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THE OTHER CONSTITUTIONAL CONVENTION: BORDER DELEGATES AT THE MEXICAN CONSTITUTIONAL CONVENTION OF 1916-1917

*by Irving Levinson*¹

During their history as an independent nation, Mexicans have written three constitutions: those of 1824, 1857, and 1917.² As was the case with the United States' constitutional convention, México's 1917 gathering brought together delegates from regions with distinct characteristics and histories. This article first addresses some of the distinctive attitudes attributed to the Mexicans living in states bordering the U.S.A. and then analyzes the voting record and conduct of the delegates who represented those states at the convention that wrote Mexico's current constitution. Those delegates came from the four states bordering Texas (Tamaulipas, Nuevo Leon, Coahuila, and Chihuahua) and from the far western states of Sonora and Baja California.³

The delegates who wrote the 1917 constitution's 136 articles sought to restructure their nation. Critically, they declared the dispossession of Mexicans from more than 100,000,000 acres land seized during the reign of Porfirio Diaz (1876-1911) null and void and then took additional steps. Declaring the right to private property subject to the public good, they wrote provisions promising that any group of Mexicans wishing to found a village would receive adequate land and water for that purpose. The new constitution contained guarantees of extensive civil liberties, mandated universal and free public education, regulated workplace conditions and compensation, and placed critical utilities under state control.⁴

The question of whether delegates from the Border States differed from their colleagues in terms of attitudes, objectives, or backgrounds arises because of the traditional perceptions of these states as places different than the rest of Mexico.

Part of that perception rested on geographic and demographic reality. The great majority of Mexico's population, the most fertile lands, the most important rivers, and the richest of mines lay in the more southern parts of the nation. Even

in our own time, the six states bordering the U.S. are home to only seventeen percent of the nation's population even though they comprise forty percent of Mexico's territory.⁵ During the colonial era, Spain concentrated her efforts on the central and southern part of the colony and frequently left the citizens of the north to fend for themselves.⁶ In Nuevo León, the vice-regal government provided so little protection that the "...*vecinos* (citizens) were simultaneously citizens and soldiers in what "...was essentially one large military colony."⁷

That neglect of the border region intensified during the early national period (1821-1876). In the seventy-six years from 1821 to 1876, the Mexican presidency changed hands fifty-nine times amid multiple civil conflicts and foreign invasions. The effect of such instability combined with the violent westward expansion of the United States, the assaults from Indians fleeing that expansion, and the inadequate physical security provided by a Mexican army more concerned with politics than with frontier safety left northerners feeling both neglected and abused.⁸ Forced to face a variety of exigencies alone, they developed a deep distrust of the national government in Mexico City and a correspondingly high degree of self-sufficiency that often involved close economic linkages with the United States.⁹

The north also differed from the rest of the nation in the construction of its identity. As early as the middle of the seventeenth century, "...Indians and mulattos declared themselves mestizos, and mestizos described themselves as *españoles* (Spaniards). As one foreign resident of mid-eighteenth century Sonora noted, "...practically all those who wish to be Spaniards are of mixed blood."¹⁰ Since the indigenous people of the north constituted a far smaller percentage of that population than they did in central and southern México, the melding of northern ethnicities into the nebulous concept of *norteño* proved far easier than would have a similar exercise to the south.¹¹

Given their self-sufficiency, Northerners consistently advocated allowing the states and municipalities rather than the central government to retain a preponderance of political power. In Mexico, this position, known as *federalismo*, stood opposite that of the *centralismo* associated with the Conservative party. Northerners advocated such a position not only because they wished power, but also because they believed themselves different from other Mexicans. As Santiago Vidaurri, a governor of Nuevo Leon for five terms crudely told President Benito Juárez, northerners remained "conscious of their duties and at the same time of their power and rights" and as such differed from the "miserable Indians" who populated the rest of Mexico.¹²

Given that mentality and the region's geographic remoteness, rebellions great and small frequently originated in the north. In the early phase of the Mexican Revolution, forces led by *norteño* (northerner) Francisco Madero of Coahuila administered the critical defeat to the army of President Porfirio Díaz at Ciudad Juarez, Chihuahua in May 1911. A Chihuahuan, Francisco (Pancho) Villa, organized and then led the largest of the Revolution's military forces, the Division of

the North, against Diaz and Victoriano Huerta only to meet defeat at the hands of the Constitutionalist army led by another northerner, Venustiano Carranza of Coahuila.

By the time that the constitutional convention convened in 1916, Villa stood on the political sidelines following defeats at Celaya and Torreon by Carranza's Constitutionalist army. Subsequently, Carranza suffered a very public rebuke when the convention refused to accept without modification the draft of the constitution, he submitted to him. The delegates thus assembled at Queretaro began a new phase of the Revolution that arguably was its most important.

The border states of Tamaulipas, Nuevo Leon, Coahuila, Chihuahua, Sonora and Baja California sent twenty-one primary deputies and three alternate deputies to the convention.¹³ Together, they constituted slightly more than eleven percent of the 218 primary and alternates deputies, a percentage tolerably close to the percentage of Mexicans then residing in these states (10.10 percent). Of the North's twenty-one primary delegates, six represented Nuevo Leon, five represented Coahuila; four each came from Tamaulipas and Sonora, and one each from Chihuahua and Baja California.¹⁴

The major occupational backgrounds of the deputies follows:

	Border Delegates	All Delegates
Engineers	11.8%	11.1%
Lawyers	29.4%	29.8%
Military Officers	11.6%	11.8%
Physicians	17.6%	12.1%
Professors	11.8%	8.6%
Workers	17.6%	7.1% ¹⁵

The only major difference between the two groups is that laborers and to a lesser extent physicians were somewhat more heavily represented in the border delegation than among the delegates as a whole.¹⁶ Given the populist nature of much of the Revolution, one might have expected fewer men of letters and more workers. However, the delegations with a larger percentage of peasants and workers had been at the alternate convention convened earlier at Aguascalientes by Emiliano Zapata and Pancho Villa.¹⁷

In terms of age, there was little difference between the northerners and their counterparts. The average northern delegate was 37.7 and the average non-northern delegate was 36.2 years of age.¹⁸

The next task, then, is to determine whether the *norteños* differed from their fellow-delegates to any significant degree over constitutional questions and if so, the reasons for that difference. While 111 of the 136 articles upon which the delegates voted received unanimous approval or met with only token opposition of less than five percent of the votes cast, twenty-five of the new constitution's articles were adopted in more closely contested ballots. Of those twenty-five votes, the *norteños* differed from the majority of their colleagues by a margin of greater than five percent on only three occasions.¹⁹ These differences involved the following:

<u>Article</u>	<u>Subject</u>
Preamble	Defining the nature of the government
3	Control of primary and secondary education
24	Freedom of conscience and control of religious activity

The disputes began with the Preamble. As proposed by the Constitutional Commission appointed by President Carranza, the name of the nation was to be *La República Federal Mexicana*, or the Mexican Federal Republic. In explaining this choice, the commission first referenced the nineteenth-century disputes between Centralists who referred to the nation as *La República Mexicana* (the Mexican Republic) and Federalists, who preferred the term *Los Estados Unidos Mexicanos* (the United Mexican States). The commission objected to the Liberal term's similarity to the name of the United States of America and they consequently submitted a preamble referring to the nation as *La Republica Federal Mexicana*.²⁰

The non-northern delegates rejected this new name with sixty-five per cent opposed.²¹ *Norteños* opposition proved stronger, with seventy-nine per cent voting nay. The northerner who spoke against the measure, Colonel Emiliano Nafarrate of Tamaulipas, challenged the rationale of the commission by contending that the nature of the Mexican polity was *una sistema unionista*.²² He argued:

In the republic previously called centralist, the same governors were agents of the president of the republic; this is the reason that I find a distinction between the Mexican Republic and the United Mexican States. The same Congress of the Union has an obligation to unite the interests of all the states and there we see most palpably in the Congress of the Union the right of we who speak the same Castillian to name our country the United Mexican States, for our form of government is unionist in its interests.²³

More importantly, Nafarrate argued that the municipal governments (*municipios*) ranked as the governmental unit with the primary responsibility for protecting the rights of the individual. Since citizens lived their lives at this level, he contended, this was the level at which the primary responsibility of government existed.

In a historical context, Nafarrate spoke as a *norteño*. In northern Mexico, the municipio emerged as the principal unit of government because of the neglect of the region by both colonial and national period governments. The traditional hostility of Mexican Liberals towards centralist governments no doubt also increased *norteño* opposition to this measure. In an even older context, this sentiment echoed the loyalty to the *patria chica* (regional homeland) that antedated the unification of Spain in the fifteenth century.

Soon after choosing the name for their nation, the delegates proceeded to the third article of the proposed Constitution. This provision ranked as one of the most anti-religious provisions yet written into any Latin American constitution and provoked the longest debate of the convention. Article three prohibited religious institutions and the clergy from any role in primary or secondary school and gave exclusive control of a universal and free primary education system to the federal government. Fifty-two percent of the northern delegates vote for this proposition while sixty-six percent of their non-northern colleagues did so. Several northern delegates proved most vocal in their opposition.²⁴ In an oration frequently interrupted by hisses, Pedro Chapa characterized its provisions as “...a propósito de jacobinismo” and argued:

For certain, gentlemen Deputies, a thousand times better is the implementation of slavery in our country than the implementation of a monopoly on our consciences, than the infamous control that pretends to give to the state the power to arbitrarily dictate what we are able to teach and obligated to understand.²⁵

Chapa's fellow Tamaulipan, Colonel Emiliano P. Nafarrate, also spoke in opposition to this article. Both officers based their opposition on freedom of conscience rather than on a defense of the Church. Here, as in the majority of votes, some delegates abstained.²⁶

A second dispute over religious issues arose over the text of Article 24. This brief yet highly contentious paragraph stated that while: “Every man is free to profess the religious creed [he] finds most agreeable...all religious acts are to be celebrated precisely in the temples...always under the vigilance of authority.”²⁷

A provision that placed the performance of religious ceremonies in the same category as drinking alcoholic beverages or performing certain indecent acts (i.e., you may perform them, but only out of public sight) ignited predictable disputes. The wide-ranging debate focused upon events as distant as the fifth century rite of public confession; Pope Leo XIII's (1810-1903) condemnation of clerical misconduct; the merits of religious as opposed to civil marriage, the propriety of confession; the relativity of human consciousness as demonstrated by August Comte, Herbert Spencer, and Immanuel Kant; and other matters.

At the conclusion of the discussion, the convention approved a text that punished the Church to the satisfaction of some but not others. The anti-clerical delegates received the satisfaction of seeing religious ceremonies removed from the public space while those less hostile to the Church preserved a private space for organized religion. The *norteños* who voted did so in unanimous support of the proposal while only fifty-five percent of the non-northern delegates did so.²⁸

On no single issue was the gap between the *norteños* delegates and the rest of the delegates as wide as the forty-five percent gap in the case with Article 24.²⁹ Given the far greater demographic presence of the indigenous peoples in central and southern México and given their tradition of public religious parades that predated the conquest, non-northern delegates were less willing to restrict public religious procession than their northern counterparts. Also, the hand of clerical control never lay quite as heavily on the north as in other parts of the nation and so northern delegates were more willing to restrict Church activities.³⁰

Thus far, we can characterize the northern delegates as differing from their colleagues in terms of two and only two critical issues: the extent to which power should be devolved to states and the extent to which religious practice would be regulated. In both of these areas, the historical differences between the north and the rest of the nation account for these differences. Yet during the convention, an additional division arose over real and imagined ideological differences.

This division emerged when the majority of the delegates joined in rejecting the first draft of the constitution as submitted by President Venustiano Carranza. In response, Luis Manuel Rojas, the Jalisco lawyer who was one of six men selected by Carranza to compose the first draft of the new constitution, argued that the convention now stood divided into two groups. He characterized the first of these (the minority that supported Carranza's draft) as *Liberales Carrancistas*. According to Rojas, these men held '...a traditional nineteenth century view of liberalism' that included a strong commitment to individual rights, a modest federal role in national development, and moderate anti-clericalism.³¹ He branded the opposing majority as *Jacobinos Obregonistas* (Obregonist Jacobins) and characterized them as men led by a non-delegate, General (and future President) Alvaro Obregon. Rojas considered these delegates fiercely anti-clerical men who favored a more powerful role for the federal government in the economic, political and social development of the nations and who placed a higher priority on societal rights than on individual rights. In response, many within that majority argued that they stood as loyal members of the Carrancista forces that triumphed in the final military phase of the Mexican Revolution and that they were doing nothing more than following their consciences. As John Nicolás Takanikos-Quiñones noted, ninety-four deputies issued a 'Manifesto to the Nation' contending:

In reality, there were no such Jacobins or Classical Liberals; there were simply sincere constitutionalist revolutionaries and a group of *Renovadores* [those who renew]- better said a group of delayers, adulterators, and obstructionists, especially J. Natividad Macías, Luis Manuel Rojas, Félix F. Palavincini, and Gerzain Ugarte.³²

So, in addition to denying the dichotomy propounded by Rojas, these delegates offered their own dichotomy. They pointed out that many supporters of the original Carrancista draft of the new constitution previously served in the Twenty-Sixth Federal Legislature, which met during the early period of Victoriano Huerta's presidency. These critics contended that by doing so, those men, whom they characterized as *renovadores* (those who renew), aided Huerta's brutal dictatorship and consequently should not be seated at the constitutional convention. However, the convention, which Rojas contends was dominated by these militants, voted to seat all twenty-seven of the *renovadores* elected by their constituencies.³³

Deputy Juan de Dios Bojórquez argued that the delegates fell into two groups, Radicals and Moderates. He claimed that eleven of the border delegates were in the Radical camp, ten in the Liberal camp, and three in the indeterminate camp. He thus labelled forty-six percent of the border delegates as Moderates. By contrast, he placed sixty-six of 189 non-border delegates in the Moderate category, thereby labelling only thirty-five per cent of those delegates as Moderate. If that truly were the case, then there ought to have been more instances in which the northern delegates' votes differed significantly from those of the rest of the convention. Yet as we have seen, only three such votes existed.

I argue that all of these dichotomies are questionable, and I do so because some of the most truly radical articles passed unanimously. Perhaps Article Twenty-Seven in the best such example. The two salient points of this article were the nationalization of all surface and subsurface resources and the nullification of the seizure of more than 100,000,000 acres of land confiscated from rural Mexicans during the Porfiriato. In one fell stroke, the largest confiscation of private property in Latin American history took place with 150 votes in favor and none in opposition. Had Rojas' division of the deputies into Liberals and Jacobins or Bojorquez' division of them into Radicals and Moderates been valid, this vote certainly would not have been unanimous.³⁴ Indeed, I have difficulty visualizing a typical nineteenth century Liberal such as Senator Mariano Otero taking such action.

The delegates also unanimously passed Article 123, which provided greater worker rights greater than those existing in many western democracies. In addition to guaranteeing the right to organize a union, this article regulated the days and hours of work permitted per week and mandated profit sharing, government arbitration of deadlocked labor-management disputes, and workplace safety. The unanimous support of these measure proved that all of the delegates rather than

some stood ready to take radical actions not part of the lexicon of traditional nineteenth-century Liberals. Such legislators never intervened in so many aspects of the treatment of employees.

The more accurate characterization would be that delegates, both northerners and non-northerners, were quite militant on some issues and willing to compromise on others. Such flexibility belies the notion of strictly bound ideological camps set upon mutual opposition in all matters.

Some deputies cast votes without once taking the floor to address the assembly while others emerged as spokespersons. In the record of the deliberations, a small number of names appear repeatedly as speakers. Two articles prompted more floor speeches from the *norteños* than did any other: articles nine and fifty-five.

As approved by the delegates, the very brief but very important ninth article states that the right of peaceable assembly for lawful purposes cannot be restricted. However, the original draft of this article included broader provisions for repressing public assemblies. These included meetings “...*que se cause fundadamente temor o alarma a los habitantes* (that rightly cause fear or alarm the inhabitants) as well as *una reunión convocada con objeto ilícito y ser, en consecuencia, disuelta inmediatamente por la autoridad* (a meeting convoked with an illicit goal and consequently to be dissolved immediately by the authority).³⁵

The arguably vague nature of these original phrases prompted vigorous debate about the extent to which an aspiring dictator might use this article to suppress dissent just as Porfirio Díaz suppressed dissent using a similar section of the 1857 Constitution. In perhaps his most impassioned address to the Congress, Jorge E. Von Versen of Coahuila condemned the original draft.³⁶ After extended debate, the delegates voted to delete the contested grounds for dissolving assemblies with eighty-three percent in favor and seventeen percent opposed. Of the *norteños*, nine delegates (seventy-five percent) voted in favor of the deletion with three in opposition. Among the seventeen percent minority favoring the more restrictive provisions was General Pedro Maria Chapa of Tamaulipas.

The other article prompting five floor speeches from northerners was the fifty-fifth article, which set the requirements for membership in the federal *Camera de Diputados*. This point proved particularly contentious as disputes arose over whether deputies must have been born in Mexico or could have been born elsewhere, over whether a literacy requirement should be part of the qualifications, over whether the twenty-five years of age requirement should be lowered to twenty-one for persons of demonstrated revolutionary merit, and over whether deputies were required to be from the locality they represented and if so, the length of residence necessary to qualify.³⁷ The memory of the Centralist days when residents of Mexican City represented provincial districts made the residency requirement a particularly contentious one.³⁸

The delegates settled upon a slight modification of the residency requirement, setting that at a minimum of more than six months as opposed to original stipulation of six months. Twelve of the *norteños* voted in favor of this measure with only one in opposition.³⁹

In conclusion, I suggest that the *norteños* differed from their fellow delegates in terms of degree rather than of kind and that this difference was the greater extent to which the *norteños* embraced traditional northern and federalist concepts. When they diverged from the larger assembly, they did so in an effort to strengthen state or municipal power, to oppose the extension of state authority into the personal sphere of conscience and religion, and to limit state control of political dissent. In doing so, they reflected an attitude that had distinguished the north from the rest of the nation since colonial days.

However, the greater reality is that in twenty-one of the twenty-five contested convention votes, the *norteño* majority stood with the majority of their fellow delegates. Regardless of a distinct mentality and a regional history, the similarities between the northerners and their fellow delegates proved far greater than their differences. Both groups consisted principally of radicalized members of the middle class rather than radical members of a broadly-based workers coalition. That alternative ended with the military triumph of Constitutionlists over the Villistas.

Endnotes

1 Dr. Irving Levinson, a Fulbright Scholar, received his Ph.D., with honors from the University of Houston in 2003 and currently serves as an Associate Professor of History at the University of Texas-Rio Grande Valley. He is the author of *Wars within War: Mexican Guerrillas, Domestic Elites, and the United States of America 1846-1848* and also co-edited and wrote a chapter for *Latin American Positivism: Historical and Philosophical Essays*. In addition to authoring multiple articles, he most recently wrote a chapter describing Mexico's role in *The Civil War on the Rio Grande 1846-1876*.

2 To these three constitutions, we may add two additional albeit less esteemed efforts. The first, the very extensive *Seven Laws* of 1835-1836, so completely converted the moderately liberal Constitution of 1824 into a revival of the colonial order that their passage created a new constitution in all but name. However, these laws remained in effect for barely six years. Similarly, the document providing a framework for the empire of Maximilian did not outlast his three-year reign (1864-1867).

3 In 1917, the southern part of Baja California had not yet been made a separate state, Baja California Sur.

4 The radical commitment remained incomplete in at least one critical area: the new constitution did not acknowledge women's right to vote.

5 As of the 2010 census, the six northern states' were home to 19,379,086 of the Republic's 109,600,000 people and their territory totaled 306,665 of Mexico's 761,604 square miles of land.

Censo de Población y Vivienda 2010 del Instituto Nacional de Estadística y Geografía, <https://web.archive.org/web/20110406225157/http://www.censo2010.org.mx/> and *Pocket World in Figures 2010 Edition*, (London, The Economist Newspaper Limited, 2010) 180

6 Spain's multiplicity of wars waged elsewhere limited the resources that could be dispatched to the northern reaches of México., In addition to the well-known failed 1558 effort of the Spanish Armada to secure sea lanes for an invasion of England, other conflicts were the Hapsburg-Ottoman Wars (1526-1791), the Eighty Years' War (1568-1648), the Italian Wars (1536-1538), and the Seven Years' War (1757-1763).

Since mercantile theory held that the primary purpose of the colony was to generate raw materials for the mother nation and markets for her finished goods, Spain's Mexican priorities were the silver mines and agricultural estates that lay south of the border regions.

7 Juan Mora Torres, *The Making of the Mexican Border: The State, Capitalism, and Society in Nuevo Leon, 1848-1910*, (Austin, University of Texas Press, 2001), 18

8 The Mexican Army's conduct is addressed at length by William A. DePalo Jr., in *The Mexican National Army 1822-1852*, (College Station, Texas A&M University Press, 1997

9 For example, Jose Evaristo Madero, one of the richest men in mid-nineteenth century Coahuila, exported silver bullion, wool and hides to Texas while importing cotton, dry goods, and manufactured goods to Mexico. Such activity often enabled enterprising men to rise to the highest levels of northern government. Madero served as Governor of Coahuila from 1880 to 1884. His son, Francisco, led the campaign to overthrow President Porfirio Diaz and served as the first president of post-Porfirian Mexico.

A brief summary of the two Maderos can be found in the *Diccionario Porrúa de historia, biografía y geografía de México*, (Ciudad de México, Editorial Porrúa, 1997), volúme III, 2071. The subject is also addressed by Juan Mora Torres in *The Making of the Mexican Border: The State, Capitalism, and Society in Nuevo Leon, 1848-1910*, (Austin, University of Texas Press, 2001), 33-34

10 David J. Weber, *The Spanish Frontier in North America*, (New Haven, Yale University Press, 1992), 327-328

11 In Mexico, unlike the United States, Indian remained a majority of the population throughout the colonial area and that situation arose from the very high numbers of Indians in the central and southern regions of Mexico. Central Mexico alone contained an estimated 25,000,000 inhabitants just prior

to colonization and that figure exclude[s] the heavily populated Maya communities to the South, Even after plagues and Spanish cruelty reduced the indigenous population to barely one million, the Indians, remained a majority of the population as their numbers partially recovered. By contrast, the northern tribes were far less numerous and semi-nomadic. For further information on the colonial Meso-American population, the standard works remain those of William F. Denevan, editor, *The Native Population of the Americas in 1492* (Madison, University of Wisconsin Press, 1976), 291 and Woodrow Borah and Sherburne F. Cook, "The Aboriginal Population of Central Mexico on the Eve of the Spanish Conquest," *Ibero-Americana* 45, (1963), 88-90

12 Juan Mora Torres, *The Making of the Mexican Border: The State, Capitalism, and Society in Nuevo Leon, 1848-1910.*, 14. Santiago Vidaurri (1808-1867), both served as Nuevo Leon's governor and was one of the region's most powerful caudillos while in or out of office. Following a decision to abandon his decades-long loyalty to the cause of Mexican Liberals during the final phase of the War of the French Intervention (1862-1867), he was executed on charges of treason in 1867.

13 Delegates to this constitutional convention were referred to as deputies (*diputados*) rather than as delegates, as are members of the lower houses of México's federal and state legislature.

14 The primary *norteño* deputies whose votes are included in the tabulations of this article are Manuel Aguirre Berlanga, Manuel Amaya, Juan de Dios Bojoquez, Flavio A. Borquez, Manuel Cepeda Medrano. Pedro Chapa, Zeferino Fajardo, Ramón Gámez, Eduardo C. Garcia, Reynaldo Garza, Agustín Garza González, Luis Illzaiturri, Fortunato de Leija, Ernesto Meade Fierro (ancestor of the 2018 PRI candidate for the presidency), Luis G. Monzón, Emiliano P. Nafarrate, Manuel M. Prieto, José María Rodríguez, Ignacio Roel, Jorge E. Von Versen, and Nicéforo Zambrano. Also included are the votes cast by alternate deputies Plutarco Gonzales, José Lorenzo Sepulveda, and José Rodríguez Gonzales.

15 Information in this table was found in the doctoral dissertation of John Nicolás Takinikios-Quiñones, "The Men of Queretaro: A Group Biography of the Delegates to the Mexican Constitutional Convention of 1916-1917," (Ph.D., dissertation, University of California at Davis, 1989)

16 However, physicians comprised eighteen percent of the *norteño* delegates but only twelve percent of the congress delegates as a whole. Perhaps their presence in both groups reflected the very high level of esteem assigned to them in Hispanic cultures

17 The best study of that earlier and more radical Aguascalientes Convention remains that of Vito Alessio Robles, *La Convención Revolucionaria de Aguascalientes*, (Mexico City, Instituto Nacional de Estudios Históricos de las Revoluciones de México, 2014)

18 These figures also are based on information found in the doctoral dissertation of John Nicolás Takinikios-Quiñones, “The Men of Queretaro: A Group Biography of the Delegates to the Mexican Constitutional Convention of 1916-1917,”

19 Ignacio Marván Laborde, *Nueva Edición del Diario del Debates el Congreso Constituyente de 1916-1917*, (México, D.F. Suprema Corte de la Nación, 2013, Volúmenes I-III), Vol. 1, paginas 144, 147, 234,340, 582, 589, 633, 677, 737, 795, 841, 919, 962, 991, 1088, 1164, 1252, 1361, 1373, 1496, 1547, 1577, 1630, 1663, 1713, 1765, 1785, 1878, 1881, 1916, 1940, 2241, 2362, 2377, 2424, 2515, 2524, 2590

20 *Ibid.*, Vol. 1, paginas 76-77

21 The ballot totals were three northerners in favor and eleven opposed and fifty-three non-northerners in favor and ninety-seven opposed. *Ibid.*, Vol. 1, paginas 115-116

22 *Ibid.*, Vol. 1, paginas 103-104

23 *Ibid.*, página 103

The original text reads:

En la república que se llamaba antes centralista, los mismos gobernadores eran los agentes del presidente de la república; esa es la razón por que le encuentro yo una distinción entre República Mexicana y Estados Unidos Mexicanos. El mismo Congreso de la Unión tiene la obligación de unir los intereses de todos los estados y allí vemos más palpable, en el Congreso de la Unión, el derecho que nos de la misma habla castellana para nombrar a nuestra patria Estados Unidos Mexicanos; por nuestra forma de gobierno es unionista en sus intereses.

24 In the years following the convention, this article underwent multiple revisions. The first such change expanded federal authority by allowing the government to close any private or secondary school whose curriculum it deemed objectionable and denied any right of appeal in such matters. Subsequently, a slackening of hostility between Church and state began with end of the Cristero War (1926-1929). Today, such prohibitions no longer exist and religious entities may own and operate schools at any level of the educational process.

25 Ignacio Marván Laborde, *Nueva Edición del Diario del Debates el Congreso Constituyente de 1916-1917*, (México, D.F. Suprema Corte de la Nación, 2013, Volúmenes I-III), Vol. 1, página 234

The original Spanish text reads:

Pues bien, señores diputados, es mil veces preferible la imposición de la en nuestro país, que la implementación del monopolio de nuestras conciencias, que el infame control que se pretende dar al estado para que el dicte arbitrariamente lo que solo pueda enseñarse y sólo de aprenderse.

26 The voting totals were ten northerners in favor and nine opposed with ninety non-northerners in favor and sixty-six percent opposed, *Ibid.*, 340

27 Ibid, vol. 1, page 992.

The original text reads:

Todo hombre el libre para profesar la creencia religiosa que más le agrade y para particular las ceremonias, devociones o actos del culto respectivo, en los templos o su domicilio particular, siempre que no constituyan un delito o falta penados por la ley. Todo acto religioso del culto público deberá celebrarse precisamente dentro de los templos, los cuales estarán siempre bajo la vigilancia de la autoridad.

28 The vote totals were twelve northerners in favor and none opposed with eighty-one of the non-northern delegates in favor and sixty-nine opposed. Ibid, 991-992

29 Many northerners took the position taken by Francisco (Pancho) Villa: that he would tolerate religious practice even though he held the Church and in particular its priesthood in contempt. A description of Villa's attitude is provided by Friedrich Katz, *The Life & Times of Pancho Villa*, (Stanford, Stanford University Press, 1998), 447-448

30 Northern communities and in particular the city of Monterey in part were settled by Spaniards who converted to Roman Catholicism following the religion expulsions ordered by Queen Isabella and King Ferdinand starting in 1492.

31 E.V. Niemeyer, Jr. *Revolution at Queretaro: The Mexican Constitutional Congress of 1916-1917*), page 221

32 Juan de Dios Bojórquez cited by John Nicholas Takanikos-Quiñones, *The Men of Queretaro: A Group Biography of the Delegates to the Mexican Constitutional Congress of 1916-1917*, page 47

33 However, the Congress voted to reject the credentials of seven other delegates because their service in other capacities during the Huerta administration rendered them unfit to serve.

34 Although the number of delegates at the congress totaled at 218, the maximum number present during the sessions varied between 140 and 160. John Nicholas Takanikos-Quiñones, *The Men of Queretaro: A Group Biography of the Delegates to the Mexican Constitutional Congress of 1916-1917*, Ann Arbor, Michigan, University Microfilms, 1989, page 124

35 Ignacio Marván Laborde, *Nueva Edición del Diario del Debates el Congreso Constituyente de 1916-1917*, Vol. 1, página 591

36 Literally, "...a salad of language." *Nueva Edición del Diario del Debates el Congreso Constituyente de 1916-1917*, Vol. 1, páginas 600-604

37 The debate over the literacy requirement prompted perhaps the most bizarre remark of the convention. The Chairman, Félix F. Palavicini, argued that a person who had learned no more than those basic literacy skills was "much poorer in society than an illiterate." Ignacio Marván Laborde, *Nueva Edición del Diario del Debates el Congreso Constituyente de 1916-1917*, (México, D.F. Suprema Corte de la Nación, 2013, Volúmenes I-III), Vol. II, página 1438

38 Although not formally in attendance, the *caudillos* of the nineteenth century were very much present at the congress. Innumerable references to Porfirio Díaz prove that point.

39 Ignacio Marván Laborde, *Nueva Edición del Diario del Debates el Congreso Constituyente de 1916-1917*, Vol. II, pagina 1531-1532

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