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WITH ALL DUE RESPECT:
Popular Resistance to the Privatization of Communal Lands
in Nineteenth-Century Michoacán*

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Abstract: The article explores popular opposition to the nineteenth-century liberal laws that mandated privatization of the communal lands held by Indian communities in Mexico. It argues that peasants in Michoacán responded to the reparto with a complex mixture of resistance, negotiation, and accommodation in attempts to retain local control over the definition and distribution of property rights and to defend local religious and political institutions. The first section provides a brief overview of liberal thinking and legislation on the privatization of communal lands, highlighting the legal and ideological ambiguities and contradictions that provided opportunities for resistance and negotiation. The second section explores how and why peasants so often opposed the reparto in Michoacán, stressing the complex nature of popular resistance and state responses to it. The third section offers a brief overview of nineteenth-century agrarian development in Michoacán as background for the two case studies of the politics of privatization at the local level. Zacapu peasants managed to delay the reparto for thirty-five years but ended up losing much of their land to state tax officials and neighboring landowners. San Juan Parangaricutiro successfully retained its substantial woodlands as communal property, even as local mestizo elites appropriated the best of cultivated land as private property. The article concludes with a comparative analysis of the liberal reparto in the two communities, linking the different outcomes to peasant partisanship in the agrarian and political struggles of the Mexican Revolution.

Throughout much of the nineteenth century, Mexican liberals struggled to establish a sovereign central state in a society in which the state was one of the weakest institutions. In liberal thinking, the corporate entities inherited from the former colonial regime constituted some of the greatest obstacles to this state-building project. The Catholic Church and the Indian community came under attack as juridically privileged property-holding corporations that were impeding economic progress, curtailing

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individual liberty, and preventing the development of a strong national identity rooted in a common sense of citizenship in a liberal political order. As part of a broader program of reforms aimed at dismantling corporate privilege, liberals issued in 1856 the Ley Lerdo prohibiting civil and ecclesiastical corporations from owning most forms of real estate. Church property was nationalized outright in 1859, in the context of the civil wars unleashed by the liberal reforms.¹ Given the weakness of the Mexican state prior to the Porfiriato (1876–1911), it proved to be far more difficult to overcome the resistance of thousands of dispersed Indian communities to the state-mandated privatization of their communal lands. Even in the final years of the Porfiriato, many communities continued to resist, circumvent, and negotiate the terms of the Ley Lerdo. Hence the privatization of communal land remained partial and contested on the eve of the Mexican Revolution.

Popular resistance to the liberal *reparto* was not simply a rejection of private property in favor of a communal property regime. Cultivated land in many communities was already considered to be a form of private property, whether registered with the state as such or claimed under use-rights allocated by local authorities. The key point of contention between communities and the state was political autonomy and control: who had the right to define and distribute property rights within the communities? Who, if anyone, had the right to place limits on the use of private property, and particularly on its sale to outsiders? And who had the right to determine membership in the community and hence access to its resources? Peasants who resisted the Ley Lerdo often did so because it greatly expanded the state's role in defining and allocating property rights within the communities. If the reform had to be carried out, peasants attempted to ensure that it be done in accordance with local norms and institutions by retaining customary usage of pasture and woodlands, minimizing the amount of land alienated to outsiders, and recovering lands in litigation with other communities and individual landowners.

Analysis of popular resistance to the liberal *reparto* can reveal a great deal about the complex relationships between Indian communities and the state in liberal and Porfirian Mexico by highlighting the ways in which indigenous peasants resisted, negotiated, and accommodated state authority. Such analysis also provides a window for viewing power and politics at the local level. The *reparto* invariably generated or exacerbated conflicts within communities as different factions—defined by class, ethnicity, generation, kinship, barrio, and long-standing animosities—struggled to control, impede, accelerate, or benefit disproportionately from

1. On the disentanglement of the wealth of the Catholic Church, see Bazant (1971) and Sinkin (1979).

the reform process. Finally, analysis of popular resistance illuminates the connections between state-community interaction and intra-community conflicts. Both proponents and opponents of the reform in the communities could find allies within the state, and the outcomes of local conflicts were determined at least partially by the nature and strength of these alliances.

In resisting the reparto, peasants sometimes employed variants of the foot dragging, dissimulation, false compliance, and feigned ignorance that make up James Scott's weapons of the weak (1985, 1990). In nineteenth-century Mexico, such everyday forms of resistance included the theft of official documents; the perpetual formation and dissolution of legally mandated local privatization commissions; titling land under individual names while retaining de facto communal control; and repeated requests for extensions, various sorts of authorizations, and the clarification of legal requirements. At other times, popular resistance entailed a much more open engagement with the state, as when peasants and their representatives challenged the legal interpretations of state authorities, petitioned governors to nullify illegal sales and rental agreements, protested the abuses of local authorities, and sometimes refused openly to carry out the reparto even as they asserted their respect for state authority more generally. What is striking about this resistance, whether hidden or overt, is the extent to which peasants employed the routines, laws, and institutions of the liberal and Porfirian states in contesting the terms of the reparto. After all, there would be little point in stealing official documents unless peasants had reason to believe that state officials would not proceed without them.

During the liberal and the Porfirian eras, state officials were often coercive, corrupt, and authoritarian. In many cases, the reparto was imposed by force. District prefects, *jefes de tenencia*, and state tax officials frequently aided and abetted landowners, surveying companies, and local elites by employing a wide range of tactics, legal and illegal, to dispossess communities of their land. Much less often but with surprising regularity, state officials responded to peasant grievances and concerns, overturning fraudulent sales, abrogating the fees of unscrupulous legal representatives, and mediating disputes between communities and landowners. District prefects were constantly instructed to investigate community complaints with respect to frauds and abuses perpetrated in the course of the reparto. Although their reports were often perfunctory and dismissive, they sometimes recognized and responded to peasant grievances.²

Even during the second half of the Porfiriato, when the state was the strongest and most coercive, Indian communities and state officials

2. See Falcón (1994) and Vanderwood (1990) on the pivotal and variable roles played by local officials during the Porfiriato, particularly by the *jefes políticos* (or district prefects, as the office was known in Michoacán).

continued to negotiate the terms of the Ley Lerdo, reflecting an ongoing struggle over the nature of property rights and the question of who could legitimately define, claim, and enforce them. Thus the "negotiation of rule" (Joseph and Nugent 1994) at the local level was a feature not just of colonial and revolutionary Mexico but on occasion of Porfirian Mexico as well. Although most communities lost the battle, a good number managed to survive the Porfiriato with their landed bases and local institutions intact. The varied outcomes had important implications for peasant partisanship in the military, political, and agrarian struggles of the 1910s and 1920s.

This article will examine popular resistance to the nineteenth-century reparto in the center-west state of Michoacán. Michoacán was chosen for analysis according to two considerations. First, state officials there engaged in a concerted and ongoing effort to implement the liberal land reform from 1869 until the onset of the revolution in 1910, employing at times repression and at others persuasion, negotiation, coercion, and fiscal pressure. The extensive documentation generated by this effort provides an unusually good view of state-community interaction over four decades, spanning liberal as well as Porfirian Mexico. Second, Michoacán produced both revolutionary and counter-revolutionary popular movements in the 1910s and 1920s. Home to one of Mexico's strongest and most militant *agrarista* movements, Michoacán was also second only to neighboring Jalisco in popular support for the anti-state Cristero Rebellion (1926–1929). Analysis of the reparto in Michoacán thus affords an opportunity to explore the connections between local experiences with the liberal land reform and subsequent patterns of mobilization and partisanship during the Mexican Revolution.³

LIBERALISM AND THE INDIAN COMMUNITY

The question of property rights was central to liberal understandings of individual liberty, citizenship, and economic development. It was the individual property owner, freed from corporate restrictions on the pursuit of self-interest, who would provide the basis for political peace and economic prosperity in nineteenth-century Mexico.⁴ As a liberal newspaper argued in an 1851 editorial favoring the disentailment of church wealth, "Each new proprietor will be a new defender of institutions and of stability," and "peace, order, and liberty will have gained" (cited in Hale 1968, 37). Although liberal opposition to corporate property applied to

3. For a more detailed analysis of the links between the liberal reparto and revolutionary partisanship, see Purnell (n.d.).

4. See Hale's (1968) discussion of the relationship between property rights and politics in liberal ideology.

both the Catholic Church and Indian communities, communal property came under special attack as the main source of the "backwardness" of rural Mexico. Its very existence was said to be predicated on the belief that Indians were inferior and hence in need of the paternalistic protection of the state (Fraser 1972). The communal property regime, according to one Michoacán tax official, "served no other purpose than to keep [the Indians] in the state of ignorance, misery, fanaticism, and degradation to which they had been reduced at the time of the conquest" (cited in Gutiérrez 1984, 20).⁵ Another liberal argued that only as small proprietors would Indians become "true citizens under the tutelage of nobody" (cited in Hale 1968, 227).

The privatization of communal lands was expected to create not just citizens but wealth because self-interested individuals, freed from the constraints and obligations of communal life, would be inclined to invest their surplus rather than to squander it on the rituals and fiestas associated with religious worship. As the municipal president of Zacapu explained:

The benefits that the privatization of communal land will bring to the Indians themselves and to the whole society . . . are well known and of great importance to the peace and tranquillity of the villages. It will bring an end to the laziness and vice of drunkenness into which many of the Indians have fallen because once this system of communal property, which has deprived them of peace and of occupation, is eliminated, they will dedicate themselves to their own business rather than to the continual fiestas and *cargo* expenses that have impoverished them and led them into misery and crime.⁶

Popular religious practice was viewed as a source of violence, immorality, and sloth and was often condemned by liberals as a wasteful imposition on individual community members by the *cabildo*.⁷ The community of Zacapu was reported by the same official to have had communal property worth a hundred thousand pesos, "the proceeds of which are constantly wasted by a few who control and oppress the others."⁸

Liberal property laws tended to treat the community like a landlord from whom the individual peasant should be liberated. The Ley

5. The translations of Spanish sources are mine.

6. Presidente del Ayuntamiento, Zacapu to Secretaría del Gobierno, Morelia, 26 Feb. 1869, District of Zacapu, vol. 4, Hijuelas, Archivo Histórico del Poder Ejecutivo de Michoacán (hereafter AHPÉM). Unless otherwise noted, all documents can be found in the Hijuelas section of AHPÉM, which is organized by community and district. Some of the documents for Zacapu were misfiled under the districts of Pátzcuaro and Huetamo.

7. In nineteenth-century Michoacán, the term *cabildo* was used to refer to *los principales*, male village elders who had fulfilled the highest-ranking religious *cargos* and thereby acquired positions of religious and political authority within the community. Until the liberal reparto, rights to communal property were generally allocated by the *cabildo*.

8. Presidente del Ayuntamiento, Zacapu to Secretaría del Gobierno, Morelia, 26 Feb. 1869, District of Zacapu, vol. 4.

Lerdo of 1856, for example, required that almost all property belonging to civil and ecclesiastical corporations be sold to its current tenants or occupants. Unleased property or that not claimed by tenants or occupants within three months was to be sold at public auction to the highest bidder. The wording of the law was relatively straightforward with respect to church property, much of which was leased to tenants. But the law generated great confusion with respect to communal property, which included cultivated land farmed by individual families under use rights (*tierras de común repartimiento*), communally exploited pastures and woodlands (*ejidos* and *montes*), and lands leased to tenants to finance civil expenses and religious practice (*propios*).

The Ley Lerdo could be and often was interpreted to mean that peasants were required to claim explicitly and pay for the communal lands that they were already cultivating under use rights and that outside tenants might claim ownership of the lands that they were renting from the community. The status of communally exploited woodlands and pasture was even less clear. Lacking individual occupants and tenants, it might be subjected to sale at public auction as unleased corporate property or identified (*denunciado*) and claimed by individuals. A further source of confusion lay in which forms of communal land were subject to privatization. The language of Articles 1 through 7 of the Ley Lerdo could be interpreted to include all property with the exception of the *fundo legal*, or townsite. But Article 8 explicitly exempted from privatization "buildings, ejidos, and lands dedicated exclusively to the public service of the towns to which they belong" (cited in Fraser 1972, 633). This clause was a source of ongoing negotiation: even as communities agreed to privatize the *tierras de común repartimiento*, they often claimed that pasture, marshlands, and woodlands were not subject to the law.

The ambiguities of the Ley Lerdo and the conflicts generated by these ambiguities required countless clarifying decrees and circulars over the course of half a century. The distinction between leased and unleased communal land proved a particular problem for the communities because few peasants considered themselves to be "tenants" who should apply for ownership of their property and the law permitted outsiders to identify and purchase any land not claimed by tenants or occupants after three months.⁹ In an early circular of 9 October 1856, Miguel Lerdo de Tejada as-

9. In a 1902 letter, the Secretaría de Hacienda acknowledged that the Ley Lerdo had generated considerable conflict and confusion by not providing clear instructions as to the privatization of unleased communal properties, thus allowing outsiders to identify and claim such land. The ministry's position at that point was that outsiders other than tenants could not claim communal land. Any unleased land and rented land not claimed by tenants was to be divided among the members of the community. Secretaría de Hacienda, Mexico City, to Governor of Michoacán, Morelia, 3 Aug. 1902, San Juan Parangaricutiro, District of Uruapan, vol. 23.

served that because the law was intended "to favor the most humble classes," peasants should receive the lands they farmed under use rights unless they specifically waived their rights to these parcels. All plots valued at less than two hundred pesos were to be adjudicated automatically to their occupants at no charge (Mallon 1995, 98–99). Subsequent circulars consistently upheld the right of tenants to identify and purchase any lands rented from the communities (Powell 1972, 659). The status of communal pasture and woodlands remained unclear for some time. In some cases, these lands were treated much like cultivated land and divided among community members, while in others they were declared to be unleased corporate property and sold at public auction or to whomever had identified and claimed them (Fraser 1972, 640–41). The Ley Lerdo, rooted in an ideology that viewed the community as an impediment to individual freedom and reflecting a considerable lack of clarity as to how communal lands were used in practice, thus threatened peasants with dispossession of a significant part of their holdings, even without the fraud and coercion that so often accompanied the reform process.

The status of communal property was debated throughout Mexico in the constituent assemblies held at the state and national levels in the years following independence. Many state legislatures, including that of Michoacán, passed laws mandating the privatization of communal lands as early as the 1820s. These laws were not widely implemented, however, because state governments were far too weak to overcome widespread popular opposition to the reparto (Fraser 1972).¹⁰ Although the Ley Lerdo established the privatization of communal lands as a national policy in 1856, most Michoacán communities managed to avoid its implementation throughout the civil wars that followed the promulgation of the Constitution of 1857. It was not until liberals regained control of the state under the República Restaurada (1867–1876) that the communal property regime began to be dismantled systematically in Michoacán. The process accelerated and intensified during the Porfiriato as a result of national land laws and development policies that increased the commercial value of communal holdings and raised the stakes of community resistance to their division and privatization. For example, the 1883 law on *terrenos baldíos* authorized surveying companies to measure "unclaimed land" or "public land" without private title. One-third of the land surveyed was then granted to the companies and the remainder auctioned off by the government. An 1894 law declared that all land not clearly held under a legally recognized title should be considered "public" and might be sold to any individual who identified and claimed it as such. This law was sometimes

10. The Michoacán state legislature passed two reparto laws, one in 1827 and a second in 1851, neither of which was widely implemented.

invoked by landowners and speculators claiming land held under corporate title by the juridically extinct "*ex-comunidades*" of Indians.¹¹

In Michoacán the state government began to apply sustained pressure on the Indian communities to privatize their communal holdings in late 1868, shortly after the liberals regained power at the national level. District prefects throughout the state were instructed to convene meetings in all communities with communal property to explain the legal procedures involved in the reparto. Prefects were also directed to hold elections for the legally mandated local privatization commissions, which were to compile a census, survey and map out all communal lands, and divide them into parcels of equal value for distribution under private title. To encourage communities to carry out the reparto as quickly as possible, a new state property tax was established on all undivided communal land at a rate of ten pesos per thousand pesos of assessed value. At the same time, state tax officials often doubled or tripled the assessment of lands subject to the new tax. This tactic forced communities to privatize their lands to avoid such onerous taxation or allowed state officials to seize communal property for nonpayment of back taxes and auction it off, generally to neighboring haciendas. In cases where communities continued to refuse to carry out the reform, an 1868 decree granted the state government extraordinary powers to bypass legal procedures and privatize communal holdings despite local opposition. An 1887 decree deprived communities of their legal identity and along with it the capacity to defend land claims through litigation. Finally, a new reparto law was enacted in 1902, the first state law to include explicitly all forms of communal property as subject to privatization, including pastures, woodlands, and the fundo legal or townsite. The same law authorized the government to appoint a privatization commission if the communities refuse to do so. The increasingly coercive nature of the state's reparto legislation reflected the widespread and concerted opposition to the reform.

POPULAR RESPONSES TO THE REPARTO: RESISTANCE, NEGOTIATION, AND ACCOMMODATION

Popular responses to the liberal reparto varied considerably across localities and over time in Michoacán, underscoring the difficulty of gen-

11. The degree to which communal lands were alienated through the *terrenos baldíos* laws of the Porfiriato is subject to dispute. Simpson articulated the orthodox position on the subject, stating that the 1883 law "started an era of land grabbing and speculation that in a few years reached enormous proportions" (1937, 27). Recent work by Holden (1994) contradicts this view, arguing that Porfirian officials tended to respect community land claims in implementing the baldíos laws. The care with which state authorities treated a denunciation of communal lands in San Juan Parangaricutiro suggests that, at least in some cases and under some conditions, peasant claims were taken seriously during the Porfiriato.

eralizing about the relationship between Indian communities and the state in liberal and Porfirian Mexico.¹² Some communities welcomed the reform. The residents of Santiago Tomatlán, for example, carried out the reparto in relatively short order and without apparent incident between 1869 and 1872. They viewed private titles as a source of protection against the encroachments of neighboring haciendas.¹³ Elsewhere, however, resistance to the reform was as ubiquitous as it was varied. Privatization of communal lands meant that communities were no longer able to prevent individuals from alienating land to outsiders. The loss of juridical status as corporate entities hindered the communities' capacity to engage in litigation to recover lands lost to neighboring landowners or other communities. Given the ambiguities in the legislation as to which communal lands were subject to privatization and who might make claims on such lands, the reform threatened communities with the loss of their woodlands and pasture as well as lands leased to tenants to finance civil expenses and religious practice. Finally, the reform transferred control over communal resources from locally recognized religious and political authorities (the *principales* of the cabildo) to state-mandated privatization commissions, whose members were often imposed by the district prefect or other state authorities. In short, the liberal land reform entailed a significant increase in state intervention in the regulation of property rights within the Indian communities as well as in the organization of religious practice and the structure of local political authority. In resisting the reform, peasants were attempting to retain local control over the definition and distribution of property rights and to defend the existence and autonomy of local institutions more generally.

Such resistance never pitted a unified and undifferentiated community against a monolithic state unequivocally allied with large landowners. The liberal reparto unleashed intense factional conflict, dividing communities in their response to the reform. The nature and dynamics of this factional conflict depended on the distribution of political power within the communities, the extent to which communal resources were allocated in a reasonably equitable fashion, and the existence of factional al-

12. The degree of popular support for and opposition to liberalism remains a source of debate, particularly in the period prior to the Porfiriato. Fraser (1972), Powell (1972), Meyer (1972, 1984), and Tutino (1986, 1988) have all depicted a liberalism aimed at the deliberate destruction of the landed bases of the Indian communities and popular resistance and rebellion. Mallon (1994, 1995) and Thomson (1991a, 1991b) have argued that Mexican liberalism generated widespread popular support, highlighting the extent to which peasants actively participated in defining and shaping its discourse and practice.

13. See Sánchez Díaz (1988, 31–32). State authorities in Michoacán did little to enforce the Ley Lerdo until late 1868. Some communities carried out a partial reparto of their communal lands in response to the 1827 state law. As will be discussed, the Indian community of Zacapu claimed to have complied with the 1827 law in the course of its resistance to the Ley Lerdo. State officials denied the existence of any official documentation of the earlier reparto.

liances with powerful outsiders. In cases where economic and political power were concentrated in the hands of a narrow group within a community, excluded individuals and factions might press for the liberal reform to be carried out in order to gain more secure access to communal resources. More often in Michoacán, intra-community conflict involved a majority faction opposed to the reform, led by the religious and political authorities of the *cabildo*, united against a minority faction that was attempting to take advantage of the many opportunities for fraud and abuse in the privatization process. Such factional conflict frequently had an ethnic dimension, as when the minority faction was led by local mestizo elites who used their ties with outsiders to gain control over resources previously (if only partially) protected from alienation through the communal property regime.¹⁴

A common type of fraud was to allocate a disproportionate share of the best land to community members who had previously agreed to sell their parcels to outsiders. Another was to exclude some land from privatization so that it could later be "denounced" under the terms of either the Ley Lerdo or the 1894 law on *terrenos baldíos*. Lands that had previously been usurped by individual community members, local mestizos, or outsiders might also be excluded, thereby formalizing such dispossession. Compilation of the community census frequently occasioned great conflict because it yielded the list of individuals who had rights to a share of communal property. In protesting the process through which the privatization was carried out, nearly all communities claimed that outsiders without rights were included in the census while community members with rights were excluded.¹⁵

14. The status of mestizos in the *reparto* was often a source of conflict. The Indian community was a juridical and political entity rather than a territorial one. Membership was a contested issue. Mestizos might claim membership in the community and rights to communal property. They often exercised considerable political power in the community by virtue of their economic roles as landowners, merchants, and moneylenders and their ties to outside landowners and state officials. In the community of Naranja, for example, local mestizo elites (the Mata family) colluded with outside landowners (the Noriega brothers) in disposing communal lands. The Matas had the support of a small number of community members. In protesting the participation of the Mata family in the *reparto* process, other members of the community argued, "These gentlemen are residents [*vecinos*] of the village without being Indians, and for that reason we do not believe that they have the same rights as us with respect to communal property." See Residents of Naranja to the Governor of Michoacán, Morelia, 1 Apr. 1899, Naranja, District of Pátzcuaro, vol. 8.

15. Such frauds and irregularities were often the basis of petitions for restitution of communal land under the revolutionary agrarian reform law of 6 Jan. 1915. The community of Santiago Tuxpan, for example, charged that local elites had alienated communal land to outsiders in the course of the *reparto*, while that of San Felipe y Santiago argued the illegality of sales to the district prefect. The first restitution was denied for lack of proof, the second on the grounds that the 1915 law exempted parcels of fewer than fifty hectares that had been held for more than ten years from restitution claims, however illegal their origins. See *Resoluciones Presidenciales, Santiago Tuxpan, Comisión Nacional Agraria (CNA) vol. 10, Archivo*

The case of San Pedro Caro, located near Lake Chapala in north-western Michoacán, was fairly typical of these types of fraud. In 1902 David Méndez, a lawyer charged with overseeing the privatization, reported that it had been completed "without difficulties, except for a self-interested and insignificant opposition."¹⁶ Despite his assurances, the Secretaría del Gobierno in Morelia received numerous complaints of fraud and irregularities from community members. Some claimed that most of the best land went to individuals who had already sold their shares to outsiders or promised to do so after privatization. In this fashion, the owners of the nearby Hacienda of Guaracha had managed to acquire large tracts of communal land claimed to be "a hundred times better" than that received by the peasants who would not sell. They were left with "land so poor that it is not even good for pasture."¹⁷ According to other complaints, the parcels were all of equal size, even though they differed vastly in quality. Moreover, outsiders were included in the census while community members with legitimate rights were excluded. Mestizo families without rights received land, one of their members having served on the local privatization commission. Most important, it was not clear whether the marshlands along the shores of Lake Chapala had been divided, much less equitably. Only five or six private titles had been issued, even though the marshlands made up over half of the communal holdings of the community.¹⁸ All the complaints received by the Secretaría del Gobierno were sent to the Jiquilpán district prefect for investigation. An ally of Méndez, he invariably reported that they were groundless. State officials formally approved the privatization of San Pedro's communal lands in 1903. Disregarding the reported irregularities, the Secretaría del Gobierno informed the protesting peasants that, according to the district prefect, "the privatization was done with equity, since no one with rights to land was omitted,

General de la Nación (AGN); and Resoluciones Presidenciales, San Felipe y Santiago, CNA, vol. 16, AGN.

16. David Méndez to the Secretaría del Gobierno, Morelia, 21 June 1902, San Pedro Caro, District of Jiquilpán, vol. 5.

17. José Martínez Ramírez and other residents of San Pedro Caro to the Governor of Michoacán, Morelia, 20 June 1902, San Pedro Caro, District of Jiquilpán, vol. 5. On the Hacienda of Guaracha, see Moreno García (1994).

18. Residents of San Pedro Caro to the Secretaría del Gobierno, Morelia, 2 July 1902, San Pedro Caro, District of Jiquilpán, vol. 5; Presidente del Ayuntamiento, Sahuayo, to Secretaría del Gobierno, Morelia, 18 July 1902, San Pedro Caro, District of Jiquilpán, vol. 5; José Jesús Martínez to Governor of Michoacán, Morelia, 9 Sept. 1902, San Pedro Caro, District of Jiquilpán, vol. 8; Residents of San Pedro Caro to Governor of Michoacán, Morelia, 19 Aug. 1902, San Pedro Caro, District of Jiquilpán, vol. 8; Residents of San Pedro Caro to Secretaría del Gobierno, Morelia, 2 Sept. 1904, San Pedro Caro, District of Jiquilpán, vol. 3; and Prefecto, Jiquilpán, to Secretaría del Gobierno, Morelia, 2 Mar. 1905, San Pedro Caro, District of Jiquilpán, vol. 3.

no one without rights was included, nor was any land left undivided and undistributed."¹⁹

Protests registered by community members after the reparto had been finalized rarely succeeded, particularly when powerful landowners had benefited from the process. Many of the rebellions generated by the liberal reform erupted after years of attempts to rectify fraudulent dispositions through legal channels.²⁰ Efforts to delay the reparto or modify its terms according to local norms and institutions had a much greater chance of success. Community members and their legal representatives almost always addressed their concerns to the governor. In his name, the Secretaría del Gobierno would instruct the district prefect to instruct the municipal president to investigate the matter at hand. The municipal president then reported back to the district prefect, who in turn reported back to the Secretaría del Gobierno, which either rendered a decision or forwarded the matter to the governor. On occasion, the legal issues became so muddled or the matter was of such great importance that the Secretaría del Gobierno in Morelia petitioned the Secretaría de Hacienda in Mexico City for clarification. At the least, the process took considerable time, affording numerous opportunities for delays and circumventions. At best, state officials sometimes addressed peasant concerns over various sorts of frauds, abuses, and legal issues. The Porfiriato may have been characterized by *mucha administración y poca política*, but the attention paid to legal routines and administrative minutia by state officials, pro forma as it often was, allowed for a good deal of resistance and negotiation at the local level.

Community letters to state officials were almost always prefaced by formulaic expressions of respect for state authorities and assertions of the peasants' willingness, even eagerness, to comply with the terms of the law, and they ended with long explanations of delays and requests for further information or action on the part of state officials.²¹ In the following letter, the legal representatives from the Purépecha communities in the highlands around Uruapan managed to both convey and deny opposition to the reform while stressing respect for the authority of the state:

19. Secretaría del Gobierno, Morelia, to Prefecto, Jiquilpán, 26 Mar. 1902, San Pedro Caro, District of Jiquilpán, vol. 8; and Secretaría del Gobierno, Morelia, to residents of San Pedro Caro, 19 June 1903, San Pedro Caro, District of Jiquilpán, vol. 8.

20. See, for example, the cases of Churumuco (Sánchez Díaz 1982, 1988) and Coalcomán (Brand 1960; Sánchez Díaz 1988; and Cochet, Léonard, and Damien de Surgy 1988).

21. Exceptions certainly existed, as in the case of the coastal community of Pómaro. In protesting state efforts to force implementation of the reparto by assessing higher property taxes on undivided land, residents stated that the government "is forcing us, or, rather, trying to force us, to divide among ourselves the lands that belong to the community, and this division will cause the complete ruin of the Indians, we will be left completely destitute [P]roven examples of this exist in all the communities that have been divided, and now their members find themselves in poverty and have to beg for the bread with which to sustain

If we were to heed only [the Indians'] wishes, we would ask that the legislature repeal this law that prohibits the existence of the communities and mandates the division of their property. There may be many reasons for such a request, but these have already been examined and rejected many times, it being determined that the reform is in the public interest, and in the private interests of the Indians. . . . [The Indians] respect this decision, and do not in any way wish to frustrate the aims of the legislation, and in spite of their desire to continue as communities, they have decided to request only a sufficient period of time to divide their lands in a beneficial way.²²

Peasants and their representatives often made generous use of liberal discourse with respect to individual liberty and appealed to liberal racism in explaining the need for delays and extensions. The legal representatives cited above, for example, argued that until the "ignorance" of the Indian peasants was overcome, the liberal reform could not have the intended effect of increasing individual liberty and productivity: "Unfortunately, their scant intelligence and the ignorance in which they live does not allow them to recognize the advantages they can expect from the reform. . . . As long as the Indians are unable to understand the advantages of small holdings, the reform will be harmful and ruinous."²³

Repeated requests for delays and extensions were probably the most common way of resisting the implementation of the reform. Given the complexity of the legislation and of property rights and disputes in the communities, countless justifications for delays and extensions could be found. Another common tactic entailed titling communal land in the name of one or more individuals, often by proclaiming such land as without legal title (under the 1894 law on *terrenos baldíos*) or as unclaimed or unleased communal property (under the 1856 *Ley Lerdo*). This tactic allowed communities to obtain legal titles without altering *de facto* property rights. This approach was particularly risky because such individuals often proved to be unreliable. For example, the Indian community of San Francisco (Uruapan) privatized some of its land in 1872, claiming the right to maintain five thousand hectares of pasture and woodlands as communal property under the terms of the *Ley Lerdo*. Twenty years later, after Porfirio Díaz had decreed that all communal lands were subject to privatization, forestry companies and external landowners threatened to identify and claim these lands as untitled property. To protect the prop-

their families. . . . [W]e oppose the division of our lands." See Residents of Pómaro to Governor of Michoacán, Morelia, 19 Jan. 1905, Pómaro, District of Coalcomán, vol. 2.

22. Representatives of Zacán, Zirostro, Paracho, Cherán, Nahuatzen, Tancítaro, Apo, Peribán, Paricutín, Pamatácuaro, Angahuan, Aranza, Sevina, Corupo, Parangaricutiro, and Tinguindín to the Governor of Michoacán, Morelia, 12 June 1869, District of Uruapan, vol. 21.

23. *Ibid.*

erty, according to community members, "we viewed ourselves as obliged to simulate a sale" of the land to one Agustín Martínez Anaya. But far from conserving communal land rights, Martínez began to sell off the five thousand hectares to outsiders in parcels of various sizes. According to the community's 1916 petition for restitution of its communal lands, "Our kindhearted benefactor is currently transformed from [a life of] poverty to opulence, enjoying a life of leisure with the property of the village. . . ."24

By the end of the nineteenth century, many communities were finally forced to privatize their communal lands due to the combined pressures of property taxes assessed on undivided property, state foreclosures for nonpayment of such taxes, and "denunciations" or outright seizures by outside landowners. The residents of Tarejero, for example, gave up their decades-long effort to resist the reparto in 1896, "as much to comply with the law as to avoid the advances continually made . . . by neighboring haciendas."²⁵ When forced to implement the reform, however, many communities attempted to retain at least some degree of local control over the process. In Tarejero, peasants tried to protect their claim to lands in litigation against the haciendas of Cortijo and Bellas Fuentes by including the disputed properties in the reparto, but they had little success.²⁶ The residents of nearby Tiríndaro first attempted to delay the reparto until legal decisions had been rendered with respect to lands in litigation with neighboring haciendas and communities. They subsequently claimed that most of their land had been privatized "since time immemorial," the ejidos and marshlands remaining communal in accordance with the wishes of the community. Informed by state tax officials that no official record existed of an earlier reparto, residents responded that "by making use of the liberties conceded to us by the Supreme Government, we had carried out the division of our properties by ourselves."²⁷ The residents of San Pedro Caro also tried unsuccessfully to maintain communal usage of their pas-

24. Petition of the Indian Community of San Francisco de Uruapan for the restitution of communal lands, 18 Apr. 1916, published in the *Periódico Oficial del Estado de Michoacán*, vol. 57, 19 May 1927, AHPHM.

25. Sixto Maya and Buenaventura Tellez to Governor of Michoacán, Morelia, 25 Apr. 1896, Tarejero, District of Zacapu, vol. 6.

26. Prefecto, Zacapu to Secretaría del Gobierno, Morelia, 1 June 1896, Tarejero, District of Zacapu, vol. 6. Conflicts between the community and neighboring haciendas held up the reparto for another ten years. It was finally verified by state authorities in 1906, the community having lost almost all its land to the haciendas. See Secretaría del Gobierno, Morelia, to Prefecto, Zacapu, 30 Nov. 1906, Tarejero, District of Huetamo, vol. 1.

27. Felipe Atanacio to Governor of Michoacán, Morelia, 14 Apr. 1869, Tiríndaro, District of Pátzcuaro, vol. 9; Felipe Atanacio to Governor of Michoacán, Morelia, 17 Jan. 1871, Tiríndaro, District of Pátzcuaro, vol. 9; Secretaría del Gobierno, Morelia, to Felipe Atanacio, 19 Mar. 1871, Tiríndaro, District of Pátzcuaro, vol. 9; and José Natividad Baltasar to Governor of Michoacán, Morelia, 31 July 1902, Tiríndaro, District of Pátzcuaro, vol. 9.

PRIVATIZATION OF COMMUNAL LANDS IN MICHOACAN

ture and woodlands, arguing that their privatization would "in no way be advantageous and would cause great harm to the community, with the land perhaps falling into the hands of a single person."²⁸

Despite increasing state pressure to carry out the privatization of communal lands throughout the Porfiriato, implementation of the Ley Lerdo remained partial and contested on the eve of the revolution. The next section will provide a brief overview of nineteenth-century agrarian development in Michoacán, highlighting regional variations in the extent to which Indian communities were able to preserve their holdings against expanding haciendas and *ranchos* (private smallholdings). The following two sections will examine the politics of privatization at the local level in two Purépecha communities: the Indian community of Zacapu, which resisted the reparto for several decades but lost much of its land in the process; and San Juan Parangaricutiro, in the Uruapan highlands, which survived the Porfiriato with its extensive and increasingly valuable woodlands under communal control.

AGRARIAN DEVELOPMENT IN NINETEENTH-CENTURY MICHOACAN

Along with Guanajuato to the north, Michoacán suffered considerable economic destruction and social dislocation during the Wars of Independence from 1810 to 1821. The Tierra Caliente and the Bajío, regions where most of the state's haciendas were concentrated, were particularly hard hit. Once the wars were over, Michoacán landowners faced trying times. Many found their properties in ruins and were forced to default on loans owed to the Catholic Church, Mexico's main financial institution at the time. After a brief period of economic recovery and growth in the 1840s and early 1850s, the liberal reforms and the great economic destruction of the civil wars that followed generated a second wave of hacienda bankruptcies. These led in turn to the proliferation of ranchos in some parts of Michoacán. The hacienda economy began to recover once more in the early years of the Porfiriato and boomed toward the end of the century. In this era, the construction of railroads, the expansion of other infrastructure, and the establishment of new financial institutions made it possible for landowners to take advantage of growing markets for commercial estate production (Chowning 1984, 1990, 1992).

Their entrepreneurial efforts were greatly facilitated by sympathetic state governments, particularly that of Governor Aristeo Mercado (1891–1911). Most notably, state officials facilitated the territorial expansion of the haciendas, often at the expense of neighboring Indian communities, through the legal and illegal application of the Ley Lerdo of 1856 as well as the 1883 and 1894 baldíos laws. Yet hacienda expansion in Michoacán

28. Community *acta*, 23 Jan. 1879, San Pedro Caro, District of Jiquilpán, vol. 9.

cán was still limited on the eve of the revolution in comparison with other regions of Mexico. Moreover, it was far from uniform across the state. Implementation of national and state policies on property rights and economic development varied widely according to local politics and agrarian configurations, leaving diverse legacies of conflict and institutional change at the local and regional levels.

Michoacán can be divided into four general regions based on geography and agrarian history. The Lake Chapala and Bajío region forms a thin and relatively flat band running along the north and northwest part of the state. Predominantly mestizo in ethnicity and culture, this region was dominated by haciendas in the fertile valleys and by *ranchero* communities in the more marginal highlands, particularly in the northwestern corner of the state. A few Indian communities, including San Pedro Caro, existed in the immediate vicinity of Lake Chapala. Many lost their communal property to *ranchero* colonists and expansionary haciendas as the extensive marshlands of the lake region were drained and brought into agricultural production at the end of the Porfiriato. Once linked via railroad to the Guadalajara and Mexico City markets, the *hacendados* and *rancheros* of the Michoacán Bajío and Chapala region began commercial production of livestock, wheat, corn, and garbanzos (Michoacán 1958; González 1968, 1979; Chowning 1984, 1992; Embriz Osorio 1984).

Michoacán's Purépecha population is concentrated in the second major region of the state, the central highlands and the areas adjacent to Lake Pátzcuaro and the Zacapu marshlands. Created by a volcanic axis running west to east across the state, the central highlands are mountainous, forested, and poor in topsoil and were therefore unattractive to nineteenth-century landowners and *rancheros* interested in commercial livestock and crop production. Highland Indian communities engaged in subsistence agriculture in the small valleys between volcanic peaks, supplementing incomes with artisan production and the rental of communal woodlands to (often foreign) timber companies. Their counterparts near Lake Pátzcuaro and the Zacapu marshlands faced much greater pressure from expanding haciendas and ranchos, a process that began in the colonial period and intensified greatly in the last quarter of the nineteenth century. In this predominantly indigenous region, the course and outcome of conflicts varied considerably, as will be evident in the two case studies that follow. The Purépecha communities of the Zacapu marshlands and many of those around Lake Pátzcuaro lost their communal lands to neighboring haciendas and ranchos, through either the liberal land reform or various deals made between the Porfirian government and the *hacendados* on the drainage and sale of marsh lands. The communities of the highlands were much more successful in resisting the liberal land reform. In this region, increasing internal differentiation, conflicts with timber companies, and intercommunity conflicts over boundaries

were much more typical than loss of communal lands to outside landowners (Michoacán 1958; Carrasco 1976; Espín Díaz 1986).

The third major region of the state is the Tierra Caliente. Sparsely populated before and after the conquest, this vast region in the center and center east of Michoacán had been dominated by large haciendas since the colonial period. With irrigation from the large number of streams throughout the Tepalcatepec and Balsas river basins, Spanish and mestizo colonists produced rice, sugar, and livestock. Little was marketed outside of the region, however, until the last quarter of the nineteenth century, when the Italian Cusi brothers purchased several large haciendas and converted them into commercial producers of rice and other crops (González 1971). Other commercial haciendas were also established in the Tepalcatepec river valley in this period. They raised corn, wheat, sugarcane, rice, and sesame and drew migrant labor from the recently dispossessed communities of the Purépecha region (Embriz Osorio 1984). The expansion of large-scale commercial agriculture occurred to some degree through the purchase of noncommercial haciendas. But expansion also occurred at the expense of the existing Indian communities in the region. Following the implementation of the liberal land reform laws in the last quarter of the nineteenth century, most of the indigenous peasants of the Tierra Caliente lost their lands (González 1971).

The fourth major region of Michoacán consists of two distinct zones: the southern highlands and the coastal lowlands of what was formerly the district of Coalcomán. Largely inaccessible until well into the twentieth century, the region contained relatively few haciendas. They were concentrated in the lowland region of what is now the *municipio* of Coahuayana. Ranchero communities predominated in the highlands of Coalcomán, the mestizo colonists having acquired their small holdings through the legal and illegal dispossession of communal lands. The Indian communities along the coast, in contrast, were far more successful in retaining their considerable communal lands under increasing pressure from several groups: new mestizo colonists hoping to establish small holdings, timber and mining companies, and landowners expanding production of sugarcane, coconuts, coffee, cotton, and livestock (Brand 1960, Sánchez Díaz 1988). As in the Purépecha highlands, most of the agrarian conflicts in the coastal region during the nineteenth century involved inter-community boundary disputes rather than conflicts between communities and external landowners.

The Indian Community of Zacapu

Zacapu's struggle to retain control over its communal lands began long before the liberal reform of the nineteenth century.²⁹ During the colo-

29. The town of Zacapu, political center of the district and *cabecera* of the *municipio* of the

nial period, probably during the first half of the seventeenth century, the Indian community of Zacapu applied for and received a *título de composición* confirming its ownership of twenty thousand hectares of communal land.³⁰ By the beginning of the nineteenth century, a good deal of this land had undoubtedly gone into the hands of neighboring landowners, given that the community engaged in longstanding litigation with the haciendas of Zipimeo, Bellas Fuentes, and El Cortijo.³¹ On visiting the region toward the end of the colonial period, a royal inspector noted that Don Diego Sánchez Piña Hermosa had seized the best communal lands for expansion of his hacienda, leaving the Indians with the least productive lands furthest from the town. According to the inspector, these actions had resulted in “incessant disagreements and repeated outrages, even violence” (Bravo Ugarte 1960, 49).

The same inspector also noted that Zacapu’s 187 Indian families had retained enough communal property to support religious practice, a school, a teacher, and a priest as well as the substantial livestock holdings of the community’s three *cofradías*. In 1869 the municipal president of the *ayuntamiento* of Zacapu reported that the Indian community possessed “vast lands,” but he pointed out that some of the best land had been rented, mortgaged, or sold to outsiders. According to the municipal president, Zacapu’s communal lands were worth a hundred thousand pesos.

same name, was predominantly mestizo in population. The Indian community thus made up only a minority of the population, existing as a distinct juridical and political entity with its own corporate property. Unless otherwise noted, the name Zacapu will be used to refer to the Indian community. The revolutionary agrarian movements in the municipio of Zacapu are depicted in Friedrich’s rich monographs, which focus on the indigenous *tenencias* of Naranja, Tarejero, and Tirindaro (Friedrich 1977, 1986). Basing his argument primarily on oral histories, Friedrich touched only briefly on the nineteenth-century reparto and replicated what had become one version of “conventional wisdom” by the 1920s: the communities had lost their communal lands to the Noriega brothers at the end of the century. While acknowledging the role of mestizo families in the dispossession, this account downplays the depth and endurance of factional conflict within the communities, conflicts between communities, and the length of the struggle, which began well before the Noriegas arrived in the region. Friedrich’s version also ignores the complex roles played by local and state officials, some of whom responded to community grievances, a crucial factor in explaining how the reparto was delayed for some thirty-five years in Zacapu.

30. Resoluciones Presidenciales, Zacapu, 8 Oct. 1925, CNA, AGN. The *título de composición* is cited in the 1925 presidential resolution as a response to a royal circular of 1836. Given this error, the date of the document is uncertain. Beginning in 1591, the Spanish Crown began to require the confirmation of all colonial land titles (Chevalier 1963, 266). The document in question is the first to be cited in the resolution, the next document is dated 1661, and all the other documents are cited in chronological order. It therefore seems likely that the royal title was issued at some point during the first half of the seventeenth century.

31. Zacapu, Tierras, AGN, vol. 854, exp. 2, 1759–1767; vol. 1223, exp. 2, 1792–1802; and vol. 2726, exp. 18, 1572–1791.

He thought it would be relatively easy to carry out the privatization but mentioned that it was opposed by some members of the *cabildo*.³²

Opposition was in fact widespread within the community. In numerous letters directed to state officials, community leaders and their legal representatives expressed concern that privatization of their communal lands would entail the definitive loss of lands in litigation with neighboring haciendas and communities, given that these lands could not be included in the process until a legal decision had been rendered. In the last quarter of the nineteenth century, Zacapu was engaged in boundary disputes with the municipal government of Purépero, with the Indian communities of Ichán, Tacuro, Carapan, and Cherán, and with numerous owners of nearby ranchos and haciendas.³³ Residents were concerned that the reform would allow long-term tenants to claim ownership of rented lands and that it would legitimate previous unauthorized alienations of communal land by individual members of the community to outsiders. As one community leader observed, "A large part of the land that should be privatized is not under the control of the Indians because the usufructaries of these lands have alienated them to various mestizos, pawning them or through long-term rental agreements with the rent paid in advance."³⁴ Community members were also worried that their mestizo neighbors would acquire further communal land by claiming to have rights to lands privatized in the reform as residents of the town of Zacapu.³⁵ Finally, expense was a significant concern. Although community members did not have to pay for the land itself, under the terms of the circular of 9 October 1856, outsiders appointed by the government to the local privatization commission often charged substantial fees for their work in compiling the census, surveying the lands, and preparing and distributing the new private titles. The state government also required a small but onerous fee for processing titles.³⁶

32. Presidente del Ayuntamiento, Zacapu, to Secretaría del Gobierno, Morelia, 26 Feb. 1869, Zacapu, District of Zacapu, vol. 4. In referring to Zacapu's "*inmensos terrenos*," the municipal president was comparing them with the much less significant holdings of the other communities in the region.

33. Bruno Patiño to Governor of Michoacán, 15 Jan. 1869, Zacapu, District of Zacapu, vol. 4; and Sacramento Torres Yáñez and Eduvirgis Martínez to Secretaría del Gobierno, Morelia, 31 Dec. 1893, Zacapu, District of Zacapu, vol. 3. Although conflicts between *cabeceras* and their subordinate *tenencias* were extremely common, none of the communities mentioned fell under the jurisdiction of the *municipio* of Zacapu. The dominant political status of San Juan Parangaricutiro played a role in its ongoing conflicts with the subordinate *tenencias* of Paricutín and Angahuan.

34. Benito Martínez to Secretaría del Gobierno, Morelia, 30 June 1879, Zacapu, District of Zacapu, vol. 4. The peasants' proposal that they simply evict the occupants of such land was rejected by the government, which insisted on the use of legal channels to resolve all conflicts.

35. Presidente del Ayuntamiento, Zacapu, to Secretaría del Gobierno, Morelia, 15 July 1870, Zacapu, District of Zacapu, vol. 4.

36. In Zacapu, for example, Luis Obregón, a government appointee, charged the village

Popular opposition to the reparto was led by the cabildo, with the apparent support of most members of the community. Represented first by Benito Martínez and subsequently by his son Eduvirgis in combination with Sacramento Torres, this faction maintained control over the local privatization commission for much of the time from 1869 to 1904. Without ever opposing the reparto openly, the Martínez faction managed to delay its implementation for decades, through long periods of inaction as well as repeated requests for extensions and authorizations. A central objective of this faction was to recover lands lost through prior sales, rental agreements, mortgages, and dispossessions before implementation of the reparto as well as to prevent outsiders from benefiting from the process. The cabildo's control over communal property implied neither community democracy nor the egalitarian allocation of resources. The principales certainly enjoyed access to a disproportionate share of land, particularly cultivated land. And they sometimes took advantage of opportunities for personal enrichment in the reparto, as when one leader arranged to rent one hundred parcels of land from other members of the community prior to completion of the reform.³⁷ But the members of the cabildo generally did not alienate communal land to outsiders, as did the leaders of the minority faction, thus protecting the landed base of the community from disintegration and maintaining communal usage of pasture, woodlands, and marshland.

A much smaller faction in the community, allied with mestizo elites living in Zacapu and powerful outside landowners, favored implementation of the reparto, largely to take advantage of the many opportunities for fraud and abuse in the reform process. Represented initially by Severiano Valencia and later by José Dolores Heredia, this faction challenged the one led by Martínez for control over the local privatization commission, but without much success until the turn of the century. Meanwhile its members appropriated communal land for themselves and alienated it to their outside allies through illegal or fraudulent sales, rental agreements, and mortgages. For instance, Rafael García Jaso, owner of a nearby rancho and a party to a long-standing legal dispute with the community, acquired land valued at forty thousand pesos after the community failed to repay a "loan" of fifteen hundred pesos arranged by the Valencia-Heredia faction.

almost 1,800 pesos for his work in preparing the survey of the community's lands. See unsigned statement on fees charged by Luis Obregón, 15 June 1898, Zacapu, District of Zacapu, vol. 3. Each individual was charged a fee of 75 *centavos* by the state for the titles. Almost half of the villagers in Zacapu declared themselves unable to pay it. See Memorandum of the Secretaría del Gobierno, Morelia, 17 Mar. 1903, Zacapu, District of Pátzcuaro, vol. 5.

37. State officials informed the villagers that such rental agreements were prohibited until the parcels had actually been defined and distributed. See Dionisio Orozco to the Governor of Michoacán, 13 Oct. 1902, Zacapu, District of Zacapu, vol. 3; and Secretaría del Gobierno, Morelia to Dionisio Orozco, 7 Nov. 1902, Zacapu, District of Zacapu, vol. 3.

Eduardo and Alfredo Noriega gained control of some communal property in the Zacapu marshlands through state auctions and outright seizures, but they acquired even more through fraudulent deals struck between their legal representatives and community members allied with Heredia.³⁸ Thus by the time the Valencia-Heredia faction gained control over the local commission at the turn of the century, the community had far less land to privatize than in 1869, largely because of the many alienations arranged by the minority faction.

In 1869 the community of Zacapu, under instructions from the district prefect, initiated the process through which the privatization of communal lands was to be carried out by choosing the members of the local commission who would compile the census, survey the lands, and prepare and distribute the individual titles. Soon after this initial meeting, however, a community representative informed state officials that the reparto had raised a number of complex issues with respect to lands in litigation, the legal standing of the community and its right to pursue land claims through litigation in the future, and the rights of community members who had received parcels in an earlier reparto. Once these issues were resolved, according to the representative, the Indians would carry out the reparto in short order.³⁹ Little was accomplished until 1875, at which point the community census was completed and published in accordance with the law. The district prefect was optimistic that the matter would proceed in a timely fashion: "The Indians are enthusiastic and are resolved to finish the work as soon as possible, as much to comply with the law as to avoid the imposition of property taxes and to improve their interests."⁴⁰ Two years later, the prefect was less sanguine because no further work had been carried out after the census was published. One reason was the lack

38. García was also granted power of attorney by the minority faction, and in this capacity, he arranged a number of rental agreements that violated local norms regarding access to communal pastures and woodlands. In light of García's many abuses, a visiting tax official noted, "the Indians have been the victims of the bad faith of their legal representative because far from promoting their interests, he has used his legal powers to extract from them as much as possible and retain for himself the best of their property." See Agustín Pérez to the Governor of Michoacán, 4 Feb. 1894, Zacapu, District of Zacapu, vol. 3.

39. Bruno Patiño to Governor of Michoacán, 15 Jan. 1869, Zacapu, District of Zacapu, vol. 4. Members of the community periodically claimed that an earlier reparto had been carried out at some point during the 1830s and in accordance with the state law of 1827. This may have been the case, although state tax officials denied that any official record of the reparto existed and claimed that the community had always paid taxes on corporate property and not on private property. The community may have been referring to the *tierras de común repartimiento*, a de facto form of private property that were farmed by individual families under long-standing usufruct rights. Or this claim may reflect how much of the community's cropland had already been privatized by various means. What is clear is that most of the community's cultivated land was already effectively privatized, even if not legally registered and taxed as such.

40. Memorandum of the Prefecto, Zacapu, 26 Sept. 1875, Zacapu, District of Zacapu, vol. 4.

of resources, the community being very poor, but the real obstacle was the opposition of many residents to the reform itself: "We must battle the steady opposition of a large faction, including the most influential of the Indians, in order to complete the division, which is so necessary, not only to the interests of a great number of the *comuneros* of that community but also to the peace of the region."⁴¹

Shortly thereafter, the Valencia-Heredia faction launched a concerted effort to gain control over the local privatization commission, protesting the inaction of Martínez and attempting to enlist the aid of state officials in expediting the reparto.⁴² In 1879, for example, Valencia informed state officials that the reform had been impeded by "the tenacious opposition of some of the Indians of the community," and he requested "the assistance of the authorities and the support of an armed force" to carry out the reparto.⁴³ Valencia and his allies protested the commission's inaction again in 1882, arguing that their enemies had taken advantage of "the general ignorance and poverty of our race" in blocking the privatization. They proposed that a new reparto commission be chosen, the two factions in the community appointing one member each, and the third to be appointed by state officials.⁴⁴ Sacramento Torres Yáñez, writing on behalf of the Martínez faction, denied that the community was divided into relatively even groups, claiming that of the five hundred residents with rights to communal property, only twenty or so supported Valencia.⁴⁵ After a report from the district prefect, the governor agreed with the assessment of Torres Yáñez. New elections were held, in which all of the members of the community were allowed to vote for two of the positions. Benito Martínez was elected once more, along with Pedro Sanhua. State officials appointed Pedro Solórzano as the third member, and the community was granted four months to complete the privatization.⁴⁶

41. Prefecto, Zacapu, to Secretaría del Gobierno, Morelia, 3 Nov. 1877, Zacapu, District of Zacapu, vol. 4.

42. Community acta, 14 Oct. 1878, Zacapu, District of Zacapu, vol. 4; José Dolores Regalado to the Governor of Michoacán, 15 Oct. 1878, Zacapu, District of Zacapu, vol. 4; Secretaría del Gobierno, Morelia, to Prefecto, Zacapu, 31 Oct. 1878, Zacapu, District of Zacapu, vol. 4; Residents of Zacapu to the Governor of Michoacán, 25 Nov. 1878, Zacapu, District of Zacapu, vol. 4; and Benito Martínez to the Governor of Michoacán, 27 Oct. 1885, Zacapu, District of Zacapu, vol. 4.

43. Severiano Valencia to Governor of Michoacán, 15 Feb. 1879, Zacapu, District of Zacapu, vol. 4.

44. Severiano Valencia to Governor of Michoacán, 10 Apr. 1882, Zacapu, District of Pátzcuaro, vol. 7.

45. Sacramento Torres Yáñez to Governor of Michoacán, 19 June 1882, Zacapu, District of Pátzcuaro, vol. 7.

46. Prefecto, Zacapu, to Secretaría del Gobierno, Morelia, 20 June 1882, Zacapu, District of Zacapu, vol. 4; Community acta, 4 July 1882, Zacapu, District of Zacapu, vol. 4; Secretaría del Gobierno, Morelia, to Prefecto, Zacapu, 9 Aug. 1882, Zacapu, District of Zacapu, vol. 4; and

Once the four-month period had passed, Pedro Solórzano informed state officials that the commission had only just secured the consent of the community to proceed with the privatization. The community was granted another extension of three months to finalize the reform.⁴⁷ Five years later in 1887, Benito Martínez reported that little progress had been made, owing to "the division that has arisen between my supporters and those of Señor Don Rafael García Jaso, mine opting for the partition and the others opposing it, without our having been able to reach an agreement to this day." Martínez protested "the multitude of obstacles that have been put in my way by those who oppose the partition" and complained that much of the land subject to privatization had been impounded by state officials for nonpayment of back taxes.⁴⁸

After another six years of inaction, the district prefect was instructed to convene yet another community meeting to elect a new commission and compile a new census of individuals with rights to communal property. The prefect reported that a considerable majority had chosen Sacramento Torres Yáñez and Eduvirgis Martínez, the son of Benito Martínez.⁴⁹ The new commission was granted one year in which to prepare and distribute the titles. At the end of the year, however, the commission requested yet another extension, reporting the existence of numerous boundary disputes with neighboring communities, ranchos, and haciendas. State officials agreed but limited the extension to six months, instructing the commission to exclude any land subject to litigation from the privatization. Boundary disputes continued to impede the commission's progress, as community members remained concerned that any land excluded from the process would be lost to them forever. As the district prefect reported, "They have not been able to establish the boundaries of their land with precision, due to the fact that the neighboring landowners have always attempted to expand their holdings on to lands that the Indians of Zacapu consider to be their own, and it has been almost impossible to overcome these difficulties."⁵⁰

Prefecto, Zacapu, to Secretaría del Gobierno, Morelia, 10 Aug. 1882, Zacapu, District of Zacapu, vol. 4.

47. Prefecto, Zacapu to Secretaría del Gobierno, Morelia, 11 and 16 Dec. 1882, Zacapu, District of Zacapu, vol. 4.

48. Benito Martínez to Prefecto, Zacapu, 24 May 1887, Zacapu, District of Zacapu, vol. 4. Tax officials had begun to impound communal land in Zacapu in 1875, applying the proceeds from its rental or sale to the property taxes assessed on all undivided lands. See Bruno Patiño to Governor of Michoacán, Morelia, 1 Oct. 1875, Zacapu, District of Zacapu, vol. 4.

49. Ministerio del Gobierno, Morelia, to Prefecto, Zacapu, 12 May 1893, Zacapu, District of Zacapu, vol. 3.

50. Prefecto, Zacapu, to Secretaría del Gobierno, Morelia, 8 June 1893, Zacapu, District of Zacapu, vol. 3; Secretaría del Gobierno, Morelia, to Prefecto, Zacapu, 3 Aug. 1893, Zacapu, District of Zacapu, vol. 3; Sacramento Torres Yáñez and Eduvirgis Martínez to Governor of

At this point, after more than twenty-five years of delays and inaction, state officials intensified the pressure on the Zacapu peasants, selling off communal lands impounded since 1890 for nonpayment of back taxes.⁵¹ In 1896, for example, tax officials auctioned off 1,722 hectares of communal property, much of it woodlands, valued at 9,123 pesos.⁵² Faced with the prospect of further foreclosures and auctions, many community members became convinced that the only way to protect their remaining communal property was to privatize it. Should the community lose further land, as one state official commented, "the share of each Indian will be of little significance and will not compensate for the expense of the operation."⁵³

The community continued to lose more land nonetheless through unauthorized sales and rentals arranged by members of the Valencia-Heredia faction and additional foreclosures.⁵⁴ By the late 1890s, the potential value of community holdings in the Zacapu marshlands had risen dramatically. As a vital source of fish, reeds, and various other plants, the marshlands were claimed as communal property by all the communities in the region. In 1864 the governor of Michoacán decreed the drainage of the marshlands to be in the public interest because it would convert twelve thousand hectares into highly productive farmland. The owners of the marshlands were to be granted exemptions from property taxes if they elected to undertake the project. But none of the region's landowners were willing to take up the offer until greater financial incentives were offered in a federal concession of 1886. The first attempt to drain the land was halted for lack of capital, and the project remained on hold until the concession was passed on to Eduardo and Alfredo Noriega. All but ignoring the claims of the communities, the Noriega brothers signed contracts with the region's hacendados at the end of 1896, in which they were to receive

Michoacán, 31 Dec. 1893, Zacapu, District of Zacapu, vol. 3; Secretaría del Gobierno, Morelia, to Governor of Michoacán, 4 Jan. 1884, Zacapu, District of Zacapu, vol. 3.

51. In the opinion of the Tesorero General del Estado, the failure of the community to pay its taxes, after having been granted numerous extensions, proved that "the sequestered property will not be productive in the lazy hands of its current owners, either for themselves or for the treasury; once the auction is carried out, [the land] will pass into the possession of people more useful to society and from whom the government will be able to receive much greater benefits, not only of a financial nature but also of a moral one." See Tesorero General del Estado, Morelia, to Secretaría del Gobierno, Morelia, 29 Jan. 1894, Zacapu, District of Zacapu, vol. 3.

52. Gustavo Roth to Secretaría del Gobierno, Morelia, 13 Oct. 1896, Zacapu, District of Pátzcuaro, vol. 10.

53. Gabriel Avila, Secretaría del Gobierno, Morelia, to Governor of Michoacán, Morelia, 5 Jan. 1897, Zacapu, District of Pátzcuaro, vol. 10.

54. The members of this faction also acquired control over communal property for themselves, as when José Dolores Heredia appropriated without authorization land belonging to the community *hospital* (a confraternity typically dedicated to the Virgin of the Immaculate Conception). See Prefecto, Zacapu, to Secretaría del Gobierno, Morelia, 3 Sept. 1895, Zacapu, District of Zacapu, vol. 3.

one-third of all of the land they drained (the usual terms of such concessions during the Porfiriato).⁵⁵

Having secured the agreement of the hacienda owners, the Noriegas proceeded to dispossess the communities of most of their holdings in the marshlands in connivance with individual peasants and often with the support of state officials. In 1897, for example, José Dolores Heredia, Teófilo Medina, Nicolás Orozco, and several other members of the minority faction sold "shares" of the communal marshlands to Nicolás Luna and Miguel Guido, the land itself to be acquired once the privatization had been finalized. Luna (and probably Guido) bought the rights on behalf of Eduardo Noriega, whose lawyer pressed state officials to finalize the reform so that his client could make use of his newly acquired rights. Some three hundred community members petitioned the government to nullify the sales contracts on the grounds that "the aforementioned comuneros have no legal rights, either in their numbers or in any authorized powers."⁵⁶

Tax officials also moved to have the sales stopped, pointing out that the community would soon have nothing left suitable for the next foreclosure.⁵⁷ Toward the end of 1899, the state seized 1,090 hectares, all the community's remaining property in the marshlands. Protests pointed out that the community owed less than 2,000 pesos in back taxes and that the seized property was worth quite a bit more. In response, the government conceded that the tax debt was only 1,014 pesos but claimed that tax officials had been careful to take the land that was "least useful" to the villagers, given that it could not be cultivated due to frequent flooding. Nine hundred hectares of the land were sold to Eduardo and Alfredo Noriega in an auction held the following year.⁵⁸ The Noriegas were able to obtain control over the marshlands owned by the other communities of the region as well through similar state-sponsored auctions.

Even after the auction, state officials continued to threaten the community of Zacapu with further foreclosures on what little remained of its communal lands. By 1900 the anti-reparto faction had conceded defeat in its long struggle to prevent the implementation of the liberal reform. Teó-

55. Eduardo and Alfredo Noriega, "La desecación de la Ciénaga de Zacapu y las leyes agrarias," 1923, AGN, Papeles Presidenciales, Obregón-Calles, 818-N-12.

56. Miguel Cupa, Felipe Aparicio, Agustín Regalado, and others to Governor of Michoacán, Morelia, 9 Feb. 1897, Zacapu, District of Pátzcuaro, vol. 10.

57. Tesorero General del Estado, Morelia, to Secretaría del Gobierno, Morelia, 10 July 1897, Zacapu, District of Pátzcuaro, vol. 5; and Francisco Elguero on behalf of Eduardo Noriega to Governor of Michoacán, Morelia, 2 Dec. 1898, Zacapu, District of Pátzcuaro, vol. 5.

58. Teóduo Torres to Governor of Michoacán, Morelia, 27 Nov. 1899, Zacapu, District of Pátzcuaro, vol. 5; Tesorería General del Estado, Secretaría del Gobierno, Morelia, 6 Dec. 1899, Zacapu, District of Pátzcuaro, vol. 5; Secretaría del Gobierno, Morelia, to Teóduo Torres, 17 Jan. 1900, Zacapu, District of Pátzcuaro, vol. 5; and Resoluciones Presidenciales, 8 Oct. 1925, Zacapu, AGN, CNA, vol. 28.

dulo Torres petitioned the governor to authorize the work necessary to complete the distribution of private titles to the peasants: "We believe that it is the only way to save the property that they have left, and according to the survey of the lands free of litigation, each *parcionero* would receive two hectares."⁵⁹ Further delays followed, however, as community members attempted to include land subject to litigation and other disputes in the reparto. Meanwhile, the Valencia-Heredia faction continued to alienate communal land through various sales and rental agreements. Several residents petitioned to have these transactions nullified, arguing that Heredia, "together with his representative Miguel Guido and the small circle that surrounds them," had alienated the land without community permission. Far from acting on behalf of the community, Heredia had served as "the instrument of Señor Miguel Guido to attack us."⁶⁰ Some state officials were sympathetic to these protests, although it is not clear whether the agreements were actually nullified. One official in the Secretaría del Gobierno recommended that the government prohibit all sales proposed by Heredia. This official noted, "generally, the people who alienate property pertaining to the extinguished communities have not been authorized to do so by all of those who should be considered co-proprietors," a practice leading to violence in the communities and disrupting the public order.⁶¹ State officials nevertheless supported the appointment of an Heredia ally, Estanislao Gutiérrez, to oversee completion of the privatization. Four years later, in 1904, titles to what little remained of Zacapu's land were distributed to 670 community members.⁶²

In the end, the combination of resistance, negotiation, and accommodation employed by the anti-reparto faction to delay the reform failed in Zacapu. After decades of tax foreclosures and illegal alienations to neighboring landowners, the community had considerably less communal land to privatize in 1904 than it did in 1869, when state officials first began to apply pressure to carry out the reform. This interpretation does not suggest, however, that rebellion would have been more successful in protecting the landed base of the community. As evidenced in the relatively few cases of rebellion that did occur, the state was willing and able to repress any rural uprisings generated in response to the liberal reform. The Zacapu peasants, living well within the reach of state officials in the

59. Teódulo Torres to Governor of Michoacán, Morelia, 29 Apr. 1900, Zacapu, District of Pátzcuaro, vol. 5.

60. Antonio Donato and others to Governor of Michoacán, Morelia, 15 Oct. 1900, Zacapu, District of Pátzcuaro, vol. 5. The Valencia-Heredia faction claimed that Teódulo Torres, representing the Martínez faction, had alienated communal land as well.

61. Gabriel Avila to the Secretaría del Gobierno, Morelia, 7 Sept. 1900, Zacapu, District of Pátzcuaro, vol. 5.

62. Prefecto, Zacapu, to Secretaría del Gobierno, Morelia, 20 Jan. 1904, Zacapu, District of Zacapu, vol. 1.

midst of expanding haciendas and with the highly desirable marshlands as part of their communal property, had scant hope of retaining their land. Popular resistance to the liberal reform was much more successful in more remote regions of the state, where haciendas had not developed in significant numbers and pro-reparto peasants and mestizo elites lacked powerful external allies.

The Indian Community of San Juan Parangaricutiro

Located in the highlands around Uruapan, the Indian community of San Juan Parangaricutiro was even more a product of colonial policy than Zacapu. Whereas Zacapu was one of the oldest communities in the Purépecha empire, San Juan was established by secular clergy around the middle of the sixteenth century (Romero 1860; Ricard 1966; Bishop 1977). Unlike the Zacapu region, the highlands remained overwhelmingly indigenous throughout the colonial period. Apart from a handful of clergy and occasional state officials, few Spaniards visited the region, much less settled there. It offered little potential for large-scale agriculture and no mineral wealth. The forests became attractive only with the development of the railroads in the late Porfiriato. As Friar Diego Muñoz observed in 1603, "These are lands only for the Indians who were born here and experienced in using them. . . . The Spaniards own very little land because of the harsh weather, the coldest in Michoacán, and because the vegetation is rough and useless for livestock" (cited in Aguirre Beltrán 1952, 86). Even at the end of the colonial period, San Juan Parangaricutiro, *cabecera* of the *partido* of the same name, counted only a dozen "*familias de razón*." They were employed in small-scale agriculture and muleteering, much like the 188 Indian families among whom they lived (Bravo Ugarte 1960, 91–92).

Although little conflict broke out between Indian communities and Spanish or mestizo landowners in the region, boundary disputes between communities were extremely common due to vague colonial land titles and the amount of relocation resulting from the policy of *congregación*. Such conflicts were often exacerbated by periodic royal decrees mandating that communities apply (and pay) for confirmation and rectification of their titles. In 1715, for example, San Juan applied for a *título de composición* in hopes of gaining control of lands disputed with the neighboring (and politically subordinate) communities of Angahuan and Paricutín. In 1720 a royal judge awarded San Juan a disproportionate amount of land, a decision contested by the other two communities well into the twentieth century.⁶³ Elsewhere in the highlands, the community of Quincio claimed land occupied by Paracho. San Bartolo Uren protested dispos-

63. Paleographic study, 28 Mar. 1977, San Juan Parangaricutiro, Bienes Comunes, exp. 108A, Archivo de la Secretaría de Reforma Agraria, Delegación de Uruapan (ASRA-U).

sessions by the communities of Cherán, Tanaco, and Tanquillo. Meanwhile, Nahuatzen was engaged in ongoing disputes with the communities of San Angel Zurumucapio, Cherán, and Arantepacura.⁶⁴ All these intercommunity disputes and many others were exacerbated during the conflict over the liberal reparto. Like the títulos de composición of the colonial era and the agrarian reform program of the postrevolutionary era, the reparto threatened to recognize one community's claim to disputed land at the expense of another. The reparto also increased internal differentiation and conflict, as factions within communities, often linked to local mestizo elites, began appropriating communal resources for themselves under private title.

As in Zacapu, state officials convened a meeting in San Juan Parangaricutiro in early 1869 to secure the community's agreement to the reparto and to elect the commission charged with preparing and distributing private titles to those individuals with rights to communal property. Having had the relevant laws "explained to them in intelligible words," the residents of San Juan discussed the matter for some three days. They finally declared themselves to be "convinced of the benefits bestowed upon them by the Supreme Government" and therefore unopposed to the privatization of their communal lands. But they also requested an extension of nine months to resolve their many border disputes with neighboring communities.⁶⁵

The archival record offers little indication as to who made up the reparto commission at this time, but it took no action for many years. The cabildo retained control over communal resources and remained adamantly opposed to their privatization, as evidenced in a letter written by a group of pro-reparto residents to the district prefect, soliciting his assistance in implementing the reform: "[T]he disorder and irregularities with which the elders of the community administer the property that belongs to all of us obliges us, contrary to the opinions of the elders, to request that this High Office put into effect the laws and dispositions with respect to the division of communal property. . . . All the efforts of the current government, and previous ones, to carry out the reparto have been dashed before the Oligarchy that the old ones called the cabildo exercise over the

64. Secretaría del Gobierno, Morelia, to Governor of Michoacán, Morelia, 26 Mar. 1927, caja 1, Materia Agraria, AHPem; *Periódico Oficial del Estado de Michoacán*, vol. 58, 23 Oct. 1927, AHPem; Jefe de Tenencia and Representante de la Comunidad Indígena, Nahuatzen, to the Governor of Michoacán, 13 Sept. 1928, caja 9, Gobernación-Distrito Territorial, AHPem; Resoluciones Presidenciales, San Angel Zurumucapio, 14 June 1923, vol. 13, CNA, AGN; and Secretaría del Gobierno to Governor of Michoacán, 24 Mar. 1907, caja 1, Materia Agraria, AHPem.

65. Community acta, 12 Jan. 1869, San Juan Parangaricutiro (hereafter SJP), District of Uruapan, vol. 18.

young."⁶⁶ Little if anything was done about the reparto for another two decades. The community continued to pay the property taxes assessed on undivided communal property. During this period, however, three mestizo families residing in San Juan—the Ortíz, Equihua, and Anguiano families—began to appropriate cultivated land as private property, although they did not register it as such for many years to avoid paying taxes on it.⁶⁷ Gradually, the cultivated land closest to the community came under the control of these three mestizo families, who leased much of it back to community members as tenants or sharecroppers. The less accessible cropland and the extensive woodlands remained under the control of the cabildo and were exploited according to customary usage.

In the mid-1890s, state officials began once more to pressure the community to privatize its communal holdings. At this point, two factions emerged. The larger of the two appears to have been led by the members of the cabildo and their representatives, and it opposed the reform. The smaller faction consisted of various community members allied with the Ortíz, Equihua, and Anguiano families. These three families held the formal positions of political power within the municipio of San Juan and were supported by the district prefect of Uruapan. Their political power and connections allowed them to continue to appropriate communal land as private property even as they pressed for implementation of the reparto, with an eye toward acquiring yet more land through that process. These connections also ensured that their allies within the community, Felipe and Luis Cuara, could dominate the local privatization commission.⁶⁸ Their power and connections were not strong enough, however, to overcome the opposition of the majority to the reparto, particularly given the willingness of officials in the Secretaría del Gobierno to investigate and mediate the conflicting claims of the two groups.

The complex role played by state officials in the struggle over the liberal reparto was manifested in a legal dispute that began in 1895. Gonzalo Chávez, a resident member of the community, claimed rights to the community's extensive woodlands under the Ley Lerdo, which specified that communal property not claimed by its occupants within a specified period of time might be sold to anyone who laid claim to it.⁶⁹ Chávez's

66. Juan Nepo Guerrero and others to Prefecto, Uruapan, 30 June 1869, SJP, District of Uruapan, vol. 18.

67. District of Uruapan, 1886–1912, 1912–1955, Registro Público de la Propiedad; Pedro Rodríguez and others to Governor of Michoacán, 31 May 1892, SJP, District of Uruapan, vol. 18; and Tesorería General del Estado, Morelia, to Secretaría del Gobierno, Morelia, 1 Aug. 1892, SJP, District of Uruapan, vol. 18. Both sets of records at the Registro Público de la Propiedad include deeds registered many years after the "sale" of the property in question took place.

68. Community acta, 2 Nov. 1902, SJP, District of Uruapan, vol. 23; and Prefecto, Uruapan, to Secretaría del Gobierno, Morelia, 13 Dec. 1902, SJP, District of Uruapan, vol. 23.

69. Gonzalo Chávez, SJP, to Governor of Michoacán, Morelia, 24 Dec. 1895, SJP, District of

claim had considerable support within the community because many residents believed that it would provide a safe and legal title to the lands in question, protecting them from mestizo residents of San Juan and the claims of neighboring communities without altering de facto communal control or customary usage.⁷⁰ The pro-reparto faction, led by representatives of the three mestizo families, adamantly opposed Chávez's claim and pushed for implementation of the reform.⁷¹ State officials were well aware of the motivation behind Chávez's actions because he informed them that "the denunciation was not made with the object of benefiting himself, but rather in favor of the ex-community, with the objective of protecting the land from external ambitions."⁷² A few officials even supported it as long as Chávez was willing to agree to a set of conditions designed to protect community rights to the lands in question. One Secretaría del Gobierno official wrote, "It should be noted that in this case, it would not be unsuitable to adjudicate the community's lands to Señor Gonzalo Chávez, as long as the Indians themselves want this to be done, in order to obtain a valid title that would protect the property and avoid the continual conflicts that arise as a result of the boundary disputes between neighboring villages, conflicts that cannot be resolved juridically, because the communities, having been extinguished in legal terms, lack juridical standing."⁷³ Faced with both Chávez's claim and the petition to proceed with the reparto, state officials were unsure how to act and sent the matter to the Secretaría de Hacienda in Mexico City for clarification of

Uruapan, vol. 23. Some confusion remains as to which law was in question here. All the parties to the dispute refer to the Ley Lerdo of 1856, which allowed outsiders to claim properties not claimed by tenants or occupants after three months. But Chávez and others also referred to the lands in question as terrenos baldíos. This description, together with the timing of the case, suggests that Chávez's claim was made according to the law of 1894, which specified that undivided communal lands might be identified and claimed ("denounced") as being without legal titles. Chávez's case would have been much stronger had he cited the 1894 law, given that several clarifying circulars prohibited such denunciations under the 1856 law, as noted in the decision of the Secretaría de Hacienda.

70. Chávez's claim was immediately opposed by the Indian communities of San Lorenzo, Angahuan, and Paricutín, among others, because it included lands they were disputing with San Juan Parangaricutiro. See Prefecto, Uruapan, to Secretaría del Gobierno, Morelia, 7 Oct. 1895, SJP, District of Uruapan, vol. 23.

71. Felipe Cuara, SJP, to Prefecto, Uruapan, 12 Nov. 1895, SJP, District of Uruapan, vol. 23.

72. Prefecto, SJP, to Secretaría del Gobierno, Morelia, 4 July 1899, SJP, District of Uruapan, vol. 23.

73. Secretaría del Gobierno, Morelia, to Prefecto, Uruapan, 31 May 1899, SJP, District of Uruapan, vol. 23. Elsewhere, a state official noted that such arranged "denunciations" were a common tactic to secure claims to lands disputed with other communities or landowners. He explained that the government did not object because the Indians owned the lands in question and it was up to them to arrange matters to best suit their interests. See Gabriel Avila, Secretaría del Gobierno, Morelia, to the Governor of Michoacán, Morelia, 17 Oct. 1899, SJP, District of Uruapan, vol. 23.

the legal issues involved. They particularly wanted the answer to the question of who, if anyone, had the right to denounce communal land under the *Ley Lerdo*.⁷⁴ The decision of the Secretaría de Hacienda, made in the name of Díaz, reveals something of the complex and often contradictory nature of the struggle over property rights during the Porfiriato. According to the ministry, communal lands were not subject to such claims under the *Ley Lerdo*. Although tenants had the right to purchase lands that they rented from the communities, all unleased land was to be divided among the residents of the community, whether or not they had explicitly claimed it as occupants.⁷⁵ Thus although the 1894 law on *terrenos baldíos* had facilitated the alienation of undivided communal lands to speculators, surveying companies, and landowners, state officials at least sometimes continued to interpret the 1856 disentailment law in such a way as to protect the communities from the alienation of land to outsiders.

The Secretaría de Hacienda rendered its decision in 1900, denying Chávez's right to "denounce" communal land, given his status as a community member rather than a tenant, and instructed the Secretaría del Gobierno in Morelia to proceed with the reparto in San Juan.⁷⁶ Faced with this setback, Chávez simply absconded with the legal documents, hiding from state officials for almost two years. Once Chávez was found, a new privatization commission was chosen in San Juan, its members once more allies of the three leading mestizo families.⁷⁷ Yet in spite of the support of the district prefect, the privatization commission was unable to carry out the reform in the face of the opposition of a majority of the community. The bulk of San Juan Parangaricutiro's communal holdings remained undivided and under the control of the community on the eve of the revolution, even though the commercial value of the woodlands had increased dramatically in the final years of the Porfiriato.⁷⁸ Mestizo elites within the

74. Secretaría del Gobierno, Morelia, to the Secretaría de Hacienda, Mexico City, 21 Mar. 1900, SJP, District of Uruapan, vol. 23. As state officials elaborated in this letter, "Some commentators on the disentailment laws consider the former Indian communities to be civil corporations, and they believe that their property should be adjudicated to whoever claims it in accordance with the . . . law of 1856. But other people argue to the contrary, there being thus no generally accepted rule on the matter."

75. Secretaría de Hacienda, Mexico City, to Governor of Michoacán, Morelia, 3 Aug. 1902, SJP, District of Uruapan, vol. 23.

76. Secretaría de Hacienda, Mexico City, to Governor of Michoacán, Morelia, 3 Aug. 1902, SJP, District of Uruapan, vol. 23.

77. Felipe Cuara, SJP, to Governor of Michoacán, Morelia, 29 Dec. 1900, SJP, District of Uruapan, vol. 23; Prefecto, Uruapan, to Secretaría del Gobierno, Morelia, 21 Jan. 1901, SJP, District of Uruapan, vol. 23; Secretaría del Gobierno to Juez de Letras de lo Criminal, 19 Nov. 1901, SJP, District of Uruapan, vol. 23; Secretaría del Gobierno, Morelia, to Prefecto, Uruapan, 29 July 1902, SJP, District of Uruapan, vol. 23; and Prefecto, Uruapan, to Secretaría del Gobierno, Morelia, 13 Dec. 1902, SJP, District of Uruapan, vol. 23.

78. Mestizo elites attempted unsuccessfully to lease rights to the woodlands to a forestry company owned by Santiago Slade in 1907. The proposed contract, which violated tradi-

community continued to appropriate cultivated land for themselves. But lacking powerful allies apart from the district prefect, they could not secure control of the woodlands or alienate significant amounts of communal property to outsiders. The balance of power in San Juan later shifted in favor of the mestizo families in the aftermath of the Mexican Revolution, when the Anguiano and Equihua families found allies within the new revolutionary state.

CONCLUSIONS

Throughout the nineteenth century, Mexican liberals elaborated a discourse and practice that linked property rights and anti-clericalism to the consolidation of a sovereign state, creation of a liberal citizenry, and establishment of the conditions necessary for sustained economic development. Drawing on this legacy, revolutionary state builders did much the same thing in the twentieth century. Revolutionary anti-clericalism and agrarian reform were efforts to establish state authority in rural communities by creating new forms of property rights that linked peasant beneficiaries directly to the state, new cultural identities and practices through which patron saints and communal ties would be replaced by patriotic heroes and nationalist loyalties, and new forms of local authority in which allies of the revolutionary state would replace parish priests, landowners, and politico-religious elders. Such efforts exacerbated old conflicts and generated new ones within rural communities, between communities, and between communities and the state. They also afforded new possibilities for alliances between elite and popular actors, new forms of collective action, and the partial realization of popular agendas. Neither the revolutionary agrarian reform program nor anti-clericalism were "top-down" impositions. Rather, like the liberal reparto, they were arenas of contestation in which different actors, elite and popular, offered competing and often contradictory understandings of property rights, culture, and the legitimate role of the state in rural communities.⁷⁹ For peasants, these understandings were forged through diverse local historical experiences, particularly the struggles generated by the liberal land reform.

It is not particularly surprising that the Indian community of Zacapu lost most of its communal lands by the end of the nineteenth century. Given its coveted holdings in the Zacapu marshlands, the rapid expansion

tional rights and norms in a number of respects, was bitterly resisted by the majority of community members, even after half the houses in the village were burned in 1909 in an attempt to force the community to accept the contract. Slade was ultimately defeated in his efforts to exploit the woodlands. Documents related to the proposed rental agreement are located in SJP, District of Uruapan, vol. 20.

79. See Becker (1995), Joseph and Nugent (1994), Knight (1994), Mallon (1994, 1995), Nugent (1993), Nugent and Alonso (1994), and Purnell (n.d.).

of large-scale commercial agriculture in the region, and the alliances between local mestizo elites and powerful outside landowners, it would have been nothing short of miraculous had the community survived the Porfiriato with its landed base intact. What is striking about the case of Zacapu, given prevailing views of the Porfiriato, is that sustained resistance was possible at all. The anti-reparto faction succeeded in delaying the reform for decades by various tactics: negotiating with state officials over the precise terms of the law, protesting with some success illegal sales and rental agreements, struggling to maintain claims over lands in litigation with landowners and other communities, and employing an arsenal of obscurer everyday forms of resistance (Scott 1985).

However futile such resistance ultimately turned out to be, it was certainly relevant to subsequent events. The state's strongest agrarista movement developed in the Zacapu region. Many of the indigenous peasants of Zacapu and the neighboring communities of Naranja, Tiríndaro, and Tarejero, having lost their earlier battles with state officials, landowners, and local mestizo elites, found new allies among revolutionary state builders, who by political inclination or force of circumstance were seeking popular support through structural and political reforms. For the agraristas of Zacapu, the revolutionary agrarian reform program offered the opportunity to recover lands lost to neighboring haciendas in the last quarter of the nineteenth century, including much of the recently drained Zacapu marshlands.⁸⁰ Meanwhile, anti-clericalism afforded the agrarista leadership a vehicle for displacing despised local authorities, notably the parish priest and his allies among local mestizo elites and neighboring landowners. In these efforts, the Zacapu agraristas were led by peasants such as Primo Tapia of Naranja who were descendants of the cabildo members who had lost local political power with the breakdown of the communal property regime toward the end of the nineteenth century (Friedrich 1977).

In contrast to Zacapu, San Juan Parangaricutiro managed to resist complete implementation of the nineteenth-century liberal land reform, retaining its substantial holdings in the mountainous woodlands and some cultivated land under communal title and the control of the cabildo. Throughout the last two decades of the Porfiriato, local mestizo elites within the community appropriated tracts of cultivated land under private title. But unlike their counterparts in Zacapu, they lacked powerful external allies among state officials or outside landowners and thus were

80. On the region's agrarista movement and its leadership, see Friedrich (1977, 1986). Zacapu submitted a petition for restitution of communal lands in 1915. Restitution was denied for lack of adequate titles and evidence of dispossession, but the petition was pursued as an outright grant of land (*dotación*). In a presidential resolution dated 8 Oct. 1925, Zacapu was granted sixteen hundred hectares, much of it from haciendas belonging to the Noriega family. See Resoluciones Presidenciales, Zacapu, 8 Oct. 1925, CNA, AGN.

limited in the extent to which they could claim land for themselves or alienate it outside the community. The anti-reparto faction meanwhile received considerable tacit support from state officials who clearly questioned the wisdom of applying the Ley Lerdo and the baldíos laws to communal property. Thus on the eve of the revolution, San Juan's landed base and its institutions of politico-religious authority remained essentially intact. Unlike the situation in Zacapu, de facto political power continued to be vested in the cabildo, which defined and allocated use rights to communal property, oversaw the organization of religious practice, and mediated disputes within the community and with neighboring settlements (Bishop 1977).

Having survived the Porfiriato, San Juan Parangaricutiro then confronted the emerging revolutionary state. In the Zacapu region, revolutionary agrarismo and anti-clericalism responded, at least in part, to popular needs and aspirations. In San Juan Parangaricutiro and in other highland communities, in contrast, agrarian conflicts were exacerbated by the revolutionary agrarian reform program, given that they entailed disputes within and between communities, rather than between communities and neighboring haciendas. Seeking to consolidate state authority at the local level, revolutionary officials encouraged the formation of agrarian movements in the region, allowing their agrarista allies to lay claim to communal property or to the smallholdings of their better-off neighbors. Revolutionary anti-clericalism meanwhile served as a vehicle through which the highland agraristas wrested political power and control over communal resources from the politico-religious authorities of the cabildo. Whereas the descendants of powerful cabildo members led the agrarista movements of the Zacapu region, a member of the cabildo in San Juan Parangaricutiro led local residents in rebellion against the revolutionary state as participants in the *Cristiada* of 1926–1929.⁸¹

As Thomas Benjamin has pointed out, there were “many Porfiriatos” in Mexico (1984, 14), hence the many revolutions (and counter-revolutions) occurring at the local level in the 1910s and 1920s. Conflicts generated by the liberal land reform are particularly significant for understanding peasant partisanship in the revolution in Michoacán. These conflicts shaped and reshaped the symbolic and institutional relationships among property rights, religious practice, and political authority at the local level and hence popular understandings of the stakes, possibilities, and threats entailed in subsequent conflicts during the formation of the revolutionary state.

81. The *cristiada*, or Cristero Rebellion, broke out in 1926 during an escalating conflict between church and state over implementation of the anti-clerical provisions of the Constitution of 1917. It involved tens of thousands of peasants from the center-west states of Jalisco, Michoacán, Guanajuato, Zacatecas, and Colima. See Meyer (1973) and other works on the topic.

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