

# Enacting Agrarian Law: The Effects of Legal Failure in Post-revolutionary Mexico

MÓNICA M. SALAS LANDA\*

*Abstract.* The agrarian body of law created by government legislators and jurists in the aftermath of the Mexican Revolution (1910–20), sought to restore pueblos’ juridical standing by allowing communities to hold land collectively in the form of ejidos. Yet, state efforts to restructure property relations in the countryside often articulated with local alternative territorial projects that challenged the implementation of these redistributive legal measures. During the course of 50 years, cattle ranchers from the community of El Huanal in Nautla, Veracruz, defended private property, resisted land expropriation, and prevented the establishment of an ejido in the community. How did rancheros achieve this? How did they respond to the pressures of ‘peasant’ mobilisation? How did post-revolutionary legal discourse come to frame this struggle over land? What changes did this failed attempt to implement land reform trigger in the region? Looking closely at the conflicts, interactions, negotiations, and everyday practices that unfolded among a variety of actors around the interpretation and the applicability of ‘the law’, this article demonstrates how the agrarian reform, despite never having been implemented, altered both the material landscape and the social configuration of this community of coastal Veracruz.

*Keywords:* agrarian reform, post-revolutionary Mexico, legal failure, agrarian law, Veracruz

On 10 August 1930, 19 members of the community of El Huanal in Nautla, Veracruz met for the first time to discuss the benefits of the new Agrarian Law of 1915.<sup>1</sup> The outcome of this meeting was somehow predictable: as many

Mónica M. Salas Landa is a PhD Candidate in the Department of Anthropology, Cornell University. Email: [mms335@cornell.edu](mailto:mms335@cornell.edu)

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<sup>1</sup> Marte M. Gómez, *Historia de la Comisión Nacional Agraria* (Mexico City: Centro de Investigaciones Agrarias, 1975) and Raymond B. Craib, *Cartographic Mexico: A History of*

other rural villagers in the Mexican countryside, this group of rural workers embraced post-revolutionary rhetoric to solicit *ejido* land. Braulio Fernández, Juan Zárate, Venancio Salas, Gonzálo Romero, and Demetrio and Porfirio Cortés served on the agrarian committee and decided to craft and forward a land petition to the state governor of Veracruz, the *agrarista* Adalberto Tejeda. By 1932, the Local Agrarian Commission (CLA) had certified the land request of ‘a group of dispossessed campesinos from the community of El Huanal’ and proceeded to notify local landowners of this solicitation.<sup>2</sup> The risk of handing out lands to these potential *ejidatarios* exacerbated the concerns of local cattle ranchers. For these *rancheros*, the land reform, and the ejidos it attempted to establish in the countryside, represented a new legal order that ran against their economic and political ambitions. During the course of 50 years, cattle ranchers in El Huanal defended private property, resisted land expropriation and prevented the establishment of an ejido in the community.<sup>3</sup> How did *rancheros* achieve this? How did they respond to the

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*State Fixations and Fugitive Landscapes* (Durham, NC: Duke University Press, 2004), p. 221; this law, promulgated by Venustiano Carranza and authored by Luis Cabrera and Andrés Molina Enríquez stipulated that lands illegally usurped from communities be returned. Those communities without land or unable to show prior possession could ask for a grant of land, known as *ejido*. In order to implement this agrarian reform, post-revolutionary governments expropriated millions of hectares of land from Mexican and foreign owned estates. In a modified version of this decree, incorporated in Mexico’s Constitution of 1917, the executive branch of the government acquired total control of the process of agrarian redistribution.

<sup>2</sup> Amparo en Revisión, 18 June 1969, Archivo Central de la Suprema Corte de Justicia de la Nación, Mexico City (hereafter ACSCJN), file 2061/68, fojas 19–35. On the historical circumstances in which the ‘Mexican campesino’ was constructed as a social and political entity see María Rosa Guidiño and Guillermo Palacios, ‘Peticones de tierras y estrategias discursivas campesinas: procesos, contenidos y problemas metodológicos’, in Antonio Escobar Ohmstede, Jaqueline Gordillo and María Rosa Guidiño (eds.), *Estudios campesinos en el Archivo General Agrario* (México DF: CIESAS-RAN, 1998); Christopher R. Boyer, *Becoming Campesinos: Politics, Identity, and Agrarian Struggle in Postrevolutionary Michoacán* (Stanford, CA: Stanford University Press, 2003), pp. 19–20; Catherine Nolan-Ferrell, ‘Agrarian Reform and Revolutionary Justice in Soconusco, Chiapas: Campesinos and the Mexican State’, *Journal of Latin American Studies*, 42: 3 (2011), pp. 551–85; and Raymond B. Craib, ‘The Archive in the Field: Document, Discourse, and Space in Mexico’s Agrarian Reform’, *Journal of Historical Geography*, 36: 4 (2010), pp. 411–20.

<sup>3</sup> *Rancheros* often used their close relationships with the Catholic Church against *agrarismo*. In the archival sources consulted for this article, the religious component of their struggle is absent. Yet, that does not necessarily mean religious belief did not inform their ideas and actions in El Huanal, specially, during the early phases of the conflict which coincides with Adalberto Tejeda’s anticlerical campaigns. See Ben Fallow, *Religion and State Formation in Postrevolutionary Mexico* (Durham, NC: Duke University Press, 2013); Romana Falcón and Soledad García, *La semilla en el surco: Adalberto Tejeda y el radicalismo en Veracruz 1883–1960* (México DF: El Colegio de México, 1986); John B. William, ‘Adalberto Tejeda and the Third Phase of the Anticlerical Conflict in Twentieth Century Mexico’, *Journal of Church and State*, 15: 3 (1973), pp. 437–53.

pressures of ‘peasant’ mobilisation? How did post-revolutionary legal discourse, categories and documents come to frame this struggle over land? What changes did this failed attempt to implement the land reform trigger in the region?

As the primary legal mechanism for either returning or distributing land to rural communities the ejido became an important spatio-legal category upon which the Mexican post-revolutionary state attempted to build its foundation and legitimacy.<sup>4</sup> Yet, state efforts to restructure rural property relations articulated, often in violent ways, with alternative territorial projects that challenged the implementation of these redistributive legal measures. Ranchero scholars, in particular, have contributed to our understanding of the convoluted ways in which the post-revolutionary ‘legal system’ contributed to the intensity of conflicts over the control of resources in the countryside.<sup>5</sup> In his seminal article ‘Peasants and the Law: A History of Land Tenure and Conflict in the Huasteca’, Frans Schryer, for instance, looks at the ways in which peasants and landowners, as well as lawyers and politicians, interpreted agrarian law according to their own interests and took advantage of the ambiguities in land tenure laws. Moreover, by accentuating the ‘legal victory’ on the part of militant campesinos (land invaders in the southern part of the district and petitioners for extensions of already existing ejidos in the north), Schryer was able to question the common view in structural analysis that

<sup>4</sup> As Nikolas Rose argues in *Powers of Freedom: Reframing Political Thought* (Cambridge: Cambridge University Press, 1999), power operates, in large part, through the creation of governable spaces. See also, James Scott, *Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed* (New Haven, CT: Yale University Press, 1998). Post-revolutionary *ejidos*, however, were the latest in a series of efforts of the modern Mexican state during the nineteenth and early twentieth centuries to achieve economic development and facilitate the political control of the countryside. See Craib, *Cartographic Mexico*; Antonio Escobar Ohmstede and Matthew Butler (eds.), *México y sus transiciones: reconsideraciones sobre la historia agraria mexicana, siglos XIX y XX* (México DF: CIESAS, 2013), pp. 33–76.

<sup>5</sup> The rich scholarship on *rancheros* builds on the classic studies of Luis González y González, *Pueblo en vilo: microhistoria de San José de García* (México DF: El Colegio de México, 1968); Frans J. Schryer, *The Rancheros of Písaflores: The History of a Peasant Bourgeoisie in Twentieth-century Mexico* (Toronto: University of Toronto Press, 1980); David Brading, *Haciendas and Ranchos in the Mexican Bajío 1700–1860* (New York: Cambridge University Press, 1978); Ian Jacobs, *Ranchero Revolt: The Mexican Revolution in Guerrero* (Austin: University of Texas Press, 1981). See also, Estebán Barragán López, Odile Hoffmann, Thierry Linck and David Skerritt (eds.), *Rancheros y sociedades rancheras* (Zamora: El Colegio de Michoacán, 1993); on how *rancheros* mobilised Catholic belief to undermine the implementation of the agrarian reform and the secular vision of the nation that animated it see Fallow, *Religion and State Formation in Postrevolutionary Mexico*. Also, Benjamin Smith, *The Roots of Conservatism in Mexico: Catholicism, Society and Politics in the Mixteca Baja 1750–1962* (Albuquerque: University of New Mexico Press); on the construction and collapse of *rancheros*’ territorialities in domains ‘untouched’ by the Mexican revolution. See Aaron Bobrow-Strain, *Intimate Enemies: Landowners, Violence, and Power in Chiapas* (Durham, NC: Duke University Press, 2007).

contends that the law can only serve the interests of the landed elite.<sup>6</sup> Poor peasants in the Huasteca, he concluded, were certainly capable of interpreting the law, of working within legal institutions, and, ultimately, of modifying the system of land tenure in the region.

This article builds on Schryer's work as it looks at the ways in which diverse rural actors in Nautla appropriated post-revolutionary agrarian law as they tried to ensure continued access to coastal land. Yet, unlike his approach, I do not limit the law's transformative potential to its successful implementation.<sup>7</sup> In other words, I want to suggest that the agrarian body of law created by government legislators and jurists in the aftermath of the Mexican Revolution, altered not only the configuration of those communities in which it was implemented, as in the case examined by Schryer, but also of those localities in which the ejido reform did not prosper, as in El Huanal. This, I believe, requires closer attention to the ways in which the law is put into use and to the transformative potential of these legal enactments. In this regard, Nicholas Blomley's interest in the varied effects of spatio-legal orderings becomes relevant. As a critical legal geographer, Blomley's work focuses on how legal orderings and categorisations intersect with spatial ones and the ways in which these 'splices' are actively imagined, made, used and acted out.<sup>8</sup> Blomley's approach seeks to challenge the apparent stability and naturalness of the kinds of property arrangements simultaneously produced through 'law' and 'space', such as the ejido or private property, but, more importantly, his work alerts us to the necessary mobilisations and everyday doings that the implementation or refusal of such spatio-legal arrangements require.<sup>9</sup> For Blomley, the very requirement that these be produced by disperse subjects creates the possibility

<sup>6</sup> Frans Schryer, 'Peasants and the Law: A History of Land Tenure and Conflict in the Huasteca', *Journal of Latin American Studies*, 18: 2 (1986), p. 309.

<sup>7</sup> Similarly, recent research on Mexican agrarian history alludes to the ways in which peasant communities successfully negotiated (liberal and post-revolutionary) legal reforms. See Helga Baitenmann, 'Popular Participation in State Formation: Land Reform in Revolutionary Mexico', *Journal of Latin American Studies*, 43: 1 (2011), pp. 1–31; Catherine Nolan-Ferrell, 'Agrarian Reform and Revolutionary Justice in Soconusco, Chiapas: Campesinos and the Mexican State', *Journal of Latin American Studies*, 42: 3 (2011), pp. 551–85; Ethelia Ruiz Medrano, *Mexico's Indigenous Communities: Their Lands and Histories* (Boulder: University of Colorado Press, 2010). Romana Falcón (ed.), *Culturas de pobreza y resistencia: estudios de marginados, proscritos, y descontentos. México, 1804–1910* (Querétaro: Universidad Autónoma de Querétaro, 2005); Antonio Escobar Ohmstede and Matthew Butler (eds.), *México y sus transiciones*, pp. 33–76. See also, Gilbert Joseph and Daniel Nugent (eds.), *Everyday Forms of State Formation: Revolution and the Negotiation of Rule in Modern Mexico* (Durham, NC: Duke University Press, 1994).

<sup>8</sup> A literature review on critical legal geography can be found in Nicholas Blomley, 'From What? To So What? Law and Geography in Retrospect', in Jane Holder and Carolyn Harrison (eds.), *Law and Geography* (Oxford: Oxford University Press, 2002), pp. 17–33; and in Nicholas Blomley, *Law, Space, and the Geographies of Power* (New York: Guilford Press, 1994), pp. 11, 45–6, 51.

<sup>9</sup> Blomley, 'From What? To So What? Law and Geography in Retrospect', pp. 30–2.

for slippage and creative reworking. That is, the way in which different subjects mobilise or enact spatio-legal categories, through legal and illegal channels and practices, is what gives ‘the law’ its transformative potential.<sup>10</sup> It is when we focus on these generative operations and processes, what Blomley calls ‘re-splittings’, that the agrarian reform, regardless of its alleged failure, appears to have transformed social and material landscapes.

### *Method and Structure*

My analysis is primarily based on a set of legal documents generated from an *amparo* petition initiated in the 1960s by several landowners of the community of El Huanal to prevent the expropriation of their land.<sup>11</sup> These documents narrate the legal battles between elite cattle ranchers and a changing group of campesinos over the control of the land in the community from the 1930s to the 1990s. Furthermore, this vast array of petitions, legal decrees and reports reveals, a divided but active rural sector, not always supporting the agrarian reform, as well as an ethnically diverse but cohesive landowner elite, interested in defending a particular spatial order in the face of *ejido* land claims. Looking closely at these documents I examine the conflicts, negotiations and practices that unfolded among cattle ranchers, small property owners, potential ejidatarios and agrarian bureaucrats around the interpretation and the applicability of legal categories and regulation. These legal enactments, by actors with unequal access to both power and resources, did not, ultimately, transform the system of land tenure of this community. Nevertheless, these specific arrangements refashioned both society and the environment.

In order to examine the ways in which post-revolutionary legal understandings and practice affected El Huanal, this article begins with a review of the legal and historical framework that favoured the establishment, in the nineteenth century, of cattle ranching in coastal Veracruz. A nuanced understanding of how diverse rural actors negotiated nineteenth-century liberal reforms is key to assessing the particular ways in which specific communities responded to post-revolutionary agrarian law.<sup>12</sup> Thus, the first section discusses the state-sponsored

<sup>10</sup> *Ibid.*

<sup>11</sup> Archivo Central de la Suprema Corte de Justicia de la Nación. See Amparo en Revisión 2061/68, 18 June 1969, ACSCJN. These original documents were consulted to make sure that there wasn't any information missing in the copy that the Salas-Torres family holds in their records. Moreover, I am aware that when used as historical or ethnographic sources, legal documents, such as these, can present problems. As critical legal scholars have argued, the law, its orderings, categorisations and unfolding, systematically favour the powerful. Yet, in this article, I am also interested in bringing into view the ways in which non-elites do and undo the law and the effects that this legal reworking generates.

<sup>12</sup> See Escobar et al. (eds.), *México y sus transiciones*, pp. 36–7.

recruitment of European immigrants to settle and develop 'vacant lands' in this region and the subsequent political and economic consolidation of this group of private landowners. This brief assessment of liberal policies, regulation and ideas around land provides the context for my examination, in the second section, of agrarian post-revolutionary legislation. I discuss how *agrarista* efforts to implement ejidos throughout Veracruz became difficult as subsequent federal governments started to introduce new amendments to the Federal Agrarian Law that served to protect the interests of cattle ranchers. It was through such amendments, and the legal loopholes these created, that the post-revolutionary state was able to manage competing goals and interests such as the land redistribution to peasants and the development of capitalist agriculture based on private property rights. I consider how this complex and ambiguous legal framework, reflecting the changing goals and competing constituencies of the Mexican state, led to serious conflicts as different legally defined spaces and spatially grounded rights became engaged in the fight for the control over local resources in the region. These conflicts are examined in the next three sections which consequently, turn to the efforts of different groups of rural actors to request, obtain or defend the land that, since the 1930s became under dispute. I suggest that, one of the results of these processes was the development of a vigorous market of small properties: a market that gave the opportunity to some residents to buy land in the region. This unexpected outcome points to another way in which landlords, rural workers, renters and other residents appear to have solved the 'agrarian problem' outside official state channels, namely through the expansion of privately owned land. In this context, the land reform became, for many, only one possible solution to their economic needs, a solution that some rejected in the 1950s and many others, encouraged by agrarian bureaucrats, chose to follow, without success, in following decades. The subsequent competing interpretations of agrarian laws, decrees and documents, along with the final legal resolution favouring cattle ranchers, is also examined in these sections. Last, in the final segment, I comment on the changes that this failed attempt to implement the land reform triggered in the region.

### *Colonisation Laws and the Development of Coastal Vacant Lands*

El Huanal is a small community located in the municipality of Nautla. This *municipio* comprises 358.63 square kilometres of *tierra caliente* and is bordered on the north by Martínez de la Torre, on the southwest by Misantla, on the southeast by Vega de Alatorre and on the east by the Gulf of Mexico. As in other regions of *tierra caliente*, the temporal distribution of precipitation has a beneficial effect on the development not only of *matz* but other varieties of tropical plants and fruits such as vanilla, oranges, grapefruits, bananas and

sugar cane. Coastal lowlands, however, have been inundated seasonally favouring the establishment of permanent pastures. Cattle ranching, first introduced by Spanish settlers during the early colonial period, remains an important economic activity in the region.<sup>13</sup> A significant part of the history of the municipality is related to European immigration in the nineteenth century. In 1826, the state of Veracruz promulgated the first colonisation law that favoured the recruitment of European immigrants to settle and develop ‘vacant lands’ located throughout the coast.<sup>14</sup> These lands were either purchased, by the government or settlers, or appropriated after being declared fallow.<sup>15</sup> Colonisation efforts in Veracruz were entangled with the national concern over economic progress. From the perspective of an urban and liberal elite, seeking desperately to achieve prosperity, the rural ‘communalist’ Indian and the vicious hacendados could only be seen as a problem to be solved. In this context, European immigrants were perceived as a social alternative to achieve the desired modernisation of the countryside. The characterisation of the territory as ‘empty’ clearly shaped the politics and possibilities of land tenure in Veracruz throughout this period. Furthermore, these ideas around the nature of coastal lands reveal the tendency of jurists to treat property as if it were an abstract space devoid of social practices fraught with unsettled meanings rather than a set of spatial relations among individuals.<sup>16</sup>

By the time the first French immigrants arrived from Burgundy, between 1833 and 1840, and settled in the colonies of Jicaltepec and later San Rafael, a few families of Spanish descent, such as the Montoya and Zorrilla,

<sup>13</sup> See David Skerritt, ‘Tres culturas: un nuevo espacio regional, el caso de la colonia francesa de Jicaltepec-San Rafael’, in Odile Hoffmann and Emilia Velázquez (eds.), *Las llanuras costeras de Veracruz. La lenta construcción de las regiones* (México DF: ORSTOM, 1994), pp. 161–91; Emilia Velázquez and Odile Hoffmann, ‘Introducción’, in Hoffmann and Velázquez (eds.), *Las llanuras costeras de Veracruz. La lenta construcción de las regiones*, pp. 13–33. See also, Ana Lid Del Ángel Pérez, ‘Formación de la estructura productiva ganadera en la llanura costera de Veracruz central’, in Hoffmann and Velázquez (eds.), *Las llanuras costeras de Veracruz*, pp. 193–210.

<sup>14</sup> Raymond B. Craib, ‘Standard Plots and Rural Resistance’, in Gilbert M. Joseph and Timothy Henderson (eds.), *The Mexico Reader* (Durham, NC: Duke University Press, 2002), pp. 252–62. See also, Luis González y González, ‘Liberals and the Land’, in Gilbert M. Joseph and Timothy Henderson (eds.), *The Mexico Reader* (Durham, NC: Duke University Press, 2002), pp. 232–51.

<sup>15</sup> Velázquez and Hoffmann, ‘Introduction’, pp. 25–26. By 1846, the basic national regulations for the *Dirección de Colonización* were developed and published. This agency embodied the approach of Mexican Liberals to government-regulated immigration and called for a national survey of lands to identify unclaimed and vacant parcels and designate them as *terrenos baldíos*. See David K. Burden, ‘Reform Before La Reforma: Liberals, Conservatives and the Debate over Immigration, 1846–1855’, *Mexican Studies/Estudios Mexicanos*, 23: 2 (2007), pp. 283–316.

<sup>16</sup> Nicholas Blomley, ‘Introduction: Property and the City’, in Nicholas Blomley, David Delaney and Richard T. Ford (eds.), *The Legal Geographies Reader: Law, Power, and Space* (Oxford: Oxford University Press, 2001), pp. 115–117 (cited passage on 116).

had established their *ranchos ganaderos* on the banks of the Nautla River. The introduction of cattle was, like in other regions, a significant aspect of the Spanish project of colonisation. It was a practice that carried prestige and unlike agriculture this productive undertaking required little labour. Yet, it allowed settlers to appropriate vast spaces.<sup>17</sup> Small groups of Mizanteco Indians, who cultivated maíz and gathered vanilla, also occupied this coastal area. Their subsistence-oriented agriculture and dispersed settlement patterns reflected the influence of slash-and-burn *milpa* agriculture, a system that, in order to function adequately, requires a significant amount of land as most fields are used for a relatively short period of time and then abandoned for a longer period to allow soil regeneration.<sup>18</sup> The practice of slash-and-burn agriculture helps explain why these cultivators, who had prevailed well into the nineteenth century, came into conflict with local *rancheros*' expansive and continuous use of land and pastures.<sup>19</sup> Disagreements and litigation over the control of the land were, in fact, common throughout the period.<sup>20</sup> French settlers, evidently, did not occupy vacant regions and territories imagined by the liberal elite, but contentious spaces where diverse rural actors, Mizantecos and Spanish *rancheros*, were already fighting for their own territorial projects and goals.<sup>21</sup>

By 1850, French immigrants started to develop particular tactics to further their control over people and resources in the region. These strategies centred on the cultivation and commercialisation of a prized international commodity: vanilla. Arnaud Oueilhe, Jean François Roustan, Vicente Meunier, Nicolas Drouaillet and Edouard Guichard were some of the first settlers who, relying on the Indian population, started the mass cultivation of vanilla and other products such as maíz and fruits along the coast.<sup>22</sup> Other settlers, such

<sup>17</sup> David Skerritt, *Colonos franceses y modernización en el Golfo de México* (Xalapa: Universidad Veracruzana, 1995), pp. 66–99. For a detailed study of the history of French colonies in coastal Veracruz see David Skerritt, 'Tres culturas'; and Odile Hoffmann, 'Entre mar y sierra: nacimiento de la región de Martínez de la Torre, Veracruz', in Odile Hoffmann and Emilia Velázquez (eds.), *Las lanuras costeras de Veracruz*, pp. 129–56.

<sup>18</sup> Emilio Kourí, *A Pueblo Divided: Business, Property, and Community in Papantla* (Stanford, CA: Stanford University Press, 2004), pp. 52–61.

<sup>19</sup> Hoffmann, 'Entre mar y sierra', p. 137; Del Ángel Pérez, 'Formación de la estructura productiva ganadera en la llanura costera de Veracruz central', p. 200; and Esteban Barragán López and Thierry Linck 'Los rincones rancheros de México. Cartografía de sociedades relegadas', in Esteban Barragán López, Thierry Linck and David Skerritt (eds.), *Rancheros y Sociedades Rancheras* (Zamora: El Colegio de Michoacán, 1994), pp. 57–80 (cited passage on p. 80).

<sup>20</sup> Skerritt, 'Tres culturas', p. 170.

<sup>21</sup> Odile Hoffmann and Fernando Salmerón Castro, 'Entre representación y apropiación, las formas de ver y hablar del espacio', in Odile Hoffmann y Fernando Salmerón Castro (eds.), *Nueve estudios sobre el espacio: representación y formas de apropiación* (México DF: CIESAS, 1997), pp. 13–30.

<sup>22</sup> Skerritt, *Colonos franceses y modernización en el Golfo de México*, pp. 125–6.



as Pierre Alexandre Roussel, developed connections in France to deal directly with buyers in order to have more control over the prize and quality of vanilla's exports.<sup>23</sup> As production and business intensified, land in Nautla became more valuable and conflicts among Indians as well as between them and French merchants increased – specially, during the vanilla boom of the 1870s and 1880s.<sup>24</sup> The rising vanilla business had produced the necessary cash income that allowed settlers, like Federico Guiochin, to buy the land made available since 1856, the year in which Mexican liberals promulgated the law of corporate property disentailment.<sup>25</sup> Private farms, as liberals envisioned, suddenly came to dominate the landscape of the coast of Veracruz.

However, in the following decades and after the downturn in vanilla prices in the late 1880s, French growers and merchants decreased their own investments to the extent of abandoning vanilla cultivation and export altogether. But willing to diversify their economy and owning considerable extensions of land, they embraced the traditions of local families of Spanish descent and converted their estates into *ranchos ganaderos*.<sup>26</sup> Cattle ranching allowed French settlers to invest in what they considered to be a more secure economic activity. They successfully adopted the productive logic of local Spanish *rancheros* creating a new space of economic association and co-operation that turned out beneficial for the local economy.<sup>27</sup> They not only worked at some productive stages collectively but also developed strategies to strengthen their political power at the local level. These cooperative efforts that helped maintain this specific property regime were initially based on informal norms and agreements. Later on, the intercession of the state would become fundamental to consolidate their power. In 1882, for instance, prominent French families in the area such as Meunier, Bernot, Desoche and Montcouquiol installed the *Junta Protectora de Instrucción*

<sup>23</sup> Skerritt, 'Tres culturas', p. 172.

<sup>24</sup> On the effects of vanilla production and trade in northern Veracruz see Kourí, *A Pueblo Divided*.

<sup>25</sup> The central objective of the *desamortización* decreed by the 1856 Lerdo Law was to privatise communal property a change that was considered essential for both agricultural and fiscal modernisation. See Ohmstede and Butler (eds.), *México y sus transiciones*, p. 43. On the effects of Liberal legislation in Veracruz see Skerritt *Colonos franceses y modernización en el Golfo de México*, pp. 120–1; and Hoffmann, 'Entre mar y sierra', p. 142. Although Skerritt and Hoffmann document how French settlers in Veracruz were able to acquire church property, they make no reference to the disentailment of indigenous communal lands. For a critique see Emilio Kourí, 'Interpreting the Expropriation of Indian Pueblo Lands in Porfirian Mexico: The Unexamined Legacies of Manuel Molina Enríquez', *Hispanic American Historical Review*, 82: 1 (2002), pp. 69–117 (cited passage on pp. 26–7).

<sup>26</sup> Besides the commercialisation of vanilla, French settlers – in particular those who arrived between 1875 and 1887 from the region of Savoy were also involved in the trade of salt, meat and other products sold in *casas comerciales* in San Rafael and Jicaltepec. See Skerritt, 'Tres culturas', p. 172.

<sup>27</sup> Skerritt, *Colonos franceses y modernización en el Golfo de México*, pp. 196–7.

*Pública*, an organisation that controlled public education in the region.<sup>28</sup> Similarly, a group of French, Italian and Spanish *rancheros* that had settled in Paso de Novillos negotiated with the federal and state government to create their own municipality, Martínez de la Torre. According to Velázquez and Hoffmann, this appropriation of the land constitutes the roots of a new kind of territoriality: a space controlled by cattle ranchers who gained political recognition by stressing their cultural differences between themselves and the Indians inhabiting Misantla and Tlapacoyan.<sup>29</sup> The European populations that occupied the coast of Nautla, in short, differed widely in the nature of their settlement into this region. But despite these differences they were able to develop a cohesive yet diverse social group. For most scholars, this unity was achieved because these immigrants, as opposed to the indigenous population, valued private property.<sup>30</sup> In this context, property, understood as a cultural system and a set of social relations, allowed coastal *rancheros* to redefine social and physical boundaries as they appropriated economic and political resources.<sup>31</sup> However, the events that unfolded in El Huanal during the first half of the twentieth century demonstrates that private property in Nautla was not only desired by European settlers and Spanish ranchers.<sup>32</sup>

<sup>28</sup> Skerritt, *Colonos franceses y modernización en el Golfo de México*, p. 202.

<sup>29</sup> Hoffmann, 'Entre mar y sierra', p. 144.

<sup>30</sup> Skerritt, 'Lo *ranchero*, génesis y consolidación', in Hoffmann, Link and Skerritt (eds.), *Rancheros y sociedades rancheras*, pp. 141–52; Hoffmann, 'Entre mar y sierra', p. 144; López and Linck, 'Los rincones *rancheros* de México', p. 71.

<sup>31</sup> Katherine Verdery, *The Vanishing Hectare: Property and Value in Postsocialist Transylvania* (Ithaca, NY: Cornell University Press, 2003), p. 18.

<sup>32</sup> The literature on *reparto*, in fact, demonstrates that since the nineteenth century, native communities throughout Mexico had favoured the conversion of their communal land into private property. See Jacques Chevalier and Daniel Buckles, *A Land without Gods: Process Theory, Maldevelopment, and the Mexican Nahuas* (Halifax: Fernwood Publishing Co., 1995). According to these scholars, the private 'lot system' allowed the Nahuatl-speaking village of Pajapan, in southern Veracruz, to retain political autonomy such as the collective ownership and the flexible organisation of communal lands. Similar defensive arrangements are described by Antonio Escobar Ohmstede, 'La estructura agraria en las Huastecas, 1880–1915', in Antonio Escobar Ohmstede and Teresa Rojas Rabiela (eds.), *Estructuras y formas agrarias en México del pasado y del presente* (México DF: CIESAS, 2001), pp. 177–96 and by Jennie Purnell, 'With all due Respect: Popular Resistance to the Privatisation of Communal Land in Nineteenth-Century Michoacán', *Latin America Research Review*, 34: 1 (1999), pp. 85–122. Conversely, in Papanlta, *condueñazgos* were primarily commercial ventures that favoured the expansion of vanilla cultivation. See Kourí, *A Pueblo Divided*, p. 156. Also Brian Stauffer, 'Community, Identity, and the Limits of Liberal State Formation in Michoacán's Coastal Sierra: Coalcomán, 1869–1940', in Escobar Ohmstede and Butler (eds.), *México y sus transiciones*, pp. 149–80. Overall, these studies demonstrate that private property is not a transparent stable category devoid of its own interpretative frameworks and historical specificities.

*Post-Revolutionary Agrarian Radicalism*

In the historiography of the Mexican Revolution, Veracruz has been characterised as a state that suffered minor violent conflicts during the armed phase of the revolt.<sup>33</sup> However, when Adalberto Tejeda became governor in 1920, Veracruz experienced dramatic changes.<sup>34</sup> Like many radical agrarian leaders of the period, Tejeda believed that the decree of 1915 and the new Article 27 could transform economic structures and serve as a tool of social justice and equality for the disenfranchised rural folk. Reversing the liberal model of private landholding, these post-revolutionary legal initiatives sought to restore pueblos' juridical standing and identity by allowing communities to hold land collectively in the form of ejidos.<sup>35</sup> Landless villagers could either ask for their communal lands to be returned through a process that came to be known as *restitución* or they could ask instead for a *dotación*: a grant of land owned by the state but worked communally in usufruct by recipients. As Kourí suggests, this new body of law incorporated a series of assumptions about the cultural characteristics, history and needs of the inhabitants of Mexican pueblos such as their cohesive and harmonious nature, their inherent preference for communal landholding, and their need for government tutelage.<sup>36</sup> These ideological representations became integral elements of post-revolutionary legal rhetoric and practice and gave the agrarian reform an appearance of coherence and stability.

<sup>33</sup> Alan Knight, *The Mexican Revolution* (Cambridge: Cambridge University Press 1986), p. 238.

<sup>34</sup> Under Tejeda's leadership (1920–4 and 1928–32), rural folk in Veracruz benefited from a rapid land distribution despite the strong opposition from the national government. On Tejeda's *agrarismo* see Heather Fowler-Salamini, *Agrarian Radicalism in Veracruz* (Lincoln, NE: University of Nebraska Press, 1971); Romana Falcón, *El agrarismo en Veracruz* (México DF: El Colegio de México, 1977); Baitenmann, *Rural Agency and State Formation in Post-revolutionary Veracruz*; and Eitan Ginzberg, 'State Agrarism versus Democratic Agrarism: Adalberto Tejeda's Experiment in Veracruz 1928–1932', *Journal of Latin American Studies*, 30: 2 (1998), pp. 341–72.

<sup>35</sup> *Ejido* land grants (*dotaciones* and *restituciones*) were a product of Mexico's twentieth-century agrarian reform and should not be confused with those lands designated for the communal use of Indian pueblos – often also called *ejidos*. See Mikael Wolfe, 'The Sociolegal Redesignation of Ejido Land Use, 1856–1912', in Escobar Ohmstede and Matthew Butler (eds.), *México y sus transiciones*, pp. 291–316. Moreover, as legal categories, the meanings attached to these forms of land tenure, cannot be reduced to those given by jurists. Local villagers, over time, changed the use and meaning of communal and *ejido* land as the emerging literature on nineteenth-century *reparto* and on twentieth-century processes of state formation, respectively, demonstrate. See Antonio Escobar Ohmstede and Matthew Butler (eds.), *México y sus transiciones*; Gilbert Joseph and Daniel Nugent (eds.), *Everyday forms of State Formation: Revolution and the Negotiation of Rule in Modern Mexico* (Durham, NC: Duke University Press, 1994).

<sup>36</sup> See Kourí, 'Interpreting the Expropriation of Indian Pueblo Lands in Porfirian Mexico', p. 105.

In order to implement the ejido system, Tejeda augmented the power and status of the League of Agrarian Communities of Veracruz, appointed civil administration boards and municipal candidates, doubled the membership and budget of the Local Agrarian Commission (CLA), and organised an agrarian militia dispatched throughout the state, both to stimulate interest in communal landholding and to protect its supporters from anxious landowners who feared the expropriation of their haciendas and ranchos.<sup>37</sup> But Tejeda's commitment to land reform was also reflected in his use of existing state legislation to favour land redistribution. During the second period of his governorship over 20 per cent of total legislative activity, more than 200 laws and ordinances, concerned agrarian matters.<sup>38</sup> In May 1932, for instance, the state legislature enacted Law 66 to expand the socio-economic parameters that the constitution had established for agrarian property to include all property. This draft law declared it to be in the 'public interest' to expropriate all agricultural, industrial, commercial and other assets 'regardless of their size and organisation' under certain circumstances, including strikes, poor management, underdevelopment and neglect of equipment, waste of raw materials and injury to workers' rights or income.<sup>39</sup> A few months later, in July 1932, Tejeda suggested a new legal procedure to deal with the proliferation of *amparos* in an effort to limit court involvement in the process of expropriation. Under the terms of what would become Law 119, landowners wishing to appeal against the expropriation of their property would have to submit a petition to the governor within five days from the day the expropriation decision was published before they could apply for relief from the court. The goal, as Ginzberg suggests, was to prevent systematic applications of *amparos* that by-passed the governor.<sup>40</sup> Tejeda was also aware that the snail's pace of the *ejidal* application process exposed peasants to innumerable forms of pressure from landowners during the interim period before the land was finally handed over for good. To solve this problem, he introduced a revision to the 1920 federal law on abandoned land, the *Ley Federal de Tierras Ociosas*. By doing this, he sought to define a criterion for determining what constituted idle lands in order to first, force landowners into putting uncultivated areas into circulation among those who lacked access to land and second, to make it difficult for landowners to litigate for their return.<sup>41</sup> Although these singular reforms allowed Tejeda to transfer thousands of hectares of tillable and grazing land to peasants, they did not prevent the success of various petitions for

<sup>37</sup> Fowler-Salamini, *Agrarian Radicalism in Veracruz*, p. 72; Falcón, *El agrarismo en Veracruz*, p. 63.

<sup>38</sup> Ginzberg, 'State Agrarism versus Democratic Agrarism', pp. 352–66.

<sup>39</sup> *Ibid.*, p. 357.

<sup>40</sup> *Ibid.*, p. 365.

<sup>41</sup> *Ibid.*, p. 364.

amparo. Likewise, the implementation of these decrees became difficult as future federal governments started to introduce new amendments to the Federal Agrarian Law. In 1936, for instance, president Cárdenas established the 'Ley de Asociaciones Ganaderas'; a year later, he modified article 52 of the Federal Agrarian Law to allow cattle ranchers to obtain '*certificados de inafectabilidad agraria*'.<sup>42</sup> Both decrees acted as a stimulus to livestock production and served to protect the interests of this rural sector. Thus, in post-revolutionary Veracruz, post-revolutionary agrarian law intersected in complex and contradictory ways as rural actors started to use competing legal categories and decrees to alter and maintain, respectively, the course of their lives. This complex legal framework, developed to manage competing goals and interests in the countryside, led to serious conflicts as legal categories and regulation became engaged in the fight for the control over local resources.<sup>43</sup> On the one hand, the agrarian reform became an avenue through which rural folk in Veracruz could engage in collective action to claim land, while on the other it strengthened the local economies and social ties of coastal rancheros. As I will discuss shortly, for many cattle ranchers in Nautla, Cárdenas's federal reforms provided the bases to rework the logic, practices and discourse of post-revolutionary rule. By doing this, they furthered control of the land despite the legacy of Tejeda's radical *agrarismo*.

### *The Politics of Law*

Fowler-Salamini emphasises the lack of armed opposition from landowners directly affected by Tejeda's reform policies during the last two years of his administration (1930–2).<sup>44</sup> Their acquiescence, for her, is attributed to the military strength of the peasant militias and the state's civil guard that discouraged retaliatory action from landowners. Cattle ranchers in Nautla might not have engaged in armed opposition against Tejeda but during and after the golden age of *agrarismo*, they showed a considerable ability to cover themselves against peasant land claims. Rancheros soon became 'fluent in the language of the Revolution' and mounted successful strategies to defend their territory.<sup>45</sup> Ranchers cleverly exploited the loopholes in the law, used their economic power to negotiate with state authorities, embraced corporatist and sectorial organisations, and benefited from a radical yet byzantine agrarian reform. For instance, in 1949, three years after governor Ruiz Cortines

<sup>42</sup> Pedro Saucedo, *Historia de la ganadería en México* (México DF: Universidad Nacional Autónoma de México, 1984), p. 67.

<sup>43</sup> Benda-Beckmann et al., 'Space and Legal Pluralism: An Introduction', pp. 4–22.

<sup>44</sup> Fowler-Salamini, *Agrarian Radicalism in Veracruz*, p. 97.

<sup>45</sup> Aaron Bobrow-Strain, *Intimate Enemies: Landowners, Power, and Violence in Chiapas*, p. 101. See also, Ben Fallow, *Religion and State Formation in Postrevolutionary Mexico*, pp. 101–56.

(1944–8) implemented a set of legal initiatives to reinforce the organisation of ranchers' unions, Felipe Capitaine, Antonio Neme, Julián Capitaine and Germán Levet, all prominent *rancheros* in Nautla, founded the Local Cattlemen's Association (AGL). Initially, it included only 30 members but eventually more than 300 landowners and cattle ranchers joined.<sup>46</sup> The establishment of this association not only revealed that cattle ranching had taken significant proportions in coastal Veracruz, but also *rancheros'* interest in using corporatist mediation, to protect their properties from agrarian expropriation. More importantly, they were able to legitimise the use of vast extensions of land and to obtain technical, marketing and financial assistance to increase and modernise livestock production.<sup>47</sup> In Nautla, leaders of these organisations also managed to secure the necessary local support to start governing municipalities and therefore, enhancing their political power.<sup>48</sup> But before the establishment of cattlemen's associations, *rancheros* in Nautla had to reach out to other state-sponsored organisations to negotiate with the agrarian bureaucracy the distribution of certificates of exemption from land reform.<sup>49</sup> The case of Arturo Arellano is revealing. Besides cattle ranching, Arellano also cultivated several species of tropical plants. Like most of the residents of the community of San Rafael, Arellano was a member of the farmers' cooperative created in 1923 by the Minister of Agriculture and Development (Secretaría de Agricultura y Fomento) to improve banana production and trade. In 1936, when one of Arellano's properties, located on the southern part of the Nautla River, was subject to agrarian inspection, he solicited assistance from this association to obtain a *certificado de inafectabilidad agraria* to protect his estate. The way in which Arellano's petition of agrarian exception was framed is telling. The cooperative mobilised a discourse grounded on the idea of progress to claim that: 'the expropriation of Arellano's property is a threat to the modernisation of the countryside'. By affecting small property owners, the cooperative argued, the state was impeding the economic development of the region.<sup>50</sup> This narrative, which defended individual property on the basis of the common good, proved effective: the Department of Agriculture

<sup>46</sup> Acta Constitutiva de la Asociación Ganadera de Nautla, 11 July 1949, Registro 1,850-G. See also, Renée González-Montagut, 'Factors that Contributed to the Expansion of Cattle Ranching in Veracruz', *Mexican Studies/Estudios Mexicanos*, 15: 1 (1999), pp. 101–30.

<sup>47</sup> Odile Hoffmann, 'Rancheros notables de Veracruz: su actuación política en las sociedades locales', in Barragán López et al. (eds.), *Rancheros y sociedades rancheras*, pp. 219–34 (passage cited on pp. 222–8); Skerritt, 'Tres culturas', pp. 189–90.

<sup>48</sup> Hoffmann, 'Rancheros notables de Veracruz', pp. 222–8; Skerritt, 'Tres culturas', pp. 189–90.

<sup>49</sup> Del Ángel Pérez, 'Formación de la estructura productiva ganadera en la llanura costera de Veracruz central', p. 193; Velázquez and Hoffmann, 'Introduction', p. 31; Skerritt, 'Tres culturas', pp. 189–90.

<sup>50</sup> Skerritt, 'Tres culturas', p. 90. See also, Carol Rose, *Property and Persuasion. Essays on the History, Theory, and Rhetoric of Ownership* (Boulder, CO: Westview Press, 1994), pp. 6, 296.

requested the Local Agrarian Commission in Xalapa to reconsider the *solicitud ejidal*. The land of Arturo Arellano was never expropriated.

In Nautla, cattle ranchers also resisted the agrarian reform by exploiting the ambiguity in the law. According to the agrarian legislation, landholders who possess no more than 200 hectares of temporal land, 100 hectares of irrigated land, 300 hectares of sugar-cane fields, and the necessary land to sustain 500 heads of cattle (usually three hectares is needed per head), would avoid expropriation. Aware of the *solicitud ejidal* of 1930, most landowners in El Huanal decided to break up their holdings into small parcels, usually among family members, to have their estates declared 'small properties' and thus, prevent future expropriations.<sup>51</sup> Such a strategy was illegal, and all sales made after a solicitation of *ejido*, would be regarded as null and void. Landowners were not always unsuccessful, an issue that demonstrates not only the ability of the landed elite to manipulate the law but also the (legal) privileges that the group often enjoyed. The estate fragmentation of Margarito Ortiz illustrates this point. By the mid-1930s, Ortiz was the landowner of 'San Cayetano', a property covering 685 hectares. In 1938, he sold 144 hectares to Othón Galván, 135 hectares to Eustogia Galván and 405 hectares to Marcelino and Manuel Galván.<sup>52</sup> Similarly, in 1946, Demetrio Cortés decided to break up 'La Bolsa', a state covering 211 hectares, among his sons and daughters. Porfirio, Isabel, Francisca, Damerina and Demetrio Cortés, each received 42 hectares and qualified as small property owners. Tactical partitioning was also visible in 'El Tamarindo', a farm covering 511 hectares and owned by Vicente Torres Domínguez.<sup>53</sup> In 1948, Torres Domínguez sold 255 hectares to his brother Demetrio, who sold half of this property to Gloria, his sister. All of them received certificates of exemption from land reform.

These transactions often went unnoticed for years. In most of the cases, it took a long time for surveyors to get to the communities to conduct interviews, surveys and thorough examinations of cadastral records, property archives and tax offices.<sup>54</sup> The whole procedure was slow and at times inefficient. According to Craib, by 1930 there were some 1,109 new petitions for land waiting to be processed and some 645 existing petitions still pending in the state of

<sup>51</sup> Craib, *Cartographic Mexico*, pp. 231–2. Between 1935 and 1940, 516 750 hectares were granted as *ejidos* in Veracruz. See Cambrézy, Marchal and Lascuráin, *Crónicas de un territorio fraccionado*, pp. 133–4.

<sup>52</sup> Dictamen Negativo del Cuerpo Consultivo Agrario, 1 July 1992, fojas 1–44, Expediente de Dotación de Ejidos para el Poblado de El Huanal, en el municipio de Nautla, ExCantón de Misantla, Estado de Veracruz, RAN-XAL, file 6425. See also, ACSCJ Amparo en Revisión, 18 June 1969, file 2061/68.

<sup>53</sup> Dictamen Negativo del Cuerpo Consultivo Agrario, 1 July 1992, fojas 1–44, Expediente de Dotación de Ejidos para el Poblado de El Huanal, en el municipio de Nautla, ExCantón de Misantla, Estado de Veracruz, RAN-XAL, file 6425. See also, ACSCJ Amparo en Revisión, 18 June 1969, file 2061/68.

<sup>54</sup> Craib, *Cartographic Mexico*, p. 233.

Veracruz.<sup>55</sup> Since then, efforts to restructure these procedures mostly made matters worse, specially with the shift to right that characterised the *sexenios* of Miguel Ávila Camacho (1940–6) and Miguel Alemán (1946–52). In fact, Baitenmann argues that up until the 1950s, the agrarian bureaucracy ‘had accumulated an administrative backlog so severe that it became impossible to resolve’.<sup>56</sup> This problem became even more acute during the government of Ruiz Cortines (1952–8) who fortified private property rights by promoting cattle ranching as part of his ‘march to the sea’, a programme seeking the colonisation and development of coastal land.<sup>57</sup> In this context, it is not surprising that the process of land redistribution in Veracruz slowed down considerably. These factors might explain why it took 27 years for the Local Agrarian Commission to continue with the reform process in El Huanal. It was not until 1957 that Calixto García Alfaro, a state appointed surveyor, appeared in the community to perform a *visita de inspección*. Things in El Huanal, however, had changed dramatically since 1930.

*‘Los Vecinos de El Huanal No Queremos Ejido’*

As state actors responsible for evaluating the nature of landholding in a particular area, surveyors in post-revolutionary Veracruz were pivotal agents of change. During a *visita de inspección* to a community, surveyors often looked at cadastral records to build an inventory of properties in the area. They were also required to conduct interviews, complete censuses and compiled descriptions of local cultivations, wages, roads and irrigation works.<sup>58</sup> This

<sup>55</sup> Craib, *Cartographic Mexico*, p. 242.

<sup>56</sup> Baitenmann, ‘Rural Agency and State Formation’, p. 180.

<sup>57</sup> In the 1940s Mexico entered into an era of stable and long-term economic growth. There were external factors that contributed to it, such as the United States being at war yet, the role played by the state in the creation of new industries in accordance with the import-substituting-industrialisation model was central. While export agriculture was encouraged, subsistence agriculture continued to struggle as the population exploded and the government kept *ejidos* undercapitalised and undersupplied. See Gilbert Joseph and Jürgen Büchenau, *Mexico’s Once and Future Revolution: Social Upheaval and the Challenge of Rule since the Late Nineteenth Century* (Durham, NC: Duke University Press, 2013), pp. 142–66; Alan Knight, ‘The End of the Mexican Revolution? From Cárdenas to Ávila Camacho, 1937–1941’, in Paul Gillingham and Benjamin Smith (eds.), *Dictablanda: Soft Authoritarianism in Mexico, 1938–1968* (Durham, NC: Duke University Press, 2014), pp. 47–69. Donald C. Hodges and Daniel Ross Gandy, *Mexico: The End of the Revolution* (Westport, CT: Greenwood Press, 2002); John W. Sherman, ‘The Mexican Miracle and Its Collapse’, in Michael C. Meyer and William H. Beezley (eds.), *The Oxford History of Mexico* (Oxford: Oxford University Press, 2000), pp. 575–98; Leonardo, Lomelí Venegas, ‘La construcción del sistema político mexicano: el período de Adolfo Ruiz Cortines’, in Miguel González Compeán and Leonardo Lomelí (eds.), *El partido de la revolución: institución y conflicto, 1920–1999* (México DF: Fondo de Cultural Económica, 2000), pp. 239–84.

<sup>58</sup> On the work of surveyors see Craib, *Cartographic Mexico*; Craib, ‘The Archive in the Field’. Also relevant is the work of Michael A. Ervin, ‘The 1930 Agrarian Census in Mexico:



information helped them assess the commercial value of landholdings and, in fact, it played a key role in determining the ruling on whether or not to pursue a land grant. Understandably, landowners seeking to protect their interests usually confronted these agrarian bureaucrats and even prevented them from completing their investigations and reports. Calixto García Alfaro was certainly aware of these issues when he journeyed to El Huanal to conduct his site visit. When Calixto arrived in the community he met with Moisés Salazar Ramos, a regional representative of the Agrarian Peasant League, the municipal president of Nautla, Alfonso Romero Rico, and several town residents. As soon as Calixto explained the purpose of his visit he encountered strong opposition. Surprisingly for him, the landowner elite had little to do with this matter. In his *informe*, Calixto enunciates how locals ignored the reform process he was trying to implement:

Residents showed no interest in potential *dotaciones de tierra*. Many justified people's indifference by arguing that the solicitation passed to CLA on 10 August 1930 was not theirs. They explained to me that some villagers solicited land from the community of Pedernales, which is located six kilometres outside of El Huanal. These villagers, despite being residents of El Huanal, were actual members of the Agrarian Committee of Pedernales. They refused to sign any of my documents.<sup>59</sup>

Salazar Ramos, fulfilling his role as an agrarian leader, felt the need to intervene. He took the stand to explain in detail the benefits of embracing the agrarian reform. 'The government will help you', he concluded.<sup>60</sup> In Salazar's report there is, implicitly, the idea that, as 'campesinos', people in El Huanal could not advance their own interests until they had the political means at their disposal to do so. The ejido, in his view, represented an instrument by which rural folk could achieve justice and progress. As Boyer suggests, far from passive interpreters between rural communities and the post-revolutionary state, these 'village revolutionaries' attempted to structure the way locals understood the reform process.<sup>61</sup> As the meeting proceeded, however, it was evident

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Agronomist, Middle Politics, and the Negotiation of Data Collection', *Hispanic American Historical Review*, 87: 3 (2007), pp. 537–70. On this piece, Ervin demonstrates how the activities of agricultural experts – not unlike those of surveyors – were central for the implementation of agrarian policies, mainly due to their ability to negotiate with both political elites and rural Mexicans. See also, Joseph Cotter, *Troubled Harvest. Agronomy and Revolution in Mexico, 1880–2002* (Westport, CT: Praeger, 2003).

<sup>59</sup> Amparo en Revisión, 18 June 1969, ACSCJ, file 2061/68, foja 37. See also, Informe reglamentario. Expediente de dotación de Ejidos para el Poblado 'El Huanal' en el municipio de Nautla, ExCantón de Misantla, Estado de Veracruz, 4 July 1958, RAN-XAL, file 1246.

<sup>60</sup> Amparo en Revisión, 18 June 1969, ACSCJ, file, 2061/68, foja 36.

<sup>61</sup> Boyer, *Becoming Campesinos*, p. 29. This effort by agrarian experts to reconcile the competing goals of both politicians – in this case supporting the agrarian reform – and rural inhabitants – rejecting the implementation of the *ejido* – is what Ervin refers to as 'middle-politics'. See Ervin, 'The 1930 Agrarian Census in Mexico', p. 544.

that agrarian rights were being understood in radically different ways, reminding us of the gap that often exists between legal categories and on the ground changing realities and practices. The rejection of the ejido by the majority in El Huanal, in fact, left Salazar Ramos with a sense of frustration well captured in his report: 'it was impossible to make them understand, we had no choice but to craft an *acta* to attest that *vecinos* in El Huanal did not want the *ejido*'.<sup>62</sup>

A month after this incident, Calixto submitted his *informe* to the CLA. Although it was not uncommon for surveyors to find disparities between their own records and what they encountered in the field, the Local Agrarian Commission found Calixto's report confounding. As a result, a year later, a new surveyor appeared in El Huanal to verify the status of their *solicitud ejidal*. On 6 March 1958, Gabriel Cancela visited the community. His report not only confirms Calixto's findings but also provides a description of the changes in property arrangements that were taking place in El Huanal. He stated that:

Irrevocably, people in the community desisted from their original land petition. They all claimed to be small property owners and farmers. Even if their properties are small, they recognized the good quality of the land. In fact, villagers affirmed that the land they now possess would be enough to satisfy their future needs. People did admit the existence of landless *jornaleros*, mostly seasonal workers, originally from the state of Puebla. These landless *campesinos* live in El Huanal and currently work alongside local landowners.<sup>63</sup>

Cancela was also able to meet with the members of the agrarian committee that crafted the original land petition in 1930. Braulio Hernández, Venancio Salas and Porfirio Cortés, in fact, signed the *acta de desistimiento* to legally certify that the community of 'El Huanal' refrained from soliciting ejido land.<sup>64</sup> Porfirio Cortés told Cancela that most of the people that petitioned land in the 1930s either moved out of the community or died. The original committee was therefore disbanded. Cortés, however, kept organising several meetings to create a new agrarian committee that could continue the battle for land. But the majority of the people, he argued, showed no interest and offered him no support. After several attempts Cortés decided to bring this situation to an end 'dejándolo todo por la paz'.<sup>65</sup> On 28 April 1958, the Local Agrarian Commission announced the impossibility of granting land to the community of El Huanal 'simply because peasants in the community felt no need for it'.<sup>66</sup> If this was a genuine feeling among residents, and not the

<sup>62</sup> Amparo en Revisión, 18 June 1969, ACSCJ, file 2061/68, foja 36.

<sup>63</sup> Amparo en Revisión, 18 June 1969, ACSCJ, file 2061/68 foja 36.

<sup>64</sup> Amparo en Revisión, 18 June 1969, ACSCJ, file 2061/68, foja 36. See also, Informe reglamentario. Expediente de dotación de Ejidos para el Poblado 'El Huanal' en el municipio de Nautla, ExCantón de Misantla, Estado de Veracruz, 4 July 1958, RAN-XAL, file 1246.

<sup>65</sup> Amparo en Revisión, 18 June 1969, ACSCJ, file 2061/68, foja 38.

<sup>66</sup> Amparo en Revisión, 18 June 1969, ACSCJ, file 2061/68 foja 38.

result of either bureaucratic fabrication or violent intimidation, what could explain their reaction? Why was the ejido no longer desirable for many rural Mexicans in El Huanal?

In the 1930s and 1940s, land reform claims throughout Mexico intensified during the Cardenista administration. In this context, many landowners in El Huanal formalised their work relationship with rural labourers by giving or selling them plots of land in return for labour or with the intention of creating buffer properties.<sup>67</sup> This strategy seemed sensible at the time when the creation of nearby ejidos and the establishment of the *Bracero* Program drew workers away from landed estates (which were still at risk of being fragmented). The emergence of a demand in manual labour in the United States had, in fact, a significant impact in El Huanal. Juan Salas, for example, was an experienced farm labourer for whom migrating became an opportunity to earn cash income, which he invested in his own small farm. But for those *vaqueros* and *jornaleros* who, unlike Juan, stayed in the community, obtaining land and access to cash income was therefore a viable way to obtain security of land tenure and control of the production process. This became crucial especially after the 1940s, when *ejidos* throughout Mexico, as I mentioned, started to lose state support due to the shift in revolutionary politics away from Cárdenas's radical redistribution of wealth.<sup>68</sup> In short, one of the results of the agrarian reform process in El Huanal was the development of a vigorous market of small properties: a market that gave the opportunity to some residents to buy land in the region. This unexpected outcome points to another way in which landlords, rural workers, renters and other residents appear to have solved the 'agrarian problem' outside official state channels, namely through the expansion of privately owned land. Yet, in this process of negotiation, it was the legal threat of *dotación* that, ironically, functioned as leverage among potential ejidatarios. The life history of Cirilo Salas Huesca illustrates this process. In 1940, ten years after his brother Venancio signed the petition for ejido land, Cirilo married Mercedes Torres Marín, the daughter, born out of wedlock, of Macaria Marín Armas and Miguel Torres Huesca, a well-known landowner in the region.

My grandfather was a generous man. He gave 15 head of cattle to my dad (Cirilo) after he married my mom (Mercedes). It was as gift – a *dote*. What I admired the most is my dad's vision. He knew that in order to establish a dairy farm, he needed a bigger estate.

<sup>67</sup> On how the agrarian reform generated new relationships, alliances and tacit work agreements between landowners, ranchers and rural labourers, see Gail Mummert, 'Ejidatarios, pequeños propietarios y ecuareros: conflictos y componendas por el acceso a tierra y agua', in Peter de Vries and Sergio Zendejas (eds.), *Las disputas por el México rural*, vol. 1 (Zamora: El Colegio de Michoacán, 1998), pp. 291–320; Cambrézy, Marchal and Lascuráin, *Crónicas de un territorio fraccionado*, p. 135; and Del Ángel Pérez, 'Formación de la estructura productiva ganadera en la llanura costera de Veracruz central', p. 193.

<sup>68</sup> Cambrézy, Marchal and Lascuráin, *Crónicas de un territorio fraccionado*, p. 135.

He already knew the business very well ... he had worked with local ranchers since he was a kid, taking care of the cattle and learning the business. The only thing he needed was land. At that time, he owned less than ten hectares. My grandparents, Antonio Salas Domínguez, and Filomena Huesca Lagunes, had a small farm covering maybe 50 hectares but it was divided among six sons. My dad wanted to consolidate and expand his family property and decided to sell more than half of the animals to buy the land that his brothers inherited.<sup>69</sup>

But owning 50 hectares was not enough. The small ranch however, gave Cirilo the capital he needed to make his estate grow; and finding land for sale during this time, turned out to be an easy task. To avoid future expropriations, several cattle ranchers in El Huanal, such as Pedro Callejas, Eleuterio, and Mariano Huesca, sold land and cattle to Cirilo.<sup>70</sup> By 1953 and owning more than 300 hectares and 400 head of cattle, Cirilo and Mercedes were small property owners. However, not all rural workers experienced their fate. In the late 1950s, many landless villagers left El Huanal to relocate to nearby communities such as La Martinica, ejido Aparicio, el Tencho and in Tacahuite.<sup>71</sup> This relocation was not incidental. In fact, it was the result of violent confrontations with the landed elite. Yet, these villagers would find in the agrarian legislation new channels and possibilities for their territorial claims.

### *Contentious Documents*

In 1960, only two years after Braulio Hernández, Venancio Salas and Porfirio Cortes signed the 'Acta de Desistimiento Ejidal', the Local Agrarian Commission executed an order to re-assess the process of endowment for El Huanal. Gerónimo Mancilla Ochoa, a representative of the Peasant Agrarian League, had acted upon this extraordinary resolution. Knowing well how to navigate the bureaucratic system, and probably in an effort to respond to President López Mateos's (1958–64) renewed interest in the ejido reform, Mancilla Ochoa submitted a report to the CLA in which he explained the need to grant land to campesinos from El Huanal.<sup>72</sup> Some of them, he argued, had been expelled from the community 'after landowners forced

<sup>69</sup> Interview with José Luis Salas, resident and jurist in Xalapa, also son of Cirilo Salas, 10 Dec. 2009.

<sup>70</sup> Informe de Trabajos, Expediente 'El Huanal', 31 May 1976, RAN-XAL, file 6425. See also Amparo en Revisión, 18 June 1969, ACSCJ, file 2061/68.

<sup>71</sup> Amparo en Revisión, 18 June 1969, ACSCJ, file 2061/68, foja 39. See also, Informe reglamentario. Expediente de dotación de Ejidos para el Poblado 'El Huanal' en el municipio de Nautla, ExCantón de Misantla, Estado de Veracruz, 4 July 1958, RAN-XAL, file 1246.

<sup>72</sup> In his famous speech in Sonora in 1959, López Mateos stated that he stood at 'the extreme left within the limits set by the Constitution' and claimed his support to the peasant sector. Joseph and Buchenau, *Mexico's Once and Future Revolution*, pp. 158–9. See also, Guillermo Hurtado and Florencia Niszt, 'Emilio Uranga: ideólogo del Lopezmateísmo', *Mexican Studies/Estudios Mexicanos*, 28: 2 (2012), pp. 307–25.

them to abandon their properties and burned their houses'.<sup>73</sup> Mancilla Ochoa then proceeded to encourage Eleuterio Tapia López and many other affected villagers 'to press for their rights as contained in the constitution'.<sup>74</sup> With the support of governor Quirasco (1956–62) he was promptly commissioned to create an inventory of the existing properties in El Huanal as well as an agrarian census that could either corroborate or contradict the information that the CLA retained.<sup>75</sup> Mancilla Ochoa completed his survey on 30 June 1965.<sup>76</sup> But since article 200 of the Agrarian Law stated that the *padrón de dotación ejidal* could only include actual residents of the community soliciting the ejido, those who had already relocated to adjacent communities (such as Eleuterio Tapia and other expelled residents), were not regarded in the survey. The census in El Huanal, however, did uncover the existence of 86 residents out of which 40 had the capacity to request ejido land.<sup>77</sup> The information was evaluated on 7 February 1966 by Roberto Murillo Corral, a state appointed surveyor, who estimated that four properties could be expropriated in order to grant land to these 40 rural dwellers: 'La Bolsa', owned by Alfonso Callejas Lombard, 'El Diamante', owned by Margarito Ortiz, 'San Cayetano' also owned by Margarito Ortiz and 'El Tamarindo' owned by Vicente Torres Domínguez. In addition, after an investigation into property archives, Murillo Corral also concluded that these landowners had intentionally broken up their holdings to avoid expropriation. Because these land transactions occurred after the solicitation of 1930, they were considered null and void.

When Murillo Corral notified the 40 potential ejidatarios about these matters, during the populist administration of governor López Arias (1962–8), they strategically decided to mobilise post-revolutionary rhetoric to request

<sup>73</sup> Amparo en Revisión, 18 June 1969, ACSCJ, file 2061/68, fojas 50–1. See also, Acta de Clausura de Trabajos Censales. Rectificación Censal, 30 June 1965, 063, Expediente de dotación de Ejidos para el Poblado 'El Huanal' en el municipio de Nautla, ExCantón de Misantla, Estado de Veracruz, RAN-XAL, file 1246. On violence and intimidation tactics during the Agrarian Reform see Nolan-Ferrell, 'Agrarian Reform and Revolutionary Justice in Soconusco, Chiapas', p. 576; Laura Gómez Santana, 'Violencia cotidiana durante el reparto agrario en Jalisco', in Aquiles Ávila Quijas, Jesús Gómez Serrano, Antonio Escobar Ohmstede, Martín Sánchez Rodríguez (eds.), *Tierra y agua: negociaciones acuerdos y conflictos en México, siglos XIX y XX* (Zamora: El Colegio de Michoacán, 2009), pp. 265–89; and Bobrow-Strain, *Intimate Enemies*, p. 96.

<sup>74</sup> Acta de Clausura de Trabajos Censales. Rectificación Censal, 30 June 1965, 063, Expediente de dotación de Ejidos para el Poblado 'El Huanal' en el municipio de Nautla, ExCantón de Misantla, Estado de Veracruz, RAN-XAL, file 1246.

<sup>75</sup> Acta de Clausura de Trabajos Censales. Rectificación Censal, 30 June 1965, 063, Expediente de dotación de Ejidos para el Poblado 'El Huanal' en el municipio de Nautla, ExCantón de Misantla, Estado de Veracruz, RAN-XAL, file 1246.

<sup>76</sup> Acta de Clausura de Trabajos Censales. Rectificación Censal, 30 June 1965, 063, Expediente de dotación de Ejidos para el Poblado 'El Huanal' en el municipio de Nautla, ExCantón de Misantla, Estado de Veracruz, RAN-XAL, file 1246.

<sup>77</sup> Amparo en Revisión, 18 June 1969, ACSCJ, file 2061/68, foja 1.

land.<sup>78</sup> At this particular point in time, when the agrarian reform's rate of application was raising, due in part to president Díaz Ordaz's (1964–70) paradoxical commitment to land reform, younger men in El Huanal might have found the politics of campesino identity to be a useful way not only to obtain land via the reform process but also to maintain political solidarity and engage in collective action.<sup>79</sup> Cleverly, instead of creating a new community for the purposes of establishing an ejido, these villagers decided to claim continuity with the land request of 1930 in part to make claims on property that would otherwise be 'unaffectable' simply because most of it had already been subdivided. Just as landlords created phony land divisions and titles since the 1930s onward to protect their properties, this sudden mobilisation of older agrarian documents illustrates, more generally, the central role that legal papers have in the making of political realities.<sup>80</sup> The law, in this context, not only provided the categories and the necessary framework and discourse to advance contrasting political objectives but also generated concrete written records whose obdurate materiality, as I will discuss shortly, undermined the state's desire to achieve interpretive stability thus opening spaces for disagreement and contestation. In El Huanal, the battle over land that followed was not only organised through violent local confrontations but also through documentary transactions.

As stipulated by the agrarian regulation of the time, the CLA examined the report by Murillo Corral and ruled to pursue the land grant for the community of El Huanal. The respective file was passed to the state governor for confirmation and, subsequently, to the National Agrarian Commission (CAN) for final review. On 28 October 1966, a presidential resolution granting ejido land to El Huanal was finally published in *El Diario Oficial de la Federación*. At this point, the 40 land solicitants only needed to wait for the final visit of an appointed surveyor intended to confirm the census data and give final possession.<sup>81</sup> Yet, these ejido beneficiaries had to wait for this visit until the summer of 1975. On 25 June, the CLA appointed Héctor Rebolledo García to continue with the reform process in El Huanal. But just like in the 1950s, this surveyor found a strong local opposition and, ultimately, was unable to finalise the dotación ejidal for the community.

<sup>78</sup> Amparo en Revisión, 18 June 1969, ACSCJ, file 2061/68, foja 42.

<sup>79</sup> Land reform in Veracruz was implemented at an unprecedented rate in the 1930s. However, it was during the conservative and authoritarian government of Díaz Ordaz (1964–70) that the greatest amount of land was redistributed (24,738,000 ha). See Cambrézy, Marchal and Lascuráin, *Crónicas de un territorio fraccionado*, p. 135.

<sup>80</sup> See Yael Navaro-Yashin, 'Make-believe Papers, Legal Forms and the Counterfeit. Affective Interactions between Documents and People in Britain and Cyprus', *Anthropological Theory*, 7: 1 (2007), pp. 79–98.

<sup>81</sup> Craib, *Cartographic Mexico*, p. 231.

In his *informe*, Rebolledo García narrates how local *ganaderos* intervened to prevent him from conducting the final *censo agrario*.<sup>82</sup> Cattle ranchers argued that peasants' claims had no legal force or validity because none of the *campesinos* soliciting land were actual residents of the community. In addition, Rebolledo García recounted how several cattle ranchers accused 'militant agrarian campesinos' of invading their *pequeñas propiedades*, creating problems, and jeopardizing their businesses. There was some truth in these assertions. In 1967, the 40 residents that had been favoured by the Presidential Resolution of 1966 started a series of violent land invasions. These intrusions, however, were triggered after cattle ranchers expelled their families from El Huanal before they were given final possession of the ejido land. Several campesinos were incarcerated in Misantla, their wives beaten up and a girl killed by municipal police officers.<sup>83</sup> Only a few grainy images, photocopies of photographs, and a poorly written report for the Ministry of Interior (Secretaría de Gobernación) can attest to these illegal events.<sup>84</sup> Moreover, there is no evidence in the record indicating that these acts of violence against land petitioners were prosecuted, indicating how the balance of force played a role in the ways in which rural actors experienced agrarian conflict in the region. Violence, during the years that followed, increased to the point that Abel Ruíz Lopart, a CLA official, wrote a letter to the Attorney General for Agrarian Issues' Office in Mexico City asking for assistance to solve this matter. Ruíz Lopart's request did not receive immediate attention and problems in the community, as witnessed by agrarian bureaucrats, continued.

Yet, in tune with the populist initiatives put forward by both president Echeverría (1970–6) and governor Hernández Ochoa, Carlos Jiménez Castro was assigned, on 28 August 1975, to re-visit El Huanal to perform a final inspection of the land available for establishing of an ejido in the community.<sup>85</sup> This time, he met with the members of the agrarian committee who, after almost a

<sup>82</sup> Cuerpo Consultivo Agrario, Expediente de dotación de Ejidos para el Poblado 'El Huanal' en el municipio de Nautla, ExCantón de Misantla, Estado de Veracruz, 1 July 1992, RAN-XAL, file 6425, foja 127.

<sup>83</sup> Desalojo de los campesinos del Ejido de El Huanal, Mpio. De Vega de Alatorre, Edo de Veracruz, 25 abril de 1967, Archivo General de la Nación, Dirección General de Investigaciones Políticas y Sociales. Información General de los Estados, Distrito Federal, Tomo IX–X, Caja 515, foja 198–203.

<sup>84</sup> This report is not included in the *amparo* file.

<sup>85</sup> Echeverría presented himself as a populist president. He distributed close to 12.8 million hectares. Yet, his support of land re-distribution did not stop the expansion of cattle ranching. According to some scholars, Veracruz continued, in the 1970s, to be the Mexican state with the largest number of cattle. See Héctor Amezcua Cardiel, *Veracruz: sociedad, economía, política y cultura* (México DF: Universidad Nacional Autónoma de México, 1990); González-Montagut, 'Expansion in Cattle Ranching in Veracruz', p. 122. His critics also acknowledge, on the one hand, the poor quality of the land distributed and, on the other, the authoritarian qualities of his regime. See Moguel Julio and Pilar López, 'Política agraria y modernización capitalista', in Julio Moguel (ed.), *Historia de la cuestión agraria mexicana*,

decade of violent encounters with cattle ranchers, insisted on introducing the *junta censal* in the communities of el Tencho and Tacahuite, not in El Huanal. The 40 land solicitants, in fact, had recently relocated to these neighbouring towns.<sup>86</sup> Jiménez Castro, ought to have known that, according to the second fraction of article 200 of the Agrarian Law, this group of campesinos did not have the right to request ejido in these communities because they had been residing in these towns for less than six months. Furthermore, if these potential ejidatarios were willing to continue with the land reform process approved in 1966, they needed to be recognised as residents of El Huanal. Despite this, on 5 September 1976, Jiménez Castro, completed his surveys in el Tencho and in Tacahuite, evidently, generating expectations within this group of land solicitants.<sup>87</sup> As one could anticipate, a year after he submitted his report, the Local Agrarian Commission, affirmed that:

After analysing the documentation provided, we concluded that is not possible to grant *ejido* land to those campesinos in El Huanal because they do not fulfil the requirements established by the Federal Agrarian Law. First, none of these petitioners are residents of the community of El Huanal. Second, there are no properties that can be expropriated.<sup>88</sup>

At this juncture, landowners in El Huanal had already initiated a legal battle to defend their land collectively from future expropriation. Two months after the Presidential Resolution of 1966 became public, landowners, showing mutual solidarity, applied for relief from federal courts. Through the ALG, cattle ranchers that were not directly affected by the reform process also collaborated with those ranchers who were.<sup>89</sup> An ethnically diverse landowner elite, composed by families of Spanish descent, French immigrants and indigenous

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*vol. 9: los tiempos de la crisis 1970–1982* (Mexico City: Siglo XXI, 1990) pp. 321–76; Joseph and Buchenau, *Mexico's Once and Future Revolution*, p. 168.

<sup>86</sup> Amparo en Revisión, 18 June 1969, ACSCJ, file 2061/68, foja 44.

<sup>87</sup> Cuerpo Consultivo Agrario, 1 July 1992, foja 126. Expediente de dotación de Ejidos para el Poblado 'El Huanal' en el municipio de Nautla, ExCantón de Misantla, Estado de Veracruz, RAN-XAL, file 6425. On the hope-generating capacity of the bureaucracy see Monique Nuijten, *Power Community and State. The Political Anthropology of Organisation in Mexico* (London: Pluto Press, 2003); and Nolan-Ferrell, 'Agrarian Reform and Revolutionary Justice in Soconusco, Chiapas'.

<sup>88</sup> Cuerpo Consultivo Agrario, 1 July 1992, foja 127. Expediente de dotación de Ejidos para el Poblado 'El Huanal' en el municipio de Nautla, ExCantón de Misantla, Estado de Veracruz, RAN-XAL, file 6425.

<sup>89</sup> Several cattle ranchers, envisioning possible future expropriations, started to fragment their estates in the early 1960s. Cirilo Salas for instance, transferred his property to his wife and sons in 1962. Although Mercedes Torres, Cirilo Rafael and Jose Luis Salas-Torres, appear as legal owners of the estate, it was Cirilo Salas who kept control over the property. His estate, consequently, remained exempt from land reform.



ranchers, like Cirilo Salas, would unite against ejido solicitants.<sup>90</sup> In the opinion of Ernesto Montcouquiol Queilhe, Manuel Piñero Gómez, Margarita Velázquez Callejas and the rest of the affected cattle ranchers, it was illegal to grant more than 1,000 hectares of ejido land to the ‘so called peasants of El Huanal’. According to these ganaderos the presidential resolution was unconstitutional as it was the result not only of several legal mistakes but also of inaccurate agrarian reports.<sup>91</sup> The documentation provided by Roberto Murillo, they claimed, was insufficient and biased. His analysis simply omitted the ‘real juridical situation’ of the land in question. To support their claims, Ernesto Montcouquiol Queilhe and Manuel Piñero presented certificates of exemption from land reform demonstrating that the properties they acquired from Darío and Alfonso Callejas Lombard were small estates that could not be affected. The rest of the landowners faced serious problems as they failed to prove they acquired their land before the land solicitation of the 1930s. However, they *all* considered their case a ‘special situation’.<sup>92</sup> They claimed that the original ejido request was untenable not only because small landholders had always been part of the community but also because the ‘so called peasants’ rejected the land endowment once offered. In short, cattle ranchers shared the idea that the presidential resolution violated the agrarian law, mainly because the people now claiming land were not the same people that originally requested an ejido in the 1930s. They were right: none of the 20 original petitioners appeared as beneficiaries in the Presidential Resolution of 1966. If new people needed land, cattle ranchers argued, they should have started a new agrarian action, instead of asking for the revision of a sentence, which had already disqualified them for a land grant. Furthermore, cattle ranchers claimed that several new solicitants were no longer living in the community, a statement that was also true but overlooked by agrarian bureaucrats. Not surprisingly, landowners perceived surveyors as favouring villagers at their expense. In response, they challenged and undermined their inventories, surveys and reports: ‘the documentation provided by surveyors is false and biased’, landowners affirmed.<sup>93</sup> For this reason, landowners decided to work instead with ‘qualified engineers designated to assess the extension of their properties’. Their evaluation proved to be fundamental as it ascertained that their ranches were *pequeñas propiedades*.<sup>94</sup>

Land solicitants also responded through legal channels. They accused cattle ranchers of acquiring their properties illegally: the land titles they presented

<sup>90</sup> On how class-based agrarian struggles have the potential to conjoin people of different ethnicities see Frans Schryer, *Ethnicity and Class Conflict in Rural Mexico* (Princeton, NJ: Princeton University Press, 1990).

<sup>91</sup> Amparo en Revisión, 18 June 1969, ACSCJ, file 2061/68 fojas 1–20.

<sup>92</sup> Amparo en Revisión, 18 June 1969, ACSCJ, file 2061/68, foja 24.

<sup>93</sup> Amparo en Revisión, 18 June 1969, ACSCJ, file 2061/68, fojas 3–4.

<sup>94</sup> Amparo en Revisión, 18 June 1969, ACSCJ, file 2061/68, fojas 3–4.

failed to prove that their properties were obtained before the original land request of the 1930s.<sup>95</sup> Also, in response to landowners' accusations, solicitants attested that, even if the land grant petition was denied in the 1930s, the ejido was approved later on by the federal executive. According to them, the fact that the endowment process was 'interrupted' in the 1930s did not necessarily mean the inexistence of a legal capacity to obtain land because the 'peasant community' never disintegrated. Finally, they certified that landowners had not submitted their petition of amparo within the five days from the day of the publication of the land grant on 28 October 1966. Therefore, they believe, their appeal against the expropriation of their property should not be granted.

In the struggle to wrest control over land and resources, as Mummert argues, different social actors invoke specific normative arguments and produce divergent interpretations of 'the law'.<sup>96</sup> These claims, as I have mentioned, are never separable from the unequal power relations affecting those who craft, possess and interpret them. Yet, both landowners and land solicitants cleverly reused legal, yet contradictory, papers expedited by the CLA and other state agencies to make particular claims to legality and legitimacy. Moreover, the property titles, the agrarian reports, the census, the resolutions, and the land petitions assembled and deployed by litigants reveal how legal documents carry not only the image of proof and immutability but also of tentativeness and fabrication. Their capacity to induce fear, enjoyment and confidence and to generate expectations among those who use them to mobilise ideas and claims should not be undermined. As affective mediators, legal documents, in El Huanal, not only animated the struggle over land but also contributed, despite repeated disappointment, to the 'hope-generating capacity' of the agrarian bureaucracy.<sup>97</sup> In this context, it is not surprising that once the CLA decided in 1976 that it was not possible to grant ejido to the community of El Huanal, land solicitants, insisting on the legitimacy of their claims and, more importantly, knowing that 'the law' could offer new openings, decided to set in motion, once more, the 'bureaucratic machine'.<sup>98</sup> But before initiating a new legal procedure, they reached out to national peasant organisations to buttress their future demands for land and rights.

### *Revolutionary Failure?*

On 1 April 1982, *El Movimiento Nacional de los 400 Pueblos* advocated for the peasants of El Huanal, el Tacahite and el Tencho and asked the secretary of the

<sup>95</sup> Amparo en Revisión, 18 June 1969, ACSCJ, file 2061/68, fojas 30–2.

<sup>96</sup> Mummert, 'Ejidatarios, pequeños propietarios y ecuareros', p. 292.

<sup>97</sup> Monique Nuijten, *Power Community and State*, p. 16. On 'affective administration' see Yael Navaro-Yashin, *The Make-believe Space: Affective Geography in a Postwar Polity* (Durham, NC: Duke University Press, 2012), pp. 33, 125.

<sup>98</sup> *Ibid.*, p. 119.

agrarian reform in Xalapa for a re-evaluation of the case.<sup>99</sup> Responding to the strong presence of this peasant organisation in Veracruz, that since the mid-1970s had protested against unjustified seizure of land in the region, he agreed to this appeal and ordered the verification of the census data.<sup>100</sup> The local elite in El Huanal responded promptly. On 30 November 1982, the municipal *agente*, foreseeing the impact that an ejido could have in the community, crafted an *acta* to certify the inexistence of campesinos in the area.<sup>101</sup> On 5 May 1983, the appointed surveyor Juan de Dios Ochoa, contradicted this version after conducting 'a careful assessment of the community ... intended to solve conclusively the case'.<sup>102</sup> Ochoa's survey revealed the existence of 29 new potential ejidatarios who, mimicking the strategy of former solicitants, organised themselves to create a new agrarian committee. Adelaido Martínez Palestinas, Fidel Domínguez León and Gaudencio Domínguez León were elected.<sup>103</sup> A year after Ochoa submitted this report, and only a year after President Miguel de la Madrid (1982–8) started to undertake deep cuts in social programmes due to a crisis generated by the poor financial administration of his predecessor López Portillo (1976–82), cattle ranchers were obliged to present their property titles to the CLA in order to evaluate possible expropriations.<sup>104</sup> Luis Jorge Reyes Badillo assessed the information of 132 *fincas rústicas* in the area and after a thoughtful analysis

<sup>99</sup> *Ibid.*, p. 119.

<sup>100</sup> After the Cárdenas period of political consolidation there were repeated waves of peasant mobilisation in pursuit of both agrarian demands and, particularly during the 1960s and 1970s, a certain degree of freedom from the system of political control embodied in the official organs of popular representation like the Confederación Campesina (CNC). See Clarisa Hardy, *El estado y los campesinos: la Confederación Nacional Campesina* (México DF: Nueva Imagen, 1984). The CNC was created in 1938 and constituted an important base of political support for the Revolutionary Party (the PRM) and the succeeding Partido Revolucionario Institucional (PRI). The CNC's continuing ties with the PRI regime have generally been interpreted as the product of political coercion, corruption and manipulation. This close alliance generated the establishment of independent peasant organisations. Often, the state managed to defuse the militancy by either co-opting leaderships or making selective concessions that did not threaten the fundamental interests of the PRI regime.

<sup>101</sup> Acta de inexistencia del grupo campesino que solicita dotación de ejido para el poblado 'El Huanal', municipio de Nautla, estado de Veracruz, 30 Nov. 1982, Expediente de dotación de Ejidos para el Poblado 'El Huanal' en el municipio de Nautla, ExCantón de Misantla, Estado de Veracruz, RAN-XAL, file 1246.

<sup>102</sup> Monique Nuijten, *Power Community and State*, 119.

<sup>103</sup> Saldívar Zárate and the 23 *campesinos* who were part of the revived agrarian process of the 1960s were also included in the census but were not considered eligible for land repartition because they failed, again, to prove they were residents of the community. Cuerpo Consultivo Agrario, Dotación de Tierras, El Huanal. Nautla, Veracruz, 1 July 1992, Expediente de dotación de Ejidos para el Poblado 'El Huanal' en el municipio de Nautla, ExCantón de Misantla, Estado de Veracruz, RAN-XAL, file 6425, foja 161.

<sup>104</sup> Trabajos técnicos informativos complementarios, Amparo en Revisión, 18 June 1969, ACSCJ, file 2061/68, foja 497.

concluded that ‘there was no land that can be granted to the 29 new land solicitants in El Huanal’.<sup>105</sup> A close reading of his report however, reveals that land was, in fact, available but small landowners were buying it, selling it and partitioning it at a very fast rate. Between 1962 and 1971 for instance, Cirilo Salas acquired approximately 700 hectares. Just like in the 1950s, Cirilo, like many other *pequeños propietarios*, promptly broke up his estate between his wife, sons and now his daughters too, to prevent future expropriations. Force and legal ambiguity, help explain why these seemingly illegal transactions took place. After reviewing the legal documentation and reports pertaining to the community of El Huanal, the *Consultoría Agraria*, in fact, decided that the assessment conducted by Badillo was not exhaustive. The CLA appointed new personnel to re-evaluate, once more, the information retained. But on 15 August 1991 and after considering in detail the status of one hundred ranches and properties, Carlos Reyes Castañeda confirmed Badillo’s resolution and the case was finally closed. In the summer of 1992, just a few months after President Salinas announced constitutional amendments to privatise and modernise Mexico’s vast system of ejidos, agrarian counsellor Héctor Manuel Ríos Sáenz released a final negative land endowment resolution for El Huanal.<sup>106</sup>

It is not surprising that once the neo-liberal reforms to Article 27 took effect, pending case files were quickly resolved in this way.<sup>107</sup> After all, the constitutional amendments were intended to put and end to decades of land restitution and redistribution and to lay the legal foundation for the rental and sale of previously inalienable land. Meanwhile, in El Huanal, local ganaderos had still one more victory to celebrate. On 13 April 1993, the federal court finally granted an amparo to Ernesto Montcouquiol Oueilhe, Manuel Piñero Gómez and many other *pequeños propietarios*. They all came together at the Local Cattlemen’s Association to sign the necessary documentation. A social gathering, intended to commend the end of decades of conflicts without resolution, followed.<sup>108</sup> Cattlemen in El Huanal had indeed reasons to celebrate: ‘the law’, after all, was applied in their favour.

<sup>105</sup> Inejecución de sentencia No. 16/977, 13 April 1993, Expediente de dotación de Ejidos para el Poblado ‘El Huanal’ en el municipio de Nautla, ExCantón de Misantla, Estado de Veracruz, RAN-XAL, file 6425.

<sup>106</sup> See Monique Nuijten, ‘Changing Legislation and a New Agrarian Bureaucracy: Shifting Arenas of Negotiation’, in Peter de Vires and Sergio Zendejas (eds.), *Rural Transformations Seen From Below* (La Jolla, CA: Center for U. S.-Mexican Studies, 1995).

<sup>107</sup> According to Helga Baitenman, in 1992, the governor of Veracruz, disclosed that there were 1,200 unresolved case files. By 1994, the Ministry of Agrarian Reform claimed that Veracruz ‘had completely dispatched its administrative lag’. However, a large number of case files were simply discarded. See Baitenmann, ‘Rural Agency and State Formation in Post-revolutionary Veracruz’, p. 192.

<sup>108</sup> Inejecución de sentencia No. 16/977, 13 abril 1993, Expediente de dotación de Ejidos para el Poblado ‘El Huanal’ en el municipio de Nautla, ExCantón de Misantla, Estado de Veracruz, RAN-XAL, file 6425.

*Conclusion: Legal Enactments*

This article demonstrates how the agrarian reform, despite never being fully implemented, altered both the material landscape and the social configuration of the community of El Huanal. On the one hand it became an instrument through which different groups of landless villagers engaged in collective action to claim land rights, while on the other, it provided local *rancheros* with the rhetoric and organisational bases that allowed them to consolidate their economy and social ties. The ways in which social actors negotiated the passage of this complex and ambiguous legal framework, developed by the post-revolutionary state to manage competing goals and interests in the countryside, not only contributed to the intensity of historical conflicts over resources but also created new ones. In an effort to prevent land invasions and future land expropriations, cattle ranchers, exploiting the byzantine nature of the agrarian reform, initiated a series of land sales that gave the opportunity to jornaleros and vaqueros to build their own estates and raise their own cattle. Understandably, those who benefited from these sales, rejected communal landholding, government tutelage and campesino identity. ‘Los vecinos de El Huanal no queremos ejido’ (We, the residents of El Huanal, don’t want ejido), they stated.<sup>109</sup> At odds with prevailing stereotypes of rural villages such as their inherent preference for communal landholding, the case of El Huanal points to the need for a re-examination of the ideological and spatial representations that became integral elements in post-revolutionary legal rhetoric. Accordingly, the evidence presented here also forces us to think beyond the scenarios encapsulated in the agrarian reform legislation. The way in which rural actors engaged with this body of law produced dynamic scenarios characterised by shifting populations, ownership patterns, residence and social alliances. The accelerated process of social differentiation driven by the development of a vigorous land market is, in fact, key to understanding the dynamics that prevented the implementation of the ejido system in the community. Through the expansion of privately owned land, landlords, rural workers, tenants and other residents appeared to have solved the ‘agrarian problem’ outside official state channels. Yet, over the course of 40 years, new groups of solicitants, supported by agrarian bureaucrats, kept mobilising revolutionary ideals, reviving earlier claims for land and embracing the agrarian reform and what it had to offer them. Aware of their legal rights and their official status as potential land reform recipients, these campesinos had to present themselves as residents of El Huanal to fight, without success, over the control of land and resources with a cohesive, yet, ethnically diverse landed elite. Ultimately, this group of landless rural workers were unable to transform the system of land tenure in the community. Up to this day, El

<sup>109</sup> Amparo en Revisión, 18 June 1969, ACSCJ, file 2061/68, foja 37.

Huanal remains a community of *pequeños propietarios*. This legal continuity, however, should not obscure the legal and illegal practices, everyday doings, and transactions undertaken by those who mobilised post-revolutionary law, the practice of land surveying, the sub-division and the selling of land, the changes in inheritance patterns, the burning of houses and land invasions. After this long process of unequal and violent accommodation, things in El Huanal hardly remained the same. To acknowledge the different ways in which social actors, as Blomley suggests, put the law into use is therefore important.<sup>110</sup> It allows us to see that the agrarian reform did not simply fail or succeed in the countryside as legal and spatial *enactments*, not legal resolutions alone, *affected* communities, in unintended, contradictory and limited ways.

### *Spanish and Portuguese abstracts*

*Spanish abstract.* El conjunto de leyes agrarias creadas por legisladores y juristas una vez concluida la Revolución Mexicana (1910–20) buscaba devolver a los pueblos su estatus jurídico, al permitir que las comunidades fueran propietarias de tierras colectivas bajo la fórmula del ejido. Sin embargo, con frecuencia los esfuerzos del Estado por reestructurar las relaciones de propiedad en el campo se articulaban con proyectos territoriales alternativos que dificultaban la implementación de estas medidas legales redistributivas. Por un lapso de cincuenta años, ganaderos de la comunidad de El Huanal en Nautla, Veracruz, defendieron la propiedad privada, se opusieron a la expropiación de la tierra y evitaron que se estableciera el ejido en la comunidad. ¿Cómo lo lograron? ¿Cómo respondieron a las presiones de la movilización “campesina”? ¿Cuál fue el papel del discurso legal postrevolucionario al enmarcar esta lucha por la tierra? ¿Qué cambios detonó en la región este fracaso en implementación de la reforma agraria? Al examinar cuidadosamente los conflictos, las interacciones, las negociaciones y las prácticas cotidianas que se dieron entre actores diversos en torno a la interpretación y la aplicabilidad de “la ley”, este artículo demuestra cómo la reforma agraria, a pesar de no haber sido nunca implementada, modificó tanto el paisaje físico como la configuración social de esta comunidad en la costa de Veracruz.

*Spanish keywords:* reforma agraria, México post-revolucionario, fracaso de la ley, ley agraria, Veracruz

*Portuguese abstract.* O conjunto de leis agrárias criado por legisladores e juristas no período pós a Revolução Mexicana (1910–20) buscava restaurar o status jurídico dos *pueblos* ao permitir que as comunidades mantivessem a posse coletiva da terra na forma de *ejidos*. No entanto, os esforços estatais de reestruturação das relações de propriedade no campo frequentemente se articulavam com projetos territoriais alternativos que desafiavam a implementação dessas medidas legais de redistribuição. Durante um período de cinquenta anos, pecuaristas da comunidade de El Huanal, em Nautla, Veracruz, defenderam a propriedade privada, resistiram à expropriação de terras, e impediram o estabelecimento de um *ejido* na comunidade. Como os *rancheros*

<sup>110</sup> Blomley, ‘From What? To So What? Law and Geography in Retrospect’, pp. 30–2.

alcançaram esse resultado? Como responderam às pressões de mobilização ‘camponesa’? Qual foi o papel do discurso legal pós-revolucionário ao moldar essa disputa por terras? Quais mudanças foram ocasionadas por esta tentativa fracassada de implementação de reforma agrária na região? Observando detalhadamente práticas cotidianas, conflitos, interações e negociações entre vários atores sobre interpretações e aplicabilidade da “lei”, este artigo demonstra como a reforma agrária, apesar de nunca ter sido implementada, alterou tanto a paisagem material quanto a configuração social desta comunidade da costa de Veracruz.

*Portuguese keywords:* reforma agrária, México pós-revolucionário, insucesso legal, leis agrárias, Veracruz