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'*Ciudadana y muy ciudadana*'? Women and the State in Independent Mexico, 1810–30

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Translated from the Spanish by James Scorer

In November 1814, during one of the most violent stages of the Mexican War of Independence, the royalist commander Agustín de Iturbide ordered the arrest of 'all insurgents' women' from the Pénjamo region, hoping that such a move would break the rebels' supply and shelter networks in the problematic Bajío region.[1] Some of these women were imprisoned for more than two years in deplorable conditions, without being charged. They had been jailed for being wives or relatives of men who had 'committed the ugly crime of rebellion'.[2] Despite the fact that Iturbide was convinced of the 'evil' of many of them, the women's incarceration owed more to a military strategy of putting down a guerrilla movement than to a desire to punish the crime of disloyalty and betrayal. Consequently, these 'sorry women' found themselves trapped in an impossible situation, in which they were politically unable to be anything more than the reflection of husband, father or brother. Iturbide simultaneously denied them the possibility for disloyalty as well as for fidelity and patriotism.

The tragedy of the women of Pénjamo, taken in the revolutionary context of a bitter fight to define the nature of political adhesion, highlights the ambiguity of the tie between women and the 'modern nation state'. Throughout the West, women were formally excluded from political citizenship and their status as members of the new state was uncertain because, as will be illustrated, it was inevitably mediated through men.[3] Nevertheless, it is precisely the uncertainties produced by the conception of women as citizens that makes studying the process of constructing 'modern' political identities through the prism of gender so fertile. The anomaly implied in contemplating the 'female citizen' illuminates the contradictions and hidden recesses – so often obscured by the supposed universality of liberal discourse – of the post-revolutionary frontiers drawn around the body politic. This body politic can be regarded as a group which considers itself to be a community because it exists under one government. Hence, these paradoxes highlight the mechanisms of both inclusion and exclusion implemented by the groups in power and the models through which such groups attempted to construct political identities.

The object of study acquires, therefore, an unexpected dimension and density. The analysis of the explanations for women's exclusion does not only reconstruct another

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step in the painful but progressive road to the 'modern' ideal of equality. The struggles for the legal equality of women and feminine suffrage are central to this story, but they do not allow more than a tangential approach to the intricate mechanisms through which gender gave form to the political community, to public space and its protagonists. After the revolution, the citizen, as a member of the sovereign entity – the people, the nation – represents one of the key participants in the new political order. The exclusion of women, therefore, responds – perhaps above all – to particular ways of imagining this political actor. In no Western experience was the citizen constituted as an abstract individual in whom social, gender or racial differences were subsumed under the radical political equality implied by the principle of one man (or woman), one vote. Furthermore, the category of citizenship often takes shape only when it is contrasted with what is excluded from it: in the same way that the electoral legislation of independent Mexico denied citizen rights to 'idlers,' 'gamblers' and 'vagabonds', it tacitly excluded women. Women were 'queens of the home' because the street and square belonged to men.[4] Within the privileged sphere of 'public space' – the matrix of 'opinion' that ought to have served as the basis and guide for authority – it made no sense for women to speak at all.[5]

Using gender to rethink the imaginaries surrounding the body politic and the construction of relations between subject and authority requires, therefore, that the parameters thought to structure the object of study be relocated. In so doing, as Joan W. Scott wrote, one can try to work out the particular and contextually specific ways in which 'politics constructs gender and gender constructs politics'.[6] Studying the exclusion of Mexican women from formal political activity represents a way of partially reconstructing the mechanics of marginalisation that, in relation to gender, class and race, were set in motion by the groups elevated to power by the revolution of independence. Such a focus, however, also reveals the 'symbolic construction of sexual difference based on biological facts', a formation that is always contingent and historically defined. It is a construction that constitutes one of the ways in which the political community and its actors were conceived: as a 'crucial part' of the organisation of a system of equalities and inequalities, of belonging and rejection.[7]

Women and the state

The process of independence entailed restructuring the mental categories that shaped the universe of the new American subjects of His Catholic Majesty. 'Subject' and 'vassal', 'neighbour', 'Indians', 'Spaniards' and 'castes', 'nobles' and 'plebeians' all became 'citizens'. A term with ancient roots was now describing the new political subject, the member of the 'nation', that allowed the now sovereign entity to speak. In the Hispanic world, after the 1812 Constitution decreed at Cadiz, a 'citizen' was a subject endowed with political rights, equipped to participate formally, through means of the vote, in the public sphere. The concept of 'citizen', therefore, with its loaded connotations of power, equality and belonging, was profoundly contentious, and its definition lay at the heart of the struggle to mould the new state. As a consequence, the first republican constitution of 1824 left the juridical definition of the concept of 'citizen' in the hands of the local state authorities. The definition of the 'Mexican citizen', which would specify rights and obligations, had to wait until the establishment of the Seven Laws of 1836.[8]

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If the construction of the category of 'citizen' was – and is – so thorny, it is because, in some way, in a 'modern nation state' the concept describes and reflects the historically contingent and permanently open relationship between subject and public authority. The definition of the 'citizen' establishes one's rights, place within the political community and relation to power. Citizenship, as Charles Tilly writes, expresses 'a set of mutual, contested claims between agents of states and members of socially constructed categories: genders, races, nationalities and others'.[9] What is of interest here is establishing the role played by gender within this contested process in nineteenth century Mexico.

As has already been mentioned, the revolutionary process brought about a profound crisis in the ways in which the relationship between public authority and the assumptions and expectations that shored up its practice were understood: the consensus surrounding the regime's legitimacy was undermined, and a series of often desperate procedures was put into practice to support the crumbling structure and cement a new legitimacy. The formation of 'security committees' and commissions 'to detect conspiracies', the organisation of juries and representations, and the proliferation of infidelity trials, created as much by the leaders of the new order as the defenders of the old, were symptomatic of the incertitude of an unstable order. In their demand for the open and visible support of the population they governed, both insurgents and royalists demanded the loyalty of men as much as women.

In the Hispanic world at the beginning of the nineteenth century, jurisprudence surrounding betrayal was based on the last of the *Siete Partidas*, the thirteenth - century legal compilation that articulated the administration of justice within the Spanish monarchy. The last of the *Partidas* which dealt with the crime of treason, made reference only to '*home*' – man – and even excluded the 'wife's dowry' from the confiscation of goods with which traitors were punished. Only the male offspring of the betrayer remained 'humiliated for ever and, as such, cannot have the honour of holding title, dignity or job'.[10] Nevertheless, it was the texts of these 1760s military ordinances, which defined the nature of 'military and civil crimes' and formed the basis of many of the infidelity trials during the War of Independence. They left open the possibility that whoever 'gave intelligence to the enemy' and provided them with a password, might be a woman.[11] Traditional Hispanic legislation, therefore, did not protect women from being tried as traitors. In 1813 in Querétaro, for example, Ramona Leal assisted in the (failed) escape of an insurgent offender 'out of charity'. She did not want to – or could not – reveal the name of the 'sergeant of the Americas' who had requested 'file, saw and knife' to help the prisoner. As a consequence, she and her mother were imprisoned for four years despite a pending trial, 'so they should not again be involved as a third party or accomplices in the mocking of justice and stirring up of evil'.[12]

The defence of the Pénjamo women, whose case was described earlier, was put forward by the town priest. His argument was based on the natural weaknesses of the 'weaker sex' and failed. The women, wrote the clergyman, were not lacking in their duties to the king. Rather, they were carrying out the role that corresponded to them within the family and community – that of looking after their husbands and relatives – and they should not be punished for that.[13] The women themselves argued that they were totally separate from politics:

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> And all of us of women, therefore, neither take responsibility for the issues of the revolution nor are capable of stopping it. We lack . . . knowledge of serious issues and, as a consequence, the very laws of Spain annul the verbal crimes of women. Even religion, which is and should be more discreet than the State, looks forgivingly on the heresies of women.[14]

Nevertheless, during the difficult days of the civil war, the actions of the good wife, daughter or mother, even of the prostitute, acquired a political nature: they became public crimes. For the royalist commanders fighting the rebels, the very ambivalence in the relation between women and politics was a source of great concern. There were some very evil women, who made the most of legal loopholes and their womanly charms in order to do damage to the fatherland, to religion and to the king. Dressed as women, they entered towns to observe the troops and thus pass on information to the rebels. Dressed as men, they participated in the military operations of the insurgents, only to excuse themselves afterwards by citing the weakness and ignorance of their sex. Manuel de la Concha, after capturing María Josefa Martínez, the wife of an insurgent leader who had joined their endeavours, asserted that, according to the townspeople, this woman was 'more harmful than any of the rebels, not only because of the violence with which she demanded taxes from them, but also because of the way she frequently tried to seduce them all'.[15] According to Agustín de Iturbide, women like those that he had captured in Pénjamo caused:

> . . . sometimes greater evil than those men who go around in gangs. Even though there are laws arguing in favour of the female sex, which one should take into consideration when giving sentence, one should not allow them to go free to perform evil, and evil of such consequence, [especially when one takes into consideration] the power of the fairer sex over the hearts of men.[16]

Women, therefore, were under obligation to the state and were punished for failing in their duties. Nonetheless, it seemed that 'feminine patriotism'[17] had a sense and function different from that of men, and this difference reflected the perceptions and expectations surrounding the figure of woman. In the midst of an imperial crisis with deep religious overtones, the 'weaker sex' was called upon to participate in the fight against evil through prayer and sacrifice.[18] Their work, it was insisted, was as important as that of those fighting the enemy – whether Napoleon or the insurgents – with weapons in their hands. Furthermore, in 1815, a 'patriotic Mariana'[19] announced:

> [The public] shall be convinced that our sex does not submit to inconstancy, something which in other matters is attributed to it, when it concerns love of religion, the king and the fatherland . . . With what pleasure, then, will the patriotic Marianas of Mexico see that it was neither human knowledge, bellicose strength, artillery, the sword nor bullets, nor the power, riches or wealth of idiotic men who attribute everything to themselves, but rather the continual prayer and the feverish supplication of all or a few of these same patriots, perhaps even of the poorest and weakest of the world, that played such a huge part in disarming the wrath of God.[20]

The defence of the 'just cause' brought about a division of labour in which men brandished the sword and women the rosary and missal. In general, however, it was the negative visions entertained by Iturbide and De la Concha that were most pervasive. The relationship between women and public authority seemed ambiguous and uncertain. This ambiguity is perhaps what explains the fact that, of the almost 3,000 individuals tried for being insurgents and studied by Eric van Young, only two were women.[21] Even though pamphlet writers hoped to arouse patriotic enthusiasm in the 'fairer sex',

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it was, in the majority of the cases, a man – husband, brother, father – who defined the sense of female political loyalty. As a consequence, most of the time royalists freed, automatically, women who were being held for being insurgents, if the male relation who had been fighting for the rebels was pardoned.[22] Leona Vicario, a Creole woman of the upper classes who had supported the struggle for independence with resources and information, rebelled in writing against the idea that, according to public opinion, in politics women could do nothing except follow men. Midway through the 1820s, she protested against the 'slander' of the historian and politician Lucas Alamán, who had asserted that her participation in the movement was due to nothing more than her sentimental relationship with the patriot Andrés Quintana Roo. Vicario rejected the idea that her memory 'would pass to her grandchildren with the ugly note of having been . . . a "reckless woman" who abandoned her house to follow a lover'. She further insisted that:

> Love is not the only motive of women's actions; for they are also capable of all enthusiasms and the desire for the glory and freedom of the fatherland is not foreign to them; rather it usually affects them with greater vigour, because women's sacrifices . . . are always more disinterested, as they seek no more recompense from such sacrifices than that they should be accepted.[23]

But the defence she made of the political vocation of women seems to have had little effect. Despite being 'the only wealthy Mexican woman' that had taken 'active part in the emancipation of the fatherland', Leona Vicario's epitaph is dedicated to the 'highly dignified consort of Señor Andrés Quintana Roo, unblemished magistrate of the high court of justice'.[24]

Until well into the twentieth century, therefore, the relationship between women – above all married women – and the fatherland was mediated through and by the husband. Similarly, the father defined the nationality of his children. For more than a century and a half, Mexican constitutional law held that it was the father who transmitted Mexican nationality to those of his children who were born abroad.[25] The 1917 Constitution only recognised the ability of a Mexican mother to pass on her nationality to her child if the father was 'unknown'.[26] From the first federal law of naturalisation in 1828, women and dependent children were considered 'naturalised through men'.[27] If separating one's own from what is foreign is at the heart of defining political community, the legislation surrounding women's nationality illustrates, once again, the slippery nature of their status as members of the community but lacking the capacity to transmit or assume membership in an autonomous fashion. Furthermore, in certain moments of crisis, it was affirmed that women did belong to the national community – less as participating members, however, than as possessions.

The serious crisis that affected Mexico towards the end of the 1820s – a stagnant economy, disastrous public finances, the violence of partisan struggle, Spain's unwillingness to acknowledge independence – crystallised, in the midst of the vehement argument over the expulsion of Spaniards, certain violent visions concerning the place of women in the national community. Towards the end of the 1820s, a vocal sector of public opinion asserted that Mexico's problems were due to the existence, in the now independent country, of men born in the old metropolis, men who were exploiting Mexicans and ceaselessly conspiring to re-establish the colonial order. In response to such incendiary rhetoric and the armed movements that came about in its wake, laws of

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expulsion were decreed at both federal and state level in 1827, imposing a peremptory stay on Spaniards to leave Mexican territory.

The federal law of December 1827 allowed those Spanish men to stay who were married to Mexican women and kept up marital relations. Nevertheless, only four of the thirteen state laws that had been decreed earlier conceded that marriage with a local woman made Spaniards members of the new political community. Furthermore, some exalted members of the legislature of San Luis Potosí demanded that Mexican women married to Spaniards should not abandon the country with their undesirable husbands, but that they should stay as part of the loot that the overseas exploiters had come to usurp. The second federal law of expulsion of March 1829 excluded only those physically unable to abandon the country, whether or not they had established familial ties in Mexico. The pleas made to President Guerrero by 'various Mexican ladies' married to men born in the peninsula, insisting that by marrying them their husbands had become 'Mexicans by choosing this fatherland', were to no avail.[28]

The stance taken by these 'patriotic' intransigents was highly unusual, first, because it tacitly questioned the capacity of the sacred bond of marriage to merge bodies and interests into one,[29] and second, because it raised doubts over one of the supposed principles of the 'modern' political order: the will to belong to the political community as a condition *sine qua non* of the new order. The centrality of the subject's consent to authority, legitimate because it arises from national sovereignty, was, during the crisis of the expulsion of the Spaniards, blurred for women as much as for those men not born in 'this happy land'.[30] The chosen stance also reflects a profoundly negative image of the Mexican woman, an image created by the incendiary rhetoric of the time to the extent that one newspaper, *El Cardillo de las mujeres*, specialised in the topic. Mexican women not only maintained a weak and fragile tie with their fatherland, but were also largely responsible for national misfortunes because they were 'disloyal' and 'denaturalised', ultimately a *malinche*,[31] in always preferring the foreigner over the Mexican, 'without knowing that in offending their countrymen in this way, they were also offending themselves, who are entirely equal to us without the slightest difference'.[32] It seems that the Mexican woman was, for the exalted nativists, part of the booty that they should grab, just as they should take the 'stick, command and bread'[33] away from the *gachupines*.[34]

Women and public space

In the context of the emergence of the independent nation, in which public discourses insisted on the importance of the general 'will', whether popular or national, the opaque and intricate relationship between women and authority highlights a series of knots that entangle the problematic construction of the 'modern state'. On the one hand, it illustrates the much discussed distance between crude 'reality' and the abstract, universalistic language of 'liberalism'. On the other, it brings to light the challenges and uncertainties inherent in the inevitably slippery construction of the social and political subject: for women – above all married women – whether as citizens or individuals, the attributes of will and autonomy constitutive of the 'modern' relationship between subject and authority, were erased. In the rest of this article, therefore, I will try to suggest some of the ways in which gender and public discourse interacted during the first century of independent life.

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Women in print

In the Americas the Atlantic revolutions brought with them, though with different rhythms and dimensions, the construction of a public sphere, within which the popular press – newspaper, tabloid, or pamphlet – established itself as the sayer of truths and voice of the common good.[35] Within this context it is interesting to delineate the role assigned to women within this 'republic of letters' during the stormy days at the dawn of national life. It was, as has already been mentioned, a profoundly masculinised republic in which men were, above all, those who wrote, printed, read and acted: only two female authors and two pamphlets written solely by women appear in the catalogue of the Lafragua collection in the Mexican National Library for the period 1808–21.[36] Despite the proliferation, post-independence, of a press directed towards a feminine or familial public – the *Mañanitas de la Alameda*, the *Semana[s] de las señoritas* – it is not possible within the Mexican context to speak about publications by and for women until the end of the nineteenth century.[37]

However, despite the fact that Mexican women seemed to read little and write less, they did appear with relative frequency as characters in literary pamphlets, above all between 1820 and 1821. The ephemeral publications of the time, which claimed to take public debate into the street and wanted to 'instruct' and inform the 'people', often resorted to popular slang and characters such as Indian *huarachudos*,[38] 'the spokesman of the plebs' tribune', to shoemakers, artisans and monks who, through the medium of jokes and sayings, argued the issues of the day in common speech. The reasons for adopting a feminine voice are not so clear. What could an 'American woman' or 'Anita the *Refregona*'[39] say that a man could not? Not even on the page, within a public sphere in which hierarchies and actual distinctions were supposedly blurred to the point of extinction, were men and women interchangeable. Consequently, women who offered opinions about burning political issues were violating established norms and expectations: the 'public man' was the politician or the governor, the 'public woman' the prostitute. The 'woman' who made the public sphere her own was meddling where she was not invited; this subversive act, therefore, allowed her to question the premises supposedly underlying the construction of the now highly respected and essential 'public opinion' – with its reasoned, moderate and critical character, and its commitment to truth – and in order to expose its limits and falsities.

The heroines of public print media emerged in 1820, in the midst of the pamphlet explosion that accompanied the restoration of the Constitution of 1812 after the rebellion of Rafael Riego in Spain. Some of them responded to the Mexican Thinker – the prolific pamphleteer José Joaquín Fernández de Lizardi – who had stated in a pamphlet that women should not only participate in parliamentary debates, but that as citizens – and he was not going to assign to them 'a worse status than that of those originating from Africa, who have been declared citizens of the Empire just any man jack' – they should be able to elect and be elected.[40] The funny and witty replies of 'an ignorant woman', 'Anita the *Respondona*',[41] the 'Constitutional American Woman', an 'American Female Citizen' and the 'Constitutional Woman' were not long in coming. Adopting women as *dramatis personae* allowed publicists to use another kind of satirising, entertaining language. But above all, it allowed them, following processes that do not complement each other, both to underline the radicalism of the revolution and to expose its fractures and inconsistencies.

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To begin with, celebrating the citizenship of women with feminine cheek and irony illustrated the range of possibilities that had been ushered in alongside the radical equality established by the new order. It did not matter that the constitutional text excluded women from political citizenship. The soul, a pamphlet woman proclaimed, was neither 'male nor female', and so the constitutional order celebrated everyone – Creoles, mestizos, Indians and even women – as equals.[42] Another, the Constitutional American Woman, went so far as to allege that the advent of the 1812 constitutional regime was destroying all inequalities, even that of gender. As 'an American woman on all four sides and a refined patriot', she was also 'a citizen and very much a citizen' as she was no one's 'subject' or 'servant'. Furthermore, 'the use of the word man she also [understood] to include woman' and whoever denied this was also rejecting 'that women were created by God and redeemed by his precious blood'. As a good citizen, the American Woman had been born 'to obey and to rule, . . . to write and proclaim [her] rights'.[43]

If the revolution had destroyed an absurd hierarchy that had produced unhealthy privileges and marginalised Creoles, Indians and castes, rational logic as much as Christian dogma demanded, in the new period, the recognition of women as equals. Nevertheless, the very extravagance of the shameless women presented by the pamphlet literature of 1820, suggests how out of place their revolutionary proposals were. For the same reason, the women who were set up as the interlocutors of the Mexican Thinker turned out to be acerbic critics, not only of the new principles and values, but also of the way in which, in the new context, men tried to set up authorities and arrive at the truth. They articulated, therefore, the voice of realistic common sense, in the face of the stilted – though funny – metaphysical investigations of the pamphleteers, who fantasised over the significance of the survival of the symbols of Spanish domination, over the nature of 'liberal governments', over the organisation of electoral processes and over the exact application of the constitution. The entangled discourses of modern philosophy did nothing except trick idiots and ignoramuses. Practical women complained because so much theoretical debate brought the fathers of the family home with the 'devil inside him': making philosophers and orators of citizens meant that they forgot their familial obligations. After the declaration of the constitution, the Constitutional Woman cried:

> Our burdens grow, because my good Tonchito brings home paper for bread, *Chanfaina*[44] for meat . . ., instead of cloaks, ponchos, trousers and shoes, he brings packsaddles for the people, instead of good advice to his children, *El conductor eléctrico*, instead of caresses for his wife, decrees from the King and Courts.[45]

In the midst of so many revolutionary hallucinations, women saw clearly. Why should they bother themselves with such trifles as the presence of the coat of arms of Castilla y León sculpted on public buildings when they were 'so high up they [were not any bother]', and when they would soon be replaced with 'eaglets, *floripundios*, cactuses, arrows, coyotes, truncheons, plumages, and if possible brave parakeets, custard apples and *chochomites*'?[46] Why bother themselves with the supposed 'incompatibility' between old customs and new ideological precepts? Good government was reduced to adapting and being adaptable. In the words of 'an ignorant woman': that 'little issue' of which laws were to be enforced under the new regime was 'like my bra whose strap I can loosen and widen so that it will fit well'.[47]

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Similarly, it was a waste of time to fight over electoral methods because once it was admitted that 'there could be no other system . . . than that of the people's free will, nor should it be hindered under the pretext of directing the ignorant', elections were 'like eggs, which are nourishing whichever way you cook them'.[48] But women in print did more than just show the men who were jumping up and down how level the ground was. They defended a practical politics that, with less noise, would, secure 'results' and did not limit itself to 'the desire to make us happy'.[49] Women, with their feet on the ground, were in the advantageous position of discerning real problems. As was said by one of them, who promised 'not to leave a stone unturned because I have four old women who exaggerate and tell me everything that happens':

> I hope that in your politics you will not scorn the woman's voice who as a lover of the fatherland, will dedicate herself not only to the destruction of error . . . but also of many physical, pecuniary and moral evils that, we painfully see originate day after day, because of the infractions of many wise rulings[50].

But the observing eye and plain language of these women achieved more still. While the brilliance of the philosophical thesis blinded their rivals, they articulated an immoveable truth, that could not be obscured by tortuous metaphysical arguments, that was beyond vain logic, treacherous visible nature and highly praised 'reason'. It was true, for example – as they themselves demonstrated – that women were just as sane, if not more so, than men. There was no reason to exclude them from deliberations of what was public, if it were as 'the *Respondona*' argued, for 'the untiring news of the first chapter of Genesis and that little text of Saint Paul':

> God himself imposed on Eve . . . the penal law, you will be subject to man, [. . . and which] the apostle wrote more than clearly. [Let us respect then] the true precepts of divine law, which are infinitely superior to all other laws, whether natural or human.[51]

The feminine voice, therefore, allowed the publicists who condemned so much philosophical and revolutionary innovation, to denounce the arrogance and sterile pretentions of their interlocutors. Speaking as women allowed them to utilise a different register from that of their adversaries: to place themselves on another level, on which even if they did not hold the advantage in terms of coherence and learned argument, they held it indisputably in terms of morality. In this way, the pamphlets of the 1820s and 1830s constructed an imaginary tie between women and conservativism. In the hands of these (male) publicists, women became – highly effective – defenders of a 'natural', divinely sanctioned, hierarchical order.

The image of women as the defenders of the status quo, and later as an easy catch of clerical machinations, had a long and dynamic life. Throughout the nineteenth century, in the pages of the Catholic press, and in contrast to the misogyny of the learned bishops at the end of the eighteenth century, it was the sensible woman who consistently put the brazen young liberal in his place.[52] Women's submission to ecclesiastical directions was the argument used during the government of Lázaro Cardenas (1934–40), with reference to the experience of the Spanish Republic so as to postpone – until 1953 – women's suffrage. It remains to be explored if this rhetorical device served to open spaces of participation for women within a Church that, as recent studies have shown, tended to become feminised during the course of the nineteenth century.[53] As will be shown later, there is no doubt that this link between women and the Church made easier

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the rejection – on the part of the liberals of the second half of the nineteenth century, just as by post-revolution politicians – of arguments in favour of certain 'conservative' principles, such as religious intolerance. At a time when church–state relations were a decisive theme for men in power, who saw the ecclesiastic institution as a rival and an obstacle, religion and religiosity could be discarded as 'old women's business'.

Women of flesh and bone

During the revolutionary crises, the fictitious women had a place in the sermons, disputes and forays of pamphlet discourse. In the case of Mexico, at the beginning of the 1820s, some even made women the voice of 'truth', revolutionary or otherwise. Nevertheless, it was much more difficult for real women to reach the public stage. In 1776, Thomas Paine's pamphlet *Common Sense* created great scandal in the thirteen British colonies by denying the supposed benefits of a monarchical system and, consequently, of the predetermined hierarchies within society:

> But there is another and greater distinction for which no truly natural or religious reason can be assigned, and that is, the distinction of men into KINGS and SUBJECTS. Male and female are the distinctions of nature, good and bad the distinctions of heaven; but how a race of men came into the world so exalted above the rest, and distinguished like some new species, is worth enquiring into, and whether they are the means of happiness or of misery to mankind.[54]

The rhetoric of the Atlantic revolutions, therefore, demanded the disappearance of those artificial, convoluted and fundamentally unjust hierarchies. No more inequalities would remain other than the beneficial, appropriate ones established by nature. Such would be the vision that would so frequently justify the government 'of the best' – of the most qualified, the most patriotic – through representation. These would also be the assumptions that would justify the denial of political rights to women. In this way, gender shaped the body politic and gave to Leviathan the body of a man.

In the age of revolutions, therefore, the exclusion of women from the formal political sphere seemed more than natural. In the Spanish Empire, Parliament decided that women, like children, castes and servants, belonged to the nation but were not citizens. The majority, 'an ignorant woman' explained in a pamphlet of the time, were maids or married 'and always subject to the will of men'.[55] Thus in Cadiz, the violent debates surrounding citizenship, carried out within the distressing context of the Napoleonic invasion, the abdication of the king, and the eventually irresolvable conflict between mainland and the overseas kingdoms, would result in the construction of a very open citizenship, whose definition was based on local, moral and subjective criteria – an 'honest way of life'. The Spanish citizen – and later that of the Mexican states – would be, therefore, the 'good' man, ideally the head of a family (eleven of the nineteen states recognised the married man as a citizen, even if he had not reached prescribed age of twenty-one), the neighbour, the 'well-known' paterfamilias respected within the community.[56] Nobody seriously questioned his masculinity.

At the time of independence, in Mexico City, women in print had perturbed, shocked, acclaimed, satirised and reprimanded; what they had not done was speak for real women. How were the latter going to infiltrate public power, and have a voice within a space that was defined as masculine? The strategy to which they turned was the written *representación* directed to the head of the executive or the legislature. The petition, a

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common instrument within the practice of the *ancien regime*, refers to an imaginary paternalist and relies on a language of humility and defence, not on the assertion of rights.[57] It allows, therefore, women to enter the public sphere as guardians of private morality, which in scandalous cases – for example, the threat against the 'true religion' – could not be extricated from the public. The year 1856 witnessed the most important publication of printed representations signed by ladies, directed against Article 15 of the draft of the constitution, which established that 'no law or order of authority will be decreed in the Republic which prohibits or impedes the exercise of any religious cult'.[58]

The signatories insisted that Congress was no place for their 'weak voice', and that they only dared raise it because of the desperate nature of their situation. Such submission and compliance contrasts with the plea that María Josefa de las Casas published in 1820. As 'the legitimate wife' of an officer, she had no embarrassment in carrying out the 'legal and energetic defence' of the military code in the eyes of 'public opinion'.[59] On the contrary, the women of 1856 apologised ceaselessly for intervening in the legislative process. They did not seek to defend, as their masculine comrades had done in the conservative press, the rights and sovereign will of a 'catholic people' that rejected tolerance. Instead, they begged the legislators to protect Mexican families from damnation. Religious tolerance, they asserted, would introduce the 'easy practices' of Protestantism, which would lead irredeemably to the moral dissolution of youth. Without the sanction of religion, terrible sins such as infidelity and abandonment of the marital home would become simple transgressions that the state would be incapable of persecuting and preventing.[60]

For many members of congress the fact that petitions against tolerance came, above all, from women, who had abandoned 'the domestic home' to be a nuisance to their wise legislators, was reason enough to throw them straight out. Women could not understand 'the issues that stir society': their narrow perspectives condemned them to reduce everything to personal ailments; they did not look to the common good. Francisco Zarco, Member of Congress for Durango, exclaimed: 'These poor ladies were rightly alarmed: they did not want to be abandoned by their husbands, live in the swarm of new wives, nor be immolated on the stone of sacrifices!'[61]

To a certain extent, however, these representations did have the desired effect: the constituents did not include in the constitutional text the principle of liberty of conscience sought for in the draft. Tolerance of cults was not decreed until 1860, at the end of a civil war that had placed the defenders of the 1857 constitution against those who considered them 'atheists' and 'impious'. In contrast to the nationalisation of Church land and the establishment of the civil registry office, decreed in the middle of 1859, freedom of religion was only decreed when there was little doubt about the military triumph of the liberals. It would seem that liberals were not disposed to insult the political sensibilities that they disqualified as the clucking of 'numerous devotees influenced by their confessors'[62] until they were sure of victory.

This essay has attempted to illustrate the value of looking at the history of citizenship in Mexico through a wider investigative lens. On the one hand, complicating 'citizenship' beyond political rights and along a different road to that of Marshall's civil, political and social citizenship triad,[63] allows an exploration of themes such as the foundations of belonging and loyalty or the frontiers and structures of the body politic. On the other hand, focusing on gender reveals some of the ways in which

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'the biological facts of sexual difference' were a basic constitutive element in the construction of the political actor of the post-revolutionary order: the 'citizen', who as an autonomous individual, a voluntary member of the political association and spokesman of the 'general will', could not be a woman.

Thus, the experience of women who were persecuted for infidelity during the War of Independence, in the same way as legislation surrounding political rights and nationality, shows that the relation between women and state could not be thought of outside the mediation of a man. The fact that, either in their acts or in the feverish imagination of certain exalted liberal pamphleteers, these daughters, wives and mothers acted in the political realm, did not stop frightening some. The revolution, by restating the relation between governed and governor, destabilised many of the premises that underlay the political order; but that women should benefit from this, don trousers and perform the acts of insurgents, was seen as extremely dangerous. The tortuous visions articulated during the process of the expulsion of Spaniards not only broke down the image of women as members – even if *sui generis* – of the political community, but also turned them into goods that, in times of crisis, had to be claimed as national. Women, therefore, could not – should not – be citizens, nor hold political opinions beyond 'those bred by marital contamination'.[64]

Gender also structured the public space that emerged with independence and which occupied a central place within the new political imagined space. As this was a masculine sphere, using a feminine voice – to articulate the perceptions and prejudices of men – which was foreign by logic and 'nature' to this space, allowed a subversion of the rules of the game, exposing the fractures and incoherence of the new order. Pamphlet women allowed derision of the new man who, in his arrogance, tried to construct a better regime with worldly materials. Nevertheless, it is difficult to perceive the relation between the fictional and real woman other than in the construction of the stereotype of the inevitably reactionary and highly Catholic lady. Despite the impudence and liberty of those speaking through the Mexican Thinker, women who appropriated public space did not stop being an aberration, a joke or a literary device.

On the other hand, the concrete but ambiguous relationship established between women and the state, as well as the strengthening of the prototypical and ideal image of this relationship,[65] forced nineteenth-century women to brandish particular languages and strategies to influence political power, better reflected in petitions, representations and pleas. It remains to be explored why Mexican women turned so late, in comparison with women from elsewhere, to the language of rights to proclaim their full insertion into the public sphere.[66] In the end, the complexities in the relationship between women and authority, just as the place and role that were assigned to women within the public sphere, suggest that the issues implied by the relationship between women and citizenship exceeds the mere 'functional' division between feminine and masculine spaces, between the public and the private. They also expose a series of blind spots, of incoherencies in a political system under construction, in which gender is only one of the factors in play. Such a focus, therefore, not only starts establishing the way in which 'differences' are set up in a complementary process – in which the citizen is such because he is not a woman – but also reveals the contradictions and omissions of the new political, rational and coherent order that Mexican political actors sought to construct.

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Notes

I am grateful for the comments made by participants at the Second International Conference of the History of Gender and Women in Mexico (CIESAS Occidente, 2003), and in particular those of Carmen Ramos and the anonymous reader from *Gender & History*, both of whom greatly enriched this text.

1. María José Garrido Asperó carefully studies these women – whose number, to begin with, seems to have fluctuated between 100 and 300 – in 'Entre hombres te veas: Las mujeres de Pénjamo y la Revolución de Independencia', in Felipe Castro and Marcela Terrazas (eds), *Disidencia y disidentes en la historia de México* (Mexico City: Universidad Nacional Autónoma de México, 2003), pp. 169–89. Part of the documentation can be found in the Archivo General de la Nación (hereafter AGN), Infidencias, vol. 159, files 9, 10, 11.
2. Letter of the nine women to the mayor, royal official and commander of arms: AGN, Infidencias, files 9, 10, 11.
3. See Jill K. Conway, Susan C. Bourque and Joan W. Scott, 'El concepto de género', in Marta Lamas (ed.), *El género: La construcción cultural de la diferencia sexual* (Mexico City: UNAM, Miguel Ángel Porrúa, 2000), p. 26.
4. I owe a great deal to the discussion of these themes in Pierre Rosanvallon, *Le Sacre du citoyen: histoire du suffrage universel en France* (Paris: Gallimard, 1992); Joan W. Scott, *Only Paradoxes to Offer: French Feminists and the Rights of Man* (Cambridge: Harvard University Press, 1996); and Judith N. Shklar, *American Citizenship: The Quest for Inclusion* (Cambridge: Harvard University Press, 1991).
5. I begin from Jürgen Habermas's concept of the 'public sphere' in his *Espace public: Archéologie de la publicité comme dimension constitutive de la société bourgeoise*, tr. Marc B. de Launay (Paris: Payot, 1962), though I am aware of the qualifications set out in François-Xavier Guerra and Annick Lempérière (eds), *Los espacios públicos en Iberoamérica ambigüedades y problemas, siglos XVIII–XIX,* (Mexico City: Fondo de Cultura Económica, CEMCA, 1998), pp. 8–19; and Rafael Rojas, *La escritura de la independencia: El surgimiento de la opinión pública en México* (Mexico City: CIDE, Taurus, 2003), pp. 17–18.
6. Scott, 'El concepto de género', p. 294.
7. Marta Lamas, 'Introducción', in Lamas (ed.), *El género*, p. 12; Scott, 'El concepto de género', pp. 292–8.
8. For the development of the concept in Hispanic America in general and Mexico in particular, see Antonio Annino, 'Ciudadanía versus gobernabilidad republicana en México: Los orígenes de un dilema', François-Xavier Guerra, 'El soberano en su reino: Reflexiones sobre la génesis del ciudadano en América Latina', and Marcello Carmagnani and Alicia Hernández Chávez, 'La ciudadanía orgánica mexicana', in Hilda Sabato (ed.), *Ciudadanía política y formación de las naciones perspectivas históricas de América Latina* (Mexico City: El Colegio de México, Fondo de Cultura Económica, 1999), pp. 62–93, 33–61, 371–404. For an analysis of the transformation of the concept of 'citizen' during the process of securing independence, see Erika Pani, '"Actors on a Most Conspicuous Stage": The Citizens of Revolution', *Historical Reflections/Réfléctions Historiques* 29 (2003), pp. 163–88.
9. Charles Tilly, 'Citizenship, Identity and Social History', in Charles Tilly (ed.), *Citizenship, Identity and Social History* (Cambridge: Cambridge University Press, 1996), pp. 1–17, here p. 6.
10. 'Reflexiones sobre la gravedad del delito de traycion, y las penas que incurren los que lo cometen' (1811), in *Colección de documentos sobre la independencia mexicana*, compiled by Eric van Young, Manuel Arango Arias Library, Universidad Iberoamericana, manuscript 11. The commentator considers this aspect of the law 'barbaric, cruel and unjust'.
11. *Ordenanza militar para el régimen, disciplina, subordinación y servicio del Ejército, aumentadas con las disposiciones relativas anteriores y posteriores a la independencia, con las tarifas de haberes, formularios de la Plana Mayor, etc., etc.* (2 vols) (Mexico City: Imprenta de José Mariano Lara, 1842), Volume II, Treaty VIII, Title X, Articles 45 and 46, p. 191. I am grateful to Linda Arnold not only for the reference but also for the transcription of this text. Already during the rebellion of Tupac Amaruen Perú in 1780, the gender of the *cacique* Tomasa Bito Condemaita, who would participate in the rebellion, did not protect her children from the infamy resulting from the mother's transgressions. Carlos J. Díaz Rementería, 'El delito de lesa majestad humana en las Indias: Un estudio basado en la sublevación de Tupac Amaru (1780–1781)', *Anuario de Estudios Americanos* 31 (1974), pp. 229–42.
12. AGN, Infidencias, vol. 41, file 1, folio 130. The severity with which the two women were judged is striking, especially considering the leniancy with which the supposed accomplices of the soldier Manuel Galván, part of the infantry, were treated; the sentences of the accomplices, after the intervention of high-ranking soldiers, were reduced.
13. Garrido, 'Entre hombres'; AGN, Infidencias, vol. 159, files 9, 10, 11.
14. Letter by Francisca Uribe, María Bibriesca and others, 25 June 1816, in AGN, Infidencias, vol. 159, files 9, 10, 11.

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15. From Manuel de la Concha, 15 January 1817, in AGN, Infidencias, vol. 159, file 1.
16. From Agustín de Iturbide, without place or date of publication, in AGN, Infidencias, vol. 159, files 9, 10, 11.
17. The expression is that of Linda K. Kerber, *Women of the Republic: Intellect and Ideology in Revolutionary America* (Chapel Hill: The University of North Carolina Press, 1980), pp. 69–114.
18. 'Que vistan el cilicio y pongan ceniza en las cabezas, para evitar la subversión de Ninive', in *Memorias de Sor Mariana* (Mexico City: Oficina de Doña María Fernández de Jáuregui, 1809), p. 2.
19. [Marianas are nuns who venerate the Virgin Mary. Translator's note.]
20. *Exhortación de una patriótica mariana a las señoras de su compañía, con motivo de la festividad de nuestra Señora de los Remedios, hoy 1 de septiembre de 1815* (Mexico City: Imprenta de José Ma. Benavente, 1815), pp. 1–2.
21. Eric van Young, *The Other Rebellion: Popular Violence, Ideology and the Mexican Struggle for Independence, 1810–1821* (Stanford: Stanford University Press, 2001), p. 37.
22. AGN, Infidencias, vol. 57, file 6, folio 32.
23. Letter by Leona Vicario to Lucas Alamán, 26 March 1821 [*sic*.], published in *El federalista Mexicano*, in *El Álbum de la mujer: antología ilustrada de las mexicanas* (México: INAH, 1991), vol. 3, p. 75.
24. 'Necrología e inscripción funeraria de Leona Vicario', in *El Álbum*, p. 76.
25. The constitution of 1857, nevertheless, speaks of 'Mexican fathers'. See Macrina Rabadán, *Propios y extraños la presencia de los extranjeros en la vida de la Ciudad de México, 1821–1860* (unpublished doctoral thesis, Mexico City: El Colegio de México, 2000).
26. Felipe Tena Ramírez, *Leyes fundamentales de México* (Mexico City: Porrúa, 1997), p. 835.
27. 'Ley. Reglas para dar cartas de naturaleza', 14 April 1828, in *Legislación mexicana ó colección completa de las disposiciones legislativas expedidas desde la Independencia de la República, ordenada por los licenciados Manuel Dublán y José María Lozano* (Mexico City: n.p., 1876–1904), vol. II, p. 187.
28. *Exposición que varias señoras mexicanas presentan al Excmo. Sr. General Don Vicente Guerrero electo presidente de los Estados Unidos Mexicanos sobre la ley general de expulsión de españoles, la noche del 24 de marzo de 1829* (Mexico City: Imprenta de Galván, 1828), p. 7.
29. The exhibition (see note 28) deplored: 'Such decline that in the nineteenth century . . . the sweet ties of love that have perpetually sanctified religion are breaking apart within families!', *Exposición*, p. 5.
30. See the concept of 'volitional citizenship' in James H. Kettner, *The Development of American Citizenship, 1608–1870* (Chapel Hill: University of North Carolina Press, 1978).
31. Doña Marina, called *La Malinche*, was Hemán Cortés' translator and his mistress. Her name has become associated with xenophilia and treason.
32. *El Cardillo de las mujeres*, nos 1, 2.
33. El Hermano del Payo del Rosario, *El Hijito del Coyote que cuidaba las gallinas, o sea suplemento al número primero de su Señor padre* (Puebla: reprinted in the liberal press, Moreno Hermanos, 1824), p. 4.
34. ['Gachupines' is slang for Spaniards. Translator's note.]
35. Regarding the construction of a public sphere through print, see, for the case of the USA, Michael Warner, *The Letters of the Republic: Publication and the Public Sphere in Eighteenth-Century America* (Cambridge: Harvard University Press, 1990). For Mexico, Guerra and Lempérière (eds), *Los espacios públicos en Ibroamérica:* Laura Suárez de la Torre (ed.), *Empresa y cultura en tinta y papel: 1800–1860* (Mexico City: Instituto Mora, Universidad Nacional Autónoma de México, 2001).
36. María Josefa Guelberdi, *La Mexicana independiente* (Mexico City: Mariano Ontiveros Press, 1821) María Josefa de las Casas *Defensa legal y enérgica por el Fuero Militar, fundada en la ordenanza general del ejército, en reales órdenes recientes y en terminates artículos de la Constitucion politica, que en obsequio de todos los individuos interesados en esta prerogativa, y en desagravio de su honor, expone al público doña Maria Josefa de las Casas, muger legítima del Capiten D. Cayetano Gomez González (Mexico City:* n. p. 1820), *Memorias de Sor Mariana, Exhortación de und patriótica mariana.* There are also two women who were printing, María Fernández de Jáuregui and Herculana del Villar.
37. Lucrecia Infante, 'Las mujeres y el amor en *Violetas del Anáhuac : periódico literario redactado por señoras*, 1887–1889', *Secuencia: Revista de historia y ciencias sociales*, 36 (1992), pp. 175–211.
38. [*Huarachudos* are indigenous people; that is, those who use 'huaraches' or sandals. Translator's note.]
39. [*Refregona* means here an annoying woman who is constantly criticising. Translator's note.]
40. Joaquín Fernández de Lizardi, *Cincuenta preguntas del* Pensador *a quien quiera responderlas* (Mexico City: Imprenta imperial de D. Alejandro Valdés, 1821).
41. [*Respondona* means here a woman who is constantly answering back and is, therefore, disobedient and disrespectful. Translator's note.]

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42. *Allá van esas frioleras al pensador mexicano de Anita la respondona* (Mexico City: Imprenta americana de José Ma. Betancourt, 1821), p. 1.
43. *Respuesta de la Americana Constitucional al Amigo de la Verdad* (Mexico City: without named publisher, 1820), p. 3.
44. [*Chanfaina* is a dish made with rice, vegetables and cheap cuts of meat such as liver. Translator's note.]
45. *La mujer constitucional o quejas de esta al pensador mexicano* (Mexico City: Mariano Ontiveros Press, 1820), p. 3. *El Conductor Eléctrico* was one of the newspapers published by Fernández de Lizardi.
46. *Cincuenta respuestas de una mujer ignorante a otras tantas preguntas del Pensador Mexicano* (Mexico City: D. Mariano Ontiveros Press, 1821), p. 1; *Allá van*, p. 2. [*Floripundios* are brightly coloured, decorative flowers. *Chochomite* is a tightly-woven woollen cloth used by Indian women. Translator's note.]
47. *Cincuenta respuestas*, p. 2.
48. *Cincuenta respuestas*, p. 3.
49. *La mujer constitucional al pensador* (Mexico City: Oficina de D. Alejandro Valdés, 1820), p. 3.
50. *La mujer constitucional al pensador*, pp. 2–4.
51. *Allá van*, pp. 7–8.
52. See Erika Pani, 'Una ventana sobre la sociedad decimonónica: los periódicos católicos, 1845–1857', *Secuencia: Revista de historia y ciencias sociales* 36 (1996), pp. 67–88, here pp. 62–3; see also novels such as those written by José María Roa Bárcena, *La Quinta Modelo* (Mexico City: Instituto Nacional de Bellas Artes, Premia Editora, 1984).
53. See the papers presented by Margaret Chowning at the Boston Area Latin American History Workshop, and by Silvia M. Arrom at the Seminario de Historia Social de El Colegio de México. It is worth asking whether one could speak of a phenomenon, both liberating and restrictive at the same time, such as that of 'republican motherhood' as described by Linda Kerber, in *Women*, pp. 265–88. For the various uses, concerning the political role of women, that could be made of their 'nature', see, for the case of Argentina, Silvana A. Palermo, 'El sufragio femenino en el congreso nacional: Ideologías de género y ciudadanía en la Argentina (1916–1955)', *Boletín de Historia Argentina y Americana 'Dr. Emilio Ravignani',* 16 and 17 (1997–1998), pp. 151–78.
54. Thomas Paine, 'Of Monarchy and Hereditary Succession', in *Common Sense* (Philadelphia: printed and sold by W. and T. Bradford, 1776). Also, <http://www.bartleby.com/133/> [accessed 14 August 2004], p. 2.
55. *Cincuenta respuestas*, p. 9.
56. Annino, 'Ciudadanía'; Carmagnani and Hernández Chávez, 'La ciudadanía'; Manuel Chust, *La cuestión nacional americana en las Cortes de Cádiz 1810–1814* (Valencia: Instituto Tomás y Valiente; Mexico City: UNAM, 1999); Marie Laure Rieu Millán, *Los diputados americanos en las Cortes de Cádiz igualdad o independencia* (Madrid: Consejo Superior de Investigaciones Científicas, 1990).
57. Kerber, *Women*, pp. 85, 92–3.
58. 'Proyecto de constitución. Dictamen de la comisión', in Francisco Zarco, *Historia del congreso constituyente de 1857*, two volumes (Mexico City: Instituto Nacional de Estudios Históricos sobre la Revolución Mexicana, 1987) vol. I, p. 463. There also exist printed representations of groups of ladies who condemned the expulsion of Spaniards, and of groups of female labourers who requested the intervention of the government to improve their working conditions.
59. Doña Josefa's gender 'favoured' her ignorance of the laws but in no way represented an obstacle to her impassioned defence. María Josefa de las Casas, *Defensa legal y enérgica por el Fuero Militar, fundada en la ordenanza general del ejército, en reales órdenes recientes y en terminantes artículos de la Constitucion politica, que en obsequio de todos los individuos interesados en esta prerogativa, y en desagravio de su honor, expone al público doña Maria Josefa de las Casas, muger legítima del Capitan D. Cayetano Gomez González* (Mexico City: without named publisher, 1820), p. 10.
60. In Manuel González Calzada, *Los debates sobre la libertad de creencias* (Mexico City: Cámara de Diputados, XLVIII Legislatura del H. Congreso de la Unión, 1972).
61. Cited in González Calzada, *Los debates*, p. 59.
62. 'La exposición de las señoras', *La Orquesta*, 11 January 1865.
63. T. H. Marshall, *Citizenship and Social Class* (Chicago: University of Chicago Press, 1964).
64. See the introduction to this Forum by Carmen Ramos Escandón.
65. Gabriela Cano and Georgette José, 'Introducción', in *Cuatro estudios de género en el México urbano del siglos XIX* (Mexico City: Universidad Nacional Autónoma de México, Miguel Ángel Porrúa, 2001), pp. 16–17.
66. For France, see Scott, *Only Paradoxes*; for the USA, Eleanor Flexner, *Century of Struggle: The Woman's Rights Movement in the United States Cambridge: Belkenap Press, 1996).*

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