

Woman suffrage in Mexico.

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Chapter 2

WHO SPEAKS FOR THE WOMEN OF MEXICO?

EARRANZA DID NOT specifically exclude women from voting in the elections for deputies or from membership in the Constitutional Congress called to meet in the provincial city of Querétaro in December, 1916, and January, 1917. In the Decree of September 14, 1916, however, he restricted candidacy to those eligible to run for deputy under the Constitution of 1857, which included qualification as an elector under a national electoral law which limited voting to males. The Decree of September 19 set the election date for Sunday, October 22, and authorized all those persons to vote who "are considered residents of the states qualified to vote for Deputies to the Congress." Under these provisions women did not vote nor offer themselves as candidates for deputies to the Constitutional Congress, which opened with an all-male cast in Querétaro in December. The Congress gave no serious consideration to political rights for women although it did write into the Constitution important rights for workingwomen. Article 123 of the new charter entitled workingwomen to childbirth benefits, to protection against nightwork and against certain types of heavy and dangerous labor.

Señora Hermila Galindo de Topete, who had just returned from a special mission to Cuba, at once dispatched a plea to the Constitutional Congress to grant political rights to women. She asserted that women had participated actively in the Revolution, inspired by the same revolutionary hopes which animated the members of the Congress.

The nation and the world are dependent upon your labors, gentlemen Deputies, and I have great hopes for this new code

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in which will be reflected your patriotism and sense of justice as popular representatives, forming yourselves into political parties with legitimate aspirations but without personal selfishness in order that the woman who has not been excluded from the active part of the revolution will not be excluded from the political part and, consequently, will achieve from the new situation, rights, which even though incipient, will put her on the path toward her own advancement, from which will flow the advancement of the fatherland.²

Despite the receipt of this and some other resolutions in support of woman suffrage, the Congress did not change Articles 34 and 35 of the proposed constitution submitted by Carranza, which merely repeated the provisions of the same articles in the Constitution of 1857. Article 34 qualified as citizens all married residents of the Republic 18 years of age or over and all single residents 21 or over. Among the prerogatives of citizenship Article 34 established the right to vote, to run for all offices filled by popular election, and to participate in political activity.³

The Constitutional Congress had almost concluded its work by the afternoon of January 26, 1917, when Luis G. Monzón, Deputy from Sonora, presented Articles 34 and 35 for the First Committee on Constitutional Reforms. The Committee reported these articles in the same form as presented by Carranza at the opening sessions of Congress, accompanied by the Committee's own statement on the subject.

Since the approval of Article 35 textually implies the acceptance of unlimited suffrage for citizens, but actually denies woman suffrage, the committee cannot excuse itself from treating both points, however briefly, especially since two proposals were received in favor of the second point, that of Señorita Hermila Galindo and that of Citizen General S. González Torres, and one against signed by Señorita Inés Malvárez.

The defense of the principle of restriction of the suffrage was made very wisely in the report of the Citizen First Chief. . . .

This doctrine as presented may be invoked to resolve negatively the question of feminine suffrage. The fact that some exceptional women have the qualifications necessary to exercise political rights satisfactorily does not justify the conclusion that these should be conceded to women as a class. The difficulty of making the selection authorizes the negative.

The report added that the activities of Mexican women had traditionally been restricted to the home and family, that they had developed no separate political consciousness, and that they "do not understand the necessity of participating in public affairs, which is demonstrated by the lack of any collective movement for this purpose."⁴

The First Committee on Constitutional Reforms, under the chairmanship of General Francisco Múgica, had acquired considerable prestige in the Congress, and its negative report might have been sufficient to decide the question without further discussion, except for a sharp exchange between Deputies Palavicini and Monzón. Luis G. Monzón, who spoke for the Committee in the absence of its chairman, regarded himself as the most "radical" deputy present. He opposed woman suffrage, while Félix F. Palavicini from Tabasco, regarded by his critics as the spokesman of the "conservatives," was considered "a fervent partisan of the feminine vote." Palavicini demanded to be told why the Committee had not considered the proposals for woman suffrage which it had received. Monzón answered by merely asserting that the Committee had accepted the traditional opinion that women should not participate in politics. Palavicini pointed out that "the article provides that all citizens have the right to vote," that "this is a generic term" which makes no distinction as to sex. He added: "I desire that the Committee clarify the status in which this would leave women and if they would acquire the right to organize themselves to vote and to be voted for." Monzón answered this query by simply reasserting, "We did not take this into consideration," amid cries of "That is not the question!" Palavicini later insisted that this "interpolation" had been incorrectly reported in the *Diario de debates*, but even his revised version did not clarify Monzón's somewhat confused remarks. Palavicini admitted that it was "certain that the assembly gave no importance to the subject."⁵

The debate followed immediately with Deputies Bojórquez and Martí speaking in support of the articles as reported by the Committee and Deputy Calderón speaking against. Deputy Calderón favored limited suffrage because he felt that the great social gains of the Revolution could be maintained only by the vote of the intelligent, literate, thinking, liberal citizens. Neither Calderón's remarks nor the remarks of those supporting the articles contained

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any indication as to whether or not they favored or opposed woman suffrage or even considered it involved in the provisions of the articles. At the conclusion of this brief debate the Congress adopted the articles without change; Article 34 by a vote 166 to 2 and Article 35 by a vote of 162 to 5.⁶ The Congress occupied the three remaining days of the sessions with consideration of such dramatic issues as the anticlerical provisions of Article 130 and the property-holding limitations of Article 27. The proceedings on Wednesday, January 31, 1917, were devoted entirely to the closing ceremonies. The Congress had no further time for consideration of women's political rights even if this had been intended and adjourned without altering the already well-established practices under the Constitution of 1857.

Thus at the very moment when victories for woman suffrage elsewhere gave impetus to Mexican sentiment in its favor, the Mexican Constitutional Congress bypassed the problem largely on the basis of Deputy Luis Monzón's somewhat confused assertion that the Committee did not take it into consideration. There may have been some unrecorded debate in the Committee, but neither the records of the Congress nor its important chroniclers shed any further light on the subject.⁷ It is possible to infer that the "radicals," speaking through Monzón, feared traditional Church influence over women and consequent conservative control of feminine voting; and that they chose this means of forestalling debate by Palavicini, the leader of the "conservatives," who favored woman suffrage and was considered proclerical and a formidable debater. The manner in which the Congress dropped the subject without any serious consideration indicates that the "Constitution-makers of 1916-1917" attributed little importance to the subject and assumed that subsequent election laws would specify suffrage qualifications and rules of eligibility for elective office. The somewhat ambiguous nature of the debates and of the provisions of the Constitution, like other provisions of this Constitution and many other constitutions, gave rise to an interminable debate concerning the "real intention of the framers."⁸

Political rights for Mexican women aroused no further attention for some time after the adoption of the Constitution of 1917, but the issue was not dead. Shortly after the adoption of the Constitution, Carranza elaborated his Decree of December 29, 1914,

into a "Law Concerning Family Relations," which, in addition to the right of divorce, gave women right to alimony and to the management and ownership of property, and other similar rights.⁹ When it came to voting, however, the national election law of June, 1918, ignored woman suffrage by specifying that "all Mexican males 18 years of age or over if they are married and 21 years or over if they are not, who enjoy full political rights and whose names have been duly registered in their municipalities are eligible to vote" and by requiring that candidates for national offices must be "qualified electors."¹⁰ The triumph of the long campaign for woman suffrage in the United States with the ratification of the Nineteenth Amendment in 1919 and 1920 also produced some echoes across the Rio Grande. Women's organizations began to appear in Mexico as early as 1919, and in 1921 the first Feminist Congress met in Mexico City with large attendance reported. In 1922, during the brief governorship of Felipe Carrillo Puerto in Yucatán, women received the right to vote in local elections; a small group served in the state legislature; and the governor's sister, Elvía Carrillo Puerto, at that time Mexico's most famous feminist, organized women's leagues in the state.¹¹

By 1923, women's organizations appeared in considerable numbers in Mexico, of which the YWCA, the Liga Feminista, and the Mexican branch of the Pan American Association for the Advancement of Women were the most important. The Association held its first national congress in Mexico City in May with the proclaimed support of twenty of the state governors and other prominent officials. Civil rights for women and methods of keeping in touch with the activities of women in other countries received a prominent place on the program of the congress.¹² This upsurge of feminist activities produced some talk of woman suffrage in the 1924 presidential election, but Calles certainly had no intention of making it an official issue in his campaign, especially since he regarded the League of Catholic Women as a strong opponent of his anticlerical policy.¹³ National electoral reform had no prospect of success without the support of Calles and only a few states altered their election laws in favor of women. In Yucatán, the first state to grant women the right to vote in state and local elections, these rights were nullified after the assassination of Governor Felipe Carrillo Puerto in January, 1924. San Luis Potosí, in the meantime,

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in March, 1923, granted women limited electoral rights at the insistence of Governor Rafael Nieto, who had been a radical deputy to the 1916-1917 Constitutional Congress. The law entitled women who could read and write to register and vote in municipal elections in 1924 and in state elections in 1925.¹⁴

Señora Elvía Carrillo Puerto, under authorization of this electoral reform, established residence in San Luis Potosí and campaigned in 1925 for the office of deputy to the Congress. She had the ostensible support of President Calles, a great friend of her late brother, and the protection of a favorable opinion by Minister of Gobernación Adalberto Tejeda, who ruled that being a registered elector under state law fulfilled the qualifications for deputy required by the national election law. The national election law, however, which remained unchanged, continued to designate electors as "all Mexican males 18 years of age or over if married and 21 or over if not, who enjoy political rights and whose names are inscribed in the register of the municipality of their domicile" and to list among the requirements for eligibility for national deputies that they must be "qualified electors."¹⁵ During the campaign, Governor Manrique, who supported doña Elvía, was replaced by Abel Cano, who opposed political rights for women. Nevertheless, Señora Elvía received a majority of over 4,000 votes, but when she presented her credentials in Mexico City the Congress refused to seat her, as it was legally entitled to do under Article 60 of the Constitution. This Article, comparable to Section Five of Article I of the United States Constitution which makes each house "the judge of the elections, returns, and qualifications of its own members," reads as follows:

Article 60. Each Chamber shall certify the elections of its members and shall resolve such doubts as may arise concerning them. This resolution shall be final and unassailable.¹⁶

Under the practice in operation in 1925, the permanent committee of the retiring chamber met in August, following elections in July, to install the new members of the Preparatory Junta of the new chamber who then functioned as an Electoral College to verify the recent elections. The permanent committee of each chamber, a body of long standing in Mexican politics composed of a small group of prominent members who remain in permanent

session to perform certain legislative functions in the recess of Congress, would naturally be disposed to install partisans of the group in power as members of the Preparatory Junta of the new chamber. The electoral college function of the Preparatory Junta consisted in examining the election returns, including their own, and preparing a list of those whose elections were in order and who were therefore recommended for seats in the new chamber upon the opening of its regular sessions in September. The Preparatory Junta, at its final session, converted itself into the new house of Congress and approved officially its own report of membership which then, under the provisions of the Constitution, became the final certification by that chamber of the elections of its own members.

Consequently the political party in power could easily refuse to seat anyone it wished without giving any reason, and its decision, once approved by the seated members, was not subject to legal question in any manner. In dealing with electoral questions the Mexican courts have consistently refused to reconsider the decisions of Congress under constitutional Article 60. As early as 1920 the Mexican Supreme Court declared in the case of Alfredo Robles Domínguez that "the Chamber of Deputies, sitting as an Electoral College, in the exercise of the exclusive power which this disposition confers, is sovereign to decide and make the declaration with respect to the citizen who has been elected." In recognition of this fact, the law of *Amparo*, which gives Mexicans the right to appeal for legal protection against the arbitrary acts of officials, specifically excepts in Section VIII of Article 73 the electoral functions granted by the Constitution to the legislative bodies from any protection the law may offer. Subsequent court decisions have confirmed and clarified the supreme electoral power of the legislature in such cases.¹⁷

The workings of Congress and the decisions of the courts, under these arrangements of the Constitution, gave Señora Elvía Carrillo Puerto no alternative but to accept her defeat as gracefully as possible.

Her failure to gain access to Congress through state election laws did not, however, prevent the states from granting women political rights in local affairs. The state of Chiapas was the first to establish complete equality of political rights for women in state

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and local elections. The state legislature passed the bill on May 11, 1925, and it became law three days later with the signature of Provisional Governor César Córdova. The single article provided that "women of 18 years of age or more, are recognized to have the same political rights as men in all the territory of the state of Chiapas. In consequence, they have the right to vote and to be candidates for all offices filled by popular election, whatsoever these may be." In the exposition of motives which accompanied the law, the legislators, with incomparable Mexican gallantry, declared:

that women, as an integral part of society and the principal factor in the home and family, are affected by all those subjects in which men participate; . . . that the infamous idea has disappeared forever, which existed in ancient times and in savage societies, that women are beings similar to property and arbitrarily subordinate to men, who treat them with the greatest despotism without conceding them any rights whatever; that in the modern life of all the civilized countries of the world women constitute a technical, intellectual, and moral factor of undoubted value, and thus we see them figure in the fields of science, art, and of politics, excelling with extraordinary ease, with the supreme majesty of their moral vigor and by the irresistible force of their feminine charms.¹⁸

The Chiapas politicians became so inspired on the subject of feminine rights that the deputies from the state promised to present a woman suffrage bill to Congress, although nothing further was heard of it at the time.

The other Mexican states showed no particular eagerness to follow the example of the state of Chiapas. In fact, San Luis Potosí repealed its grant of political privileges to women by the Law of October 4, 1926.¹⁹ Women's organizations, nevertheless, continued to develop and agitation for woman suffrage became more persistent and better organized. The campaign for women's rights, however, suffered a serious setback during the 1928 electoral contest as a result of the assassination of President-elect General Alvaro Obregón on July 17, 1928, in Mexico City, by León Toral, a religious fanatic, at the instigation of a Catholic nun.²⁰ The vigorous anti-clerical reaction of President Calles immediately eliminated all prospect of a Church-State settlement and once more there was

raised in the minds of Mexican politicians the specter of fanatical women voters dominated by the Church. A prominent Mason and member of the Chamber of Deputies was reported shortly afterward to have said of a demonstration in favor of woman suffrage: "Twenty-five thousand Mexican women coming before the Chamber to ask the vote for women! How horrible! It means that, if they obtain their object, we shall have a Bishop for President."²¹

In December, 1927, and January, 1928, the Constitution of the Republic had been amended to give the President a six-year term and permit him to be re-elected after the passage of one term.²² This change implied the possible intention of Calles to trade places with Obregón once more, but the death of Obregón violently shattered any such hopes, and caused the revolutionary leaders to be faced with the thorny problem of succession. President Calles, in his message to Congress, September 1, 1928, admitted the difficulties posed by the assassination of President-elect Obregón and advocated the founding of a political party to provide candidates for elections and to carry on the ideals of the Revolution. Calles then appointed an organizing committee and designated Querétaro as the place and March 1, 1929, as the time for the first national convention of the party.²³ In the meantime, under the provisions of Article 84, Congress elected Attorney General Emilio Portes Gil Provisional President, with the big task of presiding over the government and calling elections to fill the presidency, while Calles remained in the background as the big political boss. Portes Gil, elected by Congress with the blessings of Calles, strongly advocated the organization of a political party, and took an active role in the selection of delegates and the meeting of the convention at Querétaro in March. He has come rightly to be regarded as one of the founders of the National Revolutionary party (PNR).

The list of delegates and the pictures of the convention indicate a purely masculine assembly; in fact, the statutes adopted by the party clearly imply the disqualification of women for party membership: "Article 4—In order to be a member of the National Revolutionary party the following requirements are necessary: 1—To be a Mexican citizen in the full exercise of his political rights." In spite of its exclusively masculine composition, the convention adopted a party program which included two points in favor of women's rights:

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It shall aid and stimulate the full right of participation of Mexican women in the activities of the political life of Mexico.

The National Revolutionary party shall fight for the incorporation of the farm woman into the economic life of the country, liberating her from hard labor . . . and it will produce propaganda to influence public opinion so that the woman will begin to be a partner and cease to be a slave.²⁴

Encouraged by these mildly favorable promises, women once more resumed their agitation in favor of political rights. In July, 1930, the Seventh Congress of the Women's International League for Peace and Freedom met in Mexico City, with prominent women delegates in attendance from many parts of the world.²⁵ These women graced the sessions of the congress with many speeches and proclamations, some of them advocating women's rights, and thus generated considerable interest in the subject.

Because of this interest, reporters requested the opinions of a number of prominent Mexican politicians on the subject of women's rights. Minister of Education Puig Casauranc, who had been continued in his post from the Calles administration, said he saw nothing in the Constitution to deny women equal rights with men. García Téllez, head of the Political Action section of the PNR, took an opposite stand because he believed women were politically unprepared. Provisional President Portes Gil expressed an interest in having women prepare themselves for the use of the ballot and for public office, but did so without apparent enthusiasm.²⁶ At this point Margarita Robles de Mendoza, a Mexican journalist and noted feminist, who had just returned from Washington, D.C., requested an interview with Portes Gil on the subject of women's rights. Although Portes Gil had not been a member of the Constitutional Congress of 1916-1917 he had been active in the Revolution and had served as Attorney General under President Calles. He certainly had adequate opportunity to become acquainted with the trends of public opinion during the course of the Revolution. Señorita Robles de Mendoza has recorded her version of her question and the President's answer in this historic interview.

Do you believe that in our Magna Carta there is anything which expressly prohibits the vote of women?

Portes Gil: Not precisely; but it is necessary to suppose that our Constitution-makers did not consider women. When the

Constitution was promulgated, certainly it was intended to restrict the vote only to men. It is necessary to take into account that in those times they never had the opportunity to educate themselves as they now have and, therefore, were not considered qualified to intervene in public affairs.²⁷

These remarks, which received considerable publicity, clearly left the door open for further agitation in favor of women's rights.

Portes Gil resigned from the presidency in 1930 and was succeeded by Ortiz Rubio, nominated for the post of Provisional President by the PNR and duly elected. In 1931, during the provisional presidency of Ortiz Rubio, organized labor became interested in women's rights and organized a Women's Protective Union, registered with the Ministry of Industry, Commerce, and Labor for the purpose of defending the rights of women in industry, commerce, and agriculture.²⁸ All of this activity convinced the PNR that women's rights might be a useful political issue, and in the same year it called a women's national congress to discuss the problem. In the course of the discussions, María del Refugio García, delegate from Michoacán and often spoken of as a prominent Mexican Communist, made serious charges against Provisional President Ortiz Rubio and party-boss Calles, whom she accused of going back on their promised support of woman suffrage. Her arrest and imprisonment, which was immediately ordered, touched off such an impressive women's demonstration outside the prison in Mexico City that she was quickly released.²⁹ The whole question of feminine political rights continued to simmer during the provisional presidency of Abelardo Rodríguez who served the last two years of the six-year term vacated by the death of Obregón.