal modernity created the opportunity for women to begin to reposition themselves in ways that most legislators had not intended.

However, while women had the right to seek divorce and financial support, and in some cases were able to hold abusive or adulterous men accountable for their actions, women's limited victories in the family did not carry over into the realm of sexual abuse. There were no laws to charge husbands with the rape of their wives, and laws pertaining to sexual violence against women outside of family relations did not change much following the revolution. Indeed the state often did not take punitive action against men who abused young girls. Only in cases where a girl's family could demonstrate her chastity and honorability, while proving an assault, could they hope for any legal

recourse. The next chapter will explore the contradictions of the revolutionary mission to protect women and children which in many cases overlooked sexual abuse of girls.

### Appendix

<b>Divorce cases filed by women</b>	<b>By Men</b>	<b>Mutual</b>	
1915-1920	1	2	
1921-1925	2	2	1
1926-1931	4	3	
1932-1936	7	5	
1937-1940	20	25	
<b><u>Overall Divorce Cases Filed</u></b>			
1915-1920	3		
1921-1925	5		
1926-1931	7		
1932-1936	12		
1937-1940	45		
<b>Total</b>	<b>73</b>		

### Chapter 3

#### Adjudicating Morality: Statutory Rape among Orizaba's Working Class 1930-1943

On October 24<sup>th</sup> 1930, officials in Orizaba charged Marcelino Gomez with the statutory rape (estupro) and sexual assault (atentados el pudor) of his niece Galinda Villa.<sup>1</sup> The mother of the young girl, Antonia Villa, claimed that when her older daughter, Claudia, returned home late in the afternoon, she found her uncle Gomez in bed with her ten year old sister. In her affidavit, Villa stated that she had left Galinda in Gomez 's care while she and her oldest daughter went to work. Villa, whose husband had died several years earlier, worked as domestic servant in Orizaba, and her daughter made tortillas to help support the family. Villa also had a third daughter who was at church during the time of the incident. Late that afternoon, Claudia and the victim Galinda came to the home where Villa was working and described what had happened. Villa recounted the traumatic details of the crime to the court. "He threw her [Galinda] onto the bed, undid his trousers, placed his right hand over her mouth so she could not scream and placed his member between her legs while she struggled in pain to free herself."<sup>2</sup> That same evening Villa took her daughter to the hospital and informed the police.<sup>3</sup> Police then arrested Gomez pending criminal charges for statutory rape and sexual assault. The charges never included incest which may indicate that Gomez was not a blood relative.

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\*\* Some of the names in this chapter have been changed to protect the identities of the families.

<sup>1</sup> Criminal charges against Marcelino Gomez for sexual abuse of a minor, AGEV, Tribunal Superior de Justicia, Orizaba, Juzgado Primero, Penales, Año 1903-1939, exp. 584, October 27, 1930. I will use the term statutory rape in place of "estupro" throughout this chapter although "estupro" could also refer to deflowering or incest.

<sup>2</sup> Ibid

<sup>3</sup> Mexico's Criminal Code of 1929 no longer permitted police to conduct physical inspections of rape victims unless it was clear that they had been beaten. See Pablo Piccato, "El ChaleQuero or The Mexican Jack the Ripper: The Meaning of Sexual Violence in Turn-of-the-Century Mexico City," *Hispanic American Historical Review* 2001 81(3-4): 621, 623-651.

Under these circumstances, if the state found Gomez guilty, he could face up to six years in prison.<sup>4</sup>

In the case against Gomez, the court heard evidence from witnesses and a doctor against the defendant. Gomez denied the charges and claimed that it was in fact Galinda, whom he said was thirteen or fourteen years old, who tried to seduce him.<sup>5</sup> Such a defense was logical because, according to Mexican penal codes, the sentence was not as severe if the girl was at least fourteen years old.<sup>6</sup> Gomez explained that Galinda initiated sexual contact and deliberately tried to arouse him. Gomez's attorney, in graphic detail, explained that the defendant was alone with Galinda when she "began to play with the defendant, passing her hand over his member three times thereby exciting him, and then removed his erect member from his trousers and held it against her dress over her belly."<sup>7</sup> Gomez then testified that when he gave in to her overtures, Galinda's sister interrupted them before they could have intercourse. He claimed the girl was not as young as Villa stated, that she initiated sexual contact, and that he had done nothing wrong because they did not have sex. Galinda's sister Claudia, however, testified that when she came home

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<sup>4</sup> *Código Penal Federal*, Al margen un sello que dice: Poder Ejecutivo Federal. Estados Unidos Mexicanos, (México: Secretaría de Gobernación. September 17, 1931) Articles 259-266.

<sup>5</sup> Penal law defined rape as sexual intercourse with the use of violence, regardless of the age and sex of the victim. As a result, many cases were downgraded to lesser charges where violence was not involved. This usually meant deception or false promises. A conviction of rape could result in six years in prison if the victim was older than twelve and ten years if the victim was 12 years old or younger. See Pablo Piccato, "El Chalequero" or the Mexican Jack the Ripper: The Meaning of Sexual Violence in Turn-of-the-Century Mexico City," *Hispanic American Historical Review*, 81 (3-4) 2001, 621-651. Also see *Código Penal Federal*, Al margen un sello que dice: Poder Ejecutivo Federal. Estados Unidos Mexicanos, (México: Secretaría de Gobernación. September 17, 1931) Articles 259-266. For an early analysis of penal law in Mexico see Norman S. Hayner, "Criminogenic Zones in Mexico City," *American Sociological Review* 11, no. 4 (1946) and Salvador Diego-Fernández, *La ciudad de Méjico a fines del siglo XIX* (Mexico City: n.p., 1937). For an examination of sexual crime around the turn of the century see Carlos Roumagnac, *Crímenes sexuales*, vol. 1 of *Crímenes sexuales y pasionales: Estudios de psicología morbosa* (México City: Lib. de Bouret, 1906-10)

<sup>6</sup> Piccato, "El Chalequero or The Mexican Jack the Ripper: The Meaning of Sexual Violence in Turn -of-the-Century Mexico City,"

<sup>7</sup> Criminal charges against Marcelino Gomez for sexual abuse of a minor, AGEV, Tribunal Superior de Justicia, Orizaba, Juzgado Primero Penales, Año 1903-1939, exp. 584, October 28, 1930.

the door to the bedroom was open. When she entered the room she found her uncle in bed with her sister who was crying. “He [Gomez] immediately stood up and put on his trousers. When I asked him what he was doing he did not answer me.”<sup>8</sup> Gomez was found guilty, but was only sentenced to six months in prison.

Cases such as this expose a fundamental tension between the state’s claims that women and children needed to be protected, ideas that women and girls could instigate their own sexual abuse, and men’s traditional rights to control women and girls sexually. Although legislators passed new laws that legalized divorce, expanded educational opportunities for women, and provided new protections for women in the workplace, state officials intended these seemingly progressive policies to create better mothers and wives. Penal law and judges’ adjudication in cases of statutory rape cases reflect the state’s dedication to preserving sexual difference since the benefits of state protections were contingent upon women’s proper moral conduct and public reputation. Yet male officials were often suspicious of the supposed sexual power of women and girls and often accepted men’s claims that they had been seduced by young girls.

Officials combined newly emerging scientific theories on social behavior, criminality, and women’s bodies to better understand how to create moral families that could instill the values of sobriety and hard work. Women formed the moral backbone that would remedy unruly and undisciplined working class men. For example, a 1921 article in the *New York Times* captured the popular perception of women’s moralizing role in Mexico:

I recalled the incident of the woman I met on the street... lecturing her pulque sodden husband as she led him homeward. ‘You must not do this any longer, Juan’ she protested;’ then throwing back her head she added proudly, ‘you must

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<sup>8</sup> Ibid. October 29, 1930

remember that you are the father of children who are learning how to read and write.’<sup>9</sup>

Postrevolutionary officials sought to educate women and instill the values of the postrevolutionary state in order to create a sober and disciplined workforce. Most officials conceded that working class men were “naturally” lascivious, and that only moral and educated wives and mothers could remedy the decay that they believed were part of urbanization and modernization. Yet they were not necessarily willing to protect women and girls from the physical abuse perpetrated by lascivious men.

Following Mexico's Revolution, municipal officials in Orizaba spoke publicly and often about the need to protect families from disease, vices such as drinking, and the immorality of prostitution. Indeed the municipality throughout the postrevolutionary period posted public edicts that explained rules of conduct in public and the importance of cleanliness. These edicts reflected the municipal government's concern over the growing tide of social change that filled Orizaba's streets with flappers, prostitutes, and illegitimate children. Women who were now more openly sexual participated in feminist movements, worked late at night despite laws discouraging night work, or frequented bars or cabarets represented the failings of Mexico's Revolution to reduce poverty, crime, and vice. Men's criminal behavior on the other hand, was either a matter of custom or nature.

Clearly the clash between modernity and tradition influenced how officials and Orizaba's citizens interpreted the world around them. Modernity represented expanded health care, education, and labor and familial laws that protected women and children.

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<sup>9</sup> Stephen Bonsal, “Mexico's Main Need,” *New York Times*, July 17, 1921 in Louise Schoenhals, “Mexico Experiments in Rural and Primary Education: 1921-1930,” *The Hispanic American Historical Review*, Vol. 44 No. 1 (Feb. 1964) pp. 22-43.

However, many also associated modernity with the moral decay of society and the decline of the Catholic Church's power. Indeed traditions which held that men had the right to control their wives and children and that women should be silent and respectful mothers ran headlong into growing feminist movements, women laboring in factories, and increased opportunities for women to attain an education, circumstances that some believed were undermining the morality and stability of families. Sexual abuse in Orizaba can only be understood within the context of the clash between men's traditional right to control women sexually and laws that were beginning to challenge this right. Laws were supposed to protect women from sexual abuse, yet did so only if women were "chaste and honorable." In addition, federal and local officials' efforts to educate women (modernity) so that they could better understand how to be good wives and mothers (tradition) are also indicative of this struggle. For example, mainstream newspapers in Orizaba such as *Los Sucesos* printed articles that maintained that women should use their education to better understand the difficulties of marriage; a woman "does not have to ask her husband to be perfect because...when she has equal education she also is loyal and sincere in character."<sup>10</sup> Articles such as this underscore that educated women should not become arrogant or intolerant of their husbands' behavior. The article goes on to address the importance of women's patience with their husbands which was key to a happy and successful marriage. Ideas such as this demonstrate the salience of sexual difference within the context of a changing society. Women may be educated, but they must also tolerate men's indiscretions which was part of preserving domestic tranquility.

Popular culture also informed how citizens viewed men's rights to control women sexually. Stories of revolutionary heroes' sexual exploits had become part of the

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<sup>10</sup> "Reglas para el Buen Matrimonio," *Los Sucesos*, August 11, 1934, p 2

dominant culture following Mexico's revolution. For example, Pancho Villa's struggle for the "common man" entailed stories of sexual conquest and rape. British journalist John Reed who rode with Villa and whose work has been analyzed by many historians, published these exploits and waxed poetically about Villa's struggle for redemption which included the rape of peasant women. Reed noted, "What's wrong with that? I believe in rape."<sup>11</sup> While state officials in postrevolutionary Mexico did not necessarily condone such activities and viewed them as a symptom of a barbarous and uneducated population, they also were slow to encroach on men's authority to control women sexually.<sup>12</sup> Penal codes clearly outlined the penalties for rape and statutory rape, but enforcement was another matter.

While local culture influenced how men and women perceived sexuality and gender relations, the theories of international "experts" about women's sexuality also informed how lawmakers and citizens understood sexual difference. The work of Cesare Lombroso, Richard von Krafft-Ebing, José Ingenieros and Havelock Ellis, although differing in some respects, maintained that women were inferior and susceptible to immoral influence.<sup>13</sup> While many have noted that Ingenieros, for example, was a champion for women's rights, he also argued that inequalities between men and women were natural, undeniable, and as a result, moral.<sup>14</sup> Educational and social reformers in Mexico such as José Vasconcelos believed that women could extend their maternal

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<sup>11</sup> Susan Browmiller, *Against Our Will, Men, Women and Rape*, (New York: Ballantine Books, 1976) p 300.

<sup>12</sup> This was also the case in other parts of Latin America where judges had to balance their duty to punish immoral behavior without overtly challenging men's traditional authority to discipline women. See Arlene J. Díaz, "Women, Order and Progress in Guzmán Blanco's Venezuela, 1870-1888," in *Crime and Punishment in Latin America, Law and Society since Late Colonial Times* (Durham: Duke University Press, 2001) pp. 56-82.

<sup>13</sup> Karen Mead, "Gendering the Obstacles to Progress in Positivist Argentina, 1880-1920," *The Hispanic American Historical Review*, vol 77, No. 4 (November, 1997) pp. 645-675.

<sup>14</sup> *Ibid.*



influence from the family into the classroom. Therefore thousands of women became teachers following Mexico's revolution in order to instill postrevolutionary values in young minds. But it was women's maternal role that served as the principle reason for including them in literacy campaigns. While reformers underscored women's potential as national educators and moralizers, scientists continued to make a case for biological differences that confirmed women's inferiority.<sup>15</sup> Researchers noted that women's cranial shape or menstrual cycles predisposed them to degeneracy while emotions rather than reason made them unfit for dangerous and masculine responsibilities.<sup>16</sup> These ideas permeated Mexico's culture and informed how legal officials and citizens understood rape, statutory rape, and sexual violence.<sup>17</sup>

In Orizaba, the charge of rape or statutory rape was rare. Only ten cases appear in the penal archives between 1903 and 1946.<sup>18</sup> This suggests the reluctance of most families to risk public humiliation, and it may also indicate that most families did not trust the legal process in these cases. Moreover, the continued power of the Catholic Church in Orizaba and the intimate nature of such a small community undoubtedly contributed to women's reticence to prosecute an offender.

Clearly this sample is far too small to assert far reaching conclusions about rape, statutory rape, and sexual abuse in Orizaba. However, these cases do provide insight into how residents and legal officials understood women's roles in sexual abuse cases. With the exception of one case, all of the affidavits involve women under the age of 18.

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<sup>15</sup> Sueann Caulfield, "Getting into Trouble: Dishonest Women, Modern Girls, and Women –Men in the Conceptual Language of Vida Policial, 1925-1927," *Signs*, Autumn 1993, 146- 176.

<sup>16</sup> *Ibid.*

<sup>17</sup> José Angel Cenicerros, *Tres Estudios de Criminología*, (México: DF) 1941. Cenicerros explores the influence of positivism on penal reform in Mexico.

<sup>18</sup> The charge of rape was also rare in larger cities throughout Mexico and Latin America. However statutory rape was very common.

Charges of statutory rape ranged from strangers who attacked young women to young couples who consented to sex but still were in violation of legal codes. In cases of child sexual assault, it was easier to attain the court's sympathy even though some court officials believed that the minor and the family were partly to blame for not properly protecting their daughters or monitoring their activities.<sup>19</sup>

All of the defendants in rape cases I examined came from working class backgrounds. Bourgeois honorability dictated that "respectable" families did not air such matters in public and therefore they were less likely to take legal action.<sup>20</sup> Nonetheless, the guilt associated with such an act, the fact that the state could rule that the woman was to blame, and the state's reticence to infringe of men's traditional rights to pursue women sexually probably led many women to believe that they deserved the attack. In addition, social attitudes discouraged officials from prying into the intimacy of the home. This fact alone made it more difficult for women who dared to open their private matters to public scrutiny.<sup>21</sup>

### **Criminology, Law and Statutory Rape**

During the late nineteenth century, liberals introduced new penal codes that were supposed to erode the last vestiges of "barbarism and fanaticism" associated with "old Mexico." Laws stated that sexual assault was a crime against "the order of families, public morality, and good customs," and as a result, men who commit such acts should be

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<sup>19</sup> However, Pablo Piccato notes in his work on sexual crimes in Mexico City that there was not a marked difference between statutory rape and rape convictions.

<sup>20</sup> Norman Hayner, "Notes on the Changing Mexican Family," *American Sociological Review*, Vol. 7, No. 4. (Aug., 1942), pp. 489-497 Also see Also see Claudio Lomnitz, Larissa Adler and Pérez-Lizaur, Marisol, *A Mexican Elite Family, 1820-1980: Kinship, Class, and Culture*, (Princeton: Princeton University Press, 1988).

<sup>21</sup> Pablo Piccato, *City of Suspects, Crime in Mexico City, 1900-1931* (Durham: Duke University Press, 2001).

confined to prison.<sup>22</sup> This was part of a larger mission to protect women in order to secure Mexico's families for future generations. Indeed, state officials' introduction of protective legislation spoke more to the concerns over family stability and honor than violence against women. State efforts to protect women and children emerged largely from scientific research which increasingly noted the importance of motherhood to the stability and health of the children. Officials increased emphasis on motherhood also led them underscore the need to protect women from disease and the toxic effects of hard labor which threatened their reproductive role.<sup>23</sup>

Nonetheless, women who worked late or who were out on the streets at night were damaging more than their health and the well being of their families. They were also risking their public reputation, which could undermine any accusation of abuse in a court of law. While some reformers addressed the problems of poverty and the desperate circumstances of daily life for many women, this only fueled perceptions that salacious behavior was endemic among the working class. As explained in chapter two, officials believed that illegitimacy, violence against women and children, and the unruliness of the working class were all part of an uneducated and uncultured society.

State officials not only believed that public inebriation, violence, and sexual abuse were common, but they also understood vice to be an integral part of working class life. Clearly this informed how officials and citizens understood sexual crimes. For example, an official report to Veracruz governor Ignacio Tejeda in 1938 addressed the social and

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<sup>22</sup> Ana María Alonso, "What the Strong Owe the Weak' Rationality, Domestic Violence, and Governmentality in Nineteenth Century Mexico," in Rosario Montoya, Lessie Jo Frazier, and Janise Hurtig eds. *Gender's Place, Feminist Anthropologies of Latin America* (New York: Pelgrave, 2002), pp. 115-134.

<sup>23</sup> Department of labor records indicate that inspectors believed that women were more susceptible to tuberculosis and other illnesses. State officials often used such claims to argue that women who worked in jobs that were normally male dominated, threatened the health and stability of the family. *State Labor Office charged with investigating the unhealthful conditions at the cigarette factory El Progreso*. Archivo Municipal de Orizaba (AMO), Salubridad, Caja 561, Exp. 20, June 13, 1919.

moral problems that legislators associated with poor living standards in Orizaba and other similar towns: “poor families live in cramped, unclean housing and promiscuity not only relaxes morality and customs, but also frequently damages their health, especially the young ones.”<sup>24</sup> Therefore lawmakers continued to demand expanded education and new laws to diminish the ill effects of modern society on Mexico’s children. Indeed during the 1930s, President Lazaro Cardenas intended the expansion of social programs and agrarian reform to remedy the social ills throughout Mexico’s cities and agrarian regions. This aid however did not reach everyone.<sup>25</sup>

While both penal and civil law in Mexico held that the state needed to safeguard young girls, women and girls who were not chaste were usually outside the auspices of state protection. Moreover, sanctions for statutory rape involved proof that a perpetrator used deceit or violence against a young girl. According to the Veracruz Penal Code of 1896, an assailant could face up to ten years in prison and a fine if the girl was ten years old or younger, and up to four years in prison if the girl was between ten years and fourteen years of age.<sup>26</sup> If the girl was older than fourteen there was no penalty unless the perpetrator refused to marry his victim.<sup>27</sup> If a parent, usually the mother, litigated on

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<sup>24</sup> Estado de Veracruz Informes de sus Gobernadores 1826-1986. Tomo XII Xalapa, Veracruz 1986, p. 6302.

<sup>25</sup> Michal Meyer and William Sherman, *The Course of Mexican History*, (New York, Oxford, 1991).

<sup>26</sup> Veracruz did not adopt the Federal Penal Code of 1929, which the federal government reformed once again in 1931. Veracruz did adopt the Federal Penal Code of 1931. As a result, Veracruz’s penal code of 1896 applied in this case which did not differ from the Federal Penal Code of 1871 in such matters. See *Código penal del Estado de Veracruz Llave: proyecto formado por las Comisiones Unidas de la honorable Legislatura y del honorable Tribunal Superior de Justicia, aprobado y mandado observar por la Ley núm. 32 de 15 de agosto de 1896*. (Imprint Xalapa, Mexico : Enriquez, 1896).

<sup>27</sup> Mexican penal codes contained provisions that allowed rapists to marry their accusers to avoid prosecution. *Código Penal Federal, Al margen un sello que dice: Poder Ejecutivo Federal. Estados Unidos Mexicanos*, (México: Secretaría de Gobernación. September 17, 1931) Articles 259-266. Veracruz adopted this penal code. The code nearly mirrored previous laws pertaining to sexual abuse however, it redefined the penalty for statutory rape for a “prepubescent girl” from up to ten years in the 1929 code, to two to eight years in the 1931 code. Also see Edgar Omar García Cárdenas “Estudio Dogmático del Delito de

behalf of her child, she needed to demonstrate the honorability and chastity of her daughter as set forth in the penal codes.<sup>28</sup>

The revolution and the new penal codes that followed, did not diminish the importance of a victim's chastity or public reputation. Mexico's Constitution of 1917 and subsequent penal codes in 1929 and 1931 continued to define rape based on the 1871 penal code which held that sexual abuse was a crime that happens only to women who were "honest and chaste."<sup>29</sup> Under Mexican law, charges of statutory rape also required a medical examination. Doctors and investigators looked for blood and contusions which indicated a violent attack while a ruptured hymen provided evidence of rape and deflowering.<sup>30</sup>

During the 1930s, judges had a great deal of latitude when considering cases of sexual abuse. This largely stemmed from debates over what degree of influence positivist theory should have in the judicial system. This process began in 1925, when President Plutarco Elías Calles created revision committees to reform Mexico's penal codes. Positivist scholars such as José Angel Ceniceros and Miguel Macedo believed that criminal acts such as sexual abuse were natural and occurred in all societies.<sup>31</sup> Social and cultural factors therefore informed criminal behavior. As a result, the punishment should

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Estupro," Tesis que para obtener el grado de Maestro en ciencias penales, Universidad de Colima, Facultad de Derecho, Abril, 2005.

<sup>28</sup> In the case I examined for this chapter, mothers initiated legal action. This was largely because the fathers had either died or were not involved in the child's life. However, Pablo Piccato found a similar trend in Mexico City where fathers were present. This was probably due to a mother's moral roles in the family.

<sup>29</sup> The 1929 Penal Code removed the word "chaste" from the code, but "chaste" appeared again in the reformed Penal Code of 1931.

<sup>30</sup> Piccato, "El Chalequero" or the Mexican Jack the Ripper: The Meaning of Sexual Violence in Turn-of-the-Century Mexico City."

<sup>31</sup> Robert Buffington, *Criminal and Citizen in Modern Mexico*, (Lincoln: University of Nebraska Press, 2000). Positivist thinkers in Mexico subscribed to a philosophy that associated progress with modernization, morality, discipline, and freedom from the tyranny of the Church. Positivist ideas informed the state's creation of laws, education, and labor.

fit the individual and not the crime. However, this theory had far reaching implications. Positivists insisted on establishing a better understanding of who would commit certain crimes. Positivist and legal reformer José Almaraz led the charge for a Social Darwinist perspective that called for the protection of society from those who might threaten the social order whether they had committed crimes or not.<sup>32</sup> This meant targeting citizens who might become criminals such as vagrants and alcoholics. The Penal Code of 1929 reflected these changes and produced a firestorm of debate. Two years later, state officials reformed the penal code so as to protect society from dangerous criminals yet also provide citizens protection from arbitrary arrest. The 1931 Penal Code also gave judges greater discretionary power and allowed them to consider social and personal circumstances in the sentencing phase of the trial.

The flexibility in the new penal code also expanded the paternal role of judges. Judges were able to use their discretionary power to take into consideration the background of the criminal, his or her social circumstances, and the likelihood that this person would commit another crime. Judges therefore increasingly became paternal figures who presided over Mexico's expanded surveillance of social and family life. The new penal code balanced the state's desire to crack down on crime with the social realities of Mexican society, in part to placate both modernists and traditionalists.<sup>33</sup> The justice system therefore recanted complete devotion to positivist theories of criminality and allowed judges to become sympathetic and paternal figures. Judges no longer

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<sup>32</sup> Ibid.

<sup>33</sup> Robert Buffington, *Criminal and Citizen in Modern Mexico*. Also see Miguel S. Macedo and José Angel Cenicerros, *Derechos, Penal y Procedimientos Penales, Programa y Conferencias de 1926* (México: Escuela Libre de Derecho, 1928). For an analysis of the Mexican Penal Code of 1929 see Salvador Mendoza, "El Nuevo Código Penal de México," *The Hispanic American Historical Review*, Vol. 10 No. 3 pp. 299-312, 1930.

adhered to mandatory sentencing of sexual offenders if they believed that there were mitigating circumstances. While there is no evidence to prove that this led to shorter sentences for sexual offenders, the Penal Code of 1931 lowered the maximum sentence for sexual offenders from ten to eight years in cases where the victim was “prepubescent.”

Despite legal reforms and pledges to safeguard society from dangerous criminals, the revolutionary mission to create a sober, moral and industrious society faced many obstacles as new social programs, including health care and education, faced funding deficits. Even when officials did initiate social programs and laws, they often failed to reduce crime and poverty. Such concerns continued to spark debates in Orizaba about the loss of Church influence as a moral compass. Indeed disputes over the role of the Catholic Church and power struggles between Orizaba’s citizens and the state erupted in violence in 1937, eight years after the Cristero Rebellion, as the state shut down churches and arrested priests.<sup>34</sup> State secularization, the legalization of divorce, and the loss of church influence in education led many to argue that the Revolution had produced a derelict society devoid of “proper” social values while eroding women’s dignity and morality.<sup>35</sup>

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<sup>34</sup> J. Mondragón A. *Grafico-Histórico de los Sucesos del 7 de Febrero de 1937 en la Ciudad de Orizaba*, 1938. This book details the events that led to an uprising in Orizaba. The unrest stemmed from Governor Tejada’s closure of churches in Orizaba following the controversial death of a young girl during a demonstration against state control over the church. The Cristero Rebellion (1926-1929) resulted from Plutarco Calles’ efforts to expand state control over the church which included the forced registration of priests and laws that reduced the number of parishioners based on population. The clash between church officials and his administration led to a bloody three year battle in which tens of thousands of Mexicans lost their lives.

<sup>35</sup> Kristina A. Boylan, “Gendering the Faith and Altering the Nation, Mexican Catholic Women’s Activism, 1917-1940” in Jocelyn Olcott ed. al eds. *Sex in Revolution, Gender, Politics and Power in Modern Mexico* (Durham: Duke University Press, 2006) pp 199-222. Also see Anna Macías, “Felipe Carrillo Puerto and Women’s Liberation in Mexico,” in Asunción Lavrin ed., *Latin American Women* (London: Greenwood Press, 1978) pp. 286-301.

Fears that the revolution and modernization had undermined women's moral fortitude undoubtedly bolstered the state's preoccupation with preserving sexual difference. Legal officials believed that women's bodies needed to be properly controlled because their sexuality was paramount to preserving familial stability and honor. As Robert Buffington explains in his analysis of Mexican criminality, "Supportive women...would provide a spiritual and moral...center for the 'modern Mexican family.'"<sup>36</sup> Therefore it would seem that women's primary role as mother, moralizer and wife superseded the violation of a woman's body. For example, an attacker's option to marry his victim in order to escape prosecution demonstrates the legal system's obsession with what they perceived to be an honorable act while denying rape as an act of violence and violation. As of 1995, nineteen Mexican states still had laws on the books that allowed men who raped minors to avoid prosecution if they married their victims!<sup>37</sup>

Legal officials who charged that women in some ways incited an attack also indicate an inability, or lack of desire, on the part of state officials to break with customs that suggested women were temptresses and therefore may have deserved an attack. Some historians have noted that even in cases of statutory rape, the attorney and the court could question the intentions of the girl involved. This seems to be the case in Villa's charges against Gomez . Gomez 's attorney had no problem pointing out Galinda's sexual prowess despite her young age.

**“A Man is Subjected to the Nature of His Own Weakness”**

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<sup>36</sup> Robert Buffington, *Criminal and Citizen in Modern Mexico*, (Lincoln: University of Nebraska Press 2000) p. 66

<sup>37</sup> Elena Azaola Garrido, *El Delito de ser Mujer: Hombres y Mujeres Homicidas en la Ciudad de México: Historias de Vida*, (México: Plaza y Valdes), 1996.



The case of Villa versus Gomez demonstrates the complexities of daily life for a working class family. Villa was a widow who, along with her daughters, struggled to maintain their home in an Orizaba vecindad.<sup>38</sup> Her life was centered on family, labor, community and church.<sup>39</sup> Women who worked outside of the home often relied on extended family for the care of their children and, therefore, Gomez had a responsibility as a man to provide protection for his extended family in the absence of Villa's husband and to help alleviate the hardships of daily life. However, Gomez shirked his honorable responsibility to protect Galinda. He was a complicated defendant because, according to Villa's testimony, he was a "politico" with connections to government officials. While Gomez's position would seem to shield him from prosecution, legal officials may have found his behavior repulsive regardless of the tendency of legal officials to overlook sexual crimes. Nonetheless, the pecuniary position of Villa's family indicated that Gomez was not part of Orizaba's central political apparatus.

In addition, a doctor testified that he believed the girl was older than ten but not older than twelve. The court was not able to locate the registry to determine Galinda's age. Gomez's attorney also questioned Claudia's testimony because he argued that the door to the bedroom was closed and therefore she could not have seen what happened. If there was no eye witness, then it was in fact Galinda's word against her uncle's. This however, did not preclude Gomez from confessing that he had sexual contact with Galinda, only that they did not have sex. Despite character witnesses that testified that Gomez was a decent and respectable man in the community, and medical evidence that

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<sup>38</sup> In 1921, the number of women who were widowed in the state of Veracruz was nearly three times that of men. The census report for Orizaba only lists the total number of widowers and does not separate them by sex. Archivo Municipal de Orizaba, Biblioteca, (AMO), *Estado de Veracruz, Datos Geográficos*, 1921.

<sup>39</sup> Norman S. Hayner, "Notes on the Changing Mexican Family," *American Sociological Review* Vol. 7, No. 4 (Aug., 1942), pp. 489-497. This article provides specific details of family life in Orizaba.

suggested that Galinda had not been raped or abused, the judge found Gomez guilty of sexual assault and sentenced him to six months in prison.

While sexual abuse was difficult to prove and a woman's poor reputation could easily provide exculpatory evidence, the judge in this case put Gomez in jail.<sup>40</sup> However, it was probably Gomez's confession that he had sexual play with the young girl that resulted in his sentence. Gomez did not deny his sexual contact with Galinda, only that they had not had intercourse. The attorney's defense of Gomez, however, adds another dimension to the legal and social implications of Mexico's revolution and how it informed perceptions of "deviant" social behavior, class, and gender.

Now gentlemen magistrates, to those who I have the honor to address because you will decide the fate of my defendant, [I acknowledge] that the painstaking [legal] process, and the social climate in which we find ourselves is due to the modernism that the revolution has brought, and which has also relaxed the morality that existed many years ago. Because of this the jails are full. The government, far from being a [moralizing force], is a source of corruption. Now because a man is subjected to the nature of his own weakness based on his psychological functions which are irresistible,[my emphasis] the government proposes careful education to provide a means to attain morality among inmates...something which the government cannot provide because of its sad financial situation. Now gentlemen, do you think you can moralize this town by filling the prisons? Impossible, because this is a crime of nature...My defendant never considered that what he did was a crime because he is unconscious of any concept that would indicate that this was a crime.<sup>41</sup>

Gomez's attorney, much like attorneys and litigants in the previous chapter, cited the deleterious effects of the Mexican Revolution on community morality. Gomez's defense also fits within much of the psychosexual research based on psychoanalysis which not only explored men's "natural" sexual proclivities and women's role in encouraging

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<sup>40</sup> Pablo Piccato notes in his research on sexual abuse in Mexico City that judges often dismissed rape cases because of a woman's public reputation or morality. See Piccato *City of Suspects, Crime in Mexico City, 1900-1931* (Durham: Duke University 2001). Also see Robert Buffington, "La violencia contra la mujer y la subjetividad masculina en la prensa popular de la ciudad de México en el cambio de siglo" en Claudia Agostoni y Elisa Speckman (Eds.). *De normas y trasgresiones Enfermedad y crimen en América Latina (1850-1950)*, (México: UNAM) 2005, pp. 287-325.

<sup>41</sup> Criminal charges against Marcelino Gomez for sexual abuse of a minor, AGEV, Tribunal Superior de Justicia, Orizaba, Juzgado Primero Penales, Año 1903-1939, exp. 584, October 27, 1930.

abuse, but also affirmed sexual difference.<sup>42</sup> If these tendencies were natural, then the state must intercede to provide proper education to enable men to resist their urges. If not, then men could not be blamed for their actions.

This case also indicates how science, tradition, and the postrevolutionary mission to create stable, productive, and hardworking families intersected in ways that continued to preserve sexual difference but also clashed over the state's increased interference in relationships between men and women. Early studies exploring the changes in family life following the revolution note the damaging effects that the revolution had on morality, some of which was blamed on the decline of church power. For example, an article appearing in the journal *Social Forces* in 1936 reaffirms what many believed, that the Mexican Revolution expedited the deterioration of Mexican morality and therefore officials must increase their efforts to fill the vacuum left in the wake of the Church's decline:

The attitude of the revolutionary governments toward the church during the last decade has left the home the sole source of information and guidance in the realm of sex development. The high percentage of illegitimate births, the striking prevalence of syphilitic infection, and the acknowledged amorality and immorality of the great masses are clear evidence of the need of sex instruction of a systematic nature.<sup>43</sup>

This observation, while faulting the state for not doing enough to create sex education programs also points out social perceptions of the working class in Orizaba. Officials believed that working class men and women behaved differently from their upper class counterparts and therefore licentiousness was part of working class life. Katherine Bliss found in her research on Mexico City that officials were in fact reticent to

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<sup>42</sup> Sigmund Freud, *Three Essays on the Theory of Sexuality*, trans. James Strachey. (New York: Basic Books, 1962). Also see Gustavo Rodriguez, "Perversiones Sexuales," *Revista Jurídica Veracruzana*, Tomo I Numero 2, April 30, 1940.

<sup>43</sup> C.D. Ebaugh, "Mexico Studies Sex Education," *Social Forces*, Vol. 15, No. 1 October 1936, 81-83.

punish working class men for sexual crimes because they believed their behavior to be unseemly, but “natural.”<sup>44</sup> Moreover, if the family did not properly protect its daughters from such abuse, then the family was partly to blame. The fact that legal officials maintained that men’s violence and predatory nature was “natural” indicates why new laws emerged slowly and enforcement lagged even further behind. The state’s maintenance of sexual difference informed their perceptions of men’s “natural urges” and the families’ need to protect their young daughters from such predatory behavior. Women who claimed they were raped had to establish their honorability while the legal process in many ways stripped them of dignity, respect, and honor. This was an especially important factor among the poor and working class.

Working class women who endured sexual violence often had to go to great lengths to prove that they did not initiate a sexual attack because legal officials viewed vice, prostitution, alcoholism, and violence to be unfortunate but integral parts of working class life. While state sponsored rhetoric of equality and protection did allow women more opportunity to assail legal officials if they did not uphold state protections, it also continued a legal trend that began in the mid-nineteenth century to implement protections for women based on their sex. Indeed the state’s emphasis on the family as the basic unit of social organization intersected with women’s biological roles as mothers. Women therefore were weak and needed protection in order to more effectively carry out their familial and biological role which was intimately tied to the health of the

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<sup>44</sup> Bliss, *Compromised Positions, Prostitution, Public Health, and Gender Politics in Revolutionary Mexico City* (University Park: Pennsylvania State University Press, 2001).

state. This is also why state officials monitored the health and morality of women which is evident in prostitution laws and public health campaigns throughout Mexico.<sup>45</sup>

Gomez's attorney's argument also reflected changes in criminology. Much of the research that emerged during the 1920s and 1930s affirmed that men were "naturally" libidinous. If the state could not provide education and proper moral guidance, then men would continue to behave according to their nature. Gomez's attorney explained that the state's efforts had failed to remedy Mexico's social problems, which explained his client's inability to grasp his crime.<sup>46</sup> The attorney did not condone or defend his client's conduct, but associated his behavior with men's inability to control their sexual desires, behavior that authorities associated with the depravity of the working class. This argument points to the dichotomous nature of tradition and law and the incongruities of state rhetoric that maintained the need to protect "vulnerable" women and children while also implicating them in the crime.<sup>47</sup>

State efforts to address immorality and violence also occurred at the same time that a potent revolutionary working class movement affirmed masculinity in Orizaba. This had a profound effect on how both citizens and state officials understood men's traditional right to control women sexually. In addition, women in Orizaba were

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<sup>45</sup> State control over the health and morality is evident in prostitution *reglamentos* that municipal officials passed during and after the revolutionary period in Orizaba. See Katherine Elaine Bliss, *Compromised Positions*. Also See Ann Blum, "Cleaning the Revolutionary Household Domestic Servants and Public Welfare in Mexico City, 1900-1935" *Journal of Women's History*, 15-4 2004, pp 67-90.

<sup>46</sup> The attorney's argument that Gomez acted only according to his nature also reflects debates in legal journals which explored the natural impulses of sexual desire based on Sigmund Freud's work on psychoanalysis. See Dr. Gustavo Rodríguez, "Perversiones Sexuales," *Revista Jurídica Veracruzana*, Tomo I Numero 2, Jalapa, Veracruz, April 30, 1941.

<sup>47</sup> Sandra McGee Deutch argues that Carranza fearing the Church's continued control over women and women's potential opposition to the revolution initiated far reaching reforms to protect women in the workplace and at home. These reforms however were not to make women equal to men, but rather to affirm their domesticity and dedication to revolutionary ideals. See Sandra McGee Deutch, "Gender Sociopolitical Change in Twentieth Century Latin America," *The Hispanic American Historical Review* 71 2 1991, 259-306.

beginning to dress differently and conduct themselves in ways that many believed were inappropriate. Mary Kay Vaughan explains that the Mexican Revolution attacked “Victorian morality” which allowed women to express themselves both publicly and sexually in ways not possible before.<sup>48</sup> This led many to scorn women for fomenting the collapse of Mexican morality by not only denying their fundamental role as homemaker and wife but also endangering their health and the health of their children. Orizaba teacher and doctor Eduardo Coronel noted in 1931 that “National education now provides the beautiful half of humanity with the talent to cultivate intelligence and perfect morality...and we will never forget that the home demands it...”<sup>49</sup> Coronel’s observation was in response to a growing feminist movement in Orizaba that called for women’s increased participation outside of the home, activities that officials noted could subject women to immoral forces.

By 1931, women were working in education and organizing in various social movements to alleviate poverty and vice while others were joining suffragist movements. In some instances, women also challenged men’s traditional power to control their labor, sexuality, and participation in organizations that increasingly pulled women out of the home. Women’s new found freedom to challenge gender roles undermined the machismo of working class men who continued to define skilled labor as masculine while also claiming their rights to protect the “weaker sex.” Some radical workers supported the partial emancipation of the “fairer sex,” however, many were not so willing to let go of their traditional right to control their wives and children. Women who joined men in

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<sup>48</sup> Mary Kay Vaughan, “Pancho Villa, the Daughters of Mary, and the Modern Woman: Gender in the Long Mexican Revolution,” in Jocelyn Olcott, Mary Kay Vaughan, and Gabriela Cano, *Sex in Revolution, Gender Politics, and Power in Modern Mexico* (Durham: Duke University Press 2006), pp 21-32.

<sup>49</sup> Eduardo Coronel, “El Feminismo,” *Labor* Numero 6, August, 1931.

anarcho-syndicalist movements in Orizaba called attention to the exploitation of women workers. Yet following the revolution, men consolidated their power over labor unions and sought to retain control over their wives' labor and sexuality. The state's project to modernize Mexico following the revolution therefore involved ironic contradictions which often pit state officials who sought to update yet preserve gender roles against men who struggled to retain their traditional right to control women's bodies.

Working class men also constructed their own revolutionary fervor as a response to those who victimized "their" women. Workers not only addressed the evils of capitalism, foreign ownership of land and factories, and the impotent revolutionary officials who did not follow through on their promises, they also introduced a discourse that tied these complaints to the violation of Orizaba's women. Men then constructed their masculinity based on their ability to challenge those who would violate women.<sup>50</sup> While there were many instances of men either attacking women or insulting them at work, there were also those workers who defended women in order to demonstrate their machismo and power to their co-workers. This was the case in a dispute that emerged in March of 1925 when two men allegedly mistreated a female worker in the factory and "offended her dignity." Other factory men filed a complaint on the young woman's behalf and as a result, the union fired the two offenders."<sup>51</sup>

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<sup>50</sup> During the Mexican revolution women joined men's labor movements while men often presented stories and images of suffering women workers to embarrass factory owners and labor officials. Working class men constructed their masculinity based on their ability to protect "weak" women. This clearly was not confined to workers in Orizaba. Florencia Mallon notes this tactic in her research on the Puebla highlands during the 1860s. See Florencia Mallon, "Exploring the Origins of Democratic Patriarchy in Mexico: Gender and Popular Resistance in the Puebla Highlands 1850-187,6" in Heather Fowler-Salamini and Mary Kay Vaughan eds. *Women of the Mexican Countryside 1850-1990*, (Tucson: University of Arizona Press, 1994) pp. 3-27

<sup>51</sup> AGEV, Cámara de Industria de Orizaba, Secretaria de Gobierno, Trabajo y Provisión Social, Informes, Caja 8, Exp. 121, March 3, 1925

Many men also believed that they had a customary right to control women's bodies which conflicted with the state's tacit mission to protect women who were chaste and moral. As revealed in chapter two, men who filed for divorce continued to complain that their wives were not obedient or that they had a customary right to discipline their wives even after the civil codes had codified women's equality in the family. Clearly these changes were revolutionary despite the fact that the state retained a double standard for adultery and continued to include specific clauses in the Penal Code of 1931 for crimes of passion that carried a more lenient sentence.<sup>52</sup>

The dualistic notion of femininity, that women were either mothers or prostitutes, also influenced how citizens and officials understood sexual violence. The state did not intend its legal protection of Mexico's families to eradicate tradition. Rather officials sought to modernize patriarchy in a way that did not condone men's overt use of violence to control women physically and sexually.<sup>53</sup> As former Zapatista Antonio Díaz Soto y Gama noted,

Is it not painful for all Mexicans to see the low depths to which our women have fallen? I admire the woman in two forms--rather, I admire her in one form but understand that the woman has two roles: to provide pleasure, a very humble role but one that appeals to men because we are all sinners and a high role, that of bearing the future generations and in that capacity the woman is the most superior being, the most sanctified of all, the mother.<sup>54</sup>

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<sup>52</sup> José Flores Sánchez. "El Adulterio Como Agresión al Honor," (Thesis: Universidad Nacional Autónoma de México, 1935), p.14.

<sup>53</sup> The cultural construction of La Malinche also shaped how Mexicans understood women's sexuality and vulnerability. See Joann Martin, "Motherhood and Power: The Production of a Women's Culture of Politics in a Mexican Community," *American Ethnologist*, Vol. 17, No. 3. (Aug., 1990), pp. 470-490.

<sup>54</sup> Extraordinary Session, *Diario de los debates de la XXVII Legislatura* 1, no. 12 (May 12, 1919) quoted in Katherine Elaine Bliss, "Theater of Operations: Reform Politics and the Battle for Prostitutes' Redemption at Revolutionary Mexico City's Syphilis Hospital" in Stephanie Mitchell and Patience A. Schell eds. *The Women's Revolution in Mexico, 1910-1953*, (Lanham: Rowman and Littlefield, 2007), pp.125-150.



These opposing concepts of womanhood informed ideas about women's sexual role in society while retaining the importance of motherhood and morality. This double standard trapped women between a culture that held that women were sexual objects for men's pleasure while demanding that they remained honorable and chaste.

Cases of sexual abuse also exhibit a disconnect between state sponsored rhetoric that extolled women's role in "moralizing" Mexican families and the reality of women's vulnerable position in communities like Orizaba. Divorce, laws expanding familial equality, and labor protections, although not fully realized, were part of the larger mission to protect women so that they could perform their duties as mothers and wives. The state emphasized the importance of women's morality and education to the success of creating a productive and stable society. Those that did not conform to the state's larger mission, however, could find themselves lacking legal protection. As a result, women who were not chaste or monogamous in marriage were often considered guilty. A woman needed to confirm her honorability or the honorability of her child if she hoped to attain any recourse from the courts. It was the state's adherence to sexual difference, rather than a desire to foster civil and political equality that made it difficult for victimized women to attain recourse.<sup>55</sup>

In the case of Gome, the attorney chose not to attack the morality of a ten year old girl and instead argued that Gomez did not understand that he had done something wrong. Because Claudia was the only witness to the crime (with the exception of

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<sup>55</sup> This was also the case in other parts of Latin America. See Sueann Caulfield, "The Changing Politics of Freedom and Virginity in Rio de Janeiro, 1920-1940" in Sueann Caulfield, Sarah C. Chambers, and Lara Putnam eds. *Honor, Status and Law in Modern Latin America*, (Durham: Duke University Press, 2005), pp. 223-245. Also see Eileen J. Findlay, "Courtroom Tales of Sex and Honor: Rapto and Rape in Late Nineteenth Century Puerto Rico," in Sueann Caulfield, Sarah C. Chambers, and Lara Putnam eds. *Honor, Status and Law in Modern Latin America*, pp. 201-222.

Galinda), and Gomez held a position as a politico, he could easily have denied that the event ever took place. This argument reveals a tension between modern laws to protect girls and women, Gomez's perception that he had the right to have sexual relations with a young girl, and the inability of the Mexican state to educate its citizenry. It would seem from the testimony that the court and the attorney both believed that there was something inherently wrong with Gomez's behavior but that the state was at fault for his crime, not Gomez. Therefore multiple fissures emerged around this case which demonstrates the conundrum about sexuality, violence, and the moralization of Mexican society.

### **The Role of Honor in Cases of Statutory Rape**

Familial honor was another factor that informed how citizens understood sexual violence. Penal codes during this time implied that charges of violating a girl's body could be reversed if the perpetrator married his victim and if the girl was at least fourteen years old. This could restore her honor and the honor of the family. If the offender refused to do so, the state had the right to incarcerate the offender for up to four years. A front page story of forbidden love in one of Orizaba's most widely circulated newspapers told of such a case. In August of 1934, Vicente Sanchez ran away with his young lover Isabel Chavez. Vicente, 17 years of age, came to collect Isabel from her home and take her to the train station. The article did not disclose Isabel's age. According to Isabel's testimony, she was the one who pressured Sanchez to run away. As they approached the train station, Isabel's father and the police caught up with them and arrested the boy. Sanchez explained that he wanted to marry Isabel but his parents had convinced him that he did not have the means to support a wife.<sup>56</sup> Because Sanchez was shirking his duty to

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<sup>56</sup> Author unknown, "Fue Confirmada la Sentencia Contra un Jovencita que Fue Raptado por una Chica," *Los Sucesos*, August 10, 1934, Tomo XIV pp. 1-2.

preserve the honor of Isabel's family, an honor that was still tied to women's bodies, he would face a lengthy jail sentence. Sanchez had deflowered the young girl. If the court believed that Isabel was "chaste and honest" then the only option was for Sanchez to preserve Isabel's honor and the honor of her family. While many of the details do not appear in the article, and the case does not appear in the judicial record, the ruling was clear. The court sentenced Sanchez to two years and four months in jail. His family appealed the court's decision, but the judge in that case would not overturn the lower court's ruling. Sanchez had a fundamental responsibility as a man to restore the honor of Isabel and her family. His unwillingness to do so, and the public nature of this case, soiled Isabel's reputation.

Cases of statutory rape could be more complicated when it involved consensual sex. Nonetheless, if the girl was a virgin, not legally an adult, and did not have blemishes on her reputation, the court usually assumed that the girl was naïve and that the offender took advantage of the girl to pursue "carnal pleasures." This did not change in the 1940s. For example, in the case of Porfirio De Valle and Carmen Alegre, the court sentenced the boy to three and half years in prison in 1941 for the kidnapping and the statutory rape of Carmen Alegre who was 15 years of age. Despite Carmen's testimony that she did not resist De Valle and that she was attempting to escape a difficult home situation, the court did not sympathize with her. The mother of the girl pressed charges, and authorities arrested the boy and sentenced him to three and half years in jail. De Valle's attorney filed an appeal with the State Supreme Court arguing that the sentence of three and half years was not constitutional according to penal law because the sex was consensual and violence was not involved. In addition, he argued that the girl was 15 and that she

consented, therefore there was no kidnapping. More importantly, however, the attorney argued that during the time that the defendant was out on bail following the initial charges, he married the girl and therefore he had complied with the penal statutes which stated that marriage would absolve him of all charges. The attorney also maintained that the marriage had the girl's mother's blessing. Therefore the charges should be dropped. The appeal, which the court litigated one year later, did not overturn the previous ruling in Orizaba. The State Supreme Court ruled that the boy was not in fact free to marry the girl when he was out on bail. However, the judges did find that the sentence of three and half years was excessive given the details of the case and therefore reduced his sentence. While the court was somewhat lenient in this case, the circumstances of the trial indicate that when a boy or a man took possession of a girl's virginity, he was required to marry her or suffer incarceration. This was especially the case among members of the upper class.

In the previous cases, the court was not concerned that the defendants had not forced the young women to have sex or to run away. Therefore it appears that the court protected the young girls from the "deviance" of the perpetrators and acted in what they believed to be their best interest. However, the issue of marriage is central in both of the previous cases. The court did not appear to be overly concerned with the physical and mental well being of the young girls, only that their relations with the defendants can be transformed from licentious acts to honorable relations through marriage. In any case, women's honorability and public reputation was paramount in the majority of cases that involved sexual abuse.

In cases where defendants claimed the perpetrator violently raped them, legal officials continued to argue that if women understood the importance of “guarding their modesty” and dressing responsibly, they would not have had to endure violence and humiliation.<sup>57</sup> The idea that women could be culpable for their own attacks or that young women were ignorant about sexual matters confirmed sexual difference in two ways. First, sexually experienced women most likely encouraged an attack because men had “natural” urges; or second, chaste women were ignorant and susceptible to men’s false promises or coercive powers to have sex. In either case, sexual relations damaged the young woman’s honor which could only be rectified through marriage, even in cases where the assailant was a stranger.

The clash between modernity and tradition also confused cases of rape. In Orizaba, the Catholic Church retained a great deal of authority over familial relations despite the loss of Church power nationally. The following case indicates the difficulty one mother had in attaining recourse for her daughter who she claimed was brutally raped. In 1930, María Antonio Santiago filed suit with the State Supreme Court in Jalapa, Veracruz to overturn the lower court’s ruling in Orizaba which exonerated Federico Breton for the statutory rape and kidnapping of her daughter Joséphina Santiago.<sup>58</sup> The mother claimed that the municipal court in Orizaba did not adequately consider her case due to her inability to prove that Joséphina was in fact her daughter. Officials in Tlaxcala never notarized her daughter’s birth in 1911. In addition, Joséphina’s legal name and the name that the mother used in the affidavit complicated matters. The mother explained

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<sup>57</sup> Carlos Monsiváis, “When Gender Can’t be Seen amid the Symbols, Women and the Mexican Revolution,” in Jocelyn Olcott, Mary Kay Vaughan, and Gabriela Cano, *Sex in Revolution, Gender Politics, and Power in Modern Mexico* (Durham: Duke University Press, 2006) pp 1-20.

<sup>58</sup> María Antonio Santiago against Federico Breton for the kidnapping and rape of her daughter María Joséfa, AGEV, Tribunal Superior de Justicia, Orizaba, Juzgado Segundo, 1929, exp. 189.

that the priest gave Joséphina part of her name, María Apolonia, while her mother gave her the name Josépha. At home everyone called her daughter Joséphina, which also appeared in the affidavit. Confusion over the girl's name confused court officials in Orizaba and led them to question the mother's legitimacy. Much of the documentation is dedicated to sorting out the daughter's real name and who her biological mother and father were. Joséphina was born out of wedlock, and the father was not involved in her life. The term "hija natural" implies that this was the case. This was not uncommon, but such cases explain why legal officials were preoccupied with staving off the high numbers of illegitimate births. We do know that the biological father was much older than María; he was fifty one at the time of his daughter's birth in 1911.

María's affidavit, while addressing the problems of legitimate birth and her daughter's name, also carefully constructed her daughter's honor while detailing the confusing circumstances of this case. The mother states that her daughter spent her childhood in Huamantla which was a "very Catholic town which contains one chapel for every person who lives there."<sup>59</sup> She also explains that her daughter, "a young and innocent creature," was baptized with all the sacraments. María notes that she laments the lower court's refusal to find Breton guilty and that this has caused "great pain, dishonor, and suffering." The court in Orizaba did not find Federico culpable based on several technicalities, which the mother sought to remedy by filing an appeal with the state supreme court.

In her affidavit she recounted the events that took place one year earlier which led to her daughter's abduction and rape. María argued that Federico Breton tricked her "naïve" daughter, who was probably seventeen at the time, into chasing him to a room

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<sup>59</sup>Ibid.

where he brutally beat and raped her. According to her complaint, María explained that she sent her daughter out one evening to run some errands, which involved determining the value of two rings that she had in her possession. María discusses her poverty in her affidavit which may have been the reason she was pawning the rings. Although it was only around six o'clock, it was dark outside because it was winter. While Joséphina was out, she met Federico who commented on the two rings she had, and he wanted to know where she had bought them. When he asked her if he could look at them more closely, the mother explained, "my daughter being naive, handed them over. Federico then ran off with the rings and my daughter ran after because she feared that I would punish her if she lost them."<sup>60</sup> When she caught up to him, she discovered that he had lured her to a "dingy room where he abused and violently raped her." The medical evidence in this case is missing. We also do not know how the Supreme Court ruled on María's appeal. However, María's complaint is several pages long and the way she constructs her case indicates not only what she believes happened, but moreover what she thinks will be important to legal officials in Orizaba.

María's meticulous recounting of events comes as a result of the state's "abundance of obfuscations" which has "obstructed justice" for her young daughter. Her lengthy affidavit reconstructed her young daughter's honor and chastity as well as the religiosity of her home town and her devotion to the Church which she believed would be important to court officials. María saw to it that she received the sacraments and that she was baptized which highlights the pain she went through to guarantee her daughter's piety and sanctity. Thus, the description of her rape heightens the brutal act forced upon an honorable, young and chaste body. María explains, "The act of rape removed the

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<sup>60</sup>Ibid.

honor of my daughter who was a virgin.”<sup>61</sup> The defendant denied the charge and maintained that the girl was of legal age and consented. While the final ruling in this case is missing, we do know that the lower court in Orizaba found Breton innocent of the charges against him. The confusion over Joséphina’s name is obvious in the lower court’s ruling. When María explained that she sent for the civil registration of her daughter’s birth in Tlaxcala, the document lacked a legal signature. This case is also complicated because Joséphina was either 17 or 18 years old when the alleged rape took place. Sanchez made this point in his defense when he claimed that there was no crime because Joséphina was of legal consensual age. Nonetheless, the mother appealed to the State Supreme Court and also filed civil charges to attain restitution for punitive damages.

Despite the gaps in the court record, this case shows the complexities involved in rape and kidnapping cases and the importance of constructing a woman’s honor and chastity within an emerging bureaucratic legal system. If Joséphina had not been a virgin and if there was no solid proof of violence, then it would be very difficult for her to attain a favorable verdict.<sup>62</sup> Joséphina’s honor was in part tied to her affiliation with a “very catholic town with many chapels” which underscores Sanchez’s violent attack which deflowered her and robbed her of her virginity. In addition, the mother’s defense of her daughter was not associated with social position but rather with her affiliation, baptism, and sacraments.

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<sup>61</sup> María Antonio Santiago against Federico Breton for the kidnapping and rape of her daughter María Joséfa, AGEV, Tribunal Superior de Justicia, Orizaba, Juzgado Segundo, 1929, exp. 189.

<sup>62</sup> Pablo Piccato, Pablo Piccato found in his research in Mexico City that mothers of victims in most sexual abuse cases filed the complaint. See Piccato, *City of Suspects*.



This case also brings to light the clash between modernity and tradition. Since the end of the nineteenth century legal procedures became increasingly bureaucratized; this placed the burden on litigants to follow proper procedures. Therefore it was not enough for María to recount the details of the crime or to provide evidence for it, she also had to provide the necessary documentation to legitimate her maternity and her daughter's age. Many who lived in rural areas simply did not legitimate their marriages or their births with state officials although this was required following Mexico's constitution of 1857. In addition the Catholic Church continued to maintain that to do so was a sin.<sup>63</sup> However, María's position as a mother defending the honor, innocence, and piety of her daughter is particularly important for how both society and the state understood sexual difference. In this case, much like the case of Galinda Villa, there was no father to defend his family. In addition, women who lived alone, worked outside of the home or were out at night, subjected themselves to the dangers of immorality, crime, and vice. In the cases examined for this chapter, the alleged rapists never discuss their honor nor do they present themselves as unknowing or naïve. María however attempts to reconstruct her daughter's innocence. Joséfina left home when it was dark outside under her mother's direction, but it was no later than six o'clock. María is careful to point out this fact because if her daughter was out late at night this could undermine her innocence.

Cases of statutory rape provide one lens through which to understand how both citizens in Orizaba and state officials understood sexual difference. Even following Mexico's revolution, women's chastity and honesty were integral in cases of sexual abuse or deflowering. Because the family was the basic unit of social organization in

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<sup>63</sup> George B. Winton, *Mexico Today, Social, Political, and Religious Conditions*, 1916, AGEV, Call number F1208-W56. Many other citizens also forewent ecclesiastic marriage as well due to priests charging exorbitant fees.

Mexico, the state needed to take steps to secure the sanctity and stability of the family. In the case of Gomez versus Villa, the court viewed his actions as criminal. Gomez shirked his familial responsibility and openly admitted that he participated in sexual play with Galinda. In the two cases of statutory rape examined here, the sexual encounters were consensual yet violated both penal codes and traditions which held that once a man, or boy, has sex with an “honest or chaste woman,” he took possession of her body and therefore had to marry the girl. Even if sex was not consensual, men could still marry their victims to escape prosecution. The state was more concerned with preserving the stability of families and reducing the numbers of illegitimate children than they were with protecting women from sexual violence. The case of Federico is also very instructive. The victim in this case was seventeen years of age and out on the streets after dark. Federico did not deny the encounter, but rather claimed that the girl was of legal age and that their sex was consensual. It was his word against hers. These were the most difficult cases to prosecute. The girl’s working class background and her age, coupled with the peculiarities of this case, probably led the court to absolve Federico of any wrongdoing.

While each of these cases is different, they do provide a glimpse into the power of tradition in Orizaba and how officials understood sexual crimes. Statutory rape clearly demarcated chaste versus fallen and working class versus privileged women while illuminating the clash between modernity and tradition. However, penal codes, scientific research, positivist theory, and the ways in which litigants structured their arguments in a court of law, demonstrate a clear trend among state officials to preserve sexual difference.

The state's goal to preserve gender roles and women's centrality in uplifting the family extends beyond how officials understood sexual abuse or marital discord. The Mexican Revolution also ushered in a period of labor militancy that involved Mexican women as well as men. Therefore state officials had to increasingly grapple not only with women's presence in the workforce, something which had been growing since the mid nineteenth century, but also with women as public actors who demanded protection, better wages and respect and dignity for working class women. Legislators would have to sift through the changing dynamics of an urbanizing nation in order to create new laws to protect women workers while men clung to their role as skilled laborers and providers. Union culture, labor laws, and the dynamics of Orizaba's labor movement provided new protections for working women yet confirmed sexual difference as labor leaders and state officials alike feared women's entrance into spaces once reserved for men.

## Chapter 4

### **“The Revolution has Forgotten the Weaker Sex”<sup>1</sup>: Gendering Labor in Orizaba, 1915-1940**

On December 2, 1916, a group of male factory workers at the textile plant El Yute in Orizaba wrote a letter to the military governor of Veracruz, Cándido Aguilar, which complained that women and children were taking their jobs. However, rather than simply blaming their inability to earn a living wage on the owner’s employment of women and children, the letter called attention to the dangers of factory abuse.

The factory owners in question do not fulfill the laws of this government which are supposed to favor the working class. Rather the industry has evolved in a way that makes women and children carry out heavy labor while paying them a low wage... In addition, a majority of women work on the one side of the [fabric] machine where the work is most demanding. They are not only exposed to excessive dust and other dangers which harm their bodies and health but also, they [factory owners] pay them poorly for this harsh treatment.<sup>2</sup>

Orizaba’s large textile factories employed very few women. Still the men’s complaint provides a rare glimpse into the gendered tensions of industrial life during the Mexican Revolution. The fact that these men were willing to disrupt their workplace with a possible strike indicates that there was a fundamental tension over how to define “worker” and who was best equipped to handle the drudgery and dangers of factory life. Interestingly, the letter does not emphasize that men suffered because women and children took their jobs. Rather the letter states that women who take men’s jobs expose

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<sup>1</sup> Letter from the Garment Workers Union to the Department of Labor, Archivo General del Estado de Veracruz (AGEV), Secretaria General De Gobierno, Archivo Clasificado General, Sindicatos, Caja 6682, Exp 524/21, Feb. 7, 1938.

<sup>2</sup> Union representatives from El Yute to the Governor of the state of Veracruz, AGEV, Secretaria General de Gobierno, Asuntos Laborales, Economía y Provisión Social, Caja 1 Exp. 793, November 29, 1916.

themselves to the deleterious effects of hard labor.<sup>3</sup> Strikes, violence and newspaper stories that recounted workplace brawls informed how community members understood factory life in Orizaba. The workplace was a masculine space where men worked hard, struggled against factory owners, endured abuse, and earned wages to support their family, all key components of masculinity.<sup>4</sup> And as William French explains, “For many working-class males, women’s salaried work threatened patriarchal authority within the family as well as men’s monopoly of certain skills and qualifications.”<sup>5</sup> If women performed this type of work, it not only “feminized” men’s labor, it demonstrated that women could in fact work as hard and as efficiently as men.<sup>6</sup> The men in this letter never allude to such concerns but rather situate their economic fears within a masculine and paternalistic discourse that calls for the protection of women and children. Moreover, their apprehension over the “bodily” effects of women’s factory labor indicates that this could circumscribe women’s primary role, motherhood.

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<sup>3</sup> Working class men often invoked their duty to protect women and children from the workplace’s “dangerous spaces.” By doing so, they negated women’s threat to their masculinity, which was interconnected with skilled labor, better wages and control over women’s labor and sexual behavior. This was also the case in other Latin American regions. See Elizabeth Quay Hutchinson, *Labors Appropriate to Their Sex: Gender, Labor and Politics in Urban Chile, 1900-1930* (Durham: Duke University Press, 2001) For more on labor, capitalism, authority and women’s threats to male power see Nancy Chodorow, “Mothering, Male Dominance and Capitalism,” in *Capitalist Patriarchy and the Case For Socialist Feminism*, Zillah R. Eisenstein (New York: Monthly Review Press, 1979) 83-106.

<sup>4</sup> Masculinity is neither static nor universal. Moreover cultural understandings clearly vary over time and place. Masculinity in this chapter differs from patriarchy which is a system that both legally and discursively charges men with control over women and children. Men’s ability or inability to fulfill their patriarchal duties could either support or undermine masculinity, honor, and dignity. For more on masculinity in Mexico see Matthew Gutmann, *The Meanings of Macho: Being a Man in Mexico City*, (Berkeley: University of California Press, 1996).

<sup>5</sup> William French, “Prostitutes and Guardian Angels, Women, Work, and the Family in Porfirian Mexico,” *Hispanic American Historical Review* 1992 72(4): 529-553, p. 531.

<sup>6</sup> Complaints that women “feminized” the factory floor appeared from time to time in labor newspapers. For example an article that appeared in *La Convencion Radical Obrera* in 1894 complained that, “The suggestion that usury exists in almost all the feminine factories is not a public mystery, but a means to an end. The repugnant image of the woman, is a specter whose fictitious dark figure grows into a social vampire that saturates the masculine factories with a feminine atmosphere.” Anonymous, “La Usura Entre Las Obreras, (Los Usureros Y Las Obreras),” June 3, 1894, in *La Convención Radical Obrera, Antología de la Prensa Obrera* (México: Centro De Estudios Históricos Del Movimiento Obrero Mexicano, 1978), 138.

How state officials and working class men grappled with women's changing social status produced a far more gendered labor movement in Orizaba than most historians have recognized.<sup>7</sup> Mexico's Revolution coupled with Orizaba's rapid urbanization and industrialization transformed social and economic relations throughout the postrevolutionary period. Women worked, demanded better labor conditions, and inserted themselves within a broader debate about the role of women in postrevolutionary society. These changes led state officials to modernize gender relations through new labor protections, educational opportunities, and expanded rights for women in the family. However, rather than including women as skilled laborers and viable political citizens with voting rights, the state introduced legal changes in order to affirm women's domestic roles, thereby preserving sexual difference. Officials intended new labor laws that protected women in the workplace to affirm their primary role as mothers and wives while making them less attractive to employers. Women could now work and challenge their husband's power in the family through legal channels, but the state continued to view women's paid labor as ancillary. As a result, the state as well as labor unions sought to affirm men as skilled workers.

This chapter illuminates how revolutionary officials and workers grappled with material, social, and ideological changes in Orizaba that threatened traditional gender dynamics. The relationships among women, state policy, and labor unions in Orizaba during the revolutionary and postrevolutionary years reflects how both male workers and

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<sup>7</sup> Thomas Klubock explains in his analysis of the mining community in El Teniente, Chile "A 'gendered' history must focus on working-class masculinity and femininity, treating both men and women as 'gendered' historical subjects; it must also explore...[how] working-class politics and subjectivity are shaped by social practices and hierarchies based on the arrangement of power surrounding sexuality." See Klubock, *Contested Communities, Class, Gender and Politics, in Chile's El Teniente Copper Mines, 1904-1951*. (Durham: Duke University press, 1998).

legislators sought to use women's presence in the workforce to their advantage in order to preserve sexual difference. This is reflected not only in men's desire to control women's labor and to protect them from the dangers of factory work, but also in men's struggle to maintain their monopoly over skilled labor.

Skilled labor refers to work that involved the use of machinery or skills that union members believed were specialized and unique. In Orizaba, large factories with modern equipment that produced cotton cloth employed mostly men while the knitwear industry employed women.<sup>8</sup> However, it is impossible to understand skilled labor without exploring the gendered context in which specific tasks arose. Jeffrey Bortz explains that when Mexico industrialized, everyone still assumed that laborers would be male while women who entered the workforce required an explanation. Others have argued that the types of labor women performed were merely an extension of the types of work women did in the home such as washing clothes, sewing, cooking, and domestic service. In her assessment of the Argentine workforce during the early 1900s, Mirta Zaida Lobato argues that wage labor detracted from women's primary function as mothers and therefore the state needed to forestall the negative consequences of paid employment for women.<sup>9</sup> In Mexico, the state continued to emphasize the family as the primary unit of social organization following the revolutionary period. Labor statutes limited the number of hours women could work and precluded them from "dangerous" occupations. This would ensure that motherhood remained women's primary role in postrevolutionary

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<sup>8</sup> For example, Rio Blanco, which was Orizaba's largest textile factory, employed 2,610 men and only 12 women. See Jeffrey Bortz, *The Revolution, The Labour Regime, and the Conditions of Work in the Cotton Textile Industry In Mexico, 1910-1927*," *Journal of Latin American Studies*, no 32, 2000, 671-703

<sup>9</sup> Mirta Zaida Lobato, "Women Workers in the 'Cathedrals of Corned Beef': Structure and Subjectivity in the Argentine Meat Packing Industry," in John French and Daniel James eds., *The Gendered World of Latin American Women Workers, From Household and Factory to the Union Hall and Ballot Box*, (Durham: Duke University Press, 1997) p. 53-72.

Mexico. The state charged women with “moralizing” their families, indoctrinating children with secular education, and providing disciplined productive workers.

Economic realities, however, led women into Orizaba’s industries and workshops. Their presence in the workforce, and labor demonstrations along with radical women’s growing contribution to leftist literature led some labor activists to attempt to use working class women to achieve their goals. Workers invoked their right to defend weak and impoverished women so as to embarrass patrons and state officials. In addition, union leaders encouraged women’s participation during the Mexican Revolution in hopes that women would transmit radical working class ideology to their families. This was critical since mothers were often seen as purveyors of fanatical church dogma which opposed much of the anarcho-syndicalism that was sweeping some parts of Mexico. However, women’s increased activism coupled with the state’s and working class men’s desire to preserve sexual difference produced ironic circumstances that created new opportunities for feminism and women’s activism to emerge.

During the latter half of the nineteenth century, women’s lives had changed drastically. Many had relocated out of necessity to cities, such as Orizaba, and worked in factories or small workshops. However, the majority worked as domestic servants. Clearly women in the Mexican countryside had always worked in the fields, in home production, and in the markets, usually (though not always) under the supervision of fathers and husbands. The advent of urbanization, rural land usurpation, and the high mortality rate of men due to social unrest and warfare throughout the nineteenth century, led many women to migrate to the cities.<sup>10</sup> Urban migration sent women to the homes of

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<sup>10</sup> For more on urban migration in Mexico see Mark Wasserman, *Everyday Life and Politics in Nineteenth-Century Mexico: Men, Women, and War* (Albuquerque: U. of New Mexico Pr., 2000).



wealthy families, to the streets to sell wares, to the cantinas, and to the textile, tobacco, garment and other mills and workshops where they often worked outside the auspices of male kin. Urbanization and industrialization, then, in Mexico, as in the rest of Latin America, opened the door to autonomy and self-reliance for women.

Although women's presence in the workforce increased throughout the late nineteenth century, the factory floor and labor unions were masculine spaces where men rejoiced over their ability to challenge patronal authority. As Jeffrey Bortz explains in an example from a Mexico City wildcat strike in 1920, "For these millhands, Mexico's Revolution had given them the courage to disobey orders, to challenge their immediate superiors, and to carry out wildcat strikes firm in the knowledge that they would not lose their jobs and livelihoods."<sup>11</sup> Working class men's new found ability to challenge authority not only empowered them in the workplace, it also led to better working conditions and better wages. Increased wages, the right to unionize and strike, and union control over hiring and firing had far reaching ramifications that extended beyond the factory floor.

However in gaining authority in the factory working class men invoked a gendered discourse that conflated their right to skilled labor, better wages and the ability to question the power of factory owners with their right to protect and control women and children. The workers at Rio Blanco in the opening example spoke on behalf of women

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<sup>11</sup> Jeffrey Bortz, "The Revolution, the Labour Regime, and Conditions of Work in the Cotton Textile Industry in Mexico, 1910-1927," *Journal of Latin American Studies* 2000 671-703 671-672. For more on workers' successes and failures during the Mexican Revolution see Alan Knight, "The Working Class and the Mexican Revolution, 1900-1920", *Journal of Latin American Studies* 16 (May 1984) 51-79. Knight maintains that despite worker radicalism, the disunity between urban and rural and skilled and unskilled labor, precluded an overall victory for workers. Jeffrey Bortz however, challenges Knight's argument. Bortz maintains that many workers initially Experienced increased control over factory life and better wages and working conditions. See Jeffrey Bortz, "Authority Re-Seated: Control Struggles in the Textile Industry during the Mexican Revolution," *Labour History*, 44 2 (2003) 171-188.

who were working in *their* factory, and performing labor that was difficult and dangerous. In other words, working class struggle did not stop at the factory door but rather penetrated community and family life as men openly declared their right to control women's labor and to protect them. The Revolution affirmed what working class men believed that elites had denied them during the Porfirian period (1876-1910), their manhood.

State officials on the other hand, initiated a process that offered seems to be contradictory possibilities. The state highlighted women's importance in the postrevolutionary mission to educate families, moralize their husbands, and participate in community activities such as charity functions. Men were still heads of the family and the primary wage earners. However, state officials sought to interject a "modernized" paternalism that promoted women's secularization and education, while emphasizing their need for protection in both the family and workplace. As a result, women's presence in the labor force, their role in the Mexican Revolution, and their place in social organization led both working class men and state officials to focus on women as principle components in achieving stable families and communities. The state viewed women as key to promoting a modern, productive, and sober workforce that would be educated and compliant. Working class men, on the other hand, savored their ability to shut down factories, challenge the authority of patrons to achieve better wages and conditions while relishing traditions that often centered on cantina life, union meetings and other forms of male camaraderie that reinforced machismo. Women were key to sustaining the family in their absence, but submitting to male authority at home and in public.

Undoubtedly, some women conformed to the postrevolutionary mission, however others seized upon these changes to construct a vision of Mexico that did not limit them to domestic roles. Women workers also shared ideas about what they believed the Revolution represented which spilled over into labor organization that sought to rectify women's poverty and workplace exploitation. For example, on September 29, 1915 female labor activist Luz Jiménez, wrote a letter to the military governor Cándido Aguilar of Veracruz pleading,

We have the right to ask the governor for protection and justice which would allow women the means to maintain themselves with honor. There are forty three homes where many of us are weeping and miserable. One of us has an elderly mother that we support with the fruits of our labor and other homes have four or five women that form a family of sisters that work without rest for the necessities of life in their humble and honorable homes.<sup>12</sup>

Luz's letter invokes multiple identities of women as laborers and social activists, while also appealing to social constructions of women's weakness and suffering. Their "family of sisters" was not only vital to these women's survival, but also informed a working class consciousness that was centered on experiences of motherhood and female solidarity.<sup>13</sup> Luz's expression of a common familial, workplace, and social experience not only asserts her need for financial support. She also seeks to shame male revolutionary officials, who claim that they are protecting women, while denying them a living wage and thus forcing them to sacrifice their "honor." Clearly each woman's subjective experience in these "forty three homes" informed how they interpreted and faced the struggles of hunger, poor housing, and disease. Nonetheless, they also shared

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<sup>12</sup>Letter from Luz Jiménez to General Cándido Aguilar, AGEV, Fomento, Asunto Laborales, Caja 96, Exp. 48, April 29, 1915.

<sup>13</sup> Following Pierre Bourdieu's concept of habitus, I maintain that women and men subjectively interpreted their economic, social and political circumstances. However this does not confine agency to subjectivity. Rather it informs their social agency and shapes how men and women reconstruct their social reality in order to illicit specific responses. See Pierre Bordieu *Outline of a Theory of Practice* (Cambridge University Press, 1977).

daily life experiences, such as their inability to support the elders of their community who relied upon them. These shared experiences augmented the formation of a common identity which empowered these women to challenge revolutionary authority and eventually their male counterparts.

On the other hand, male dominated unions advanced a paternalism that emphasized the need to protect women and the duty of revolutionary officials to uphold sexual difference. This did not preclude men from welcoming women into labor struggles during the revolutionary period. Both male and female garment, coffee, and tobacco workers in Orizaba engaged in revolutionary organizations such as the Casa del Obrero Mundial and were active participants in anarchist movements.<sup>14</sup> Historians have often asked how women could find their voice while participating in these male-dominated organizations. For example, Susan Gauss notes in her work on unions in Puebla during the 1940s that union leaders excluded women from the rank and file and thereby marginalized female labor.<sup>15</sup> While men included women in Orizaba's unions, they relegated them to positions associated with unskilled labor, such as garment work or as workers in textile factories that did not require much training. Women were welcome to join men's unions, and in many cases labor union leaders encouraged them to do so as part of a larger strategy to radicalize "conservative" and pious women, who many men

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<sup>14</sup> Anarchists and socialist workers founded the La Casa del Obrero Mundial in Mexico City in 1912. Heavily influenced by Spanish émigré anarchists, the organization was dedicated to the development of trade unions and the expansion of workers' rights. In 1915, the Casa sent 7,000 men to train in Orizaba's military camps to fight on the side of the Constitutionalist forces. In 1916, Constitutionalist leader Venustiano Carranza crushed a general strike led by the Casa in Mexico City and dissolved the Red Battalions who had fought alongside the Constitutionlists during the revolution. This led to the demise of the Casa del Obrero Mundial. For more on the Casa del Obrero Mundial, anarchism, and union formation in Mexico see, John Mason Hart, "The Urban Working Class and the Mexican Revolution: The Case of the Casa del Obrero Mundial," *Hispanic American Historical Review*, 58 1 (1978) 1-20.

<sup>15</sup> Susan M. Gauss, "Masculine Bonds and Modern Mothers: The Rationalization of Gender in the Textile Industry in Puebla, 1940-1952," *International Labor and Working Class History* 2003 (63): 63-80.

believed undermined the radical sentiment and secularism of the working class. However, focusing *only* on women's exclusion from unions or the marginal improvement in their labor conditions following the Mexican Revolution overlooks how gender informed working class formation and social struggle. As Thomas Klubock explains in his study of mining communities in Chile, "By eliding gender's role in working-class formation, historians have naturalized the masculinization of labor and class identity and have neglected women's role in the process of proletarianization."<sup>16</sup> Women in Orizaba inserted themselves into a powerful male working class movement which was forced to answer women's increasing demands for inclusion, respect, dignity, and better working conditions, demands that male workers also made.

State policy also informed and complicated women's role in labor organization and resistance. Veracruz's labor law of 1926 categorized women as workers and overturned earlier labor statutes that required a married woman to obtain her husband's permission to work outside the home.<sup>17</sup> Legal changes coupled with worker-sponsored forums for women's issues in the media and activist organizations demonstrate that both workers and state officials realized that they could not ignore women's responses to social, cultural and economic changes that facilitated their greater entrance into public work life. Indeed, many men and women at this time were struggling to redefine hierarchies based on class, ethnicity, and gender. These transitions are reflected in the state's land, labor,

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<sup>16</sup> Thomas Miller Klubock, *Contested Communities, Class, Gender and Politics in Chile's El Teniente Copper Mine 1904-1951*, (Durham: Duke University Press 1998), p. 7.

<sup>17</sup> *Ley del Trabajo del Estado Libre y Soberano de Veracruz-Llave y sus Reformas*, (Jalapa-Enríquez: Oficina Tipográfica del Gobierno del Estado, 1926) p. 8. For more on labor codes in Veracruz see Jeffrey Bortz, "The Legal Contractual Limits to Private Property Rights in Mexican Industry During the Revolution", 255-289 in *The Mexican Economy 1870-1930, Essays on The Economic History of Institutions, Revolution, and Growth*, Jeffrey Bortz and Stephen Haber eds. (Stanford: Stanford University Press, 2002).

and familial reform policies, and in the first feminist congress in 1916. Clearly subalterns perceived these changes in different ways based on their daily experiences, gender, ethnicity, regional background, and church affiliation. Each of these shaped their understandings of state sponsored revolutionary discourse that promised to uplift the working class and protect women. In addition, while workers encountered similar economic circumstances, they also developed interpersonal community and familial relationships that informed how they understood Mexico's social and political struggles.<sup>18</sup> For workers in Orizaba, labor unions constituted the primary forum where workers grappled with these issues.

### **Setting the Stage: Economic Change and Revolutionary Ideology**

An understanding of women's organizations in Orizaba must be set in the context of union power and social movements in Orizaba during and following the Mexican Revolution. Unlike most regions in Mexico, unions in Orizaba were so powerful and well-organized that labor leaders there were also municipal administrators until 1933.<sup>19</sup> In addition, new political alignments transformed power relations between workers and employers. The laissez faire regime that reigned in 1900 had changed by 1925. Powerful unions necessitated that workers be hired through collective contracts negotiated between employers, unions and workers. No longer would employers alone make hiring

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<sup>18</sup>For example, Corridos often filled the boozy and smoke filled cantinas of Orizaba with stories of revolutionary heroes, loves lost, and the trials of factory life. For more on feminine themes in Corridos see Enrique R. Lamadrid, 'El Corrido de Tomochic': Honor, Grace, Gender, and Power in the First Ballad of the Mexican Revolution," *Journal of the Southwest* v. 41 no. 4 (Winter 1999) p. 441-60

<sup>19</sup> Marjorie Ruth Clark, *Organized Labor in Mexico* (Chapel Hill: University of North Carolina Press, 1934).

decisions.<sup>20</sup> However, changes in the relationships of labor clearly affected men and women differently.

Union power did not necessarily equate to better working conditions for women. Women comprised only about two to three percent of textile laborers in Orizaba, and they usually worked only in the lowest-paid positions. Women also worked in low wage and unskilled job in Puebla and Tlaxcala whereas in other Mexican regions, women's participation in the textile industry was far greater.<sup>21</sup> This was probably due to two factors. Strong unions were able to effectively retain skilled positions for male workers while also attaining better wages for those workers. Higher wages meant women could remain in the "domestic sphere" and raise children. Second, and more importantly for single women, union men also fought hard to reduce women's presence in the factory. Labor officials' reports of women's sexual abuse and employers' ability to pay women lower wages fueled working men's arguments that "their women" should not endure the harsh and exploitive spaces of factory life. For example, a 1919 article in *Pro-Paria* called attention to both military officials and factory owners' exploitation of women. "Far from guaranteeing women rights, they insult these defenseless, humble, and worthy women in the most vile and cowardly ways. They legalize death through their brute force and only represent the owners..."<sup>22</sup> Pleas such as this became part of working men's

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<sup>20</sup> Aurora Gómez-Galvarriato Freer, "The Impact of Revolution: Business and Labor in the Mexican Textile Industry, Orizaba Veracruz 1900-1930" (Ph.D. Diss. Harvard University, 1999) 188.

<sup>21</sup> *Ibid.*

<sup>22</sup> C.A. Bonanni, "Los Auspicios de los Sindicatos Federados, Resultaron Brillantísimos y llenos de inusitada Animación, Verificados en Rio Blanco, Nogales, Y Santa Rosa, Refirmando Asi La Estabilidad de la Organizaciones Sindicalista de Esta Región" *Pro-Paria* Tomo II, Number 62, October 5, 1919. In 1917 labor radicals and leftists founded *Pro-Paria*. The newspaper had wide circulation in Orizaba and eventually became one of the premiere working class newspaper in Mexico. By 1930, the newspaper had become the official publication of the Federación de Sindicatos y de la Cámara del Trabajo de Orizaba. The paper featured articles on the lives of workers in other countries, agriculture and industrial life, and also contained a literary section that often presented articles on women and children.

protectionist discourse which further established their right to protect “their” women from unscrupulous factory owners.

While women were part of larger male-dominated labor unions in the textile industry, secondary industries such as garment, tobacco, and coffee employed far greater numbers of women. These women at times organized unions and struggled to attain dignity, honor, and a better way of life. Female dominated unions such as the *Sindicato Obreras de Escogedoras de Café* or the *Sindicato de Obreras Costureras* elected their own leadership but were also part of regional syndicalist organizations that presided over the factory unions. For example, the *Sindicato Obreras de Escogedoras* fell under the leadership of the male dominated *Federación Sindicalista de Obreros y Campesinos*. Female union leaders filed their complaints through the parent union. This procedure later became a contentious issue for some women activists. Nonetheless, women’s complaints borrowed from state sponsored rhetoric that promoted women’s protection for the good of *la patria*. Indeed Carranza’s 1917 Law of Family Relations emphasized the need to protect and educate women in order to uplift Mexico’s families. Women seized upon these promises to demand changes in their work environment. As the postrevolutionary years passed, working class women increasingly noted that men were not improving their working conditions or substantially raising their wages. Therefore women’s union solidarity with men, which called attention to the evils of capitalism, especially among Marxists and anarchists, gave way to a greater focus on women’s separate identity.

Social and economic changes emerged long before Madero’s call for revolution. Both men and women formed labor collectives or mutual societies during the 1870s and

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1880s in various industries in order to call attention to labor exploitation.<sup>23</sup> In Orizaba, the arrival of the textile industry in 1836 and its expansion by the latter half of the nineteenth century created the necessary space for workers to forge a working class unity that increasingly questioned the power of factory owners. For women, much of their organization stemmed from Church supported mutual societies that called attention to poor wages and the abuse of women.<sup>24</sup> Rather than simply arguing that women needed to return to the home, Catholic officials recognized that many women were struggling to survive. The Church therefore, fearing women's potential militancy and alignment with male workers, set out to provide a more moderate position that recognized women's poverty and exploitation as a problem without supporting the radicalism and anticlericalism of working class men.

Mexico's revolution and officials' promises to improve women's lives coupled with the growth of feminism and labor organization created new opportunities for women to demand that revolutionary leaders not forget their promise to women. In Orizaba which was one of Mexico's most vibrant industrial centers, women noted the yawning gap between revolutionary promise and economic and social reality. Orizaba's noted labor

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<sup>23</sup> In 1889 *La Convención Radical Obrera* published a list of mutualist societies in Mexico. Of the 80 mentioned, 10 were led by women. Many tobacco workers sought the support of these organizations. Mutualist societies were community-based and sought not only better working conditions, but also addressed issues such as education and child care.

<sup>24</sup> The Church often supported women's rights to work and actively participated in movements to attain better wages and working conditions. However, much of the Church's involvement was an attempt to stave off women's participation in radical workers' organizations. See Patience A. Schell, "An Honorable Avocation for Ladies: The Work of the Mexico City Union De Damas Catolicas Mexicanas, 1912-1926," *Journal of Women's History* 1999 10(4): 78-103. Also see Paul Vanderwood, *The Power of God Against the Guns of Government, Religious Upheaval in Mexico at the Turn of the Nineteenth Century* (Stanford: Stanford University Press, 1998). For regions outside of Mexico see Lorraine Coons *Women Home Workers in the Parisian Garment Industry 1860-1915* (New York: Garland Publishing Inc., 1987). Coons argues that because female seamstresses were impoverished, their profession was often equated with prostitution. As a result the Church became a protagonist to moralize women by demanding legislation to increase wages and better women's labor conditions. The Catholic Church, while not promoting radical acceptance of new female roles, acted to deter women's involvement with radical organizations by acting on their behalf.

activism, powerful unions, and communist and anarchist organizations often welcomed women's participation which created an opportunity for women to voice their concerns.<sup>25</sup> Indeed prominent labor publications such as *Pro-Paria* often championed the emancipation of women from the yoke of capitalist exploitation and also provided a literary forum for women to express how the Revolution could free them from degradation. These editorials called attention to the feminist movement, the rights of mothers, and the need for better education for women.

Therefore, contrary to historians who continue to diminish the effectiveness of the Mexican Revolution in bringing redress to workers complaints, the Revolution did usher in a more gendered labor movement that set the stage for how women's changing roles in society fit into the postrevolutionary project. The state combined new laws that protected women with a discourse that conflated women's protection and education with uplifting *la patria*. The fact that the state in many ways did not follow through on these promises or that working class men fought to maintain their monopoly over skilled labor did not preclude women from organizing themselves in ways that were not possible before the revolution.

Despite the Mexican Revolution's masculine project that continued to emphasize the importance of separate spheres<sup>26</sup> (worker and non-worker, political participant and

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<sup>25</sup> Temma Kaplan argues in her assessment of female consciousness in Barcelona, Spain, that "associational life in the family, the church, worker's circles, cooperatives and women's groups" is integral to understanding the formation of female consciousness. I maintain that these factors also informed the organization of male dominated trade unions. Workers invoked a gendered discourse that reflected women's activism and men's "rightful" duty to protect the "weaker sex." See Temma Kaplan, "Female Consciousness and Collective Action: The Case of Barcelona, 1910-1918," *Signs*, 7:3 (1982:Spring) p.545

<sup>26</sup> Historical debates over the public/private dichotomy have saturated historical texts that explore women's citizenship and labor in various regions and temporalities. As Sonya Frader and Laura Rose note, "Numerous feminist historians and theorists have maintained for sometime that the dichotomy obscured the historical relevance of the private domestic sphere. Women's historians have produced a wealth of research on the centrality of family life to working class communities...Joan Kelly maintained that rather than two

familial caretaker), state officials also believed it was necessary to redefine patriarchy. As historian Mary Kay Vaughan explains, “It [the state] aimed at destroying regional patriarchal networks of power and provisioning in favor of national, horizontal networks. It sought to remake the family---men, women, children---in the interests of nation-building and development.”<sup>27</sup> However, women in workshops and on factory floors, scantily clad *chica modernas*, and gun toting *soldaderas* complicated the state’s project as legislators sought to modernize traditional images of the pious and dutiful wife toiling in the home. Therefore revolutionary leaders, both conservatives and liberals, had to negotiate how to modernize patriarchy to fit within their postrevolutionary goals to educate and uplift women while securing their central role as mothers and wives. For example, the 1917 Law of Family Relations which legalized divorce and expanded women’s legal rights in the family was a crucial step in this process to “modernize” the standing of Mexican women. Revolutionary President Venustiano Carranza explained in 1917 that, “Women, especially Mexican women, in their self-denial and tenderness have been the victim of wickedness that the state must now prevent...and now it must be accepted that certain measures will protect women to ensure that she receives from her husband all that she gives to him.”<sup>28</sup> This depiction undoubtedly conflicted with working class men’s desire to maintain anterior forms of patriarchy which afforded them greater power over their wives and children in the family, community and public labor market. State officials did not stop there. Their expanded paternal role also spilled over into the

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spheres of social reality, there are in fact different sets of social relations.” See Frader and Rose eds. *Gender and Class in Modern Europe*, (Ithaca: Cornell University Press, 1996) 13. Also see Joan Kelly, *Women, History and Theory : The Essays of Joan Kelly* (Chicago : University of Chicago Press, 1984).

<sup>27</sup> Mary Kay Vaughan, *Cultural Politics in Revolution, Teachers, Peasants, and Schools in Mexico 1930-1940* (Tucson: University of Arizona Press, 1997), p. 11.

<sup>28</sup> *Ley Sobre Relaciones Familiares*, C. Venustiano Carranza Jefe del Ejercito Constitucionalista Encargado del Poder de la Nación. Edición Oficial, Orizaba, Veracruz, 1917. pp. 8-9.

workplace. Liberal legislators passed laws which limited the types of industries where women could work, shortened their workday, outlawed night work and eventually eliminated the need for wives to attain their husband's permission to work outside the home.

In addition, state officials had hoped that by expanding divorce and custody rights for women and by protecting them in the workforce, women could more easily fulfill their domestic duties and "moralize" working class men.<sup>29</sup> Additionally, revolutionary leaders understood the central role that labor could play in uplifting la patria. As Kevin Middlebrook explains, "The central role of mass social forces in the revolutionary struggle and the presence of worker and peasant delegates at the 1916-1917 Constitutional Convention in Querétaro were crucial to winning a place for socioeconomic reforms among formal constitutional guarantees."<sup>30</sup> The postrevolutionary state established a goal of co-opting labor's radicalism into a controllable force that would eventually legitimate Mexico's single party system. For this to take place, men needed to be sober, disciplined and hard working. While state officials understood that women could also be workers, they sought to restructure Mexican communities based on elite notions of motherhood and domesticity.<sup>31</sup> Women were part of an equation that

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<sup>29</sup> Venustiano Carranza's Law of Family Relations legalized fault and no-fault divorce in 1917. While the law underscored women's primary familial role, it created a legal and discursive space for women to challenge their husband's authority in the home. See "Ley Sobre Relaciones Familiares," Expedida por Venustiano Carranza, Primer Jefe del Ejercito Constitucionalista, Encargado del Poder Ejecutivo de la Nación, Edición Oficial, Estado de Veracruz-Llave, 1917.

<sup>30</sup> Kevin Middlebrook, *The Paradox of Revolution, Labor, The State, and Authoritarianism in Mexico*, (Baltimore: Johns Hopkins, 1995) 21.

<sup>31</sup> This idea was not new. Porfirian leaders and elites championed the idea of women as "guardian angels" of the household who would help to inculcate the values of thrift, sobriety, and hard work among Mexico's working classes. The Revolution did not depart from this program. However, the realities of a violent working class movement, women working in factories, and new laws that addressed these social realities, forced elites to rethink how postrevolutionary Mexico would restructure society to create better workers and mothers within the context of Expanded rights, unionization, and political participation. See William

would moralize and Mexican society through the working class. Working class men, on the other hand, invoked images of suffering women to shame the state while also including women in their unions in order to “radicalize” the family. Thus, the goals of the state and workers overlapped but also diverged in important ways.

While legislators intended “transitional laws” to modernize gender relations within the scope of sexual difference, these changes ironically opened spaces for women to organize and insert themselves both intentionally and unintentionally into the postrevolutionary project. Nonetheless, while women fought to have labor leaders recognize the importance and necessity of their labor, their struggle also created opportunities for men to reassert their machismo by exposing the inability of state officials to protect women. Much like the examples in the previous chapter, men challenged state officials and union leaders to uphold promises that would preserve the integrity of the Mexican family. Therefore while most workers agreed that motherhood was a woman’s primary occupation, they also seized upon women workers to advance their agendas.<sup>32</sup> In this way, men often shaped labor struggles around women’s presence in the workplace to create a highly gendered social struggle.

Despite state and worker efforts to redefine what women’s changing roles could mean for organized labor, women labor activists were often privy to their manipulation. Most women believed that mother and wife were their primary social roles and they placed the requirements associated with these roles within the context of their daily personal

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French, “Prostitutes and Guardian Angels: Women, Work, and the Family in Porfirian Mexico,” *HAHR* 72:4, 1992 529-553.

<sup>32</sup> This is not to say that there were not exceptions. Some leftist leaders, most notably in Yucatan, fought to incorporate women as political citizens from the workplace to the voting booth. See Stephanie Jo Smith, “Engendering the Revolution: Women and State Formation in Yucatán, Mexico, 1872-1930,” Ph.D. diss (State U. of New York, Stony Brook, 2002).

experiences at home, in the community, and the workplace. In some cases, these requirements led women to demand more of revolutionary officials and working class men. Indeed some early accounts of the famous Rio Blanco strike in 1907 describe a woman who challenged the masculinity of the textile workers, which “was the drop of water that spilled a glass and erupted into a volcano” as workers burned the textile stores in protest.<sup>33</sup> In this case, women utilized men’s desire to display machismo, and state protectionist discourse, as well as the cultural, social, and material circumstances in Orizaba to advance their subjective interests. However, like their male counterparts, this did not necessarily produce a unified “female consciousness.” For example, women who helped organize labor unions often borrowed from men’s indictment of capitalism as the root of inequality, an inherent component of Marxist and anarchist thought, while others noted men’s control over women as the principle cause of inequality. Conversely, other women openly chastised activist women for creating work stoppages, impeding their right to earn a wage, or being susceptible to the influence of radical men who “poisoned” Orizaba’s factories and communities. Tradition, the cultural power of the Church, changing economic and social circumstances, and the growth of feminism produced a myriad of influences that women responded to in different ways.

### **The Revolution and Labor Law**

The growth of the textile industry in Orizaba and later other manufactories during the latter half of the nineteenth century expanded urbanism, bolstered labor’s importance, and created spaces for women to enter the work force. These changes led early labor activists, usually anarchists or socialists, to form mutualist or resistance societies. The Gran Círculo de Obreros de Mexico was one of the more potent anarcho-

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<sup>33</sup> Author unknown, “Los Conflictos Obreros” *Diario Del Hogar*, January 10, 1907.

syndicalist organizations in Mexico which boasted a membership of 50,000 workers from the mining, textile, and other manufacturing industries.<sup>34</sup> Mutualist societies, however, were the most common form of early labor organization. In 1889 *La Convención Radical Obrera* published a list of mutualist societies in Mexico. Of the eighty mentioned, women led ten of these organizations.<sup>35</sup> Labor activism was sporadic during the late nineteenth century however, largely because Porfirio Díaz (1876-1910) cracked down on union organization, at times violently repressing strikes. By 1906, labor unrest exploded in strikes at the Cananea copper mine in Sonora and the Río Blanco textile strike in Orizaba. Railroad workers also initiated strikes in 1905 and 1908.<sup>36</sup> Labor unrest, coupled with the economic downturn of 1907, created opportunities for Díaz's opponents to challenge openly the dictator's control over Mexico.

Following Díaz's fall from power in May of 1911, industrial workers set out to shape labor policy in their favor. This was a tall order in a nation comprised largely of agricultural workers (campesinos). Revolutionary president Francisco Madero initiated the first labor law in 1912, which addressed industry wages, working hours, and safety standards, but labor's overall weakness precluded further benefits to workers.<sup>37</sup> This in part had changed by 1917. While industrial workers comprised a small percentage of Mexico's population, Article 123 of the Mexican Constitution introduced sweeping labor reforms. As the Mexican Revolution challenged structures of authority, demand for improved working conditions coupled with the struggle to redefine relations between

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<sup>34</sup> John Hart, *Revolutionary Mexico*.

<sup>35</sup> Susie Shannon Porter, "In The Shadows of Industrialization: The Entrance of Women into the Mexican Industrial Work Force, 1880-1940," (Ph. D. diss., University of California, San Diego, 1997) 84

<sup>36</sup> Rodney D. Anderson, *Outcasts in Their own Land, Mexican Industrial Workers, 1906-1911* (De Kalb: Northern Illinois University Press, 1976).

<sup>37</sup> Kevin Middlebrook, *The Paradox of Revolution*.

owners and laborers reached a crescendo between 1914 and 1917. By 1917 Carranza's revolutionary government passed labor laws that directly addressed women's employment. The concern for women working long hours in dangerous factories emerged on many levels. Women who entered the workforce faced sexual exploitation and low wages which greatly angered male workers and encouraged women to organize. As a result state officials called for better education for women in an attempt to moralize, secularize, and improve their skills.<sup>38</sup>

Article 123 outlined several protections/rights for the working class which reinforced a sexual division of labor. The state government in Veracruz acknowledged conflicting perceptions of women's work at home and in factories as early as 1915. Article Five of Decree Eleven of the Junta de Administración stated, "Labor Laws pertaining to the protection and material and moral improvement of the worker are essential when concerning women who are indispensable in the home and to the children whose education must not be neglected."<sup>39</sup> According to the state, women needed extra protection in order to maintain their proper domestic roles. Federally, Article 123 forbade employers from requiring women to work after ten at night, to work more than eight hours in one day, or to work in industries that were particularly dangerous. In addition, the document codified protections for women in the last trimester of pregnancy and established maternity leave for one month following birth. The state also made provisions for mothers to nurse their children during work hours.<sup>40</sup>

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<sup>38</sup> Mary Kay Vaughn, "Women, Class, and Education in Mexico, 1880-1928", *Latin American Perspectives* 6 (1977): 140.

<sup>39</sup> En Contestación a las observaciones que la Cámara Nacional de Comercio, por conducto de esa Junta de Administración Civil, hace artículos 2, 5, 7, y 10, del Decreto 11, al Gobierno, AGEV, Fomento, Asunto Laborales, Caja 84, Exp 37, September 18, 1915.

<sup>40</sup> *Leyes y Códigos de México, Constitución Política de los Estados Unidos Mexicanos, 1917, Edición 91ª. México, D.F. 1991.*



While these reforms deterred employers from hiring women, many women continued to work in diverse sectors of both Orizaba's formal and informal economy. Some of the women who joined trade unions and participated in anarchist movements during the revolution demanded that the state fulfill its revolutionary promise to uplift and protect them. As a result, the state's mission sought to balance women's protection with economic and social changes and cultural prescriptions of sexual difference. Women's "need" for protection so that they could more effectively carry out their role as mothers served to preserve the masculinization of skilled labor thereby deskilling women's economic activity. Labor laws that limited the hours and time of day that women could work coincided with legislative changes that increased women's power in the family. Women might need to work, but their labor was supplementary while motherhood and spousal devotion was primary.

In 1926, the state of Veracruz introduced new labor codes that not only protected women but also overturned previous codes, including the 1917 Law of the Family that stipulated that women had to seek their husband's permission to work. Veracruz's Labor Decree of 1926 sought to balance the "modern" with the "traditional." For example, Article five stated that a worker was not purely a masculine or even an adult category.

Article five of the law defines workers as anyone who enters a contract. In this concept, a worker is, by all legal statutes, not only a day laborer or laborer, but also a servant, an employee, a man or group of men, a woman or group of women, a minor or group of minors, who all have entered into a work contract that commits them to carrying out a specific job whatever that job may be.<sup>41</sup>

This definition not only reflects the economic realities which continued to necessitate women's work outside of the home, but also attempted to balance

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<sup>41</sup> *Ley del Trabajo del Estado Libre y Soberano de Veracruz-Llave y sus Reformas*, (Jalapa-Enríquez: Oficina Tipográfica del Gobierno del Estado, 1926). p. 8, AMO, biblioteca

motherhood with “public” labor. Moreover, the labor statute eroded working class men’s power over their wives.

As for the married woman, their husbands cannot deny a woman the right to enter into a labor contract. This is because that on many occasions, their work supports the family and for the simple fact that many women are asking for the right to work. It is simply pride/conceit that dictates a husband must grant permission because he alone cannot provide the necessities of [daily life].<sup>42</sup>

Once again, state authorities sought to balance anterior forms of patriarchy that dictated men’s role primary role as worker and familial head with changing social, cultural and economic circumstances that moved women into spaces that men dominated. This balancing act does not indicate that Veracruz legislators viewed women as primary wage earners, but rather that the economic restraints of the postrevolutionary economy necessitated two wage earners in the household. However, the law did indicate a growing trend to delimit the infantilization of women, something that state officials often equated with macho traditionalism. Indeed, the 1926 law’s reference to pride and conceit points to the traditionalism that legal officials associated with working class machismo. Therefore throughout the 1920s and 1930s, the state gradually expanded its supervision over women’s labor which undercut men’s traditional and legal responsibility to grant their wives permission to work outside the home.

As many labor historians have noted, the 1920s was a period of divisive and at times violent negotiation among workers, union leaders and state officials. However, if the state was going to increase its oversight of women’s labor, then working class men would be all too ready to assert their protective role in demanding that the state follow through on its promises. Throughout the 1920s and 1930s, working class men frequently rebuked state officials for not uplifting working class women. In 1935, workers widely

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<sup>42</sup> Ibid. p. 13.

circulated a flyer in Orizaba declaring, “We know where to find the hidden hands of the false revolutionaries, the incendiary ones who rape women and violate oaths ...that use these docile instruments [women] that in most of the cases, do not understand how they are being subjugated.”<sup>43</sup> The language in this flyer not only captures a masculine and protectionist discourse it also speaks to women’s supposedly child-like inability to understand the repressive methods of exploitive officials. In many ways, this reflects the sentiment workers expressed in the 1916 strike at El Yute.<sup>44</sup>

Men’s protection of women was closely tied with masculinity and power. As Mexican historian Christopher Boyer explains, “In an atmosphere heavy with factionalism and intrigue, gender relations became a powder keg. Men came to regard the protection of women's honor and the surveillance of women's sexuality as a domain in which to perpetuate their respective group's integrity and to contest that of their rivals.”<sup>45</sup> Despite this contentious debate between working men and the state, women increasingly became legal actors who could negotiate contracts and participate in labor organization without their husband’s permission. Undoubtedly “worker” remained a masculine construct to many Mexicans. Nonetheless, the state was forced to confront the economic circumstances that necessitated women’s work while labor unions continued to marginalize women’s roles in their organizations and in the workforce.

Following the Revolution, the transformation in labor law and the rise of nascent feminist movements across Mexico directly influenced the trajectory of women’s labor

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<sup>43</sup> A Los Trabajadores del Campo y De La Ciudad: Manifiesto Confederación Gral. De Trabajadores de México, AGEV, Secretaria General de Gobierno, Sección: Trabajo y Provisión Social, Minutas, Caja 65, Exp. 13 Abril, 1935.

<sup>44</sup> Union representatives from El Yute to the Governor of the state of Veracruz, AGEV, Secretaria General de Gobierno, Asuntos Laborales, Economía y Provisión Social, Caja 1 Exp. 793, November 29, 1916.

<sup>45</sup> Christopher Boyer, “The Threads of Class at La Virgen: Misrepresentation and Identity at a Mexican Textile Mill, 1918–1935,” *American Historical Review* 105 5 2000, 1576-1598.

organization in Orizaba and in nearby communities. Throughout the 1920s the CROM emerged as a powerful political player that shaped labor law in fundamental ways. First, CROM leader Luis Morones sought to federalize labor law and Article 123 of the Mexican Constitution provided for extensive labor protections. Still the way officials enforced these statutes was left largely to state and municipal authority.<sup>46</sup> For example, municipal jefes usually presided over labor disputes in their regions. In Orizaba, because municipal officials were also prominent labor leaders until the early 1930s, labor enjoyed an unusual hold on power. As a result, there was initial resistance to the federal codification of Article 123 which would make the law uniform and easier to enforce.<sup>47</sup> On the other hand, many agreed that a uniform system would eliminate many of the subjectivities of regional politics and would also make it easier for larger companies to operate under a uniform system of laws throughout Mexico. Despite the fact that the CROM lost much of its political power after the federal elections of 1928, the state finally federalized the provisions as outlined in Article 123 in 1931, many of which reinforced the protection of women in the workplace.

The Federal Labor Law of 1931 validated the provisions that the revolutionary government had outlined in Article 123 of the constitution.<sup>48</sup> While the code expanded some rights for women, such as the inclusion of domestic service under the federal labor code, it also denied the industrial nature of many of the sectors where women worked. Indeed industrial labor with its large male dominated labor unions entailed large mechanized factories, men performing difficult, laborious and dangerous tasks, in order to earn the money necessary to support their families. Women's work never fit into this

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<sup>46</sup> Kevin Middlebrook, *Paradoxes of Revolution*.

<sup>47</sup> *Ibid.*

<sup>48</sup> *Ibid.*

construction of factory labor which only served to confirm their ancillary position as wage earners. The lack of opportunities for women to work in Orizaba's industries forced them to search for work that did not pay nearly enough to survive, such as laundering clothes, cooking, sewing, or working as a domestic servant. The growing numbers of women working as domestics had hazards of its own which the state attempted to address in the 1931 labor code. However, the law fell short in many ways. Ann Blum notes in her research on domestic servants in Mexico City, "The final law eliminated acknowledgement of domestic servants' vulnerability to sexual abuse. Additionally, by enshrining the unequal power relations of the verbal contract the code offered little to support domestics in negotiating wages, tasks, hours, or free time."<sup>49</sup> In addition, domestics who lost their jobs and sued their employers for restitution often found that employers denied their role as laborers altogether. In Orizaba, employers often claimed that their domestic servants were not servants but rather concubines or lovers, thereby blurring the line between labor and sexual relations.<sup>50</sup> As working women, mothers were thus exposed to abuses and exploitation which surely had direct repercussions for their families. Ironically, the state's failure to protect women despite pressure had adverse effects on the home and family which presumably the state sought to protect in the first place. Harsh and unhealthy working conditions coupled with poor pay exacerbated the spread of disease while widowed or single women had few options to attain childcare during working hours. In many cases, women brought their children to work with them or relied on extended family.

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<sup>49</sup> Ann Blum, "Cleaning the Revolutionary Household, Domestic Servants and Public Welfare in Mexico City, 1900-1935," *Journal of Women's History* 2004 15(4): 67-90.

<sup>50</sup> *Ibid.*

The 1931 law also transformed union relations. The law made the formation of union organization outside of the CROM easier which fueled the development of new labor unions and a culture of male labor organization. In addition, the law established an arbitration board to oversee work-related disputes.<sup>51</sup> By doing so, the state fully co-opted labor into its domain, yet this did not greatly improve working conditions for women. A 1936 labor report noted, “The Revolution should care for the feminine factor with the same diligence that it has demonstrated until now with masculine labor.”<sup>52</sup> Labor arbitration documents and women’s personal complaints reveal a similar pattern in Orizaba. Labor unions created a space for women to share in men’s struggles without effectively pressuring business owners to improve women’s work conditions. Despite the fact that thousands of women labored outside of the home in Orizaba, the state and labor unions continued to define labor as masculine while also calling attention to women’s exploitation. In doing so, workers and union leaders emphasized women’s maternal role which not only relegated women to unskilled or informal labor, both of which were rife with abuse and exploitation, it also reinforced women’s ancillary position in the labor community. Women, despite their activism and participation in the Mexican Revolution, were wives and mothers, not skilled workers. Women’s exploitation only fueled men’s arguments, and those of some state officials as well, that laboring outside of the home or at least in positions where men dominated, undermined the health of Mexico’s families.

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<sup>51</sup> México, *Proyecto de Código Federal de Trabajo para los Estados Unidos Mexicanos que somete el C. Lic. Emilio Portes Gil, Presidente de la Republica, al H. Congreso de la unión*, Edición oficial, (México, D.F. Talleres gráficos de la nación, 1929).

<sup>52</sup> Susan Gauss, “Masculine Bonds and Modern Mothers, The Rationalization of Gender in the Textile Industry in Puebla, 1940-1952,” *International Labor and Working-Class History* 2003 (63): 63-80, 74.

### **Women Workers Threaten the Postrevolutionary State**

In 1907, *El Cosmopolita*, an Orizaba cultural and Catholic newspaper, published a letter that United States President Theodore Roosevelt had written about the increasing presence of US women in factories and the growth of feminism. The letter cites the transformation in gender roles as the principle protagonist in undermining the stability of the family. The fact that a translated version of the letter appeared on the front page of an Orizaba newspaper indicates a growing preoccupation with women and work in Orizaba and the fear that “Yankee feminism” could infiltrate Orizaba’s traditional community. Roosevelt writes,

If the men of this country do not insist on working with persistence and enthusiasm, and turn away from their numerous and happy families, and if women are not convinced that there is nothing as great as being a good wife and mother, then the nation has already exceeded its reasons for being alarmed about its future.<sup>53</sup>

Orizaba’s residents voiced similar concerns. Even those who wrote editorials supporting “feminism” expressed apprehension over women’s ability to tend to their domestic duties if they worked outside the home. Community debates over the effects of women working outside the home transcended the traditional economic discourse that noted poor wages and long hours and spilled over into observations concerning family morality, community stability and child welfare. Again, an article in *El Cosmopolita* called their attention to problems that many associated with both parents working outside of the home.

The worker does not leave the factory until very late in the smaller cities and in the larger industrial areas, the work never ends. [Low wages] obligates mothers to work in order to provide for familial necessities and therefore she does not return until late at night. The question therefore must be asked: what becomes of the children during these weeks as the parents struggle?<sup>54</sup>

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<sup>53</sup> Theodore Roosevelt, “Sobre el Femenismo, Una Carta de Roosevelt,” *El Cosmopolita*, May 19, 1907.

<sup>54</sup> Author Unkown, “Cuestiones Sociales De Que modo de los Apaches” *El Cosmopolita*, October 7, 1907.

Following Mexico's Revolution the welfare of children was increasingly the state's focus which called attention to women's work outside the home. Most women who worked outside the home were single or widowed; however, some married women also labored as textile workers or garment workers, domestics, or coffee sorters. Women who worked outside of home fueled debate between legislators, working class men, and community members over women's roles and who would provide for the moral fortitude of children. Were women emasculating the workplace and neglecting their familial responsibilities? Earlier arguments that emerged during the Porfirian period (1876-1910) held that working class women were immoral or spendthrifts and that their presence in the workforce undermined the stability of Mexico's families.<sup>55</sup> Nonetheless, women who labored outside the home in early twentieth century Orizaba generally did not risk their public reputation unless they worked at night in businesses that elites considered disreputable, such as the sale of pulque in Orizaba's less reputable neighborhoods after dark.<sup>56</sup>

The realities of women laboring in Orizaba's informal industries also created a space for activist women to construct social networks apart from traditional labor organization. For example, in 1915 a group of women from Orizaba joined Esther Jiménez, a schoolteacher, to address many of the challenges working class men and women faced. In an article published in *La Vanguardia*, she explained the necessity of uplifting working class children whose mothers and fathers could not provide for their

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<sup>55</sup> Margaret Towner, "Monopoly Capitalism and Women's Work During the Porfiriato," *Latin American Perspectives*, Vol. 4, No. 1/2, Women and Class Struggle. (Winter - Spring, 1977), pp. 90-105, 93-94. Also see William French, "Prostitutes and Guardian Angels: Women, Work, and the Family in Porfirian Mexico," *Hispanic American Historical Review*, 72:4 (1992): 529-553.

<sup>56</sup> Reglamento de Prostitución en Orizaba 1919, January 1, 1919, AMO, Salubridad, Caja 561, Exp. 1.



daily material needs or education. “In Orizaba little or nothing has been done for the children of the working classes who need immediate and effective help.”<sup>57</sup> Rather than rebuking mothers who had to work outside the home, some of Orizaba’s women led the charge to support working families, many of whom lived in poverty and to call attention to women’s changing social roles. Labor activist Evilina Roy noted in 1920:

In Mexico, nine years of revolution have forced a great number of women to forget their domestic traditions and enter a world once considered only masculine. Now we resemble Europe and the United States where women had to supplant men in industrial life due to warfare... Women, who are mothers of the race, exert a great influence over the nations’ prosperity and progress. Working women are now organizing themselves to improve their material circumstances and to socially and politically emancipate their sex. They are fighting prejudice while also addressing women’s apathy.<sup>58</sup>

Roy’s observation provides a striking example of how women were beginning to connect labor with middle class feminist ideas that questioned men’s power over women. Women in Orizaba were not only addressing labor exploitation. They also understood their role in the postrevolutionary economy as a vehicle for women’s emancipation despite census reports that indicate that they comprised a very small percentage of the industrial workforce in Mexico. (See Figure 1) Census reports however, tend to conflate industrial labor with skilled and masculine professions thus obscuring the presence of women in the workforce. Sewing, vending, tobacco rolling, clothes washing and domestic service were grouped under a broad category of domestic labor. The state and working class men’s denial of these types of work as industrial or as not contributing to industrial production, relegated women to economic sectors that the state often did not regulate despite laws that mandated oversight. While there is not an Orizaba municipal census that categorically breaks down women’s labor following the Mexican Revolution,

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<sup>57</sup> Esther Jiménez, “Una Grande Obra de la Protección a la Niñez”, *La Vanguardia* July 17, 1915.

<sup>58</sup> Evilina Roy. “Por el Protelariado Femenil” *Pro-Paria*, January 4, 1920, num. 70.

the Junta Central de Conciliation and Arbitration documents are replete with wrongful firing complaints from women who worked in “domestic” industries.<sup>59</sup> Women continued to work after the Mexican Revolution, but in businesses and industries that were largely invisible to census takers, a trend that began long before the revolutionary period.

Throughout the late nineteenth and early twentieth centuries, women worked outside the home in increasing numbers. In Orizaba, a 1910 census report indicates that women worked in many diverse industries, including clothes laundering, garment production, corn grinding, and tobacco. (See Figure One) The numbers of women working in the textile industry, however, was far lower than the number of men. This is probably due to the mechanization of the textile industry and the overall strength of labor unions which secured skilled labor for men. For example, in 1925 only 3.6 percent of textile workers in the state of Veracruz were women, a percentage much smaller than the 6.3 percent in 1893.<sup>60</sup> In 1930, a Veracruz census report indicates that women comprised only about five percent of the textile workers in the Orizaba region. In addition, the 1930 census lists 2,680 women garment workers in Orizaba while 2,942 worked as coffee sorters in Coatepec, Córdoba, Orizaba, Jalapa, and Huatusco.<sup>61</sup> These reports indicate that many women worked outside the home, due in part to the endemic violence throughout the nineteenth century which contributed to the high number of widows. Census reports note that the number of widows living in Orizaba was over five times higher than the

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<sup>59</sup> For example see AGEV, Secretaria General de Gobierno, Junta Central de Conciliación y Arbitraje, Años 1921-1930.

<sup>60</sup> Aurora Gómez-Galvarriato Freer, “The Impact of Revolution: Business and Labor in the Mexican Textile Industry, Orizaba, Veracruz 1900-1930,” (Ph.D. diss Harvard University, 1999).

<sup>61</sup> Heather Fowler-Salamini, “Gender, Work, and Working-class Women’s Culture in the Veracruz Coffee Export Industry, 1920-1945,” *International Labor and Working-Class History*, 63 spring 2003, 102-121. Census reports often underestimated the numbers of women working in industries. In addition, census figures were based on union membership.

number of widowers.<sup>62</sup> Many of these women who sought a means to support themselves and their families found work in the garment industry. Therefore, contrary to state and labor union rhetoric that continued to define labor as masculine, women in fact were an integral part of Orizaba's industrial growth.

### **Garment Workers Struggle for Inclusion**

With the growth of the textile industry during the late nineteenth century in Orizaba, two large garment factories emerged, La Suiza and La Constancia. These factories together employed over 500 female workers.<sup>63</sup> La Suiza, however, had a long history of strikes and social activism that extended into the 1930s. La Suiza employed 190 women in 1915, half of whom worked at home.<sup>64</sup> Initially women sewed clothing for piece rate wages. Many women worked in these "talleres" for eight or nine hours and then returned to their homes where they often completed their daily quotas. Piece rates were directly tied to actual production which kept wages low and undermined the industrial nature of women's work.<sup>65</sup> For example, machinery eventually replaced piece work because it was more accurate and productive. Because Mexican society tied skilled machinery to male labor, men's wages rose while women worked largely in non-mechanized sweat shops for low piece rate wages. In addition, the inaccuracy of hand sewing often forced women to rework garments to ensure that they fit together properly. Factory owners also allowed women to fulfill their quotas by working at home which denied the industrial nature of

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<sup>62</sup> *Boletín de la Sociedad Mexicana de Geografía y Estadísticas, 1922-1923*, Estado de Veracruz, Datos Geográficos, AMO, biblioteca.

<sup>63</sup> AMO, Datos que pide el Gobernador del Estado acerca de las industrias que existieron en el Municipio durante los años de 1904, 1905, 1906. Ramo de Estadística, Caja 35°, Exp. 6, June 24, 1907.

<sup>64</sup> Sesión celebrada por el Sindicato de Costureras de la ciudad de Orizaba, verificada el día 19 de Abril de 1915, en el ex-templo del Tercer Orden, AGN, DT, caja 98, Exp. 6.

<sup>65</sup> Towner, "Monopoly Capitalism and Women's Work."

their labor thereby placing a downward pressure on wages.<sup>66</sup> Patrons often explained the utility of this labor arrangement, which not only allowed women to perform labor in the “comfort” of their homes but also permitted them to tend their domestic duties. Clearly out work was an essential component of European and North American industrialization. Historians have long noted the paradox of “domesticated” factory labor in Europe and the United States, and its role in promoting industrial development.<sup>67</sup> However, the intersection between factory labor and the home not only fomented industrial development, it also deskilled women’s labor, and lowered piece rates, which necessitated greater production in order to earn a subsistence wage.<sup>68</sup>

As women entered the workforce in greater numbers and endured below subsistence wages and unhealthy working conditions, they began to make greater demands on patrons and state officials. However the 1931 Federal Labor Code eventually precluded these efforts because workers needed at least 20 laborers to legally form a union.<sup>69</sup> Since women worked largely in smaller workshops or informal industries, organization was often not an option. Most women joined male dominated organizations such as the Casa del Obrero Mundial, seeking inclusion in trade unions in order to attain better wages and working conditions while at the same time demonstrating their desire to be recognized as workers. For example, in 1915, labor activist Genoveva Hidalgo wrote in the radical labor publication *Revolución Social*:

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<sup>66</sup> For more on the economic effects of piece labor see Joan Perkin, “Sewing Machines: Liberation or Drudgery for Women,” *History Today* [Great Britain] 2002, 52 (12), 35-41. Also see Michael Huberman, “Piece Rates Reconsidered: The Case of Cotton,” *Journal of Interdisciplinary History* 1996 26(3): 393-417.

<sup>67</sup> For more on how domestic labor augmented the development of industrialization see Jeanne Boydston, “The Woman Who Wasn’t There: Women’s Market Labor and the Transition to Capitalism in the United States,” *Journal of the Early Republic* 1996 16(2): 183-206.

<sup>68</sup> Jocelyn Olcott, “Miracle Workers: Gender and State Mediation Among Textile and Garment Workers in Mexico’s Transition to Industrial Development,” *International Labor and Working-Class History* 2003 (63): 45-62.

<sup>69</sup> Kevin Middlebrook, *The Paradox of Revolution*.

Fellow women workers, I speak to you so that we may unite our struggle in solidarity and give to our male workers and comrades a unified union concord and solidarity... Workers' redemption and emancipation are what the Social Revolution defends, headed by the C. Venustiano Carranza. Workers' redemption and emancipation are also what the Casa del Obrero Mundial preaches, and for that reason we are with both.<sup>70</sup>

Throughout 1914 and 1915, women at the garment factory La Suiza were part of a larger radical effort to organize as many workers as possible into unions representing various factories. Casa members had managed to increase union membership and organize several factories into a general strike against “exploitive” patrons throughout Puebla and Veracruz in 1915.<sup>71</sup> Some women took advantage of this opportunity to join men's labor movements in order to bring redress to their living and working conditions. However, women's early participation in the trade union movement exposed fissures between women workers, labor officials, and working class men who defended women's interests as long as they corresponded to advancing a masculine labor movement that prioritized well-paid skilled labor for men. La Suiza's involvement in this 1915 strike illuminates the complexities of women's early labor organizing in Orizaba. The strike at La Suiza is fascinating not because it *exceptionalizes* women's activism, but rather because women comprised a small percentage of the “formal” workforce. In addition, the struggle that took place in this workshop demonstrates the multifarious nature of women's activism as part of a negotiated and contested process among female workers, the men who dominated the Casa del Obrero Mundial, and labor officials. These women not only sought better wages, but demanded respect and dignity as workers.

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<sup>70</sup> Genoveva Hidalgo, “También La Mujer Desea Emanciparse”, *Revolución Social*, May 30, 1915. *Revolución Social* was a publication of the Casa del Obrero Mundial.

<sup>71</sup> Barry Carr, *The Casa del Obrero Mundial, Constitutionalism and the Pact of February, 1915*, *Trabajo y Los Trabajadores en la Historia de Mexico*, eds. Elisa Cecilia Frost and others, (Tucson: University of Arizona Press, 1979), 603-632.

On April 15th, 1915, a group of garment workers at La Suiza in Orizaba failed to come to work on time because they had gone to the city of Veracruz to receive their union credentials as part of the requirement for membership in the Casa. In retaliation, the factory owners fired the workers. A strike ensued which took several months to resolve.<sup>72</sup> The walkout at La Suiza was part of a much larger labor struggle that included shoe makers, textile and railroad workers, *molineros*, beer factory workers, and tobacco workers throughout Veracruz and Puebla.

The formation of tripartite mediation among government officials, union leaders, and workers was one of the more important contributions that emerged from the Mexican Revolution.<sup>73</sup> While men dominated these meetings, women were clearly present. For example, the walkout at La Suiza led to a meeting in Orizaba between Señorita Isabel de la Huerta, the Secretary of the Garment Workers union; Jacinto Huitron, a high ranking labor activist from the Casa del Obrero Mundial; and Marcos López Jiménez, the Inspector from the newly formed Department of Labor. This allowed workers a voice in labor mediation that did not exist before. Nonetheless, because the women who led the strike at La Suiza were most likely anarchists, they expressed resentment and a lack of trust of labor officials. Initially they refused to negotiate with government officials but later agreed to allow the officials to mediate the negotiations. The women's demands not only included the reinstatement of the fired women, but also a 100 percent increase in wages, recognition of their union by the factory owners, ample material for dress-making including needles that would not be charged against their accounts, establishment of an eight hour workday with double payment for hours exceeding this, and finally that all

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<sup>72</sup> Proprietors of "La Suiza" to Jefe de las Armas del Cantón de Orizaba, April 15, 1915, Archivo General de la Nación (AGN), DT, caja, 98, Exp. 6.

<sup>73</sup> Jeffrey Bortz, "The Legal Contractual Limits to Private Property Rights..."

workers should be treated with respect and dignity.<sup>74</sup> A letter from Porfiria Trujillo, a seamstress at La Suiza, to factory owner Bernardo Lopez captures the sentiment of this strike:

Do not ignore how difficult it is for us to live honorably. We are disgracefully poor...for years we have constantly worked hard for your interests and have never requested anything...our backbreaking work is sadly our only future and this is not enough to live on in these calamitous times.<sup>75</sup>

Based on these difficulties, Porfiria asked for a wage increase and improvements in their work conditions: “We ask this for ourselves and for all of our fellow workers in the factory...we all have the same difficult circumstances, we are all Mexican, we are all sisters, and we all have equal needs.”<sup>76</sup> The concerns presented in this letter demonstrate how women invoked multiple identities intended to elicit specific responses from state officials. Moreover it suggests the ways women forged communal as well as familial and workplace connections to assert an independent voice within the context of a male dominated labor movement.

In response to the walkout, the factory owners offered to fulfill some of the women’s demands, yet the women would accept nothing less than what they had requested. As the meeting progressed, Jacinto Huitron noted that in addition to the other complaints, the factory owners had also fired other women for “chatting” on the job. Female workers often employed “chatting” as a means to subvert factory authority. The owners most likely believed that these women were in collusion to expand the influence of their union, although they never explicitly state this.

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<sup>74</sup> Proprietors of "La Suiza" to Jefe de las Armas del Cantón de Orizaba, April 15, 1915, AGN, Ramo Trabajo, caja, 98, Exp. 6.

<sup>75</sup> Letter from Porfiria Trujillo to factory owner Bernardo Lopez, July 3, 1915. AGN, Ramo Trabajo, caja 104, Exp. 17.

<sup>76</sup> Letter from Porfiria Trujillo to factory owner Bernardo Lopez, July 3, 1915. AGN, Ramo Trabajo, Caja 104, Exp. 17.

Not all of the women agreed with the strike. Some of the women, who refused to join the union at La Suiza, sent a letter to the Department of Labor rebuking the women who initiated the strike. They complained that the union was undermining their ability to provide for their families and that these women were under the influence of radical men.

It is not certain that the Señora who appears to be in charge of the workers and who is handling this situation poorly, understands the cause that they have joined because they belong to the Casa del Obrero Mundial, ...[and as a result] they have forced us to suspend our work which has gravely undermined our interests. We all have family necessities to take care of...These women and the men they are working with must not be allowed to prevent us from working <sup>77</sup>

Apparently when the non-union women attempted to cross the picket line, thirty union women physically prevented them from re-entering La Suiza and threatened them with violence.<sup>78</sup> Señoritas Carmen Romero, Ernestina Arenas, and Mariá Núñez, continued their dissent explaining that the union members' ideas were "repugnant" to them and that their actions were starving their families.<sup>79</sup>

In an attempt to placate both sides of the dispute, labor officials and Casa members offered to move those who opposed the labor union to Cocolapan, one of the largest and most modern textile factories in Mexico. Cocolapan employed several hundred workers, mostly men. But the women who were garment workers at La Suiza did not know how to operate the machinery at Cocolapan and the management was not willing to train them. It is also possible that the workers at Cocolapan were not receptive to either union or non-union women working in skilled positions. Eventually, the factory owners, unions and women all agreed to allow both the fired and the non-union women to

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<sup>77</sup> Proprietors of "La Suiza" to Jefe de las Armas del Cantón de Orizaba, April 15, 1915, AGN, DT, Caja, 98, Exp. 6.

<sup>78</sup> Director of Department of Labor to Cándido Aguilar, April 28, 1915, AGN, DT, Caja 98, Exp.6.

<sup>79</sup> From the Director of the Department of Labor Marcos Lopez Jiménez to Inspector Manual Diaz, April 28, 1915 AGN, DT, Caja 98 Exp. 27.



return to La Suiza with the understanding that the factory owners could not hire non-union women in the future.<sup>80</sup> In addition, a letter from the Department of Labor to the factory owners indicates that the owners had conceded to some of the demands which included a 40 percent increase in pay.<sup>81</sup>

The activities of these women and the 1915 strike are important for several reasons. First, while the Casa supported the women's demands, there did not seem to be a concerted and unified effort from the Casa leadership to convince factory management or working class men to train the non-union women in new positions at Cocolapan. The crux of the matter was the slow responsiveness of men in the union to recognize the new realities of industrial work. They insisted on maintaining traditional gender roles and separation between skilled and unskilled labor. Women were welcome to join unions and challenge factory owners, but ultimately they were not "skilled" workers. In addition state officials were reticent to view women as skilled workers. Throughout the late nineteenth and early twentieth century, legislators struggled with women's changing economic, social and cultural influence. In 1914 a department of labor official reported,

The honorable middle class of men that defend the nation and provide the nucleus of resistance and struggle against capitalists do not have work and are do not have the very necessities they need. They are desperate. The cause of this poverty outside of government privilege is the preponderance of feminism.<sup>82</sup>

This report once again reflects the fear that El Yute's men expressed during the Revolution. How much space would the Revolution create for women to challenge the boundaries of sexual difference in the workforce? Women could be part of labor

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<sup>80</sup> Gobernador Aguilar to Gerente de la Fábrica de Ropa "La Suiza" May 15, 1915, AGN, Ramo Trabajo, caja 98, Exp. 6.

<sup>81</sup> Director of Department of Labor to Proprietarios de la tienda de ropa La Moderna, May 18, 1915, AGN, Ramo Trabajo, caja 98, Exp. 6.

<sup>82</sup> D. Espino Barroso to C. Presidente de la República, general de división Abelardo Rodríguez, 1915, in *Boletín Del Archivo General De La Nación*, (México, Tercera Serie: Tomo III, Número 3 (9) July-September, 1979), 23.

struggles but had to adhere to the gendering of skilled labor. In other words, women could be garment workers but usually not skilled textile workers. The strike also exposed the underlying tensions that existed among women workers. Clearly men also disagreed over unionization and factory politics. However, many women also believed that labor unions and political squabbles were part of a “man’s world.” Therefore women who opposed labor organization did so not only because they feared losing the wages they so desperately needed, but also because they identified labor struggle and radicalism with men. The cultural, political and social gendering of labor as “male” undoubtedly led some women to also reinforce sexual difference. In addition, women’s continued affiliation with the Catholic Church undoubtedly informed how they perceived labor radicalism. While the Church throughout the late nineteenth and early twentieth century often called attention to women’s exploitation, its leaders also understood that providing women support would preclude their involvement in radical organizations. As John Hart explains, “Church officials deplored labor violence” and sought the creation of labor unions that would achieve peace and cooperation between labor and capital.<sup>83</sup> This sentiment stemmed from the adverse effects of industrialization as well as the Church’s concern over secularization trumpeted by leftists and liberal leaders. As a result Pope Leo XIII (1878-1903) called for Catholic social action to fight the evils of socialism and capitalism that “eroded women’s dignity.”<sup>84</sup>

Despite workplace tensions that divided as much as they unified women, working class women continued to organize in hopes that the Revolution would create the

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<sup>83</sup> John Mason Hart, *Revolutionary Mexico, The Coming and Process of the Mexican Revolution* (Berkeley: University of California Press, 1997) 10<sup>th</sup> edition, 72.

<sup>84</sup> Kristina Boylan, “Gendering the Faith and Altering the Nation, Mexican Catholic Women’s Activism, 1917-1940,” in Jocelyn Olcott, Mary Kay Vaughan, and Gabriela Cano eds. *Sex in Revolution, Gender, Politics and Power in Modern Mexico*, (Durham: Duke University Press, 2006) 199-222, 202.

necessary space for them to attain better labor opportunities, conditions, and wages. These women's social struggle not only created the possibility to create social networks of resistance and support for women in Orizaba, they also informed how working class men constructed labor organization and discourse around women's presence in factories and workshops.

### **We're Here to Help: Men Strategize Women's Inclusion**

Following the demise of the Casa in 1916, trade union ranks swelled and many supported the revolutionary government of Venustiano Carranza. By 1918, laborers had created the Confederación Regional Obrera Mexicana (CROM) which became a powerful labor and political organization that helped shape national politics throughout the 1920s. Men often welcomed women into the CROM and attempted to use their presence as a vehicle to expand their own interests. How then could women attain recourse for their own concerns as part of a larger movement that called attention to their victimization as poor and unskilled workers? Moreover, how would women respond to men's protectionist discourse and its strategic gendering of labor activism?

While many of Orizaba's citizens were attuned to poverty and social inequality following the revolution, contradictions were evident in postrevolutionary magazines such as Orizaba's *Alborada* published in the mid 1920s. *Alborada* addressed rural and working class unrest in its local events section, while also featuring fair-skinned women on its cover who were involved with "feminine" organizations or devoted to the arts.<sup>85</sup> *Alborada* presented elite white women who were demure, well dressed, and dignified

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<sup>85</sup> *Alborada* was dedicated to cultural and social events in Orizaba. The publication ran between 1921 and 1939.

mothers and wives. Similarly, Orizaba teacher Dr. Eduardo R. Coronel, writing for *Labor* magazine, concurred with the conclusion that women's place was in the home:

Women [feminists] claim that women who abandon the home improve the human species. Yet they cannot replace the advantages of the social nucleus, which is constituted by the physiological family. Women can best fulfill this by acting as a wife and a mother. Whereas the man works and looks for bread for his wife and her children, the woman, on the other hand, now fights against the intimate order that will threaten the health and joy of men.<sup>86</sup>

The debate developed along classic lines with traditionalists maintaining that the Revolution, despite radical social changes, could not question "nature" because doing so could unravel the very fabric of Orizaba's community. If women wanted to address poor working conditions, then they should do it from the comforts of their bedrooms and kitchens and make demands upon the state that would better the lives of their husbands and children. The workplace would only subject women to the vices of working class life which undermined the fragility and decorum that women were supposed to represent.

Despite the fact that Orizaba retained many of its traditional notions concerning women's social roles, it also had changed in many ways. Working class women had become wage earners in a variety of businesses and workshops, while those walking the streets could easily spot the scantily clad *chica modernas* sipping coffee or tea in outside cafes. In addition, the memory of the *soldadera* and the daily encounter with women workers only fueled a divisive discourse that warned that modernity endangered familial stability and emasculated men while noting the social and economic realities that were transforming this manufacturing town. The state's goal therefore was to acknowledge changing social and economic circumstances while emphasizing sexual difference. In other words, the Mexican Revolutionary state, and later the official party (PRI), was the

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<sup>86</sup> Eduardo R. Coronel, "El Femenismo" *Labor*, num. 6, August, 1931.

ultimate patriarch. Patriarchy was the organizing principle behind the formation of the postrevolutionary political parties, PRM, PRN, and finally the PRI. As Venustiano Carranza explained in the Law of Family Relations, the woman's primary responsibility was to her family and therefore she must receive her husbands' permission to work outside of the home.<sup>87</sup>

Most of Orizaba's women, of course, did not fit into *Alborada's* "theater going" elite. For most women, life in the vecindad and in textile communities was at best difficult. While some women's husbands earned good wages in skilled jobs, most did not.<sup>88</sup> Moreover, many women were single, widowed or supported extended families. For these women, earning a living wage was indeed difficult; and if they found work, the conditions were deplorable. The exploitive conditions that women faced created an opportunity for working class men to invoke their paternal role to protect women. However, men's desire to include women in labor unions extends beyond men's need to protect women in order to affirm their machismo. Clearly this was a factor; however, it would seem that men also understood the strategic advantage of encouraging women to join labor movements. A lengthy front-page article addressing the overall health of Orizaba's labor movement in the textile industry appeared on the front page of *Pro-Paria* in 1919. The article explored the utility of men's inclusion of women in labor movements and surmised that women could strengthen the labor movement's appeal while facilitating ideological changes in the "domestic" sphere. Women, with their

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<sup>87</sup> Ley Sobre Relaciones Familiares, C. Venustiano Carranza Jefe del Ejercito Constitucionalista Encargado del Poder de la Nación. Edición Oficial, Orizaba, Veracruz, 1917.

<sup>88</sup> Workers that labored in small workshops earned considerably less than skilled workers in large textile factories or Orizaba's railroad industry. For example in 1922, weavers at *La Estrella* in Orizaba earned from one to two and a half pesos a day for ten hours work as opposed to textile workers at Santa Rosa or Rio Blanco where workers could earn over four pesos a day. AGEV, Secretaria General de Gobierno, Junta Central de Conciliación y Arbitraje, Exp. 48, October 15, 1922.

“sentimental and religious values,” had long been the keepers of familial morality and stability. The author argued that by allowing women into labor organizations, the values of the labor movement could permeate and radicalize the family through women rather than, as some labor activists had noted, women domesticating labor movements.

The atmosphere of the home and its doctrinaire propaganda presents a major obstacle because it does not contribute to the unification of workers and perhaps demonstrates a contrast in relation to familial ideas. Ideas that are associated with blind sentimentality should prevail upon us to ...include women in our struggle.<sup>89</sup>

Anarcho-syndicalists who included women in their struggles could expand their ideology beyond the factory walls into Orizaba’s families thereby facilitating their social struggle and demands for better wages and workplace conditions. Future CROM leader Luis N. Morones seemed to endorse this strategy. In his analysis of the Marseilles Hymn (a hymn born in Marseillaise, France, which had become symbol of rebelliousness during the French Revolution) Morones explained that women were central actors during the French Revolution and that in Mexico, “It is necessary that the woman participates in the social fight, to facilitate progress and advance union organization.”<sup>90</sup>

Many women favorably responded to the opening that anarchists and other radicals created. Orizaba labor activist María del Carmen Morales explained in front of a group of union women that

It is time that we criticize these irresponsible factory owners and prepare ourselves to break the chains of slavery. It is time for us to break from out the yoke of tyrants and exploiters. And it is time that the overworked woman who is bitter and suffering in the workshops and the factories unite with the class of her brothers to struggle for better social and economic conditions. Women workers, let’s increase

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<sup>89</sup>C.A. Bonanni ... “Los Auspicios de los Sindicatos Federados, Resultaron Brillantisimos y Llenos de Inusitada Animación: Los Meetings Verificados en Rio, Nogales, y Santa Rosa, Refirmando Asi La Estabilidad de la Organización Sindicalista de Esta Región,” *Pro-Paria*, Tomo II, October 5, 1919.

<sup>90</sup> C.A. Bonanni ... “Los Auspicios de los Sindicatos Federados, Resultaron Brillantisimos y Llenos de Inusitada Animación: Los Meetings Verificados en Rio, Nogales, y Santa Rosa, Refirmando Asi La Estabilidad de la Organización Sindicalista de Esta Región,” *Pro-Paria*, Tomo II, October 5, 1919.

the numbers of the Una Sola Y Grande Union of the “Casa del Obrero.” ...do not slow down your emancipation.<sup>91</sup>

María’s emphatic call to arms specifically targeted women activists who may have surmised that only by joining the cause of their male compañeros could they hope to attain better working and living conditions.

Men’s choice to include women in their movements in order to expand the union’s ideological influence interestingly dovetails with the revolutionary regime’s efforts to focus on women as a means to moralize the working class. The liberal state viewed the working class as the principle component to building a modern and stable society. Both the state and working class men believed that women were the key to attaining their goals. As a result, labor activists and state officials, for very different reasons, believed that women were essential to expanding the idea of what the revolution should represent. Indeed both groups also sought to preserve men’s control over skilled labor. However, it would seem that working class men hoped that by radicalizing the family, they could pressure patrons and state officials to expand their political influence, while legislators believed that women could help moralize and pacify the working class thereby facilitating stability and increasing productivity. In other words, both state officials and working class men ultimately believed that focusing on wives’ familial influence and mothers’ educative role could expand their respective political, social and economic interests. Therefore Orizaba’s working class activism reflected a gendered labor movement where men, labor officials, and women interacted both on a legal and social basis as they attempted to reconfigure women’s roles in postrevolutionary society. Working class men and state officials grappled with how best to restructure labor

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<sup>91</sup> Author unknown, “A LA MUJER, Nuestra Organización Crece!!,” *Palania Obrera* August 9, 1917.

activism and state policy to accommodate women's changing roles in a way that could serve their interests. As a result, throughout the 1920s men continued to act as both defender of women's labor interests while forwarding their own protectionist and paternal discourse.

While women were creative in forming social support networks and challenging patrons to recognize them as laborers, male workers' ability in the 1920s to attain better wages and working conditions reinforced traditional gender roles.<sup>92</sup> Higher wages for some skilled workers meant that women did not *need* to work and could now better uphold their traditional role as mother, wife and educator. Workers' real wages increased between 1916 and 1929 and state reforms reduced the workday from twelve to eight hours.<sup>93</sup> Because labor officials and factory owners considered women's income auxiliary to men's wages, women at times failed to achieve their demands because their husbands earned wages that should support the family.

Despite workers' ability to attain better wages and working conditions for some of Orizaba's working class men, the labor movement itself was fragmented. Communists rejected the state's cooptation of labor through the CROM and most notably the formation of arbitration boards which some communists believed undermined class struggle.<sup>94</sup> While communists never significantly destabilized Mexico or Orizaba for that matter, they did disrupt factory relations. Women were at times part of the divisions that erupted from time to time in Orizaba's factories. For example, in 1926, a series of

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<sup>92</sup> Jeffrey Bortz, "The Revolution, the Labour Regime and Conditions of Work in the Cotton Textile Industry in Mexico, 1910-1927," *Journal of Latin American Studies* Vol. 32, No. 3 (Oct., 2000), pp. 671-703, 674.

<sup>93</sup> For more on wages in Orizaba see Aurora Gómez-Galvarriato Freer, "The Impact of Revolution: Business and Labor in the Mexican Textile Industry, Orizaba, Veracruz 1900-1930" (PH.D. diss. Harvard University, 1999).

<sup>94</sup> Communist Newspapers such as *El Machete* and *Espartago*, both published in Mexico City during the 1920s, frequently noted the tension between state sponsored labor unions and communists.



disputes arose between workers at Rio Blanco who were members of “Grupo Acción,” a communist labor organization that claimed that some of its members had been unjustly fired, and the Confederación de Campesinos and Obreros.<sup>95</sup> In a legal memorandum sent by Orizaba Deputy Pablo Mendez, who was in charge of mediating the dispute and who helped establish a mediation committee comprised of union members from each union, he noted that one of the complaints involved a widow who claimed that she was very poor. However, Mendez stated that in the course of their mediation it became clear that she was a garment union member, “many of whom were sympathetic to communism” and married to men who earned good wages. Mendez explained, “We will say that one lady appeared before the session who was a widow soliciting help... but in the course of the discussion she pronounced herself to be part of a garment worker’s union who are, gentlemen, the wives of men who enjoy good pay and therefore are not in the widowed woman’s financial situation...These women have little need to sew handkerchiefs.”<sup>96</sup> The commission finally recommended that the women should quit their jobs so that poor women would have an opportunity to work. Whether or not these women forfeited their jobs is not clear.

Mendez’s observations raise two points. First, communist union members may have attempted to attain sympathy by asking the garment workers to file complaints that would embarrass the opposing labor union. It appears that while the widow’s situation may have been dire, men affiliated with the communist party attempted to sway department of labor officials to understand not only their plight, but to witness the

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<sup>95</sup> Throughout the 1920s, there was tension between more moderate union members and radicals that associated with communist led organizations. For more on this see John Hart *Anarchism and the Mexican Working Class, 1860-1931* (Austin: University of Texas Press, 1978).

<sup>96</sup> AGEV, Secretaria de Gobierno, Trabajo y Provisión Social, Caja 22, Exp. 125, January 5, 1926.

ineffectiveness of union officials to protect women who are suffering abuse under factory owners. Second, Mendez's commentary that the garment workers were not actually in need because they are wives of men who earn good wages indicates that women whose husbands earn good wages should not work. Moreover, his tone in the memorandum suggests that the women worked only because communist men needed their support in the union; thus these women were pawns of communist union members and should therefore quit their jobs and return to their homes. While Mendez demonstrates sympathy for the widowed woman, he views her case as an exception thereby negating the industrial nature of these women's work and the depraved working conditions that so many garment workers noted throughout the postrevolutionary period.

Two years later the Confederación de Campesinos and Obreros did file a complaint with the Department of Labor and Social Provision concerning the plight of garment workers in Orizaba. Union official Antonio Haro specifically addressed the exploitation of women who worked in the garment industry, describing the "shameful" conditions, including the abusive circumstances seamstresses endured in Orizaba and the intransigence of the factory owners in refusing to improve the women's working conditions and wages.<sup>97</sup> In addition, the complaint noted the poor health of Orizaba's garment workers. Seventy five percent of all garment workers in Orizaba had tuberculosis.<sup>98</sup>

State enforcement of labor statutes was quite difficult in those industries that straddled the line between factory and home production. Haro explained that there were several stores that bought clothing from small workshops or individual garment workers.

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<sup>97</sup> AGEV, Secretaria General de Gobierno, Trabajo y Provisión Social, Minutas, Caja 100, Exp. P-13, June 8, 1928.

<sup>98</sup> Ibid.

Because of this business arrangement, “These gentlemen [patrons] do not pay contributions [union] of any nature and do not have obligations to the workers. They also often do not pay the proper wage for the work these women do. This is the reason why the Department [Labor] you represent must intervene with dignity so that these workers do not continue to be debilitated by too much work without proper remuneration.” In some cases, women worked for eight hours in a factory and then continued to work in their homes in order to produce the necessary garments to earn two pesos.<sup>99</sup> This was hardly enough in 1928 to pay for food let alone the cost of rent and clothing. Census reports indicate that the average family in Orizaba needed at least 3.75 pesos each day in order to pay for the bare necessities.<sup>100</sup> Unfortunately complaints such as this were common, and labor inspectors either could not track down the multiple workshops in Orizaba where women labored or simply lacked the desire to do so.

In addition, because the enforcement of Article 123 fell upon state and municipal officials, owners often paid off local inspectors to overlook abuses. This led some labor leaders to call for the federalization of Article 123 because Mexico’s constitution relegated enforcement of the article to state and municipal officials. Finally after a protracted debate, the legislature expanded federal authority to oversee the statutes the revolutionary government laid out in the 1917 constitution.<sup>101</sup> Nonetheless, this had little effect on women’s working conditions in the garment industry. Piece wages and home production insured that garment production would continue to be non-industrial and unskilled labor. Nowhere in the complaints do union officials note the industrial

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<sup>99</sup> AGEV, Secretaria General de Gobierno, Trabajo y Provisión Social, Minutas, Caja 100, Exp. P-13, June 8, 1928.

<sup>100</sup> Comisión Del Salario Mínimo Instalada en ese Lugar AGEV,: Secretaria General de Gobierno, Junta Central de Conciliación y Arbitraje, Caja 1022, Exp 50, 1933.

<sup>101</sup> Kevin Middlebrook, *Paradoxes of Revolution*, 50-51.

importance of garment production nor that many of these women were primary wage earners. Instead, complaints focused on unhealthy, weak, and impoverished women.

### **Worker Does not Mean “Man”**

The state's construction of women's weakness demonstrated that officials not only believed that women needed protection, but that women were mothers and wives and not workers. On the other hand, conflicts between workers and state officials over women's work conditions tapped into a masculine and protectionist sentiment that called attention to the tensions of a highly gendered labor movement. Men throughout the 1920s and 1930s challenged state officials to protect women and at times the language became quite inflammatory. At the same time, women demonstrated growing impatience with male dominated labor unions.

By the early 1930s women in Orizaba as well as other regions in Mexico were questioning the efficacy of men in redressing to their plight. Those who were part of anarcho-syndicalist movements solicited the help of their male counterparts in an attempt to gain better wages and working conditions. Coffee sorters, much like garment workers, organized labor unions during and after Mexico's Revolution.<sup>102</sup> While coffee sorters were sometimes successful in attaining better wages, later complaints that women filed with the Department of Labor and Social Prevision indicate that they had grown weary of male dominated organizations. For example in 1930, a dispute emerged between coffee sorters in Orizaba's neighboring town of Cordoba and the Federación Sindicalista de Obreros y Campesinos (Syndical Federation of Workers and Peasants) with whom their union was affiliated. Apparently the coffee sorters refused to pay union dues because

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<sup>102</sup> For more on coffee sorters in Veracruz see Heather Fowler-Salamini, "Women Coffee Sorters Confront the Mill Owners and the Veracruz Revolutionary State, 1915-1918," *Journal of Women's History*, 14 (1) 2002, 34-63.

they did not believe that men represented their interests. The Secretary General, María Pura Herrera explained;

We look for the complete autonomy of our union and the right to prestige that other unions enjoy. Otherwise, we will be an oppressed group because our brothers are not our helpers. We therefore request that the problems we present, that are suppressed by this Jury, must be solved by us, without the help of men...We ask for reconsideration and for reforms that are pertinent to us and which do not deny us our legitimate rights. If we are weak because of our sex, then by our legitimate rights we must be made strong and equal ... no other concept or policy should impede women's rights to these things because you think that a woman is only supposed to be in the home....We also demand that our private life be respected and that freedom means that we will not be censored or endure the comments that injure feminine honor and sensitivity. It is not only our necessary work that informs our lives. We should be made to feel that we live in a civilized and cultured country, where decency and respect reigns and should stand in contrast to the disquiet of our pain. A decent society would adhere to our demands and the law of honor despite the fact that we are humble workers that suffer and fight for life.<sup>103</sup>

María's complaint explicitly addressed the gendered tensions among these workers. Women were supposed to be in the home, not in the workplace. They were weak and needed protection from men who did not respect feminine honor. Although the file does not contain a ruling on the women's request, it does indicate women's growing class consciousness outside of male dominated organizations. While working class men spoke openly of protecting women from unscrupulous factory owners and labor officials, women charged that they ultimately did not act in their interests. Clearly some activist men supported raising women's wages and expanding their political rights. Nonetheless, revolutionary discourse continued to maintain men's power over women which informed how men understood women's labor in relation to their own. In other words, most male labor activists viewed women as tools to accentuate their working class power, while hoping to radicalize women by calling attention to the evils of capitalism and church fanaticism. Women on the other hand initially joined men in demanding redress for

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<sup>103</sup> AGEV, Fondo Secretaria de Gobierno, Trabajo y Provisión Social Caja 29, Exp. 117 March 14, 1930.

exploitation but quickly realized that they were experiencing a gender specific type of exploitation that did not pertain to capitalism but rather patriarchy. As Luisa Saika wrote in *Pro-Paria* in 1931,

Who has the right to complain? Well, perhaps you are the one who has to get up on cold mornings to earn the bread you will eat. My cold reasoning makes me think, “Mother I do not want to work because I understand that there should be more to this life.” This mortification that I feel has of the lack of comfort because I am imprisoned. --- “Nonsense” my mother tells me;. --- Well, I speak what I think. Everything that I feel at this moment and the ideas that fill my head tell me that we will no longer simply be the factory meat which they salt. Observe my mother that there are no sisters who complain... [Nonetheless], my sisters will work until they finally lose... not having enough food to eat to fuel their continuous work. With no diversion they slowly kill us. Whatever feelings we have which is the only escape we have left, fades away. And when this is gone, these women will go with the first man who flatters them. They then will no longer be the slave of the factory but will become the slave of a man...from meat of the factory to meat of pleasure...it is from this that we must emancipate ourselves, sisters and mothers, for the well-being of humanity.<sup>104</sup>

Few accounts tie factory exploitation and men’s subjugation of women together so eloquently. Nonetheless, common struggles that invoked a common female experience became increasingly common during and after Mexico’s revolution.

This passage also captures a generational tension between younger and older women. Luisa’s mother reacts to her daughter’s desire to “have more from this life” by suggesting that she either believed that a woman either had certain cultural and social role to fulfill or that no level of resistance could transform a culture of male domination. Interestingly, historians have not produced much scholarship on generational differences and how this informed perceptions of women’s movements in Mexico.

By the late 1930s opportunities in teaching and administrative work were increasingly accessible to women. However, the vast majority of women who lived in

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<sup>104</sup> Luisa Saika, “Trabajo es Honora?” *Pro-Paria*, December 1, 1931 num. 92. Archivo General de Orizaba, (AMO) Biblioteca.

urban areas such as Orizaba were still struggling for better wages, improved working conditions, and a heightened awareness of women's roles as workers and familial providers. Many of these problems appeared in a 1938 labor report on the condition of working women in Mexico City. The report noted the yawning gap between men's and women's wages as well as the conditions women endured in the workplace. The report also noted that women who worked as garment workers were highly susceptible to abuse because so many worked at home.

One of the great problems the Commission faces and whose solution should not be postponed, indeed because it has never been addressed, is the problem of wages for women who work in diverse economic sectors, most notably garment workers...who in great numbers work in their homes. Thousands of women workers cannot be located by the Inspectors and therefore they are not enjoying the legal rights that they are entitled to.<sup>105</sup>

The fact that factory owners continued to organize women's labor in their homes logically fit with state sponsored discourse that continued to maintain the centrality of women's domesticity. If women labored in factories and performed skilled labor, it would fundamentally undermine the state's project to preserve sexual difference and uplift Mexico's family. In regions such as Orizaba, the problem may have been more acute. Anarchist and socialist organizations founded powerful working class movements that challenged patronal authority but did so within a paternalist discourse. Women may have been social activists, but neither the state nor male workers ever intended for them to be skilled workers. While women had created unions in the garment, coffee, and tobacco industry, they had little to show for their efforts. The union of garment workers in Orizaba for example, wrote in a letter to the Department of Labor in 1938,

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<sup>105</sup> Departamento Autonomo del Trabajo Oficialía Mayor, Informe de las Labores realizadas por la Comisión Investigadora de la Situación de la Mujer y de los Menores Trabajadores, Julio de 1937-de Julio 1938, México, D.F., 9-10.

It is a fact that is by now is undeniable to all eyes that have witnessed the sad situation that for far too long women have been placed. The woman who is obligated to work out of the irresistible force of necessity, in which she must procure either her daily subsistence or the subsistence of her family are now consumed with the energies of her life. She is dedicated completely to sewing in factories specifically dedicated to the preparation of clothing. ...The high authorities of the Country which have attained great triumphs for the working class have nevertheless forgotten the weaker sex, (Mexican woman).<sup>106</sup>

### **Conclusion**

In this chapter I have suggested that women's presence in the labor force created a far more gendered labor movement than most historians have recognized. While women did not greatly improve their overall working conditions, their presence informed how working class men and state officials structured their strategies to attain their goals. Women's struggle to improve their working conditions and wages, and the social and cultural tensions during and after the Mexican Revolution, led both workers and state officials to focus on women as a means to achieve their divergent postrevolutionary goals. Women had fought alongside men during the Mexican Revolution, founded feminist organizations that sought to expand women's civil rights, and demanded greater educational opportunities. State officials responded to these demands by expanding women's educational, familial, and workplace rights. Legislators hoped that these changes would allow women to become better revolutionary citizens who, as dedicated mothers and wives, would moralize and stabilize working class families and facilitate a disciplined work force.

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<sup>106</sup> AGEV, Secretaria General De Gobierno, Archivo Clasificado General, Sindicatos, Caja 6682 Exp. 524/21, February 7, 1938.



On the other hand, working class men, many of whom experienced far reaching reforms that improved their wages and work conditions, reconstructed a culture of machismo intended to protect women from exploitive patrons. However, textile workers also incorporated working class women into labor unions so as to radicalize the family and extend their political ideology to future generations. Women's labor and social organization not only provided men an opportunity to reify masculinity, it also influenced how men challenged patronal and state authority. Men encouraged women's presence in unions and at times invoked women's exploitation as a means to shame factory owners and labor officials. While women participated in male dominated labor unions, their work as union organizers and social activists produced a consciousness that evolved from mirroring men's critique of capitalist exploitation to questioning patriarchy. Women did attain some small victories in the workplace. However, because neither workers or state officials viewed women as workers, working class women largely labored in industries not associated with industrialization or in small workshops and businesses where labor organization was much more difficult. This precluded women from attaining noted improvements in wages or working conditions. The divisions between women, and men as well, also made it difficult for women to challenge patronal authority or the paternalism of labor unions. Generational differences, the continued presence of the Catholic Church, and workplace, familial, and community relations coupled with a discourse that maintained that only men were workers greatly complicated women's labor movements.

While women did not share their male counterparts' victories in the workplace, the Revolution further expanded changes in law as well as economic, social and cultural

life, which created a space for women to incorporate themselves into the postrevolutionary project thereby necessitating responses from both working class men and state officials. However, while women were able to insert themselves into the debate over labor, the pecuniary and exploitive labor conditions that women endured forced many to seek other means by which to support their children. Many women either moonlighted as prostitutes or engaged solely in the sex trades because they could earn more money there than in other female dominated industries. Fallen women posed a threat to the stability, morality and productivity of the state's postrevolutionary project. However, rather than addressing the financial problems women endured, officials focused largely on moral and health concerns. As a result, a struggle emerged between state officials who increasingly wanted to regulate women's bodies and prostitutes who derided state officials for undermining their liberty while not addressing the poverty that many women faced.

<b>Profession</b>	<b>1891</b>	<b>1910</b>
Cigarette Rollers	180	NA
Cigar Rollers	Not Listed	113
Garment Workers	362	461
Laundry workers	536	222
Dress Makers	Not Listed	51
Workers in industrial Establishments	Not Listed	2,249
Merchants	Not Listed	436
Vendors	Not Listed	28
Corn Grinders	Not Listed	237
Domestics	436	Not Listed

Tortilla Makers	775	Not Listed
Tamale Makers	16	Not Listed
Kitchen Workers	58	Not Listed
Tobacco workers	60	Not Listed
Chocolate Makers	17	Not Listed
Teachers	15	Not Listed

Chart Sources:

1 *Censo de Municipalidad de Orizaba*, Archivo Municipal de Orizaba AMO, Salubridad, Caja 253, exp. 1, 1891

2 *Dirección General de Estadística. Censo General de la Republica México, 1910*. The 1910 census did not list many of the professions that were present in the 1891 census.

Actual numbers of women workers and their professions in Mexico, 1927	
Groundskeepers (Don't know about this)	30,683
Mining	1,583
Industrial workers Not specified	196,453
Transportation	1,296
Commerce	49,026
Public Administration	614
Unspecified business	25,421
Diverse Occupations	130
Domestic Workers	4,703,935
General Workers	21,557
Not working or unknown	2,303,289

Chart Source:

"Las Actividades de la Mujer Mexicana," *Alborada*, April 24, 1927 No. 285 p. 6

*If it was truly necessary to make room for  
illegitimate sexualities, it was reasoned,  
let them take their infernal mischief elsewhere:  
To a place where they could be reintegrated,  
if not in the circuits of production, a least those of  
profit. The brothel ... would be [one] of those places of  
tolerance.<sup>1</sup>*

## Chapter 5

### Dangerous Women and Public Space: Prostitution in Orizaba, Mexico 1915-1945

In Orizaba, like many other communities in Mexico, prostitution posed a challenge to those who associated the sex trades with immorality, disease, and crime. As a result, a struggle ensued between those who sought to safeguard their communities from vice and prostitutes who had few places to turn for employment. For example, on January 22<sup>nd</sup> 1936, several residents of a “vecindad” several blocks from Orizaba’s city center made a formal complaint to the mayor detailing the illicit activities of their neighbor, María Luisa de Fernández. The residents accused Fernández of selling alcoholic beverages without a license and running a brothel that exposed the “immorality” of “*clandestine*” prostitutes to the “honorable” neighbors of the “patio.”<sup>2</sup> The residents also noted the effects that such licentious acts could have on their children. If officials could not protect “honorable” citizens from immorality then who could residents turn to for recourse?

This complaint is one of many in Orizaba’s municipal archives which portrays the struggle over public space, morality, and control over the “patio.” The residents’ references to morality and honorability are particularly salient. If Fernández could

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<sup>1</sup> Michelle Foucault, “We ‘Other Victorians,’” in *The Foucault Reader*, Paul Rabinow ed. (New York: Pantheon, 1984) 292.

<sup>2</sup> Letter from Orizaba residents to the municipal president, January 22, 1936 Archivo Municipal de Orizaba (AMO), Ramo: Salubridad, Caja 1061, Exp. 1 (17-0).

subvert police enforcement, then who would protect the public's morality---a central component of postrevolutionary rhetoric? Who would decide the parameters between honorable and salacious behavior? And who would protect the public health of Orizaba's citizens?

In this chapter I argue that the state's drive to preserve sexual difference informed how officials shaped regulations about prostitution, public space, and health policies. State efforts to enforce new regulations in Orizaba created a struggle among residents, prostitutes, and municipal officials over who controlled public space, regulated morality, and, equally important, how state officials would police prostitutes' bodies. Orizaba officials organized social space through the passage of reglamentos and the use of state legislation that cracked down on clandestine prostitution which was part of the postrevolutionary project to eradicate disease and facilitate order, stability, and create a modern nation. The state paid specific attention to the issues of prostitution and disease because syphilis could be passed on to a mother's child during childbirth. Women's bodies posed a specific risk to the future health and economic development of the nation. In Orizaba's communities, limited living space only exacerbated residents' fears of illicit sexual behavior and "indecentcy." Those who lived in the *vecindad* often clashed with prostitutes who defended their personal liberty while also arguing that they could not find adequate employment. The conflict between residents' and prostitutes' rights challenged state policies that continued to encourage sexual difference.

The "patio" or common area was a courtyard surrounded by several conjoined, concrete, one or two room living quarters. Each apartment had a window that faced the patio for ventilation. The "*vecindad*" encompassed the patio and the living quarters that

surrounded it. The “patio” was a common public space where, despite the problems of overcrowding and sanitation, neighbors washed clothes, grew vegetables, shared pulque or beer, smoked, and recounted the day’s events.<sup>3</sup> Living quarters were susceptible to Orizaba’s changing climate. Because the town rises 4300 feet above sea level, many travelers sought relief there from Veracruz’s heat and humidity. Nonetheless, Orizaba could also be warm and humid during the summer which made poorly ventilated living quarters stuffy and hot. During winter months, Orizaba could be quite damp and chilly. While it does not snow, Orizaba is prone to days of unrelenting drizzle “chipi chipi” with temperatures between forty and fifty degrees Fahrenheit. Residences did not have heat and as result, on the chilliest days, people huddled in blankets.

Despite modernization of Orizaba’s infrastructure following the Revolution, including paved roads, trolleys, new schools, and hospitals, life in Orizaba’s poorer *vecindades* changed very little throughout the 1920s and 1930s. Although municipal officials made meager attempts to modernize these structures, municipal officials received many residents’ complaints concerning noxious smells, poor water quality, cracks in the walls, and leaky roofs. The earthquake of 1937 only added to the long list of residents’ complaints. Inspectors noted many of these problems in their reports to municipal authorities, yet officials were slow to pressure landlords into remedying the problems associated with these micro-communities. Residents at times withheld rent payments or even abandoned their living quarters without payment in retaliation.<sup>4</sup>

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<sup>3</sup> Carlos Calero, *Orizaba. Prólogo de Leonardo Pasquel*, (México, Editorial Citlaltépetl, 1970). Also see Alice Foster, “Orizaba--A Community in the Sierra Madre Oriental,” *Economic Geography* Vol. 1, No. 3 (Oct., 1925), pp. 356-372

<sup>4</sup> The Archivo del Estado de Veracruz (AGEV) contains over thirty civil affidavits from Orizaba involving the lack of payment or abandonment of living quarters between 1920 and 1945.

Despite the difficulties of vecindad life, these spaces provided a sense of security and camaraderie for Orizaba's working class and poor. The close proximity of the vecindad and the communal space of the "patio," however, at times blurred the lines between public and private life. Neighbors passed much of their time socializing in the "patios" where they could observe the daily events of their neighbors' lives. Disputes between lovers or spouses were often public events carried out within sight or sound of their neighbors.<sup>5</sup> These cramped spaces forced residents to share in their neighbors' daily lives which at times involved confrontations over drinking and "clandestine" prostitution (those who engaged in the sex trade without municipal registration).

Municipal authorities first established the *zona de tolerancia* (areas where women could practice prostitution) in 1913.<sup>6</sup> The decree that established the *zona* criminalized prostitution in Orizaba's vecindades and in areas near schools. However, state officials no longer wanting to be associated with sanctioning vice and immorality abolished the *zonas* in 1930 which forced many women to practice prostitution on the streets of Orizaba.<sup>7</sup> In the complaint about Fernández, neighbors in the vecindad protested that prostitutes and alcoholics had invaded their space and that they simply could not close the doors to escape the vice and "indignities" they were forced to endure. In addition, children passed through and played in the patios where they were subjected to the sight of "half naked" women, undressed men leaving the patio in broad daylight, and the sounds of "obscene" language. "We are forced to hear the vulgar mouths that are offensive to ears that are not

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<sup>5</sup> For more on family, violence and "patio" life see Pablo Piccato, *City of Suspects: Crime in Mexico City, 1900-1931*, (Durham, N.C.: Duke University Press., 2001).

<sup>6</sup> Report from the Director of the Sanitation Commission to the Mayor of Orizaba concerning the problems of disease and sanitation, March 12, 1914, AGO, Sanidad, Caja 464, no Exp. number, This report outlined prostitution regulations and the rules governing the *zona de tolerancia*.

<sup>7</sup> "Lucha Contra La Prostitución" *Estado de Veracruz Informes de Sus Gobernadores, 1826-1986* Tomo XII (Jalapa, Veracruz, 1986) p. 6302, 1930.

accustomed to such filth. We are trying to raise our children. We wanted to move away but our pecuniary position forces us to support the imprudence of our neighbors who share the same space.”<sup>8</sup> The residents of the *vecindad* also explained that they had confronted Fernández and threatened to report her to the police as well as municipal officials. Fernández, “hardly contrite, answered ironically with outbursts of laughter and said that the authorities will not do anything because beer fixes everything.”<sup>9</sup> The neighbors confirmed Fernández’s response explaining that when they complained to municipal authorities in the past, no one responded to their concerns. “In the past, the mayor did not respond to our complaints. Now we understand that we have a mayor who is a dignified representative of Orizaba who will take the necessary action to remedy this situation.”<sup>10</sup> Three months later Police Inspector Enrique Fuentes Azcona reported to the Municipal President that the complaint was valid. “Meticulous investigations have been carried out in respect to the conduct of Señora María Luisa de Fernández and I am convinced that [Fernández] has turned her residence into a brothel and is selling alcohol.”<sup>11</sup> The report does not indicate if authorities arrested Fernández or if the police took action to close her operation.

State regulation of prostitutes’ bodily movements, health, and business practices, however, were not generally successful. The increase in disease transmission throughout Veracruz and the inability (or lack of desire) of local officials to police effectively prostitution eventually led Veracruz governor Adalberto Tejeda to abolish the *zona de*

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<sup>8</sup> Letter from Orizaba residents to the mayor of Orizaba, January 22, 1936, AMO, Salubridad, Caja 1061, Exp. 1 (17-0).

<sup>9</sup> Ibid.

<sup>10</sup> Ibid.

<sup>11</sup> Report to the Municipal President from the Inspector General of Police, March 30, 1936, AMO, Salubridad, Caja 1061, Exp. 17-0, 23.



*tolerancia* in Veracruz State in 1929. The nascent postrevolutionary state faced bureaucratic problems as state officials noted that they could not rely upon the police or sanitation officials to enforce the laws governing prostitution. Corruption was endemic as prostitutes at times exchanged alcohol or sexual favors for police tolerance. This outraged residents who could not successfully police their own *vecindades*. Nevertheless, abolition ushered in a new period of negotiation and contestation as prostitutes were now free to roam the city streets throughout Orizaba; and residents noted with increasing agitation prostitutes' invasion of their *vecindades*.

After state officials abolished the *zona* in 1930, By 1940, the federal government passed legislation in 1040 criminalizing the transfer of syphilis and gonorrhea. The law applied to both women and men. However, the state's criminalization of disease did not preclude efforts to continue bodily inspection and registration of prostitutes. Indeed, the Department of Sanitation's campaign to eradicate "clandestine" prostitution and the diseases associated with it relied throughout the 1930s on the reports of local residents, although records indicating police enforcement of the laws are spotty. Regardless of how effective police officials were in their efforts to eradicate clandestine prostitution and to enforce bodily inspection, the struggle over who controlled public space continued throughout the 1930s and 1940s as prostitutes carried their business to the streets of Orizaba. Prostitutes' loss of their space in the *zona* forced them to carry out their business illegally in cabarets and bars, at times located near schools or *vecindades*. State officials increasingly relied on public surveillance of the illicit sexualization of Orizaba's communities, while prostitutes were left with few opportunities to escape what was often a dangerous trade.

### Urbanization and Reordering Social Space

The rise of the textile industry as well as other businesses produced a dramatic increase in Orizaba's population during the early twentieth century. Between 1900 and 1930 Orizaba's population grew from 33,539 to 42,925 or twenty eight percent.<sup>12</sup> The male population grew from 15,891 to 19,641 or twenty four percent while the number of women grew from 17,658 to 23, 284 or thirty two percent.<sup>13</sup> This was due in part to the large numbers of women who lost their husbands/fathers/lovers during the conflicts that plagued Mexico during the nineteenth century and as a result migrated to urban areas in search of employment. In 1900, there were 14,943 widowed men as opposed to 37,144 widowed women in Veracruz State.<sup>14</sup> This undoubtedly increased following Mexico's Revolution in which nearly one eighth of Mexicans lost their lives. In addition, the reputation of Orizaba as a growing industrial center coupled with the campesino's loss of land during the Porfiriato (1876-1910) led many to relocate to urban centers in search of better economic opportunities.<sup>15</sup>

Mexico's urban areas could not sustain the influx of new residents. Unemployment and the lack of adequate housing, proper sewage, and potable water were a constant challenge for both residents and municipal officials. Overcrowding was common and many who once lived on tracts of land in rural areas now found themselves struggling for daily necessities, living in cramped and unsanitary vecindades, and

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<sup>12</sup> Censos Junta Local de Orizaba, AGO, Caja 895, Exp. 1, 1930.

<sup>13</sup> Ibid.

<sup>14</sup> *Boletín de la Sociedad Mexicana de Geografía y Estadísticas* 1922-1923, Datos Geográficos, Censo General de Habitantes de Estado de Veracruz, AGO, biblioteca.

<sup>15</sup> During the Porfiriato (1876-1910) large land owners appropriated millions of acres communal land. Many of the campesinos who had worked this land for generations did not have "legal" titles to their land or if they did, the courts often rejected them as forgeries. This enabled the enclosure of vast tracts of land. By 1910 a few small land barons owned 134 million acres. See Michael Meyer and William L , *The Course of Mexican History* (New York: Oxford University Press, 1991). Also see Mark Wasserman, *Persistent Oligarchs, Elites and Politics in Chihuahua, Mexico 1910-1940*, (Durham: Duke University Press, 1993)

working for low wages as unskilled laborers. Residents' complaints to the Department of Health were common throughout the 1920s and 1930s and, much like earlier epochs, often cited the "foul smells and piggish conditions" that some residents endured.<sup>16</sup> In 1928, journalist Habacue C. Marin observed in *El Dictamen* that Orizaba was a city where workers do not enjoy the benefits of prosperity, factories pollute the landscape, potable water is a luxury, and changes in infrastructure only imply "suggestive modernity."<sup>17</sup> While some workers did much better economically following the Revolution, many continued to endure poor quality housing and "unhealthful" vecindades. Poor living conditions only fueled the anger of those who were struggling to raise children and who believed they were being subjected not only to substandard housing but also the immorality of "public women." The close proximity of daily life also exposed residents who once lived in the countryside to new forms of sociability that at times involved drinking, gambling, and prostitution. As a result of these changes, health officials sought to control more effectively the movement of prostitutes through new regulations and more invasive police procedures while residents challenged officials to protect their communities.

State led efforts to eradicate clandestine prostitution and to isolate those who were carriers of venereal disease also fit into the state's increased emphasis on familial stability and surveillance of private life. Caranza's Law of Family Relations explained that the "transcendental political reforms undertaken at the end of the Revolution cannot be implanted properly without subsequent reforms to all social institutions especially the family which is the base of society and is indispensable to carrying out the promises

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<sup>16</sup> Resident complaints to the Department of Health, 1938, AGO, Salubridad, Caja 1116, Exp. 118.

<sup>17</sup> Habacu C. Marin, "Orizaba" *El Dictamen*, July 22, 1928, AGEV, Fondo: Leonardo Pasquel, Sección: Ciudades, Arturo: Particular, Caja 16, 1928.

made by the Revolution.”<sup>18</sup> President Carranza, like many legislators, firmly believed that the family represented the basic unit of social organization and therefore state intervention into familial relations was paramount to creating an orderly, clean, and moral society. Because prostitution threatened these goals, officials tied the sex trades to the postrevolutionary project to eradicate immorality, disease, and vice while augmenting familial stability. Katherine Elaine Bliss points out in her seminal work on prostitution in Mexico City that officials invoked the revolution to restrict the mobility of prostitutes, established schools and clinics to reform them, and attempted to create new activities such as sports leagues to distract men from brothels and cantinas.<sup>19</sup> Indeed in Orizaba, Moctezuma Cervezeria created a women’s basketball team during the 1920s while municipal officials in the textile town of Santa Rosa called for the creation of a baseball team and field in 1918 to strengthen the weak bodies of workers and “make them into vigorous, virile, and robust citizens of la patria.”<sup>20</sup> Officials intended these activities to promote “healthy” interaction outside of the cantinas and brothels which threatened family life and the industriousness of the working class.<sup>21</sup>

The legalization of divorce also necessitated expansive regulation of marriage and codified what constituted proper marital relations. Contracting venereal diseases such as syphilis and gonorrhea were grounds for divorce and this allowed health officials

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<sup>18</sup> C. Venustiano Carranza, Jefe del Ejercito Constitucionalista Encargado del Poder de la Nación. *Ley Sobre Relaciones Familiares*, Edición Oficial, Orizaba, Veracruz, 1917.

<sup>19</sup> Katherine Elaine Bliss, *Compromised Positions: Prostitution, Public Health, and Gender Politics in Revolutionary Mexico City* (University Park: University of Pennsylvania Press, 2001) 16.

<sup>20</sup> Secretaria de Gobierno de Estado Libre Y Soberano de Veracruz Santa Rosa, June 18, 1918, AGO, Fomento, Educación: Reparaciones, Solicitudes, y Diversas, Caja: 195 Exp. 42.

<sup>21</sup> Mary K. Vaughan, “Imperialism, The State, and Political Implications for the Liberation of Women: Women, Class, and Education in Mexico, 1880-1928,” *Latin American Perspectives*, Vol. 4, No. 1/2, Women and Class Struggle. (Winter - Spring, 1977), pp. 135-152.

expansive powers in examining women's bodies.<sup>22</sup> Therefore, the state's surveillance of women's bodies extended beyond prostitution as a business relationship. The sharp increase in women who filed for divorce citing their husbands' venereal disease, noted in chapter two, coupled with fears that prostitutes were infecting Mexico's families with incurable diseases prompted officials to step up the campaign to regulate prostitutes' bodies during the 1920s.<sup>23</sup> In 1923, the head of the Sanitation Police in Mexico City explained what he believed to be the state's right to isolate prostitutes.

Individuals have no right to live in society unless they are useful or at least non-threatening to the community. If diseased individuals who endanger the public health do not willingly segregate themselves from social life, then it is the duty of authorities to isolate them. The health of the homeland and humankind alike is far more important than the freedom of a handful of individuals.<sup>24</sup>

In other words, prostitutes forfeited control over their bodies as well as their civil rights because they were threatening and "dangerous." In addition, the democracy that many initially believed was part of Mexico's Revolution would not be extended to those who upset postrevolutionary order.

Moreover, democracy did not extend to women. Women were not able to vote in national elections until 1953, had to seek their husband's permission to work outside of the home until 1931, and also endured a codified double standard for adultery despite the fact that the Law of Family Relations stated that men and women were equal in familial matters.<sup>25</sup> Prostitutes freely roaming the city streets presented a difficult challenge to protect community members from immorality, for they could tempt otherwise

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<sup>22</sup> Carranza, *Ley Sobre Relaciones Familiares*.

<sup>23</sup> Bliss, *Compromised Positions, Prostitution, Public Health, and Gender Politics in Revolutionary Mexico City*.

<sup>24</sup> Informe que presenta el medico Jefe de la Inspección de Sanidad, 1923, in Cristina Rivera-Garza, "The Criminalization of the Syphilitic Body: Prostitutes, Health Crimes, and Society in Mexico City, 1867-1930" in *Crime and Punishment in Latin America* Ricardo D. Salvatore, Carlos Aguirre, and Gilbert M. Joseph eds. (Durham: Duke University Press, 2001) 147-180.

<sup>25</sup> *Ibid.*

monogamous men. Therefore municipal officials decided to move prostitutes to the *zona de tolerancia* and require them to register with the department of health. This effort relied not only on the vigilance of state officials, but also on residents' surveillance of illicit activities in the *vecindad*.<sup>26</sup>

State attempts to regulate prostitution through registering them and their location stemmed from fears of diseased and unruly bodies intermingling with the "gente decente."<sup>27</sup> As Linda Zerilli eloquently explains in her work on prostitution in Victorian Europe, "Far from remaining an unbridgeable distance from her social betters, the clandestine prostitute aggressively if covertly entered the ranks. Posing as the lady...she unsettled the signifiers of class difference, she blurred the distinction between the moral and the depraved."<sup>28</sup> Clearly, the symbol of the "diseased" prostitute charged the postrevolutionary political atmosphere. Unregulated and unmonitored sexual deviance threatened liberal legislators' moral vision as they waded through the cloudy waters of postrevolutionary Mexican society.

While officials during the Porfiriato, (1876-1910) also wrestled with the vice of an industrializing society, postrevolutionary law makers came to view prostitution, alcoholism, and disease as remnants of an uneducated and uncultured society. More than any other tool of modernization, officials believed that education would delimit the

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<sup>26</sup> Despite the persistent gaze of Orizaba's residents, surveillance had its limitations. The weakness of Mexico's postrevolutionary state often precluded effective oversight by police and sanitation officials. As a result, residents' complaints while usually investigated, may not have resulted in any disciplinary action. For more on surveillance as a form of supervision see Michel Foucault, *Discipline and Punish, The Birth of the Prison* (New York: Vintage; Reprint edition 1995).

<sup>27</sup> The regulation of "moral space" was also vital in Europe and England. For example, Philip Howell argues that state regulation of prostitution became an urgent matter during the middle and later decades of the nineteenth century. The British state passed the Contagious Diseases Acts during the 1860s in an attempt to segregate prostitution, gender spatial order, and protect the upper classes. See Philip Howell, "A Private Contagious Diseases Act: Prostitution and Public space in Victorian Cambridge," *Journal of Historical Geography*, [Great Britain] 2000, 26 (3) 376-402.

<sup>28</sup> Linda Zerilli, *Signifying Woman: Culture and Chaos in Rousseau, Burke, and Mill (Contestations)* (Ithaca: Cornell University Press, 1994) 131.

“fanatical and ignorant” vestiges of the Catholic Church that they associated with ignorance. To counter the influence of the Church, between 1920 and 1924, the Mexican state attempted to institute sex education.<sup>29</sup> Officials and temperance organizations also expanded anti-alcohol campaigns that targeted working class citizens, while sanitation officials struggled to register, segregate and inspect prostitutes.<sup>30</sup>

### **Controlling the Revolutionary Body: Law and Prostitution 1880-1920**

The struggle to control prostitution emerged in 1865 during the French occupation of Mexico (1864-1867). French officials under Emperor Maximilian sought to reduce the rate of venereal disease among the Emperor’s soldiers and, as a result, enacted laws to control the sex trades.<sup>31</sup> Following the dissolution of the French monarchy in 1867, the dictatorship of Porfirio Díaz (1876-1910) embarked upon a social improvement program based upon the tenets of positivism.<sup>32</sup> Porfirian officials fearful of the rise in the rates of venereal disease in Mexico’s urbanizing regions, increasingly regulated prostitution as a means to create a clean, healthy, and industrious society. Between 1876 and 1898, Porfirian public health officials raised the minimum age of women who could practice prostitution from fourteen to sixteen years of age and expanded the number of diseases

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<sup>29</sup> Mayer and Sherman, *The Course of Mexican History*.

<sup>30</sup> Letter from the sub secretary of Orizaba to the mayor of Orizaba, February 7, 1920, AGO, Gobernación, Caja 619, Exp. 163. This letter detailed the problems of alcohol consumption and its deleterious effects on workplace safety and production. The sub secretary noted that the state constitution mandated that workers could not come to work intoxicated. Accordingly the letter calls for the abolition of businesses that sold alcohol near factories or other places of employment. In addition, sanitation officials embarked on an ambitious vaccination program and increasingly Expanded state regulation over the sale food products, such as milk, in order to stave the spread of intestinal illness. While state officials obviously sought to improve the health of Mexico’s citizens, doing so was also the mark of a modern industrial society.

<sup>31</sup> Ricardo Franco Guzman, “El Régimen de la Prostitución en México” *Revista de la Facultad de Derecho de México*, 22 (85-86) 1972, 85-134.

<sup>32</sup> Mexico’s positivists believed that education, sobriety, and social engineering would facilitate economic growth and social stability. Therefore their preoccupation with prostitution fit within the intellectual genre of improving Mexican society. See William French, “Prostitutes and Guardian Angels: Women, Work, and the Family in Porfirian Mexico,” *Hispanic American Historical Review* 1992 72(4): 529-553.

that could lead to a prostitute's forced treatment.<sup>33</sup> In 1882, the Consejo Superior de Salubridad, (Díaz's commission to monitor and implement health policy) in Mexico City called for the medical inspection and registration of prostitutes.<sup>34</sup> If doctors determined that a prostitute had a venereal disease, they confined her to the hospital and treated the ailment.<sup>35</sup> Bodily inspection and forced hospitalization would continue throughout the postrevolutionary period.

State officials' push to increase surveillance of sex workers occurred simultaneously with the increase in migration and the expansion of urbanization during the late nineteenth century. Because citizens were living in increasingly cramped spaces, sexual behavior emerged from an unobserved, "safe," and rural location to a dangerous, urban and readily observable interaction. No longer hidden from the public eye, an increase in prostitution, alcoholism, and gambling demonstrated that urbanization and modernization fueled vice, debauchery, and illicit sex. Clearly vice was not confined to urban areas, nor did prostitution exist only in the cities. However, with Mexico's gradual transformation from a rural to a more urban society between 1880 and 1900, sexual behavior and "indecent" conduct were readily observable in the cramped spaces of Mexico's *vecindades*.<sup>36</sup> The increased visibility of the sex trades provided a sense of urgency for municipal and state officials to restructure public space, protect public

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<sup>33</sup> Bliss, *Compromised Positions*.

<sup>34</sup> The Consejo Superior de Salubridad made health policy recommendations for the entire nation and was part of the federal government's effort to consolidate its power over health care policy and its legal enforcement. See Ana María Carrillo, "Economics, Politics, and Public Health in Porfirian Mexico (1876-1910)," *Hist. cienc. saude-Manguinhos*. [online]. 2002, vol. 9 suppl. pp. 67-87. Available from: <[http://www.scielo.br/scielo.php?script=sci\\_arttext&pid=S0104-9702002000400004&lng=en&nrm=iso](http://www.scielo.br/scielo.php?script=sci_arttext&pid=S0104-9702002000400004&lng=en&nrm=iso)>. ISSN 0104-5970.

<sup>35</sup> Claudia Agostoni, "Salud Publica y Control Social en la Ciudad de México a Fines del Sigo Diecinueve," *Historia y Grafía* [México] 2001 (17): 73-97.

<sup>36</sup> Piccato, *City of Suspects: Crime in Mexico City, 1900-1931*.



morality, and increase medical surveillance to prevent the spread of sexually transmitted disease.

While the state sought to create a “modern” and “moral” family unit, the Church in many ways mirrored these efforts even while the state stepped up its anticlerical rhetoric. Throughout the late nineteenth and early twentieth centuries, Orizaba’s citizens remained devoutly committed to the Catholic Church and local Catholic newspapers that emphasized women’s moralizing mission enjoyed a wide circulation. For example *El Siglo de Acaba*, an Orizaba Catholic newspaper, published many articles about the importance of women as a social force through their role in the home. “It is undeniable the great influence women have over the morality of men...The domestic home is the great protector of the society against the excesses of the human passions.”<sup>37</sup> Church discourse which informed Mexico’s cultural beliefs, divided socially into a masculine public world of vice and labor and a private feminine sphere of security and domesticity. This mirrored rather than clashed with Porfirian efforts to increase women’s secular education so that they could inculcate positivism and a capitalist ethic of industriousness, morality, and hard work among their children. Despite the tensions that existed between the Porfirian state and Church officials, both the state and the church touted the importance of maintaining sexual difference.<sup>38</sup>

During the Porfirian period, clandestine prostitution provided the greatest challenge to policing women’s sexual behavior. In 1888, an Orizaba health inspector

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<sup>37</sup> J.N. Cañizares, “La Influencia de la Mujer,” *El Siglo Que Acaba, Semanario Católico*, November 24, 1895, number 317, p. 2.

<sup>38</sup> Matthew Butler, *Popular Piety and Political Identity in Mexico's Cristero Rebellion: Michoacán, 1927-29* (New York: Oxford University Press, 2004). For a discussion of women’s role in the Cristero Rebellion see Barbara Miller, “The Role of Women in the Mexican Cristero Rebellion: Las Señoras y las Religiosas” *Americas: A Quarterly Review of Inter-American Cultural History* 40(3): 1984, 303-323.

wrote a letter to the mayor outlining the need to “redouble their vigilance in respect to clandestine prostitutes who are effectively disobeying the law.”<sup>39</sup> The official also noted that the increase in venereal disease directly corresponded to prostitutes’ unwillingness to have their bodies inspected. These women’s intransigence threatened to undermine sanitation officials’ efforts to monitor community health and thereby threatened the stability and health of Mexico’s families. Accordingly, Orizaba’s officials made attempts to register prostitutes and document their health. Undoubtedly Orizaba’s growing industrial importance as a national textile center exacerbated officials’ concerns that workers were engaging in activities that could spread disease and undermine productivity. On the other hand, the vast foreign ownership of industry in Orizaba produced an elite class of foreigners who desired to live in clean, modern, and cultured neighborhoods undisturbed by the realities of poverty, vice, and prostitution.<sup>40</sup> Although foreign men surely also visited prostitutes.

Officials in Mexico City were also preoccupied with public health. Legislators passed the Código Sanitarios de Estados Unidos de México in 1891 which called for the forced registration and bodily inspection of prostitutes.<sup>41</sup> Following the turn of the century, prostitution and venereal disease became a topic of increasing debate. Much of the conversation focused on women’s immorality and lack of education rather than men’s propensity to hire prostitutes. Dr. Luis Lara y Pardo’s book *Prostitución en México*

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<sup>39</sup> Letter to the City Council, May 23, 1888, AGO, Fomento, Caja 190, Exp. 1.

<sup>40</sup> Many of Orizaba’s factory owners were French. See Bernardo García Díaz, “The Formation of the Working Class in Orizaba,” in *Border Crossings, Mexican and Mexican-America Workers*, John Hart ed. (Wilmington: Scholarly Resources, 1998) 49-69. Orizaba’s Municipal Census Report 1891 lists 256 foreigners living in Orizaba, the vast majority came from Spain, Italy, Germany, and England. While some worked in local industries, many were merchants and business and factory owners. Censo de Municipalidad de Orizaba AMO, Fomento, Caja 198, 1891. Also see John C. Brown, “Native and Foreign Born Workers in Porfirian Mexico,” *American Historical Review* 98 (3), 1993, 786-818.

<sup>41</sup> Claudia Agostoni, “Discurso Médico, Cultura higiénica y la mujer en la Ciudad de México al Cambio de Siglo (XIX-XX),” *Estudios Mexicanos* 2002 18(1): 1-22.

published in 1908 is the most renowned study to emerge during this era. Lara y Pardo was a social hygienist whose alarming research called attention to the increase in the numbers of prostitutes in Mexico City. He revealed that out of the 195,251 women who lived in Mexico City in 1900, roughly 10,000 were prostitutes. This finding shocked many because Lara y Pardo added that many more were not registered with the authorities. If this was in fact true, then Mexico City had more prostitutes than Paris which many considered to be the world's capital of vice.<sup>42</sup> He maintained that women became prostitutes not only because of inadequate job opportunities but also because of the moral depravity of the working class.<sup>43</sup> Many of the women officials interviewed worked outside of the home as seamstresses, domestics, and tobacco workers which fueled elitists' conflation of specific female dominated industries with prostitution. Indeed women who demonstrated for better wages in the early twentieth century argued that factory owners who paid low wages forced them into a life of prostitution.<sup>44</sup> However, Lara y Pardo's research also represented many of the dominant social and intellectual tenets of this period.

The state's emphasis on public health intensified during the early twentieth century. Immigration, urbanization, women's increased presence in the workplace, and the violence of Mexico's revolution fueled these changes that could undermine state efforts to instill morality, sobriety, and hard work among the working class. As a result,

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<sup>42</sup> During the same epoch, officials in Paris reported close to 4,000 registered prostitutes in a city that was four times larger than Mexico City. See Margarita G. de Lozano Garza, "La Prostitución en sus Diversos Aspectos y valor del Trabajo Social en su Profilaxis," (Lic. Thesis, Universidad Nacional Autónoma de México, 1943).

<sup>43</sup> Luis Lara Y Pardo, *Prostitución en México* (México: Librería de la VDS. De Bouret, 1908). For more on prostitution and law see Ricardo Franco Guzmán, "El Régimen Jurídico de la Prostitución en México", *Revista de la Facultad de Derecho de México* (México 1972) 22, 85-134.

<sup>44</sup> John Lear, *Workers, Neighbors and Citizens, The Revolution in Mexico City*, (Lincoln, University of Nebraska Press, 2001), fig. 16.

the state passed sweeping provisions to protect women and children in the family and the workplace. Article 128 of the Mexican Constitution, which earlier historians have lauded as a victory, codified equal pay for equal work regardless of sex. Nonetheless, this probably served to undermine women's employment in favor of men rather than providing equality in the workplace. In addition, women's increased legal status in familial matters attempted to secure women as mothers and caregivers, not workers. Therefore the state advanced women's rights so as to secure their primary role as educators and mothers. Moreover, new protections for women and children reestablished sexual difference in Mexican society after the revolution upset the traditional gendering of post Porfirian society. Women played essential roles in the revolution, worked in factories, and participated in feminist movements that called for better education and more importantly, suffrage. The state's expanded paternal role advanced new legislation calling for women's education and protection from the abuses of the male dominated factory workforce and from abusive husbands. Many believed that this would secure the stability of the family and promote the health of children, Mexico's future revolutionary citizens.

In Orizaba, women's labor movements, anarchism, feminism, and the continued influence of the Catholic Church coalesced in ways that produced both a contradictory and complementary social discourse that was truly unique at this time. Orizaba's textile industry, noted for work stoppages and labor violence, was rooted in a historically conservative region. During the early years of the twentieth century, as Orizaba continued to industrialize, anticlericalism spread among Orizaba's working class. Nonetheless, most

working class men shared the Church's sentiments about women's social roles.<sup>45</sup> On the other hand, the state worked to redefine patriarchy within the context of postrevolutionary society. Women needed to be educated and they could also work, but skilled labor was still men's domain and would continue to be so throughout the twentieth century. Even progressive leaders such as Governor Salvador Alvarado of Yucatán, who issued several decrees to encourage the hiring of women in administrative positions during the early 1920s, struggled with sexual difference. Although he spoke of men's tyranny over women, he also noted women's inherent delicacy and argued that they should not live like men.<sup>46</sup> The state's drive however to create a reliable, stable, moral and sober citizenry required the enlistment of women. Church officials and liberal legislators strongly believed that mothers could stave off the growing problems of vice associated with modern society. Sex workers however, whose lives posed a threat to these efforts contributed to the moral degeneracy of the working class. Therefore progress, while equated to economic production and the expansion of markets, was also about restructuring the basic unit of social organization, the family. New laws advancing women's rights in the family while protecting them in the workplace secured the importance of "private" social roles and the effects that officials hoped this would have on "public" life---moralizing the working class while securing the health of la patria.<sup>47</sup>

Despite state rhetoric that touted the virtues of modernity, the realities of urbanization, insufficient housing, and infrastructure exacerbated poverty, disease, and

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<sup>45</sup> Alan Knight Explains that "the working class was open to a range of ideas, which could combine in bizarre but appealing constellations: liberal, socialist, anarchist, Catholic (the 1900s saw the efflorescence of Catholic social action in Mexico), and even Protestant." See Alan Knight, "The Working Class and the Mexican Revolution, 1900-1920," *Journal of Latin American Studies*, 1984 51-79.

<sup>46</sup> Julia Tuñon Pablos, *Women in Mexico, A Past Unveiled* translated by Alan Hynds (Austin: University of Texas Press, 1999).

<sup>47</sup> William French, "Prostitutes and Guardian Angels: Women, Work, and the Family in Porfirian Mexico," *Hispanic American Historical Review* 1992 72(4): 529-553.

overcrowding, which undoubtedly contributed to an increase in the number of complaints against clandestine prostitutes.<sup>48</sup> The state therefore set out with new fervor to cleanse the *vecindades* of “sexualized” women who sold their bodies for profit and upset the state’s efforts to slow the rising tide of disease. The irony is that while state officials claimed that the revolution would modernize women’s social standing, their goal to preserve sexual difference as a fundamental component of postrevolutionary society precluded women’s access to skilled jobs and forced many to seek out Orizaba’s streets in order to support themselves and their families. As late as the 1940s, some twenty years following the Mexican Revolution, officials continued to note the lack of employment opportunities for women as contributing to the large numbers of women who worked in the sex trades. As a result, Department of Public Assistance in Mexico City proposed the establishment of an “Escuela Domestica” to teach women the “feminine” arts of ironing, washing clothes and cooking while also looking for new jobs for women to fill.<sup>49</sup>

In Orizaba, night schools also provided education for women who wanted to pursue skills outside of the home. In 1920, a group of students sent a letter to the mayor asking for permission to use Orizaba’s municipal band in a public celebration dedicated to night school director, Esperanza Rodríguez, whose efforts had provided educational opportunities for women. The students explained that the night school was part of a larger project to uplift *la patria*: “When women are done with daily domestic duties, they can pursue an education that furthers the interests of *la patria* and the well-being of their

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<sup>48</sup> Complaints were sporadic during the 1920s. Following 1930 formal written complaints were more common.

<sup>49</sup> Margarita G. de Lozano Garza, “La Prostitución en sus Diversos Aspectos y valor del Trabajo Social en su Profilaxis” (Lic. Thesis, Universidad Nacional Autónoma de México, 1943).

children.”<sup>50</sup> Nonetheless, the education, while an improvement over the pre-revolutionary years, largely entailed professions associated with the “domestic arts.” These positions paid markedly less than skilled work in factories and some offices. Therefore while many officials noted the lack of employment opportunities for women as well as the high number of female led households, few officials cited men’s dominance over skilled labor as one of the principle contributing factors to women’s pecuniary position. While this may seem obvious, many feminists had long called attention to the problems of women’s poor wages and their inability to access employment that could support a family. Indeed, the social ordering of sexual difference constrained solutions for women who had few options. Officials who attempted to understand immorality limited the scope of analysis to women’s mental infirmities, immorality, the problems associated with single mothers, and insufficient work opportunities within the types of work women could or should do. As a result, surveillance, forced hospitalization, and community segregation, not labor opportunities, were the primary tools to control prostitution and the spread of venereal diseases.

### **La Zona de Tolerancia and Policing the Body**

Sanitation officials’ decision to relocate sex workers to the *zona de tolerancia* was a primary strategy to control the movement of prostitutes and the spread of disease. Orizaba’s Sanitation Commission noted in 1914 that for years “honorable people of Orizaba” had asked that prostitutes be located to a *zona de tolerancia*.<sup>51</sup> Municipal officials followed through on this request in order to “secure the protection of schools and

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<sup>50</sup> Letter from students of the night school Josefa Carillo to the municipal government, July 26, 1920, AMO, Gobernación, Caja 602, Exp. 455.

<sup>51</sup> Report from the President of the Sanitation Commission to the Mayor of Orizaba concerning the problems of disease and sanitation, March 12, 1914, AMO, Sanidad, Caja 464, no Exp. number.

other industries in the city center.” However, this decision posed serious problems. Following the creation of the *zona*, complaints poured into the offices of municipal officials about living conditions which prompted an investigation of the housing crisis. In March 1914, the health commission reported that several of the homes in the *zona* were not fit for habitation. The rooms they investigated had low ceilings, very small living spaces (roughly two and a half meters), poor lighting, humid with bad ventilation, uneven floors, and lacked potable water or community wells.<sup>52</sup> Officials explained that many of the dwellings in the *zona* violated state sanitation codes and forced women to live in dangerous and unhealthy living spaces. As a result, investigators admonished the building owners to improve the quality of the housing, while also ordering the *matronas* to shut the bordellos within two months.<sup>53</sup>

While resident complaints about unclean and poorly constructed homes were common, unsanitary living quarters in the *zona* conjured up ideas of diseased bodies living in foul spaces which greatly alarmed officials who intended the *zona* to be a space of state oversight and regulation. Moreover, poor living conditions and few job opportunities for women ran counter to postrevolutionary rhetoric to uplift Mexico’s women. The reality left a yawning gap between revolutionary promise and social reality. This report indicated early on that official efforts were already failing. Despite the commission’s warnings, the municipality continued to regulate and relocate prostitutes in order to remedy the rising tide of venereal disease and immorality. Registered prostitutes were forced to carry out their business in the *zona* regardless of the continued sanitary

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<sup>52</sup> Ibid.

<sup>53</sup> Ibid.



and safety concerns as part of the continued effort to reorder public space and control disease.

Five years later, Orizaba's Prostitution Reglamento of 1919 stepped up state surveillance and expanded regulations. The document set forth several provisions which included that all "public women" had to behave and dress with decency and refrain from 1) greeting or soliciting men in the street when they are accompanied by their wives or children; 2) promoting prostitution with signs or words, or standing in the doors, balconies or windows of the bordellos and finally; 3) establishing bordellos near schools, charity organizations, vecindades, or on streets near the city center. In addition, bordellos also had to "use blinds or dark glass" to prevent residents from seeing inside.<sup>54</sup> The Reglamento also dictated that prostitutes had to advise the "Municipal Register" when they changed residence, and they were only permitted to go out in public between twelve and three in the afternoon except on Sundays. A prostitute could not be accompanied by no more than one other woman during their sojourns. Groups of "public women" circulating through the city streets threatened public morality and could upset the government's efforts to maintain the appearance that they were successfully controlling the sex trades. Municipal officials' vast control over public space and inspection of women's bodies was intended to control prostitution instead of criminalizing it because men, or in officials' minds, working class men, could not resist sexual temptation and therefore prostitution was inevitable.

While syphilis, gonorrhea, and other sexually transmitted diseases continued to be a problem, tuberculosis, cholera, typhoid fever, and gastrointestinal illness were more serious threats. Nonetheless, syphilis could be contracted only through direct sexual

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<sup>54</sup> Reglamento de Prostitución en Orizaba 1919, January 1, 1919, AMO, Salubridad, Caja 561, Exp. 1.

contact, and there was no cure.<sup>55</sup> Venereal disease became a proverbial *Scarlet A* which marked the degeneracy of Mexican society and potential economic ruin.<sup>56</sup> In addition, syphilis could be passed on to a child during childbirth which threatened the future of Mexican families. As a result, the regulation of the prostitute's bodily movements and health as well as the location of bordellos were instrumental strategies for controlling disease and "moralizing" Mexico's citizenry.

Mexico's Revolution did not provide a seamless transition from the Porfirian program to control illicit sex. The Porfiriato's campaign against prostitution associated degeneracy with rural indigenous peoples or urban workers. Clearly postrevolutionary leaders shared this sentiment. For example, Department of Labor officials in Mexico City noted that its population "was prey to endemic vice and disease." This was considered part of factory life and filthy tenements which contributed to a culture of degeneracy associated with brothels and cantinas.<sup>57</sup> The social problems associated with disease and hygiene created an opportunity during the period of reconstruction for officials, doctors, social workers, and citizen advocacy groups to address the spread of disease and to work to create a cleaner and healthier population. Women were an integral part of this process which was reflected in the Secretaria de Educación Pública's (SEP) expanded public

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<sup>55</sup> Alberto Pani, *La Higiene En México* (México: Imprenta De J. Ballezá, 1916).

Alberto Pani concluded in 1916 that incidents of venereal disease, while a problem, did not pose the same threat as communicable diseases such as tuberculosis.

<sup>56</sup> Bliss, *Compromised Positions*. For more on fears of syphilis and the nation see Diana Obregón, "Medicos, Prostitución, y Enfermedades Venereas en Colombia (1886-1951)," *História Ciências Saúde: Manguinhos [Brazil]* 2002 9(Supplement): 161-186. Obregón argues that state officials in Colombia viewed venereal disease as a threat to the "la raza" and the prosperity of the nation. David McCreery makes a similar claim about Guatemala 1880-1920. See David McCreery, "This Life of Misery and Shame," Female Prostitution in Guatemala City 1880-1920," *Journal of Latin American Studies*, 1986 18 (2) 333-353. Also see Michael Tuck, "Kabaka Mutesa and Venereal Disease: An Essay on Medical history and Sources in Precolonial Buganda," *History in Africa* 2003 30: 309-325. Tuck argues that the discovery of the king's venereal disease was viewed to be an indication of the health of the state.

<sup>57</sup> Alan Knight, "Popular Culture and the Revolutionary State in Mexico," *Hispanic American Historical Review* 74 (3) 1994, 393-444.

roles for women. SEP officials hoped to foment a new feminine sociability which would be linked to secular and civic activities. Women, instead of dressing “the Virgin” undertook “crusades against alcohol, dirt, and disease.”<sup>58</sup> This was clearly the case in Orizaba where women ran charity relief organizations and sobriety campaigns.<sup>59</sup> Nonetheless, new roles for women as revolutionary citizens did not supplant paternalism. Rather, liberal officials intended women’s expanded postrevolutionary influence to be an integral part of reaffirming sexual difference.

Mexico’s Revolution undoubtedly was also not a revolution overtly concerned with the sexual practices of Mexico’s *men*. Indeed the gun toting, virile revolutionary came to symbolize masculinity and power even though liberal officials increasingly pursued a vision of a modern Mexico that would symbolize modernity, prosperity, and productivity. While revolutionaries such as Emiliano Zapata became symbols of revolutionary disorder to elite policy makers, stories of their female conquests and bravery reflected how deeply the tentacles of masculinity extended throughout Mexican society.<sup>60</sup> Moreover, many officials who decried anterior forms of masculinity associated with womanizing, drinking, and fighting also embraced these revolutionary figures as true symbols of Mexico’s emancipation from tyranny. Officials and the general population immortalized Zapata and Pancho Villa while newspapers featured images of the soldadera that converted them into voluptuous and beautiful women in skirts carrying

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<sup>58</sup> Mary Kay Vaughan, *Cultural Politics in Revolution, Teachers, Peasants, and Schools in Mexico 1930-1940* (Tucson: The University of Arizona Press, 1997) 43. Also see Mary Kay Vaughan, “Modernizing Patriarchy: State Policies, rural Households, and Women in Mexico, 1930-1940,” in *Hidden Histories of Gender and the State in Latin America*, ed. Elizabeth Dore and Maxine Molyneuz (Durham: Duke University Press, 2000), 194-214.

<sup>59</sup> *Campaña Antialcohólica*, AGO, Salubridad, Caja 1034, Exp. 18-26, 1935. This document outlines the development of an anti-alcoholism campaign led largely by women. Newspaper articles from the 1910s and 1920s also highlight women’s roles in Orizaba’s temperance movements.

<sup>60</sup> Sandra Cisnero “Eyes of Zapata,” *Western American Literature* 2001 35(4): 402-427

guns. However, revolutionary officials such as governor Tejeda of Veracruz indicated in the Civil Code of 1932 that the popular conceptions of Mexican men as macho, chest beating, and ignorant needed a makeover.<sup>61</sup> Therefore Mexico's cultural and legal initiatives to reform and educate Mexican society continued to reinforce sexual difference while subverting anterior forms of masculinity and femininity through legal reforms in the family, schools, and the workplace. Mexico's fathers needed to be dutiful, sober, and productive citizens while women, divorced from the fanaticism of the Catholic Church, needed to be educated and devoted mothers. The state expanded its role in the personal lives of its citizens so as to secure Mexico's place as a "modern" nation.

Porfirian científicos emphasized the need to monitor women's sexual behavior as part of a larger program to eradicate disease and promote morality. Porfirian officials also believed that church fanaticism was endemic among indigenous villages. This association of rural tradition and fanaticism also carried over into the postrevolutionary period. Liberal officials associated the term "fanático" with "indios" which "connoted a mind full of peculiar percolating emotions and weird feelings which from a 'modern' viewpoint were outmoded, regressive, irrational, and even dangerous to the constituted social order."<sup>62</sup> State led secularization would eliminate church dominion over education and introduce a new effort to explore sexual issues. Liberal legislators attempted to institute sex education programs to warn future citizens of the dangers of sexually transmitted disease. However, in cities such as Orizaba where the Church remained influential, implementation of sex education was probably more difficult to execute.

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<sup>61</sup> Adalberto Tejeda, *El Nuevo Código Civil del Estado de Veracruz-Llave* (Xalapa: Talleres Graficos del Gobierno del Estado, 1932). Tejeda noted that "traditional" ideas pertaining to women's lack of equality were lagging in rural regions.

<sup>62</sup> Paul Vanderwood, *The Power of God Against the Guns of Government, Religious Upheaval in Mexico at the Turn of the Nineteenth Century* (Stanford: Stanford University Press, 1998) 138.

In Mexico City, officials questioned the Church's influence in sexual matters. Dr. Bernardo Gastélum, Mexico City's Chief of Public Health, warned that Catholicism's "false modesty" encouraged a "cult of masculinity" that allowed men the customary right to have sexual relations with prostitutes while "their wives remained monogamous at home."<sup>63</sup> Surely some women shared this sentiment. However, despite Gastélum's seemingly progressive admonition that both men and women needed education to change lascivious behavior and that doing so would allow sexuality to emerge from the darkness of privacy to the realm of health science, Mexico's postrevolutionary officials emphasized the need to preserve sexual difference. Indeed the state emphasized familial equality and women's education as vital to the future success of Mexican society, yet legislators and much of society for that matter, still maintained that men could not resist the "human passions" that drove them into the arms of prostitutes. This is clearly reflected in Carranza's Law of the Family which maintained a double standard concerning adultery.<sup>64</sup>

In Orizaba, residents cited illicit activities in their vecindades as an affront to moral sensibilities, while officials fought to de-sexualize and sanitize the town's social spaces. Following the Revolution, officials stepped up the rhetoric. Orizaba's 1919 Sanitation Report noted that there were only ninety-six registered prostitutes, less than in previous years. Yet, sanitation official Luis Martínez reported that the overall number fell because prostitutes were avoiding registration in greater numbers.<sup>65</sup> Martínez

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<sup>63</sup> Katherine Elaine Bliss, "The Science of Redemption: Syphilis, Sexual Promiscuity, and Reformism in Revolutionary Mexico City," *Hispanic American Historical Review*, 1999, vol. 79, issue 1, 2.

<sup>64</sup> Adalberto Tejeda, *El Nuevo Código Civil del Estado de Veracruz-Llave* (Xalapa: Talleres Graficos del Gobierno del Estado, 1932). Veracruz's Civil Code of 1932 finally eliminated previous laws that maintained a double standard for adultery.

<sup>65</sup> Informe: Que rinde el C. Regidor de Sanidad, Luís Martínez, February 19, 1919, AMO, Salubridad, Caja 561, no Exp.

recommended that in order to slow the rising tide of disease government officials needed to implement an integrated commission comprised of police and health officials. He believed that the combined commission would be far more adept at detecting, punishing, and curing women who chose to live a “bad life.”<sup>66</sup> In addition, detection of “clandestines” would greatly enhance the municipal government’s ability to cure venereal disease. Martínez recommended that authorities also needed to conduct frequent inspections of bordellos and hospitalize those who were ill.

In Mexico City, officials were also growing concerned with clandestine prostitutes and the transmission of venereal disease. In 1920, officials in Mexico City established the first anti-venereal disease dispensary.<sup>67</sup> Legislators, health inspectors, and municipal and state officials warned that the spread of venereal disease through prostitution was one of the gravest threats to humanity. By the mid 1920s, Mexico City began to expand regulation of prostitution. Dr. Gastélum’s report warning that the high incidence of syphilis was due to the great number of clandestine prostitutes only exacerbated the urgency of the government program.<sup>68</sup> Accordingly, Mexico City officials passed the *Reglamento Para el Ejercicio de la Prostitución*. The new law was based on the modern science of hygiene and specifically focused on women’s bodies instead of men’s behavior.<sup>69</sup> The *Reglamento*, the strictest law yet to be passed, stated that all women eighteen years of age and older who were not virgins and engaged in prostitution must register with health officials, submit to weekly bodily inspections to

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<sup>66</sup> Ibid.

<sup>67</sup> C.J. Conde-Glez et al. “Historical Account of Venereal Diseases in Mexico,” *Genitourin Medicine*, 1993 69 (6):462-466.

<sup>68</sup> Margarita G. de Lozano Garza, “La Prostitución en sus Diversos Aspectos y valor del Trabajo Social en su Profilaxis.”

<sup>69</sup> Bliss, *Compromised Positions*.

ensure cleanliness, and finally submit to hospitalization if health officials discovered disease.<sup>70</sup> The Reglamento re-codified many of the statutes that officials initiated during the late nineteenth century. Some women's groups believed this new Reglamento to be draconian in an era that promised liberty and the expansion of rights including education and the right to divorce. Nonetheless, the fear of contagion and the emphasis on women's behavior and their bodies fit well within a paternalist postrevolutionary project that sought to stabilize and "moralize" working class families while retaining sexual difference.

Clearly the decisions that experts made in Mexico City affected policies passed in smaller towns such as Orizaba. Municipal officials focused on disease and its inherent threat to the health of the community and accordingly forced women to undergo treatment and to remain quarantined until cured. Of course, syphilis was not curable and many women and men endured a slow and debilitating death. Residents, however, viewed prostitution in the *vecindad* as a violation of an "honorable" and safe space that Orizaba's working class and poor residents came to rely upon during an era of rampant instability and social change. As a result, complaints to municipal officials were common throughout the 1920s. For example, on March 3, 1920, seventeen residents of an Orizaba *vecindad* signed a letter to the mayor complaining that a brothel was disrupting their daily lives and threatened the morality of their children. The letter explained that for more than two years their neighbor Maria Victoria had been engaging in prostitution and that men who left her home "scream and throw things into the air which keep us awake at night."<sup>71</sup> The final straw apparently came when the men shattered a street lamp on the corner

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<sup>70</sup> Ibid.

<sup>71</sup> Letter to the Mayor of Orizaba complaining about a *clandestine* prostitute, 1920, AGO, Gobernación, Caja 602, Exp. 229.

which the residents complained was a threat to public safety. In addition, the letter also expressed concern for the young girls who witnessed this behavior in the mornings when they went to school. Accordingly, the neighbors asked that the “brothel be moved to a place shared by other prostitutes which will free us from these immoralities and from the threat that this poses to our daughters.”<sup>72</sup>

The public “spectacle” of prostitution, not disease, in this letter was a violation of the *vecindades* moral codes, but also was a “grave threat” to the young girls of the neighborhood. The neighbors specifically noted the vulnerability of girls, not boys, which fit squarely with customary notions of girls’ moral vulnerability. While the men in this story kept the neighbors awake with vile language and inebriated screams and damaged property, the neighbors placed the blame squarely as Victoria’s doorstep. How men and women believed women should behave informed many of the complaints that they sent to municipal officials. It was not just that immoral women were violating the “honorable” spaces of the hard working citizens of Orizaba, but that women were not behaving according to the decorum of their sex. Resident complaints that address the proper behavior that society expected of women at times appeared in complaints. On July 19, 1920, market vendors, most of whom were women, sent a letter to the director of civil administration expressing their anger over the “scandalous” behavior of a vendor in their market, María Gonzáles. The merchants complained that Gonzales had been “carrying on in the street” and using language and behaving in ways that did not fit with “the proper fragility and decorum of her sex.”<sup>73</sup> The letter explained that the merchants had tolerated Gonzales’ “nasty” behavior for a long time but now they could no longer endure her foul

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<sup>72</sup> Ibid.

<sup>73</sup> Letter from local merchants of the market Melchor Ocampo to the director of civil administration, July 19, 1920, AGO, Gobernación, Caja 602, Exp. 448.



language and disreputable associations. The merchants never specifically state that Gonzales is a prostitute only that her behavior is “scandalous” and that officials should take action.

Clearly many factors could be involved in this complaint. Perhaps the merchants were in competition with Gonzales and therefore were inventing a story that they believed would motivate municipal officials to act against her. Or perhaps they were angry with the clientele she attracted. Regardless of the validity of the complaint, the merchants made assumptions about what constituted “proper decorum” for a woman in Orizaba. This group of merchants also complained that Gonzales not only offended them but also threatened the dignity and probity of their business space. This case is interesting because public perceptions of women’s behavior could prompt accusations that specific women were engaging in prostitution or contaminating public space. The merchants sought the removal of a “scandalous” woman and used popular constructions of how women were supposed to behave to elicit sympathy and action from local officials to protect their space.

Complaints such as this were quite common during the postrevolutionary period.<sup>74</sup> Urbanization, industrialization, migration, and state sponsored rhetoric informed how local residents and officials understood the challenges pertaining to the “sexualization” of social space. Nevertheless, despite community outrage, “clandestine” prostitutes resisted regulation of their trade and frequently located brothels in *vecindades* or in bars outside the *zona de tolerancia*. While officials believed that prostitution was inevitable, especially considering the dire economic circumstances for many families who migrated into urban areas seeking employment, they also ratcheted up their rhetoric

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<sup>74</sup> Letter from neighbors to the mayor of Orizaba, March 3, 1920, AMO, Gobernación, Caja 464, Exp. 229,.

against prostitution and reported that civil unrest and the lack of economic opportunity undermined their mission to uplift Mexico. For example a report from the Veracruz State Department of Labor and Social Provision in 1921 noted that,

The labor conditions in the region that I oversee greatly require the attention of the government whose beneficial work is often hindered by some civilian and military elements, which in many cases have been able to evade the fulfillment of the law. For this reason it has not been possible to eliminate the gambling halls, brothels, the sale of liquor, hard drugs and the shameful display of cinema exhibitions. Far from constituting places privileged by abundant wealth, dignified labor and effective schools, [Veracruz] is rife with vice and prostitution.<sup>75</sup>

The official who wrote the report urged that education be expanded and that much needed to be done to improve the lives of working class and rural workers throughout Veracruz. The “public spectacle” of licentious behavior posed a great threat to the reconstruction effort. Policy makers vigorously studied prostitution legislation in France and the United States searching for a possible remedy to Mexico’s social ills.<sup>76</sup> Most agreed that economic opportunity and education could prevent the growth of prostitution and the spread of venereal disease. Nevertheless, until the state realized these goals, officials would have to rely solely on local police, public health officials, and the surveillance of citizens to eradicate vice and enforce laws, methods that proved to be largely ineffective.

Throughout the 1920s officials in Orizaba relied on resident complaints and municipal surveillance to control prostitution while bodily inspection remained an important part of controlling disease. These methods however began to incur criticism not only from prostitutes and women’s rights activists, but also from officials who argued that such tactics were not limiting either prostitution or disease. By 1929, Governor

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<sup>75</sup> Report from Trabajo y Provisión Social to the Govenor, September 16,1921, Archivo General del Estado de Veracruz (AGEV), Secretaria de Gobierno, Trabajo y Provisión Social, Caja 25, Exp. 99.

<sup>76</sup> Bliss, *Compromised Positions*.

Tejeda decided to take a new approach that would once again attempt to reorder public space.

### **Abolition of the Zona**

In 1929, the state of Veracruz passed new legislation that abolished the *zonas de tolerancia*. Rather than quarantining prostitutes to specific regions, the state now decided that all organized sex work in bordellos and bars was illegal. The following year, Veracruz Governor Tejeda explained “The Director of Public Health with aid of the local authorities have closed the bordellos. There is no reason that justifies the imprisonment of women in these zones and the shameful stigma that furthers contributes to these women’s victimization at the hands of at times dishonest administrative authorities and who have also successfully escaped the monitoring of sanitary officials.”<sup>77</sup> Tejeda also noted that the rate of sexually transmitted diseases had not declined in Veracruz and therefore the policy of segregation was not fulfilling its intended goals. Tejeda’s admission that state officials were not following procedure indicates state officials had difficulty creating effective bureaucracy. Lack of state oversight, inadequate pay for police and sanitation officials, and poor economic conditions created an atmosphere of corruption.

Three years later, in 1932, Governor Tejeda ordered the Dirección de Salubridad to arrange for medical professionals to hold weekly conferences on sexual hygiene in working class communities throughout the state.<sup>78</sup> This was an attempt to diminish the rising incidence of sexual disease that he and others associated with the working class. The governor did not stop here. Tejeda, who was in many ways a social leftist but a strict

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<sup>77</sup> “Lucha Contra La Prostitución” *Estado de Veracruz Informes de Sus Gobernadores, 1826-1986* Tomo XII (Jalapa, Veracruz, 1986), 1930, 6302.

<sup>78</sup> For example, in 1932 Veracruz Governor Adalberto Tejeda ordered the Dirección de Salubridad to arrange for medical professionals to hold weekly conferences on sexual hygiene in working class communities. *Ibid.*

moralist, initiated Latin America's only sterilization campaign which targeted alcoholics, epileptics, or those diagnosed with venereal disease.<sup>79</sup> Undoubtedly the rise of fascist movements in Europe informed social policy in Mexico. Theories related to Social Darwinism and racial improvement led to programs that called for the improvement of the population through invasive state regulation.<sup>80</sup> While this was more pervasive in other Latin American nations such as Brazil and Argentina, Tejeda believed that eugenics could improve Veracruz's population. In addition, these policies coincided with depression era economic and political programs that reflected the increased importance of state intervention to uplift many Latin American nations. State directed economic development and social programs characterized Mexican society throughout the 1930s. Indeed revolutionary groups did not renounce state led activism but rather demanded that officials enact legislation that would advance their specific interests. For example, organized labor never overtly questioned the authority of the state; rather they challenged the power of factory patrons.<sup>81</sup> Therefore to many revolutionary leaders, the state represented a vehicle by which to attain their goals. An activist state could also improve the health, economy, and overall productivity of Mexican society.

Following Tejeda's abolition of the *zona* police moved in and shut down brothels, greatly disrupting the lives of prostitutes who had operated in these areas for years.

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<sup>79</sup> Adalberto Tejeda, *El Nuevo Código Civil del Estado de Veracruz-Llave, 1932*. Veracruz's Civil Code of 1932 introduced a eugenics campaign. Also see Alexandra Minna Stern, "Responsible Mothers and Normal Children: Eugenics, Nationalism, and Welfare in Post-Revolutionary Mexico, 1920-1940," *Journal of Historical Sociology*, 12 4 (1999): 369-397. For more on Eugenics in Latin America see Nancy Leys Stepan, *The Hour of Eugenics, Race, Gender, and Nation in Latin America* (Ithaca: Cornell University Press, 1993).

<sup>80</sup> Mauricio Tenorio-Trillo, "Stereophonic Scientific Modernisms: Social Science between Mexico and the United States, 1880s-1930s" *The Journal of American History*, Dec. 1999, 86 (3) 1156-1187. Also see Mauricio Tenorio-Trillo, *Mexico at the World's Fair: Crafting a Modern Nation* (Berkeley: University of California Press, 1996).

<sup>81</sup> Jeffrey Bortz, "Authority Re-Seated: Control Struggles in the Textile Industry during the Mexican Revolution," *Labor History*, 44 2 (2003) 171-188.

Women refusing to leave the *zona* were subjected to forced dislocation. Nonetheless, some resisted the legal changes that forced them to give up their homes where they had located their business for years. In 1930, eighteen prostitutes filed a complaint with the Second District Judge of the State of Veracruz which berated police for “illegally” raiding their homes. The letter explained, “The police came to our houses, completely unconcerned that these are homes, and threw us out into the street. Now we will have to endure exposure to the elements which endangers our health. We are without our homes and our furniture is in the middle of the street.”<sup>82</sup> The letter then explained that the police’s actions were a violation of their constitutional rights and requested that the judge recognize their right to return to their homes for three days so that they may have time to gather their belongings. Judge Pedro López agreed with the women and gave them the seventy two hours they requested. This prompted an angry letter from Orizaba’s mayor who warned the judge that not effectively enforcing the law would set a bad precedent for future violators. “The actions of the authorities who threw these women out of their homes occurred because of the women’s flagrant disobedience of the law that prohibits the practice of prostitution in assigned zones. Our society would suffer if the law was not enforced.”<sup>83</sup> The state’s law and the judge’s ruling in this case indicate a lack of clarity about how to address the issues of prostitution, morality, disease and space. Tejeda’s decision to close the *zona* was based on the ineffectiveness of segregation. Yet if there was no legal space to engage in prostitution, then prostitutes would be forced to conduct their business in the streets, cabarets, and bars.

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<sup>82</sup> Letter to the Second District Judge of the state of Veracruz, October 2, 1930, AMO, Gobernación y Justicia, Caja 898, Exp. 26.

<sup>83</sup> Ibid.

In reality, the closure of the *zonas* which presaged Mexico City's abolition in 1938, was in part an attempt to distance the state from sanctioning prostitution. With the *zonas* closed, the state had eliminated its role in permitting vice and the open degradation of women. However, prostitution did not become illegal. Rather, the sex trades became a murky territory where sex workers walked the streets, made contacts in bars, night clubs and other establishments, and then returned to their homes with their clients or conducted business in drinking establishments against municipal law. The state's push to reorder space had collapsed under the failures of the *zona* and now local residents increasingly faced a new tide of prostitution that moved into the close proximity of working class *vecindades*. Clearly this was not new. Yet with abolition, prostitutes had no other choice than to freely circulate among Orizaba's citizens.

While new laws changed the dynamics of how prostitution functioned in Orizaba, economic changes also had an effect. Abolition of the *zona* occurred simultaneously with the onset of the Great Depression. During the 1920s Orizaba had experienced tremendous economic growth. Real wages rose 131 percent between 1921 and 1929.<sup>84</sup> However, the effects of the Depression had a marked effect on Orizaba's industries and local economy. In 1931, the textile industry had cut production and some, such as Compañía Industrial de Orizaba SA closed for two months.<sup>85</sup> Nationally, export revenue fell from 334 millions dollars in 1926 to 97 million in 1932.<sup>86</sup> Orizaba's economy rebounded in the mid

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<sup>84</sup> Aurora Gómez-Galvarriato Freer, "The Impact of Revolution: Business and Labor in the Mexican Textile Industry, Orizaba Veracruz 1900-1930" (Ph.D. Diss. Harvard University, 1999).

<sup>85</sup> Bernardo García Díaz, "The Formation of the Working Class in Orizaba"

<sup>86</sup> Aurora Gómez-Galvarriato, "Measuring the Impact of Institutional Change in Capital-Labor Relations in the Mexican Textile Industry, 1900-1930," in *The Mexican Economy, 1870-1930, Essays on the Economic History of Institutions, Revolution and Growth*, Stephen Haber and Jeffrey Bortz eds. (Stanford: Stanford University Press, 2002).

1930s<sup>87</sup>, although the working class and the poor surely continued to endure challenging economic circumstances. While there is no direct evidence linking the numbers of complaints about prostitution or the actual numbers of women engaged in prostitution during the early 1930s, it would seem likely that dire economic circumstances played a role in determining what Orizaba's most vulnerable citizens would do in order to survive.

### **Life After Abolition**

The complaints that emerged during the 1930s covered a wide geography of Orizaba's city center. As such, the fight for control over public space intensified along with the rhetoric to "clean up" Orizaba's streets and vecindades. When several families who lived on the outskirts of Orizaba's city center complained that Eliza Rodriguez was illegally selling alcohol and prostituting women from her bar Fonda, officials investigated. In a letter from the Chief of Police to the Mayor in 1933, he expressed his frustration with Rodriguez. The Chief's letter explained that officials had incarcerated Rodriguez many times for illegally selling alcohol and for prostitution. Nonetheless, this did not impede her illicit activities. Apparently police had arrested Rodriguez many times for selling liquor, public drunkenness and prostituting women on the street corners in plain sight of local families who expressed their outrage over the "scandalous behavior" they were forced to observe.<sup>88</sup> Nonetheless, despite multiple offenses, Rodriguez still engaged in illicit activities. The police chief never states that Rodriguez is clandestine, but rather that she continues to support prostitution and is not paying taxes on her business. In addition, the chief noted that despite the fact that Rodriguez had been to

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<sup>87</sup> Bernardo García Díaz and Laura Cevallos Ortiz, *Orizaba: Texto e Investigación*, (Veracruz : Archivo General del Estado de Veracruz, 1991).

<sup>88</sup> Report from Chief of Police Luis Bobadilla to the Mayor of Orizaba, October 4, 1933, AMO, Justicia, Caja 982, Exp. 87.

prison many times and has also paid fines on numerous occasions, she managed to continue her business practices. When officials caught her selling mezcal and other “alcoholic beverages,” officials filed new charges against her which were still pending when she finally closed her business.<sup>89</sup>

While establishments such as Fonda existed before abolition of the *zonas*, the state’s closure of the *zonas* paved the way for prostitution and other illicit activities to increasingly operate in new areas. This resulted in numerous complaints throughout the 1930s. While none of the letters sent to municipal officials mention the abolition of the *zonas* as a contributing factor, some do claim that they are not accustomed to seeing prostitutes in their patios. For example, Hermilinda de Díaz sent an impassioned letter to the mayor in 1937 complaining that a clandestine prostitute threatened their humble homes and the morality of their children. After she observed several men entering and leaving the patio of her vecindad and hearing “filthy language” she explained that “the humble and poor are not accustomed to this type of life or these offenses. As a result we are forced to avoid this offensive behavior [in our patio].” Díaz’s explanation that she had not witnessed prostitution before in her patio indicates that the prostitute’s presence was an affront to a community that was not used to confronting what she considered to be direct moral and physical threat to the welfare of her family. In order to shield her children from the “offensive life” she observed, Diaz was forced to remain inside her home. She lost a social space that was an integral part of her social and familial life.

Despite letters of protest, prostitution was not simply going to disappear and authorities knew this. The state’s decision not to criminalize prostitution while limiting

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<sup>89</sup> Report from Health Inspector Eulalio Martiné to the Mayor of Orizaba, October 7, 1933, AMO, Justicia, Caja 982, Exp. 87.



professional work opportunities for women not only reflected the officials' commitment to sexual difference, it continued to legitimate prostitution as a viable alternative for poor women. This is not to say that education programs for women as well as initiatives to help prostitutes attain education and health care were entirely ineffective. However the emphasis on gender specific education and labor training limited the overall efficacy of these programs.

### **Complaints and Abuse of Authority**

While prostitutes at times took advantage of Orizaba's officials' willingness to accept bribes in various forms, officials could be frighteningly efficient when they needed to achieve a political objective. Officials at times used the mission to "sanitize" Orizaba's patios in order to retaliate against a restless citizenry who frequently complained that municipal authorities were not upholding the promises of the revolution to improve their lives. The period following the Revolution illuminates the state's efforts to consolidate revolutionary authority within a one party system that at times involved violating citizens' rights to be free from improper search and seizure as set forth in the constitution of 1917.<sup>90</sup> Prostitutes, or perceived prostitutes, were clearly easy targets. Because officials charged women with preserving the moral order of postrevolutionary society, it was easy for health officials to question the morality of women, even when there was no apparent violation of the law. For example, two agents from the Department of Sanitation showed up at the residence of Teodora Nieves in 1933. When Nieves answered her door, the officials claimed that they showed her their badges, and told her that her neighbors believed that she was selling alcohol and engaging in

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<sup>90</sup> Following Mexico's revolution, the Institutional Revolutionary Party (PRI) formerly the PNM and later the PNR, instituted an authoritarian system of single party rule until 2000.

“clandestine” prostitution with two other women.<sup>91</sup> The officials did not see anyone else there and inquired where the “other women” had gone and if they could enter her home. Nieves indignantly claimed that the agents were harassing her because she had sent a letter to the Secretary of War complaining about a military official who lived on their street. The military official apparently overheard Nieves accusing the municipal government for their lack of concern for the poor. Her comments against municipal officials produced a conflict between Nieves and the official who lived nearby which prompted her to write a letter the Secretary of War about his conduct. She then showed the agents the letter she had written and suggested that the agents were sent to her home in retaliation for her formal complaint. The authorities then told her that they did not care about the letter or her accusations, only that they had received complaints from her neighbors who witnessed two women, probably clandestine prostitutes in the patio. Although the agents stated in their report that they could not find these women, they claimed that residents of the patio told them that they had been there one hour earlier.

Three days later, Nieves filed a complaint with municipal officials which told a very different story. Nieves claimed that agents entered her home while she was sleeping. When she awoke she found them in her home and “registering my house, furniture, and boxes of shoes.” When she asked them what they were doing, they produced credentials and told her that they were searching for “prostitutes” and alcohol. Nieves filed a complaint with the authorities for what she claimed was an illegal “raid her home which

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<sup>91</sup> Director of public health to the mayor of Orizaba, July 3, 1933, AMO, Sanidad, Caja 983, Exp. 80:18-1 (Asuntos generales).

constituted an abuse of authority.”<sup>92</sup> Nieves explained that she was an “honest” woman who was “dedicated to the labors of her sex and lives honorably with her husband.” She concluded her complaint chastising the “despotic” procedures of the “Regidor de Sanidad” and of “certain municipal authorities who sometimes without honesty or decency allow violation of their rights by permitting [officials] to run over the peaceful people or Orizaba.”<sup>93</sup> The archive contains no further record concerning this dispute. There is no arrest record or evidence that officials returned to her home. There is also no response from municipal officials to Nieves although officials made a transcription. It seems likely both documents capture elements of truth about the events. Nieves probably sent a letter complaining about the military official although she does not mention this in her letter, nor would she. The officials also may have entered her home unannounced, in clear violation of the law which is why they are careful to state that they showed Nieves their credential before they questioned her. In any case, Nieves was probably not engaging in prostitution.

Many women who were charged with or suspected of prostitution appear more than once in police records, or department of justice files. Teodora Nieve’s name does not appear again. In addition, nearly all of the women who are accused of prostitution in the cases I examined refrain from any discussion of honor. The officials also did not mention the presence of men in the patio, something that other cases usually note. What seems to have happened in this case is that officials used their authority to police women’s bodies and control public space to threaten and damage the reputation of a woman who criticized government officials. This case also seems to indicate that women did not have to engage

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<sup>92</sup> Letter from Teodora Nieves to the Mayor of Orizaba, July 8, 1933, AMO, Sanidad, Caja 983, Exp. 80:18-1 (Asuntos generales).

<sup>93</sup> Ibid.

in prostitution or frequent cantinas to have their honorability challenged or their “private” space violated. Rather, municipal officials intent on consolidating authority used their role to police public space and the patio to undermine the reputation of Nieves to be sure that she knew her place in society. They did not submit her to a forced bodily inspection. It was not necessary. They had made their point.

### **Criminalizing Disease not Prostitution**

The 1929 Federal Penal Code criminalized procurement and set the stage for the deregulation of prostitution.<sup>94</sup> Reformers argued that deregulation would expand the promises of the revolution to all of Mexico’s citizens while also eliminating women’s need to operate clandestinely. During the mid 1930s the debate over prostitution in Mexico City intensified and by 1939, officials in Mexico City suspended the *zona de tolerancia* and in its place, passed the *Delito de Contagio* which criminalized throughout the nation any man or woman who knowingly spread sexually transmitted diseases.<sup>95</sup> Liberal officials touted this reform as a bold move to forward women’s equality by holding men accountable for the transmission of disease as well as women. In many ways this marked the end of the road for the state’s preoccupation with prostitution. Prostitution continued along with the economic and social conditions that encouraged it.

Nonetheless, the debate over prostitutes’ rights most likely emboldened sex workers to challenge the authority of police and municipal officials. Prostitutes who believed that officials violated their rights at times berated municipal officials for creating a climate for “arbitrary” enforcement of the law. In addition, repressive tactics to regulate clandestine prostitution posed an obvious contradiction in the postrevolutionary

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<sup>94</sup> *Código Penal Federal* 1931 in *Código penal para el Distrito y Territorios Federales*. 25. ed. (México: Editorial Porrúa, 1974).

<sup>95</sup> Bliss, *Compromised Positions*.

state's discourse about uplifting and defending "vulnerable" women. In 1943, several prostitutes filed suit against police and municipal government officials claiming that they had violated their constitutional rights to liberty. Apparently health officials forced the women to go to the hospital for bodily inspections. These women maintained that officials not only threatened their livelihood but also forcibly detained them and remanded them to the hospital for inspection which they claimed was against the law.<sup>96</sup> In addition, forced detainment of prostitutes also meant that sex workers were unable to earn the income necessary to maintain their families and children.

Police and sanitation officials, however, argued that the women were not arrested but rather they had taken action to protect Orizaba's communities from disease. Dr. Francisco Mimije, the Director of the Dispensary to Control Venereal Disease, cited municipal statutes that codified police duty to eradicate clandestine prostitution, stop the spread of disease and "suppress scandalous places and libertinism within the municipality."<sup>97</sup> The women explained that they were not clandestine prostitutes because they had mailed their requests for librettos to the municipal government but that they had not received them. The judge ruled that he could not find any reason to rule on this case.<sup>98</sup> Because officials had acted to prevent the transmission of disease and there was no evidence that the women had been arbitrarily arrested but only that they had been transferred to the hospital to undergo a health inspection, the case was thrown out. In other words, the surveillance of women's bodies continued to be a primary method to

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<sup>96</sup> Affidavit filed in the First District State Court, August 17, 1943, AMO, Gobierno, Quejas Particulares, Caja 1193, Exp. 20.

<sup>97</sup> Letter from the Director of the Dispensary to Prevent Venereal Disease to the Mayor, August 4, 1943, AMO, Gobierno, Quejas Particulares, Caja 1193, Exp 20.

<sup>98</sup> Ruling from First State District Judge Antonio Pirron, September 9, 1943, AMO, Gobierno, Quejas Particulares, Caja 1193, Exp 20.

control disease. The fact that officials acted to prevent a crime, the transmission of venereal disease, was in fact in the public's best interest, and women who engaged in prostitution sacrificed their rights to privacy in a continuing attempt to regulate public space and control disease.

By the mid 1940s many municipalities had abolished the *zonas* and the federal government had criminalized the transmission of disease. Yet the early stages of Mexico's economic miracle (1940-1970) left many working class women behind. Professional opportunities for women were still confined to education and administrative work while skilled positions in textiles and other industries were male dominated.<sup>99</sup> While it is true that the state's social net provided new educational opportunities for women and afforded them with social services that they never enjoyed before the revolutionary period, many still struggled.

The presidential election of Avila Camacho in 1940 marked a turning point in Mexican history as the liberal policies of Cardenas transitioned to a conservative reaction. Camacho slowed land reform and encouraged private initiative. The interwar period also marked a major transformation in Mexico's economy. The development of Import Substitution Industrialization (ISI) programs and Mexico's support of the Allies during World War II garnered favor from the United States which resulted in foreign loans to spur the industrialization of Mexico. Economic life in Orizaba during this time boomed for many. National income tripled and Orizaba's textile, beer and cement industries grew tremendously.<sup>100</sup> However, as the middle class expanded, so did the number of those who benefited little from the economic boom. In addition, the state and

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<sup>99</sup> Susan Gauss, "Masculine Bonds and Modern Mothers: The Rationalization of Gender in the Textile Industry in Puebla, 1940-1952," *International Labor and Working-Class History* 2003 (63): 63-80.

<sup>100</sup> Meyer and Sherman, *The Course of Mexican History*.

its labor unions continued its doctrine of sexual difference. Good wages for working class men meant that women did not need to work. The reality, however, meant that uneducated women, who comprised the vast majority of Mexican society, still had few economic opportunities. Women engaged in prostitution, and men were more than happy to hire them. In addition, the discovery of penicillin in the late 1940s diminished the threat venereal disease posed to the nation. Economic growth and medical science had reduced the state's concern over public space and health. Nonetheless, many of Orizaba's citizens struggled for their daily necessities while residents and prostitutes continued to battle over who would define public space. The state's maintenance of sexual difference which continued to define men as skilled workers and women as wives and mothers, made any other outcome extremely unlikely. Although women worked as teachers and as secretaries in government offices, men dominated the vast majority of industries such as textiles which required skilled workers. As a result, women found themselves working in unskilled positions that paid very little thereby forcing many of them to seek out Orizaba's city streets.

## Conclusion

In this dissertation I have argued that state policies to preserve sexual difference created opportunities and impediments to the advancement of women's equality. In each chapter, I have provided examples of how far reaching social reforms were highly gendered. New laws that legalized divorce, reformed familial relations, provided labor protections, and revamped how the state understood sexual violence and prostitution indicate that postrevolutionary legislators believed that women were essential to building a modern and prosperous nation during the consolidation phase of Mexico's Revolution from 1920 to 1940. Yet these reforms also created unintended consequences as men and women negotiated and contested state initiatives to reform postrevolutionary society.

State sponsored reforms, rather than creating political citizens with equal rights, sought to preserve women's traditional roles as mothers and wives. Men continued to be skilled workers and bread winners, while the state charged women with inculcating postrevolutionary values of sobriety, hard work, discipline, and morality in their families. Legislators also concurred, as I demonstrated in chapter two, that women needed greater familial rights to be able to carry out their maternal duties. The Law of Family Relations in 1917 and subsequent reforms noted the importance of mothers' roles and armed women with the legal ability to challenge abusive husbands and attain custody over their children.<sup>1</sup> However, the state predicated women's ability to challenge men's power upon their fulfillment of domestic roles and honorable behavior. This created an opportunity

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<sup>1</sup> The Law of Family Reform 1917 and the Civil Code of 1928, adopted in Veracruz in 1932, expanded women's rights in the family while still retaining men's status as head of the household. See Estados Unidos Mexicanos, Gobierno Federal, *Ley sobre relaciones familiares, expedida por el C. Venustiano Carranza, Primer Jefe del Ejército Constitucionalista, encargado del poder ejecutivo de la nación* (Mexico City: Edición Económica, 1917). Also see Adalberto Tejeda, *El Nuevo Código Civil del Estado de Veracruz-Llave* (Xalapa: Talleres Gráficos del Gobierno del Estado, 1932).



for men to challenge their wives legally for not fulfilling their maternal or spousal duties or behaving in ways that undermined the morality of their children. Women's "proper" moral behavior, therefore, was a prerequisite for state protection. For example in chapters three and five, I explored how women who stepped out of bounds of what officials considered to be "decent" behavior, often found themselves with fewer rather than greater rights. Even parents of sexually abused girls had to prove their chastity, while women who worked in the sex trades, largely because of inadequate economic opportunity, endured the abuse of public officials. Women's bodies, therefore, were a contested ground upon which Orizaba's residents and officials battled over civil rights, public space, and moral duty.

In labor relations, women either joined men in their workplace struggles or organized labor their own unions to attain greater redress. Early women's groups borrowed from men's criticism of exploitative capitalism which later evolved into a critique of men's domination of women. Women worked, demanded better labor conditions, and inserted themselves within a broader debate about the role of women in postrevolutionary society. These changes led state officials to "modernize" gender relations through new labor protections, educational opportunities, and expanded rights for women in the family.<sup>2</sup> However, rather than including women as skilled laborers and viable political citizens with voting rights, the state introduced legal changes to affirm women's domestic roles thereby preserving sexual difference. Officials intended new labor laws that protected women in the workplace to affirm their primary role as mothers and wives which made them less attractive to employers.

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<sup>2</sup> *Ley del Trabajo del Estado Libre y Soberano de Veracruz-Llave y sus Reformas*, (Jalapa-Enríquez: Oficina Tipográfica del Gobierno del Estado, 1926) p. 8.

Conversely, the state's mission to preserve sexual difference also created ironic contradictions in public policy as well as opportunities for women to challenge male power. State led reforms threatened anterior forms of masculinity and patriarchy that charged men with control over their wives and children. Education reform for women, the legalization of divorce, women's expanded rights to childhood custody, and the elimination of legal statutes that required wives to attain permission from husbands to work outside of the home indicate that liberal legislators expanded their paternal role which interfered with men's traditional right to control their wives. These circumstances at times created a fundamental tension between working class men who believed that they had won victories in Mexico's revolution only to endure the increased interference of state officials in their "private" lives. Working class men championed women's rights or their right to protect "their" women and as a result they reluctantly ceded power to legal officials. The state therefore created ironic contradictions that when confronted with the unique social and cultural circumstances in Orizaba, fueled debate and contestation in ways that did not exist before the Mexican Revolution.

Officials were also preoccupied with the disruptiveness of the working class. The labor unrest in Orizaba that was part of the Mexican Revolution led state officials to believe that male workers were unruly, undisciplined, and unreliable. Even though the state (due to the reforms workers demanded) passed far reaching labor reforms, strikes and labor unrest remained common following the revolution. Most liberal officials therefore maintained that new labor, civil and penal codes were necessary to create a modern and productive society built upon hard working men and dutiful wives and mothers. The state did not intend for women to be political citizens with voting rights.

Rather, legislators believed that women could be vehicles in which to carry state values of hard work, discipline, morality and sobriety into their families and communities. Women were to provide a stabilizing effect on unruly men. The postrevolutionary state attempted to incorporate women as crucial participants in a postrevolutionary project to educate its citizens, stabilize its workforce, and eliminate the last vestiges of church power, while preserving female domesticity.

In this dissertation I have also stressed Orizaba's role in better understanding how the working class interpreted the state's postrevolutionary mission. During research for this dissertation, I became increasingly aware of how complex social forces in regions such as Orizaba complicated liberal legislators' plans for Mexican society in ways that few historians have examined outside of Mexico City. Tradition and law clashed as men and women sought to comprehend the social, cultural, economic and legal changes that were occurring throughout Mexico during the consolidation phase of the revolution, (1920-1940). Orizaba's labor movement, the importance of its industries, the diversity of its population, and the continued strength of the Catholic Church complicated the state's mission to "modernize" Mexico. Indeed the Catholic Church remained a potent social force in Orizaba's communities despite the radicalization of the working class. The state of Veracruz whose leadership was vehemently anti-clerical throughout the period I examined, struggled with Church power in Orizaba which culturally remained entrenched throughout the 1920s and 1930s. Officials considered women, due to their previous close ties with the Catholic Church, central to undermining church power and inculcating the values of the postrevolutionary state.

Analysis of gender and sexual relations also help explain the tension that both members of the working class in Orizaba and state officials experienced. Court rooms were not only a forum where men and women demonstrated their understanding of legal changes; they were also theatrical spaces where litigants acted out popular ideas about domesticity, masculinity, honor and morality in an attempt to sway legal officials. The court system became a battle ground where tensions over familial power, morality, and sexual abuse emerged in new ways that could not have happened before the revolution.

Labor arbitration boards, union halls, and labor media were also sites of contestation. Men championed their rights to protect women and their domain over skilled labor while activist women increasingly rebuked both working class men and state officials for not acting upon their demands. Women complained of poor working conditions and wages as evidence that capitalism and male dominated labor unions had no interest in “protecting” them. Although women formed unions and challenged men’s self appointed role to speak on their behalf, women were not able to find an authoritative voice in which to challenge unions or state officials to create better opportunities, wages and conditions for women. The state, unions, and workers continued to view women as mothers and wives or at best, ancillary laborers in female dominated industries. Even though legal and state officials continued to cite women’s decency as paramount to the consolidation phase of the revolution, more and more women stepped forward to challenge these constructions. Most of these women did not view themselves as feminists, but rather sought to subvert the power of an abusive spouse, police officer, or factory boss. Therefore women borrowed from legal and social upheaval to assert *their* vision of the Mexican Revolution.

Better understanding of how these struggles played out will hopefully produce answers to other questions I have. How did elite notions of proper domesticity and honor inform public health campaigns, sexual abuse cases, and prostitution law in regions outside of Mexico City? Why did legislation and enforcement of sexual crimes against women remain lax throughout the second half of the twentieth century? What part did this play in the recent abuse of women in the Maquiladora regions of Mexico and the state's failure to investigate and prosecute these crimes?<sup>3</sup> In addition, many historians have noted that labor unions and state officials continued to marginalize women even following the passage of women's suffrage in 1953. Clearly the continued emphasis on men's skilled labor in addition to the deleterious effects of neoliberal economic policy has had far reaching effects on the development of the Maquiladora industry, which employs mostly unskilled women.<sup>4</sup> What then is the connection between the problems working women continue to endure including poor wages, unhealthy working conditions, and physical and sexual abuse and a legal system that remains recalcitrant in investigating these abuses? Recent scholarship has only begun to explore these questions. However, few regional histories that explore towns such as Orizaba are available.<sup>5</sup> More research will hopefully addresses regional variations while integrating them into a

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<sup>3</sup> For information about the recent wave of violence in the Maquiladora industry see "No End to Women Murders in Mexico," *BBC News*, <http://news.bbc.co.uk/go/pr/fr/-/2/hi/americas/4462416.stm>, November 23, 2005. Lynn Stephen, "Women in Mexico's Popular Movements: Survival Strategies against Ecological and Economic Impoverishment," *Latin American Perspectives*, Vol. 19, No. 1, The Ecological Crisis of Latin America. (Winter, 1992), pp. 73-96.

<sup>4</sup> See Paul Cooney, "The Mexican Crisis and the Maquiladora Boom: A Paradox of Development or the Logic of Neoliberalism?" *Latin American Perspectives* Vol. 28, 3, Mexico in the 1990s: Economic Crisis, Social Polarization, and Class Struggle, Part I May, 2001, pp. 55-83

<sup>5</sup> One valuable exception is Emilio Kourí, *A Pueblo Divided: Business, Property, and Community in Papantla, Mexico* (Stanford: Stanford University Press, 2004)

broader examination of Mexico's national project and how this continues to shape gender relations in the twenty-first century.

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Zerilli, Linda. *Signifying Woman: Culture and Chaos in Rousseau, Burke, and Mill (Contestations)*. Ithaca: Cornell University Press, 1994.

## Curriculum Vita

Gregory J. Swedberg

### EDUCATION

- 2007**      *Rutgers University, New Brunswick, NJ*  
 Ph.D. Candidate, Latin American History  
 Dissertation: "Dangerous Women and "Macho" Men: Preserving Sexual Difference in Postrevolutionary Orizaba, Mexico, 1910-1945"
- 2001**      *Appalachian State University, Boone, NC*  
 M.A. Latin American History  
 Thesis: "Mexican Female Labor Activism in the Sewing and Tobacco Industry During the Revolution"
- 1988**      *College of Charleston, Charleston, SC*  
 B.A. Political Science

### TEACHING EXPERIENCE

- Pace University*
- 2006 Fall**      • Modern Latin America Survey  
 • A Century of Social Revolution in Latin America
- Rutgers University*
- 2006 Fall**      • Modern Latin American Revolutions
- 2005 Fall, 2006 Sum**      • Modern Latin America Survey
- 2004 Sum**      • Modern Latin American Revolutions
- Princeton University*
- 2004 Spr**      • Preceptor- Survey Modern Latin America  
*Facilitated discussion groups, graded exams and essays*
- Appalachian State University*
- 2001 Sum**      • US History Conquest to 1876
- 2000 Fall, 2001 Spr**      • World Civilization 1500-Present

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 GRADUATE ASSISTANTSHIPS
 

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- 2005 Fall – 2006 Spr** – *Institute for Health, Health Care Policy and Aging Research*
- Researcher
  - Compiled articles and primary source documents for an electronic database. Compiled sources for an upcoming book exploring Hurricane Katrina.

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 AWARDS AND HONORS
 

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- 2004 Fall – 2005 Spr** • US Department of Education Fulbright-Hays Doctoral Dissertation for Research Abroad Award
- 2006 Fall – 2007 Spr** • Graduate Fellowship, Rutgers University
- 2001 Fall – 2002 Spr** • Horace and Marie Marucci Research Grant, Rutgers University
- 1999 Sum** • Academic Scholarship, Appalachian State University to conduct research in Mexico

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 PUBLICATIONS
 

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- 2005** • Swedberg, Gregory J. “Modernidad, Masculinidad, y La Familia: Cambios en los Conceptos del Género en Orizaba, México 1900-1940,” *Cuadernos Históricos: Archivo Histórico de Orizaba*, No. 1 Marzo de 2005, 9-13.
- 2004** • Swedberg, Gregory J. Profiles in Engineering Leadership: Eta Kappa Nu’s First Century *Eminent Members, 1904-2004*. (USA: The Institute of Electrical and Electronics Engineers, Inc. and Eta Kappa Nu Association, 2004)