

Practicing Violence: The War of Independence in the Mixteca

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Abstract

In this thesis I investigate the impact of collective violence on local political culture in the Mixteca mountains in Oaxaca during the Mexican War of Independence. I first analyze a number of stories and rumors about the war in Central Mexico that circulated in the Mixteca before the outbreak of hostilities in the region itself for what they reveal about the national imaginings that would condition the local experience of war. I then examine the anti-insurgent campaign of one particular royalist militia company and its fluid relations with local townsmen and villagers, who were the primary pool of new recruits for the company as well as its potential enemies and victims, during the summer of 1814. Coinciding with the rise of a discourse of republican citizenship in Mexico, I show how participation in the militia provided a way for Mixtecan inhabitants of experiencing the new political category ‘citizen’ in practical terms, and thereby established participation in organized violence as a privileged nexus in new articulations between local and national political processes. The overall argument is that armed bands operating in the Mixteca created new institutional spaces connecting local and higher-level political structures and activating practices of citizenship that were premised on participation in military violence.

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Introduction

Lucas Alamán, in a stylistic tour-de-force committed to narrating in minute detail the entirety of the political and military history of the Mexican War of Independence, had to admit defeat when faced with the sheer volume of armed bands and actions that proliferated in the country after the death of the first insurgent leader, Miguel Hidalgo. Although five thick tomes proved insufficient to accommodate the dizzying number of local mobilizations and armed clashes occurring during the war, the great conservative historian retained enough confidence in his vision to blame the details of the fighting for the shortcomings of his narrative strategy: the countless small bands of fighters, he argued, gave rise to a “multitude of combats without glory or outcome, the telling of which, in its tiresome uniformity, would be useless and exhausting.”¹

Alamán’s premise of a widespread militarization of political life throughout the colony has been put on solid empirical footing by the work of Christon Archer and Juan Ortiz Escamilla.² Providing a detailed taxonomy of war-time military organization in New Spain as well as a careful analysis of the rules and policies guiding this process, and of the devolution of power to local military organizers that they produced, Escamilla in particular is able to point to the concrete, positive effects of a process that Alamán was content to portray as no more than a descent into political chaos. In this essay I likewise

¹ Lucas Alamán, *Obras de D. Lucas Alamán: Historia de Méjico*, Volume 2, (Mexico City: Editorial Jus, 1942), 217.

² Christon Archer, “The Army of New Spain and the Wars of Independence, 1790-1821,” in *Hispanic American Historical Review* 61/4 (1981), 705-714, and “The Royalist Army in New Spain: Civil-Military Relationships, 1810-1821,” in *Journal of Latin American Studies* 13/1 (1981), 57-82; Juan Ortiz Escamilla, *Guerra y Gobierno: Los pueblos y la independencia de México*, (Seville, Spain: Instituto Mora, El Colegio de México, Universidad Internacional de Andalucía, and Universidad de Sevilla, 1997).

contend that the explosion of military mobilization was among the most momentous of the war's final outcomes, representing not a breakdown of political order but the beginning of its nineteenth-century transformation. Moving from Escamilla and Archer's broad, nation-wide panorama into a more intimate setting, I will attempt to reconstruct the military practices and their consequences and implications in one area of intermittent warfare: the Mixteca-region of Oaxaca. I aim to show that these new practices combined with local social settings and political repertoires to inaugurate a form of citizenship that instantiated the emergent national state within local communities through the use of violence.

Most previous studies of popular participation in the War of Independence have challenged Alamán's dazzling condescension by charting two broad fields of investigation: first, by looking into the structural, conjunctural, and cultural factors that gave direction to people's reaction to the insurgency, scholars such as Luis Villoro, John Tutino, Brian Hamnett, and Eric Van Young have been able to uncover a whole gamut of plausible motives for popular sectors to join the anti-Spanish insurgency.³ They have argued convincingly that, far from being irrational or merely destructive, the rioters and foot soldiers carrying out most of the revolutionary violence were responding to, among other things, rapidly deteriorating living standards linked to the capitalization of agriculture; exploitation by politically connected merchant-investors through the *repartimiento*; and the threat to the cultural norms of peasant communities posed by

³ Brian Hamnett, *The Roots of Insurgency: Mexican Regions, 1750-1824*, (Cambridge: Cambridge University Press, 1986), John Tutino, *From Insurrection to Revolution in Mexico: Social Bases of Agrarian Violence 1750-1940*, (Princeton: Princeton University Press, 1986), Luis Villoro, *El Proceso Ideológico de la Revolución de Independencia*, third edition, (Mexico City: Cien de México, 1999), Eric Van Young, *The Other Rebellion: Popular Violence, Ideology, and the Mexican Struggle for Independence, 1810-1821*, (Stanford: Stanford University Press, 2001). This little gloss is very far from conveying the richness of the historiographical debate concerning popular motives for participating in the war.

social and ethnic outsiders. A perception of futility, in this view, might still attach to the war in consequence of the disconnect between the aims of the revolutionary leaders and the motives of their followers; it disappears if the rebellion is viewed as a heterogeneous movement uniting a multitude of often disparate voices and interests under one broad insurrectionary banner.

A second line of investigation, exemplified by the work of Peter Guardino, has looked at the war's dynamic impact on the political perceptions and identities of its protagonists. Guardino has shown that in the mountains and coastal areas of Guerrero, the experience of joining a larger military project fuelled by a nationalist ideology allowed peasants to appropriate liberal political discourses and programs to their own specific lifeworlds, setting in motion processes of cross-class and cross-regional collaboration and contestation that decisively shaped Mexican politics for decades to come.⁴ I would like to take up Guardino's preoccupation with what the War of Independence initiated but extend the scope of his analysis of political culture to include novel practices of organized violence that formed at, perhaps even constituted, the point of contact between regional or national elites and local actors. In this, I aim to refocus the study of the nineteenth-century development of Latin American popular nationalism and liberalism more generally: if political culture is defined as "the set of practices and discourses through which groups and individuals in any society articulate, negotiate, enforce, and

⁴ Peter Guardino, *Peasants, Politics, and the Formation of Mexico's National State*, (Stanford: Stanford University Press, 1996). See also Peter Guardino, *The Time of Liberty: Popular Political Culture in Oaxaca, 1750-1850*, (Durham: Duke University Press, 2005), and Michael Ducey, "Village, Nation, and Constitution: Insurgent Politics in Papantla, Veracruz, 1810-1812," in *Hispanic American Historical Review* 79 (1999), 463-93. On the concept of the 'lifeworld' (which Guardino does not himself employ) as the totality of a priori interpretations and categories through which individuals encounter the world – and therefore "the horizon within which communicative actions are 'always already' moving" – see Jürgen Habermas, *The Theory of Communicative Action*, Volume 2: "Lifeworld and System: A Critique of Functionalist Reason," trans. Thomas McCarthy, (Boston: Beacon Press, 1987), 119-52.

implement the competing claims they make upon one another,”⁵ then the organized practice of collective violence should be central, not incidental, to investigations of its transformation under the impact of war. Yet while the context of armed conflict has been at the center of studies of the emergence of popular claims on nineteenth-century republican governments in Latin America, it is the discourse of popular sectors appropriating the hegemonic language of the nation-state that has received most of the attention of historians such as (beside Guardino) Florencia Mallon or Mark Thurner.⁶ These scholars have produced compelling narratives of a politically open and innovative peasantry thwarted in its creative adoption of liberalism by elite greed and prejudice, but they have generally treated the domain of purposive and deliberative politics as uncoupled from the war-time practices in which new political meanings became embedded.⁷ While often meticulous in their reconstructions of the changing life-practices of their peasant-protagonists, they have talked of the practice of war itself as little more than a sideshow or interregnum standing apart from the contentious politics that it initiated.⁸

⁵ Guardino, *Peasants*, 24.

⁶ Florencia E. Mallon, “Nationalist and Antistate Coalitions in the War of the Pacific: Junín and Cajamarca, 1879-1902,” in Steve Stern (ed.), *Resistance, Rebellion, and Consciousness in the Andean Peasant World, 18th to 20th Century*, (Madison: University of Wisconsin Press, 1987), and *Peasant and Nation: The Making of Postcolonial Mexico and Peru*, (Berkeley: University of California Press, 1995); Mark Thurner, *From two republics to one divided: contradictions of postcolonial nationmaking in Andean Peru*, (Durham: Duke University Press, 1997); Guy P.C. Thomson, “Bulwarks of Patriotic Liberalism: The National Guard, Philharmonic Corps and Patriotic Juntas in Mexico, 1847-88,” in *Journal of Latin American Studies* 22/1 (1990), 31-68.

⁷ On the problem of separating meanings from the practices in which they develop, see Timothy Mitchell, “Everyday Metaphors of Power,” in *Theory and Society* 19 (1990), 545-577.

⁸ Exceptions are Mallon’s discussion of female villagers’ vital participation in the practices of war by preparing provisions for the fighting men in *Peasant and Nation*, 76-8, and Ada Ferrer’s comprehensive study of the “movement-defining inconsistencies and contradictions” within the rebel army during Cuba’s struggle for independence in *Insurgent Cuba: Race, Nation, and Revolution, 1868-1898*, (Chapel Hill: University of North Carolina Press, 1999).

The Mexican War of Independence began when a small group of provincial elites presented a revolutionary project of national autonomy to the rural lower classes in a last-ditch effort to save their betrayed conspiracy against the colonial government.⁹ On 16 September 1810 Miguel Hidalgo, parish priest of the curacy of Dolores in Mexico's agrarian heartland, emerged as the focal point and leading figure of an uprising that gathered a variety of discontents and aims and loosely cohered them into the biggest conglomeration of armed men to have assembled on Mexican territory since the days of the conquest.¹⁰ Yet this great army, eighty-thousand strong a month after Hidalgo's initial call to arms, proved incapable of holding its own against the superior weaponry, training, and leadership of the forces raised against it by the viceregal government. In January 1811 Hidalgo was decisively defeated at the Puente de Calderón, outside the town of Guadalajara, and the insurgency lost its center. The rebellion was now carried by a great number of quasi-independent armed bands and armies, and the war became the series of disconnected actions between the much smaller, often locally raised forces that forty years later would so frustrate Alamán's project of minute historical recovery. While the most successful of the new revolutionary chiefs, Ignacio Rayón and José María Morelos, attempted to formulate a viable political project in order to guide and coordinate the scattered revolutionary bands, so that the revolutionary project actually gained in

⁹ For an introduction to the war through the lives of its two principal leaders, see Wilbert H. Timmons, *Morelos of Mexico*, (El Paso: Texas Western Press, 1963), and Hugh M. Hamill, *The Hidalgo Revolt: Prelude to Mexican Independence*, (Gainesville: University of Florida Press, 1966). Superior overviews of the war's social and political history are Villoro, *Proceso Ideológico*, Tutino, *Insurrection to Revolution*, 41-212, and Virginia Guedea, "The Process of Mexican Independence," in *American Historical Review* (Feb 2000), 116-30.

¹⁰ On the centrality of the figure of Hidalgo, collecting all kinds of grievances around him, see Hamnett, *Roots of Insurgency*, 16-17.

ideological coherence after Hidalgo's defeat, the loss of military cohesion nevertheless deprived the countless armed engagements now occurring – considered each in and by itself - of any immediate bearing on the war's outcome, and therefore of a direct relation to its larger political stakes.¹¹ This was the case for the armed confrontations occurring in the Mixteca in Oaxaca.

Located between Oaxaca's capital city and the route to central Mexico through Puebla or Guerrero, the Mixteca was home to a few battles in the early stages of the insurgency, but later took part in the war mainly as a place of refuge for insurgent bands who engaged royalist troops and militias in countless small encounters and skirmishes. Within the context of a historiographical bias for measuring outcomes in relation to motives and intentions, this "multitude of combats without glory or outcome" has led to a notable lack of interest in the local experience of the insurgency among scholars interested in the Mixteca's popular classes. Historians have noted that a kind of 'colonial pact' between indigenous villages and state in which tribute payments guaranteed indigenous control over land, such as Tristan Platt theorized for Bolivia, operated in Oaxaca well into the nineteenth century and sharply limited the appeal of the insurgent cause for indigenous communities during the War of Independence;¹² that voluntary indigenous participation on either side in the war was scarce; and that the post-independence political settlement

¹¹ On the fractured nature of the insurgency in this time, see Guedea, "Process," 119-21, 123, and Hamnett, *Roots of Insurgency*.

¹² Tristan Platt, "Liberalism and Ethnocide in the Southern Andes," in *History Workshop Journal* 17 (1984), 3-18. For Oaxaca, see William Taylor, *Landlord and Peasant in Colonial Oaxaca*, (Stanford: Stanford University Press, 1972), Carlos Sanchez Silva, *Indios, comerciantes y burocracia en la Oaxaca poscolonial, 1786-1860*, (Oaxaca City: Instituto Oaxaqueño de las Culturas and Universidad Autónoma Benito Juárez de Oaxaca, 1998), and Marcello Carmagnani, *El regreso de los dioses: El proceso de reconstitución de la identidad étnica en Oaxaca. Siglos XVII y XVIII*, (Mexico City: Fondo de Cultura Económica, 1988).

in Oaxaca did not include indigenous voices in its deliberations.¹³ I do not so much wish to challenge this view as to suggest that it misses an important point about the experience of war and its importance for the history of the region. My purpose is to examine the violence and semi-coercive participation through which native Mixtecs encountered military groups on both sides of the conflict and in which, I contend, the War of Independence produced its most durable local effects.

I investigate the impact of war on popular actors, broadly understood, that is, on indigenous and mestizo, peasants, laborers, and artisans, villagers and townsmen. Although social categories such as these could be tied to very different life-experiences, I have found no evidence that they conditioned different receptions of the insurgency in the Mixteca, and a more minute recovery of, for instance, regional variations, or social differentiations within towns and villages, is beyond the scope of this study.

Slitting Throats without Malice? The War in the Popular Imagination

Words travel faster than actions, and throughout the viceroyalty people first learned of the unprecedented occurrences in Central Mexico through stories rippling outward from Hidalgo's parish of Dolores and subsequent areas of mobilization and warfare.¹⁴ These were stories that shook the lives of those who heard them: in first one, then many parts of

¹³ Leticia Reina Aoyama, *Caminos de Luz y Sombra: Historia Indígena de Oaxaca en el Siglo XIX*, (Mexico City: CIESA and CDI, 2004), 94-5, and Rodolfo Pastor, *Campesinos y reformas: La mixteca, 1700-1856*, (Mexico City: El Colegio de México, 1987), 417-19.

¹⁴ On "The Verbal Culture of Internal War" during the War of Independence see Van Young, *Other Rebellion*, 311-49.

the viceroyalty, events were taking place that promised immediately and intimately to touch the lives of all who lived on New Spanish territory, shrinking distances and reconfiguring political horizons. It was as if Hidalgo and his followers had taken a cord and pulled New Spain tightly close as a political and military space, so that lurid accounts of insurgent or royalist violence were always about what might at any time happen locally as much as they were about what was already happening in Central Mexico. Yet, at the same time, news of the uprising came wrapped in the novel language of patriotism and nationhood, enclosing a sense of political openness and possibility within the anxiety produced by the prospect of war. An examination of some of the proclamations, stories, rumors, and debates through which news of the insurgency reached the Mixteca before its inhabitants were actually called upon to support and join the contending military groups offers glimpses into the frantic mix of popular anxiety and excitement that would condition the local response to the war when it finally arrived in the mountains.

The most thorough and systematic disseminator of information about the insurgency in Oaxaca was the church, embodied locally by the conservative bishop Bergoza y Jordán, who emerged as an implacable and highly active enemy of the uprising. Bergoza composed a number of diocesan letters condemning the rebels for their crimes against the king, the nation, and the Christian religion, which he sent to Oaxaca's parishes in order to be publicly displayed and read from the pulpits.¹⁵ In late June 1811 he exhorted loyalty to the King and to a united Spanish-American nation in a letter that constantly slipped between a language of nation and citizenship on the one hand and royal paternalism on

¹⁵ Guardino, *Time of Liberty*, 131, José Antonio Gay, *Historia de Oaxaca*, Second Volume, (Mexico City: Imprenta del Comercio de Dublan y Ca, 1881), 380, and Silke Hensel, *Die Entstehung des Föderalismus in Mexiko: Die politische Elite Oaxacas zwischen Stadt, Region und Staat, 1786-1835*, (Stuttgart: Franz Steiner Verlag, 1997), 120-1.

the other, alternatively grounding the legitimacy of the royalist course in the fact of American representation in the Cadiz constitutional assembly, organized by the Spanish resistance to Napoleon, and in the divine right of kings, proven by scriptural authority and confirmed by the generosity and paternalism that the Spanish Crown had always shown towards its American colonies. The supposed peace and harmony derived from this double legitimation Bergoza contrasted with the destruction and violence wrought by the rebels in Central Mexico.¹⁶ The political language emerging from documents such as this demonstrates the depth of an insurgent challenge that could only be countered ideologically by adopting at least half-way its principal premise, the need for legitimate and representative government in America.

The rebels sent emissaries of their own to propagate and spread the uprising in Oaxaca. A pair of these, José María Armenta and Miguel López de Lima, attempted to find adherents to the insurgent cause in the state capital and were soon detected and executed.¹⁷ It is not known how many emissaries spread word of the rebellion in rural regions like the Mixteca, where state control was weaker and detection more unlikely, but it is clear that some such emissaries existed. In March 1812, for example, the muleteer Dionicio Antonio, from the village of San Lorenzo Xillotepequillo, was arrested after various persons reported that he was spreading sedition throughout the area. Antonio was accused of claiming that he was sent by Morelos and that the great rebel leader would

¹⁶ Antonio Bergoza y Jordán, "Pastoral del obispo de Oaxaca á sus diocesanos" [30 Junio 1811], in ed. Juan Hernández y Dávalos, *Colección de documentos para la historia de la Guerra de Independencia de México de 1808-1821*, Volume 2, (Nendeln, Liechtenstein: Kraus Reprint, 1968), 315-23.

¹⁷ Gay, *Historia*, 381, Guardino, *Time of Liberty*, 128-9, Hensel, *Entstehung*, 120-1.

soon arrive and extend his protection to the villages of the area.¹⁸ The program and discourse of the early insurgent leaders, which emissaries such as Antonio would have used to spread the insurgency, emphasized the privileges and abuses of European Spaniards in commerce and government. It called for sovereignty to be exercised by an imagined American nation without, however, repudiating the authority of the captive Spanish king. In concrete programmatic terms, the insurgents declared the abolition of slavery, an end to Indian tribute payments, and the expropriation of Spanish properties.¹⁹

Royalist and rebel propaganda was disseminated through a variety of formal and informal channels and complemented with other types of information: eyewitness accounts, the unofficial talk of government officials or militiamen, stories and rumors of no known origin. Together, written and oral sources – interpenetrating (as texts were read out loud, as words and spoken stories created their own written records in judicial files), constantly passed on, debated, and elaborated – gave rise to the rich web of rumors and opinions through which Oaxacans first encountered the rebellion.²⁰ Two stories of popular rumor-mongering and debate that have left traces in the archives allow a partial reconstruction of some of these rumors and give insight into the categories of thought in which the insurgency was discussed in the Mixteca.

On 20 December 1810 Pedro Guzman, a concerned mestizo-resident of Yanhuitlan, one of the area's bigger towns, approached the local authorities with a fourth-hand

¹⁸ “Diligencias contra Dionicio Antonio Nativo de S.n Lorenzo Xillotepequillo por sospechas de sedicioso año de 1812,” in Archivo Histórico Judicial (Oaxaca) (hereafter AHJ), Huajuapán, Criminal, Legajo 1.

¹⁹ For two very different analyses of the insurgent program early on in the rebellion see Hamill, *Hidalgo Revolt*, 127-35, and Guardino, *Peasants*, 57-66.

²⁰ Van Young, *Other Rebellion*, 311-49; for an outstanding treatment of the interpenetration of oral and written cultures in the context of post-independence Peru see Charles F. Walker, *Smoldering Ashes: Cuzco and the Creation of Republican Peru, 1780-1840*, (Durham: Duke University Press, 1999), chapter 6.

account of the insurgency: he passed on information that he had gotten from Petrona, a nun, who had heard it from the married mestizo José Ramirez, who had it from his friend Cristobal Diaz. Diaz was a muleteer returning from Central Mexico, where he had been held captive by the insurgents. Petrona and José Ramirez later confirmed the initial report, but Diaz himself was not a resident of Yanhuitlan and could no longer be located to give testimony. The story he left behind was

that the insurgents, in the name of the King, made him carry provisions; that he served them in fear; that he had seen them slit the throats of a great number of people [*una maquina de Yndividuos*]; that he saw them carry off bars of gold and silver; that he met Hidalgo and Allende; that there [among the rebels] there was no malice, for priests came to confess those whose throats they were going to slit, and that some of those priests wanted to flee, as he did with his mules, into the forest [*monte*]; ...that a *compañero* of his became traumatized [*se enfermo de susto*] and stayed there; and that the victories that here we've been told we have achieved against the insurgents are a lie, for the opposite has been true [and] those have defeated our troops.²¹

As attested by its multiple retelling in just one place within a matter of days, this was the kind of story to circulate widely. Alongside Cristobal Diaz and his mules it traveled to many places beside Yanhuitlan, and its grisly and sensationalist content would have assured it eager audiences everywhere, themselves ready to carry it into ever more diffuse social settings.

The story is notable for a number of reasons. It established an explicit counter-discourse to official reports of military success against the rebels, and this seems to have been the reason why Pedro Guzman found it suspicious enough to report. But it was also

²¹ Biblioteca Burgoa, Fondo Luís Castañeda Guzmán, 49/c5. Eric Van Young records at least one other case of a priest being forced to confess an insurgent victim prior to execution; he also notes the frequency of cases of psychic trauma induced by the insurgency. See Van Young, *Other Rebellion*, 334.

slyly subversive in its treatment of the episode of violence that dominates its composition, described as a direct visual experience of great psychological impact. The overall narrative effect is far from clear: the account of murder certainly evokes horror, but the narrative details – the concrete image of throat-slitting, the macabre circumstance of the involuntary priests forced to offer the last rite of confession to the insurgents' victims, and the vague and seemingly gratuitous reference to confiscated treasure embedded in the account of violence - also suggest fascination with the aesthetics of this act of blood-letting, with the elementary authority that it revealed, or conferred. The issue of the legitimacy of such horrendous violence is left deliberately unresolved and problematic by the only explicit interpretive pointer in the story, the curious remark that 'there was no malice' in the murders since the victims were offered proper Christian last rites. Rather than illustrating a position the story poses a question: was it possible to commit horrid acts of violence, put numbers of people to the knife, and still stay within the bounds of Christian propriety? As long as judgment was being held on this question, different listeners might interpret the account as a tangible threat to their own bare throats, fantastic spectacle, or both together.

The second story, also from Yanhuitlan, is more complicated because it involves two contending versions of the same conversation.²² On a Friday afternoon in late November 1810 – a little more than two months after the beginning of Hidalgo's rebellion – Antonio Pacheco, a mestizo leatherworker [*gamucero*], directed himself to the shop of Ynes, which also served as a tavern and a hostel, for a drink of mescal. Lodged with Ynes this day were three militiamen from Huajuapán, a town *en route* to Puebla in the northwest, who had not received pay for a while and had come to Yanhuitlan in order to sell a barrel

²² The case can be found in AHJ, Teposcolula, Criminal, Legajo 49, Expediente 34.

of mescal on the side. Pacheco thus ordered his second drink from the *milicianos* and began to engage one of them, Cayetano Miguel, in conversation. “*Pues hombre,*” Pacheco addressed Miguel, “isn’t it said that this priest [Hidalgo] with all of his followers is close to where you’re from?” Miguel replied “that that was empty talk [*que eran faramallas*], that the priest was somewhere around Chilapa el Grande, and why should they be in any hurry [to act against the rebels], for the priest only came against the *gachupines* [peninsular Spaniards].” Antonio Pacheco was a loyal subject of his Catholic king, and Miguel’s words put him in consternation. He said “that the priest was a heretic, that everybody said so,” to which the militiaman replied “that [Hidalgo] was no such thing, for if he were, they would already have killed him.” Pacheco, now highly alarmed, reported Miguel to the authorities, who promptly had him arrested.

But this is only how Pacheco chose to remember the encounter. Cayetano Miguel told a different story. According to him, after he had told Pacheco that the rebels were not, in fact, getting close to Huajuapán, Pacheco asked him, “what is it that those enemies come to do,” to which he replied “that so much was said in Huajuapán that he didn’t know what they came doing.” It was Pacheco who then declared that if the rebels came only against the *gachupines* he would not get himself involved in anything, and after the men assured each other that nevertheless they would both always stand on the side of God and the church, Pacheco furthermore made this dangerous assertion: “that in this town it was attempted to raise a company of *naturales* [Indians] to join the Militia; but that if the Governor gave his permission to this plan they would kill him [the Governor], for he [Pacheco] had already conquered the *naturales*.” The testimony was alarming enough for Pacheco to join Miguel in prison.

Antonio Pacheco and Cayetano Miguel were able to produce serious witnesses testifying to their respectability and peacefulness, and when nothing conclusive could be proved against either, they were both released from prison. As is the case of the story of the muleteer Cristobal Diaz, which could not be confirmed by its alleged protagonist and author, and need not be true if it could, it is impossible to assess the veracity of Pacheco and Miguel's contending recollections of what they said to each other in Ynes's tavern. The case does confirm that, even in out-of-the-way places like the Mixteca, "the air... positively crackled with words," to use Eric Van Young's phrase about insurgency-inspired oral culture in New Spain.²³ And, like Cristobal Diaz's story, it shows a healthy distrust of official information by treating the location of the revolutionaries and the direction they were taking as matters to be discussed, established, challenged in public discussions, rather than accepted at face value from official sources. We also learn something more about the actual terms of discussion in which popular discourse treated Hidalgo's rebellion. The twin tropes of geographical origin as determining socio-political belonging and of religion as determining political propriety, so important to the war's beginning in Central Mexico (and only half-present in the Diaz-story), dominated the discussion between Pacheco and Miguel as well. The burning questions that emerge from both versions of their conversation are whether it was possible to rebel against the government without becoming a heretic; whether the rebellion had native Spaniards as its particular victims; and, if yes, whether that mattered.

Pacheco and Miguel's disagreement shows, perhaps trivially, that people from similar geographic and social backgrounds could take different positions on the insurgency based

²³ Van Young, *Other Rebellion*, 315.

on personal histories or inclinations.²⁴ But is it possible to infer some of the popular motives for choosing one or the other side in the conflict from their confrontation? In fact, the different versions of the conversation recorded in the judicial file are striking for the lack of precision, the dearth of detail put forth by both men when taking up their positions. Neither Pacheco nor Miguel seem to have cared to argue the rebellion in programmatic terms, or to link the formulaic idiom of religion and heresy, of Spanish versus American rights, to any concrete instantiations that might have made their disagreement meaningful in the context of local economic, political, or cultural experiences. The Indians that Pacheco reputedly boasted of having ‘seduced’ seem similarly abstract and opaque, a menace or a source of power rather than a particular grouping of people with identifiable wills and agendas. This suggests that the anxiety and enthusiasm that led Antonio Pacheco and Cayetano Miguel to argue over the news of the Hidalgo revolt with enough heat to land them both in jail for two months responded not to the local relevance of the political issues at stake but to the sense of apprehension and possibility opened up by its military import; and, indeed, the concerns raised in their argument always come back to the use of violence - whom the insurgents were killing (only *gachupines?*), what it meant that the leader of an uprising against the colonial government had not yet been killed (did this prove the sincerity of Hidalgo’s Catholicism?), whether the insurgency would produce a violent confrontation between Indians and governor.

An episode from the life of Antonio Pacheco that shortly preceded his encounter with Miguel sheds additional light on this interest in the performance and meaning of violence.

²⁴ On the importance of personal choice and contingency for choosing to join the rebel forces see Van Young, *Other Rebellion*, esp. chapter 4.

In order to clear himself from charges of sedition, Pacheco brought in a number of witnesses who could testify to the fervor of his anti-insurgent conviction by relating conversations they had with him the evening before and the morning after he engaged in a strange nighttime adventure. Pacheco, “a little drunk” according to one witness and armed with a club [*garote*], left Yanhuitlan one night to roam the surrounding countryside in an effort to find and kill Miguel Hidalgo. Juan de la Cruz, an indigenous resident of the town and one of Pacheco’s neighbors, described to the judge how he ran into Pacheco when stepping out of his house the next morning. “*Hombre*,” Pacheco told him, “if you had seen me last night, that would have made you laugh.” Asked why, he replied, “because I was walking around with a *garote*, to kill that priest who they say is coming with the enemies.” Three more of his neighbors remembered Pacheco making similar boasts that morning and the night before.²⁵

The farcical nature of this lonely attempt on the life of the head of an army, fueled by drink, carried out with a blunt wooden stick, and a good thousand miles off target (Hidalgo at the time was making ready to enter the town of Guadalajara), does not lessen its imaginative force. Linda Colley’s discussion of popular reactions in Britain to the French invasion scare during the revolutionary and Napoleonic wars offers insights that also apply to this case. Writing about the British Defense of the Realm Returns from 1798 and 1803, which, county by county, collected systematic information on the willingness of the population to join local militia units, Colley shows that Britain’s laboring poor responded to the call to arms with a swaggering, showy nationalism. She argues that the military emergency offered these people “a chance for fantasy and wishful

²⁵ AHJ, Teposcolula, Criminal, Legajo 49, Expediente 34.

thinking.” “To them, coming forward to defend Great Britain offered a brief chance to attempt something big, some slight opportunity to escape drudgery and mundane obligations and become for a time a person who matters.”²⁶ This popular response Colley ties to an “aggressive maleness” that the French scare fed into and stoked.²⁷ Similar observations can be made about Pacheco’s drunken theatrics. Male violence was a daily fact of life for villagers and townsmen in the Mixteca in the late colonial period, where men frequently resorted to interpersonal aggression – against their wives or against men from other villages - in order to uphold codes of male honor and dominance.²⁸ What the War of Independence offered to the small-town leatherworker was a shot at heroism, the opportunity of becoming part of a larger endeavor by putting such violence at the service of one of the contending projects of nation. The utility of this enthusiasm was not lost on local elites. Just as noteworthy as Pacheco’s botched assassination plan considered in itself is the seriousness with which it was attended by his judges, who questioned witness after witness about his night-time escapade. When they finally sent the whole case on to be reviewed in Oaxaca, the government assessor was impressed by the patriotic fervor displayed by Pacheco and cited it as a major reason in his decision to have him set free. For Antonio Pacheco, rumors of the Hidalgo rebellion prompted fantasies of power and consequence, achieved through violence, that shaded into practice and performance even before the war reached the Mixteca as an actual armed confrontation, and that were

²⁶ Linda Colley, *Britons: Forging the Nation 1707-1837*, Second Edition, (New Haven: Yale University Press, 2005), 308.

²⁷ Colley, *Britons*, 303.

²⁸ William Taylor, *Drinking, Homicide & Rebellion in Colonial Mexican Villages*, (Stanford: Stanford University Press, 1979), 80-97.

observed with great interest by local elites driven to find a popular footing for their politics.

The popular imagination at work in the story that Cristobal Diaz carried into Yanhuitlan while on his way to Oaxaca and in Pacheco's murder plot and confrontational encounter with Cayetano Miguel closed the distance between Central Mexico and the Mixteca by putting local inhabitants into a relation to events they were not yet themselves experiencing. But in contrast to the propaganda reaching Oaxaca from the royalist and insurgent sides, what was crucial to this imagined relationship was not the politics but the violence of warfare, appearing as both threat and spectacle in Diaz's bloody story and as fantasy and possibility for the drunk Pacheco. While within the emerging space of national intimacy that official propaganda and popular rumors equally created, many people felt compelled to redefined themselves politically through the sides they took or were made to take in the war, the stories here presented show that the mere prospect of military violence was in itself a compelling point of reference; in a world whose familiar contours were being eroded by civil warfare it represented the ultimate threat to established modes of life, but also the possibility of asserting or redefining their own social and political standing.

In this section I have contrasted the principal arguments through which the War of Independence was made familiar to inhabitants of the Mixteca by the contending parties with two surviving records of popular reactions to news of the war. Although assimilating the patriotism of official discourse, these reactions were much more preoccupied with the meaning and consequences of revolutionary and counterrevolutionary violence than with the political and ideological positions which such violence served. In the following years

official discourse and lived experiences converged. At the end of August 1811, in another of his circular letters, Archbishop Bergoza y Jordán exhorted all those of his dioceses capable of carrying arms – regardless of caste - to form a militia company in order to defend the province from its insurgent enemies.²⁹ Dictated by the necessities of the day, Bergoza’s letter anticipated more formal elaborations of the new duties and status of ordinary people. In 1812 the constitution published by the *Cortes* in Cádiz, claiming representation of the Spanish nation (including Spanish America) during Ferdinand VII’s captivity, also made the armed defense of the fatherland one of the principal duties of all Spaniards, whose rights and obligations were now related to the novel political category of the ‘citizen’ under which they were comprehended. The insurgents followed suit when they published their own constitution in 1814.³⁰ Meanwhile, in late 1811, real warfare moved into the Mixteca. If the formal introduction of an equalizing discourse of citizenship in the rival constitutional projects represented a ‘heretical challenge’ to a traditional Mexican politics in which political status had largely corresponded to – or at least had been constrained by – positions in the colonial caste hierarchy, and in this sense brought into the open a new range of possible political imaginings, then the reality of

²⁹ Antonio Bergoza y Jordán, “El obispo de Oaxaca, a sus diocesanos, exhortandolos para que defiendan la provincia. 26 de agosto de 1811,” in eds. Ernesto de la Torre Villar, Moises Gonzalez Navarro, and Stanley Ross, *Historia Documental de México*, Volume II, (Mexico City: Universidad Nacional Autónoma de México, 1964), 60-62.

³⁰ “Constitución de Cádiz de 1812,” Título I, Capítulo II, Artículo 9, Título II, Capítulo IV, and Título VIII, Capítulos I and II, in *Biblioteca Virtual Miguel Cervantes*, www.cervantesvirtual.com, accessed 28 March 2010; “Decreto Constitucional para la Libertad de la América Mexicana, sancionado en Apatzingán (22 de octubre de 1814),” in Ernesto de la Torre Villar, *La Constitución de Apatzingán y los Creadores del Estado Mexicano*, (Mexico City: Universidad Nacional Autónoma de México, 1964), 380-402. The dramatic formulation in the insurgent constitution, Capítulo VI, demands of all citizens “a voluntary sacrifice of their goods and lives when the necessities [of the fatherland] so demand.”

civil warfare made sure that it would be in the area of military service that these novel imaginings found their first practical application.³¹

Uncertain Loyalties: Militia Warfare in the Mixteca, 1814

The history of the War of Independence in the Mixteca falls into three phases. In the first, from late 1811 to October 1812, insurgent commanders established bases, recruited soldiers, and threatened and temporarily occupied some major towns, notably Yanhuitlan and Huajuapán. The second, lasting from late October 1812 to April 1814, was initiated by the take-over of the whole province by the main insurgent forces under José María Morelos. The last phase lasted from the reconquest of Oaxaca by royalist forces under the command of Melchor Álvarez in April 1814 to the 1817 surrender of the final rebel hold-out in the Mixteca, a mountain-top fortification outside of Sillacayoapa. This temporal division must have been meaningful to Mixtecan peasants and townsmen inasmuch as it corresponded to changes in the tempo and intensity of military action going on around

³¹ Bourdieu talks of the “heretical power” that language can have when it introduces the heterodoxy of “competing possibles” into social systems; sticking to Bourdieu’s terminology, the Spanish king’s captivity, Napoleonic Invasion, and, finally, outbreak of civil war in the colony itself could be seen as moments of crisis “breaking the immediate fit between the subjective structures and the objective structures” of Spanish and American society and enabling the appearance of the heretical discourse of citizenship. Pierre Bourdieu, *Outline of a Theory of Practice*, trans. Richard Nice, (Cambridge: Cambridge University Press, 1977), 168-71. The equalizing and revolutionary nature of the concept of citizenship within “the hierarchical status system of social class” is discussed in T.H. Marshall, *Citizenship and Social Class and other essays*, (Cambridge: Cambridge University Press, 1950), 29-31. On the revolution in political imaginings among the Mexican educated classes in these years see Carlos A. Foment, *Democracy in Latin America 1760-1900*, (Chicago: University of Chicago Press, 2003), and Jaime Rodríguez O., *The Independence of Spanish America*, (Cambridge: Cambridge University Press, 1998). On the impact of this new political discourse on the popular political imagination, see Guardino, *Peasants and Time of Liberty*, and Ducey, “Village, Nation, and Constitution.”

them and of the military, economic, and ideological claims made on them by the belligerent parties.³²

The militarization of everyday life was the most pervasive of the war's immediate effects, in the Mixteca and throughout Mexico. Apart from contributing with their men to the militia companies engaged in active campaigns, towns and settlements in most areas of military action were required to build fortifications and establish local defense-units in order to prevent rebel incursions and predations. The insurgents made similar demands in the areas they controlled or passed through.³³ In the Mixteca, however, supervising each of the hundreds of dispersed indigenous villages in the formation of their own village-defense unit would not only have surpassed administrative capacities, it would also have required enough trust in the loyalty of the area's indigenous population to encourage their semi-autonomous organization into armed units.³⁴ Militia companies were therefore formed only in key towns and villages in areas of strategic importance.

I now want to look at the local experience of the war in a period when it reached a high local tempo and intensity, between May and August 1814, through the eyes of a minor military official, a militia captain too unimportant to feature in any of the available historical texts. José María Padrino played a small part in 'clean-up' operations against insurgent hold-outs after the Province's reconquest by royalist troops. His part in the war illustrates the quotidian reproduction of military power and its social impact that characterized large parts of the Mexican countryside during the Independence period.

³² The most comprehensive account of the war in Oaxaca remains Gay, *Historia*, Volume 2, 368-496.

³³ Alamán, *Historia*, Volume 2, 256-60; Ortiz Escamilla, *Guerra y Gobierno*, 80-1, 90, 126-7.

³⁴ On the ambiguous position of indigenous villages in militias and local defense forces in the rest of New Spain, see Ortiz Escamilla, *Guerra y Gobierno*, 84-5.

The Making of a Patriotic Company

Padruno appears to have been a native inhabitant of the Mixteca, a non-indigenous resident of the town of Nochistlan, where he entered into the local militia company in the summer of 1810 – the summer preceding the Hidalgo uprising - with the rank of lieutenant (*alferez*). In a context of escalating civil warfare the army became for him a career, and in August 1812 he was promoted to the rank of Captain.³⁵

The majority of his men, however, cannot be assumed to have filled their positions so willingly. The colonial government had first formed a provincial militia in Oaxaca in 1766, two years after colonial policy makers had drawn up a plan to reconstruct New Spain's army: the Seven Year's War had laid bare the military weakness of Spain's New World colonies, and local troops were to be raised and integrated with a core of native Spanish soldiers to defend New Spain in the case of an invasion by Spain's European rivals.³⁶ Service in the foot-ranks of the provincial militias was unpopular (though not as unpopular as service in the national army) and typically fell to those too poor to gain exemptions, even though *milicianos*, like regular soldiers, were supposed to be picked by lottery.³⁷ Certain classes of the colony's population, however, were formally excluded from military service: lawmakers deemed neither blacks nor Indians to be trustworthy enough to carry arms and contribute to New Spain's defense.³⁸ In the local Mixtecan

³⁵ "Relacion del tiempo que lleva de Servicio el Capitan de Milicias D. Jose Padruno, acciones en que se ha hallado desde el 16 de Enero de 1811 que salio a servir en Campaña con su Compañía, la Suelta de Nochistlan de esta Misteca," in Archivo General del Estado de Oaxaca (hereafter AGEO), Fondo Gobernación, Paquete de Guerra 1814/1820.

³⁶ Christon Archer, *The Army in Bourbon Mexico, 1760 – 1810*, (Albuquerque: The University of New Mexico Press, 1977), 9-12.

³⁷ Archer, *Army in Bourbon Mexico*, 235.

³⁸ Archer, *Army in Bourbon Mexico*, 11.

context, this meant that *milicianos* had to be raised in the handful of towns – Nochistlan, Coixtlahuaca, Teposcolula, Tlaxiaco, Huajuapán, and Yanhuitlan – that contained sizeable mestizo or creole populations. These populations were themselves highly stratified and included, below the leading tier of influential merchants, entrepreneurs, and administrators, a sort of middle-class of muleteers and farmers as well as large numbers of poor artisans and the dependents of farmers, merchants, and *trapiche* (sugar-mill)-owners.³⁹ It is from these lower classes that local elites recruited the bulk of militia-soldiers. Some Indians residing in or around the bigger towns, however, joined the militia in spite of the prohibition, as on-the-ground practice throughout New Spain often differed considerably from legal rules.⁴⁰ A dispute between Rafael Pérez, a militia commander from Huajuapán, and Martín de Posada, a commissioner charged with revising the lists of tributaries in that district, concerns just this question: de Posada found that many Indian tributaries were illegally enlisted in the militia, to the detriment of the provincial treasury, and eventually managed to bring enough bureaucratic pressure to bear on Pérez to take these men off his militia lists (and put them back on the list of Indian tributaries).⁴¹ The case suggests, however, that similar infractions of the rules governing the formation of local militias might have been common in ethnically mixed towns (like Nochistlan or Huajuapán), where daily contact and, in some instances, a shared class-position with poor mestizos and creoles softened the practical application of formal socio-political

³⁹ Pastor, *Campesinos y reformas*, 315-21, 335, 350-57.

⁴⁰ Archer, *Army in Bourbon Mexico*, 237.

⁴¹ AGEO, Real Intendencia, Huajuapán, Legajo 39, Expediente 2.

categories.⁴² The incorporation of indigenous people in royalist *patriota* companies during the war nevertheless represents a momentous departure even from late colonial practice, as their military service now became common and gained official recognition.

On 16 May 1814, roughly a month and a half after the province had been retaken and two weeks after a first royalist expedition to the Mixteca had been badly beaten at the *Cerro Encantado* outside Tlaxiaco, Padruno was sent back to the Mixteca, apparently with instructions to recover and secure the area between Oaxaca and Tlaxiaco step by step.⁴³ Padruno picked up a considerable number of men in Nochistlan and Yanhuitlan shortly after setting out from Oaxaca, presumably locals whose names remained on old local militia lists and who were now once more put under service.⁴⁴ He marched on to Teposcolula on 29 May accompanied by only sixteen mounted men, while leaving fifty men under arms behind in Yanhuitlan. Upon arrival he began the business of recruiting new soldiers - men from the town itself as well as other towns and villages of the department. On 3 June he reported to Alvarez that he had enlisted “sixteen mounted men with nine muskets” from Santa Maria Chilapa (Chilapilla) and that he had kept only half of the thirty four men who had presented themselves from Coixtlahuaca, allowing the married ones to return home. At this point he was enthusiastic about the ease with which he recruited new soldiers. “Very little is missing to complete the number of people I need

⁴² Pastor particularly names the temporary and permanent farm dependents in and around these towns as a “link between the two segregated worlds of the social system.” Pastor, *Campesinos y reformas*, 350.

⁴³ “Relacion del tiempo.” I have only been able to find parts of the report, and the part detailing the instructions with which Padrunos was sent to the Mixteca in 1814 is unfortunately missing.

⁴⁴ “Diario de Operaciones que lleva el Capitan D. Jose Padruno, desde el 16. de Mayo de 1814 que sali de Oaxaca, con Comision para la Misteca por el Sôr. Comand.te General de la Provincia D. Melchor Alvarez,” in AGEO, Fondo Gobernación, Paquete de Guerra 1814/1820. The document contains references to Padruno’s recruitment activities from May 16th to June 11th 1814.

to command, and as soon as this operation [of enlisting men] is concluded I will give you an account of my forces,” he wrote.⁴⁵ Eight days later, however, he had run into difficulties – not with finding men to fight in his forces, but with dealing with the messy process of claim-staking that their recruitment generated. Apparently after being reprimanded by Alvarez for carelessness in his financial dealings with the new recruits, a disenchanted Padruno wrote a groveling letter of apology. His difficulty, he wrote, was that people who presented themselves for service voluntarily had, in fact, legitimate reasons to be exempted from serving in the militia, which they disclosed only after having received their first pay. Padruno’s letter gives an almost anguished description of a situation that seems to have overwhelmed his repertoire of scripted social interactions and strained his improvisational skills:

...ever since my entry into Nochistlan I have not been able to cope with the continuous and incessant protests and demands of the soldier, of his mothers, fathers, wives and their debts as a result of which, and because I could not look with indifference at so many clamors, I have had to put in and pull out a few [of the recruits, i.e. I have had to let some go and conscript new ones] and for this reason it is that I have paid some wages [*Pres[tación]*] that have remained lost though of little amount.

Padruno then offered to right the financial imbalance out of his own salary.⁴⁶ His confusion about the noisy welter of expectations, demands, and contestations, duplicated in the messy prose, was symptomatic of the difficulties of dealing with an unprecedented reconfiguration of social and political ties as a result of popular participation in the war

⁴⁵ Padruno to Alvarez, Teposcolula, 3 June 1814, in AGEO, Fondo Gobernación, Paquete de Guerra 1814/1820.

⁴⁶ Padruno to Alvarez, Teposcolula, 11 June 1814, in AGEO, Fondo Gobernación, Paquete de Guerra 1814/1820.

effort. The interactions between state and indigenous commoners had previously been limited to a small number of carefully scripted and, usually, indirect and mediated mechanisms based on a logic of extraction (of tribute or forced labor services). But even the poor creoles or mestizos, whose history of carrying arms in defense of the state preceded the outbreak of the war by a good fifty years, had never before been called upon to exercise their duty in a military contest. While their enlistment in reserve militia companies had at certain points put them in danger of being forcibly advanced into the regular army, for those who escaped that fate their military service consisted at most in some training exercises, but more typically did not extend beyond the sheet of paper carrying their names.⁴⁷ It is no wonder, then, that Padruno was at a loss about how to handle the sudden surfeit of politically charged contact involved in the formation and direction of a wartime citizens-militia. Yet what really stands out in his relation of the episode is not so much his own bafflement as the confidence with which popular actors in the Mixteca were willing to invest and engage in this new space of encounter and attempt to turn it to their advantage, at a time when clear rules of engagement had not yet crystallized.

In the end it took Padruno nearly a month and a half, until 14 July, to compile and submit a set of preliminary militia lists, comprising companies from Nochistlan, Yanhuitlan, Teposcolula, San Miguel Achutla, Chilapas, and Coixtlahuaca.⁴⁸ Although, with the exception of the medium-sized Achutla, these were all among the biggest towns in the part of the Mixteca under Padruno's control, some of the lists include references to

⁴⁷ Archer, *Army in Bourbon Mexico*, 240-41.

⁴⁸ Padruno to Alvarez, Teposcolula, 14 July 1814, in Real Intendencia, Teposcolula, Legajo 44, Expediente 8.

‘subject towns’ that apparently contributed men, and it is possible that more men were conscripted from smaller surrounding villages as well.⁴⁹ If the available lists are complete - and there is no indication that they are not – then Padruno managed, by the middle of July, to put 264 men under arms.⁵⁰ It was locally raised troops such as these who fought the War of Independence in the Mixteca.

Going to war is always a terrifying affair, and José Padruno and his assembling *milicianos* did not know that they were fighting in the final phase of the conflict in the Mixteca, consisting of mop-up operations against a weakening and defensive enemy whose greatest ally outside of the Province was himself rapidly losing ground.⁵¹ It is true that Alvarez’s easy and bloodless reconquest of Oaxaca had created a euphoric optimism about the weakness of the insurgency. But that optimism was considerably dampened during the action at the *Cerro Encantado*, which proved that the rebels could quite possibly stage a military rebound and, even absent that possibility, could most certainly still inflict death and defeat on their pursuers; nineteen royalist soldiers were reported dead and two hundred and ten wounded in the action.⁵² Padruno and his men therefore moved slowly and with extreme circumspection. Apart from the steep and abrupt terrain, providing ideal conditions for surprise-attacks by small and mobile enemy bands, the company was also hampered by their commander’s distrust of the reliability of

⁴⁹ Statistical information on population numbers was collected for almost all towns of the Mixteca in 1827, and is reproduced in Ronald Spores, “La Situación Económica de la Mixteca en la Primera Década de la Independencia,” in Maria de los Angeles Romero Frizzi (ed.), *Lecturas históricas del estado de Oaxaca, Volumen III: Siglo XIX*. Mexico City: Instituto Nacional de Antropología e Historia, 1990.

⁵⁰ All lists in AGEO, Real Intendencia, Teposcolula, Legajo 44, Expediente 8.

⁵¹ On Morelos’s faltering military fortunes in 1814 see Timmons, *Morelos of Mexico*, 128-38.

⁵² For the royalist defeat at the *Cerro Encantado* outside Tlaxiaco, on 29 April 1814, see Alamán, *Historia*, Volume 4, 109-111, and Gay, *Historia*, Volume 2, 459-60.

indigenous informers. Padruno's letters to Alvarez are full of local hearsay about location and numerical strength of reputed insurgent bands, followed by expressions of doubt concerning the accuracy of that information.⁵³ The resultant uncertainty slowed down and at times stalled the *milicianos*' movements. "Those [insurgents] who are in Tlaxiaco are few," Padruno wrote his commander sometime in July from Teposcolula, "but I don't know how many they have as their rearguard in the direction of Mistepeque and as long as I lack positive information it seems best to me to stay put."⁵⁴

From Padruno's perspective this constant military uncertainty was intimately linked to bigger and more perfidious doubts respecting the trustworthiness and loyalty of the native Mixtecs among whom he moved. In the best of cases, he (and other military chiefs operating in the Mixteca after 1814) suspected locals of doing no worse than trading in insurgent-held territory, either out of greed or because of simple economic desperation.⁵⁵ But more typically the enigma of popular attitudes toward the insurgents and the pursuing *milicianos* was itself constitutive of a constant nagging anxiety. On 6 June, for instance, Padruno informed Alvarez that he would employ a local parish priest to send yet another

⁵³ See the letters from Padruno to Alvarez dated 3 June, 6 June, 14 July, 16 July, 23 July, 30 July, and 25 August, 1814, in AGEO, Fondo Gobernación, Paquete de Guerra 1814/1820. Other military leaders operating in the Mixteca in 1814 and 1815 were similarly disabled by their lack of information about the strength and movements of their enemies – see the letters from Demetrio Plaza to Urbano, Huajuapán, 5 January 1815, in AGEO, Fondo Gobernación, Paquete de Guerra 1814/1820; Francisco Monterrubia to Salvador Lopez, Rio Blanco, 20 June 1815, and Manuel Maria Leyton to Melchor Alvarez, Rio Blanco, 28 June 1815, in AGEO, Fondo Gobernación, Paquete Militar 1815-2; Jose Frances Enriquez to Comandante General, Teposcolula, 3 October 1814, and Jose Frances Enriquez to Comandante General, Teposcolula, 17 December 1814, in AGEO, Real Intendencia, Teposcolula, Legajo 71, Expediente 16.

⁵⁴ Letter from Padruno to Alvarez that begins "Acompaño á VS la carta..." 1814 (complete date illegible), AGEO, Fondo Gobernación, Paquete de Guerra 1814/1820.

⁵⁵ Letter from Padruno to Alvarez that begins, "Acompaño á VS. El Estado y Diario..." 1814 (complete date illegible), AGEO, Fondo Gobernación, Paquete de Guerra 1814/1820; Mariano de Castillejos to Comandante General y Gobernador Yntendente, Teposcolula, 24 May 1814, in AGEO, Fondo Gobernación, Paquete Militar 1814/1816.

offer of pardon to the villages around Chalcotongo - in rebel territory - but added immediately that their obstinacy was such that he was certain they would not accept it.⁵⁶ Reports by other military leaders deployed in the area the following year are full of vague references to villages' "addiction to the enemies" or warnings to be careful when passing through "those little villages lying on your way," ominous for the absence of details that might explain or ground such suspicions.⁵⁷

Village-attitudes toward the war were a cause of concern not only because of their possible collaboration with the enemy, but also because all troops almost completely depended on the native population for everything from military intelligence to basic provisions and even pack animals and weapons.⁵⁸ Thus, even though he was suspicious of the native population, especially in areas that had been under insurgent control, Padruno was only too willing to let villagers prove him wrong in his expectations of betrayal. In mid-August 1814 he entered Mistepeque, a village that had previously been held by the insurgents for a long time, fully expecting to find it full of their supporters and sympathizers. Instead, he found himself "well-received and assisted, by the priest as well as all the Indians, with such thorough demonstrations of joy about everything that I order them to do that they have made me change my opinion about them."⁵⁹ And while contributions to his campaign were hardly voluntary, Padruno generally seems to have

⁵⁶ Padruno to Alvarez, Teposcolula, 6 June 1814, in AGEO Fondo Gobernación, Paquete de Guerra 1814/1820.

⁵⁷ Leyton to Alvarez, Rio Blanco, 1 July 1815; Manuel Mariano Zuñiga to Sôr Comandante de Rio Blanco, Dondominguillo, 30 June 1815; and Francisco Monterrubia to Salvador Lopez, Rio Blanco, 20 June 1815, in AGEO, Fondo Gobernación, Paquete Militar 1815-2.

⁵⁸ See for instance the various excursions sent out to find arms and horses in Padruno, "Diario de Operaciones."

⁵⁹ Padruno to Alvarez, Mistepeque, 17 August 1814, in AGEO, Fondo Gobernación, Paquete de Guerra 1814/1820.

tried as much as possible to dull the sting of coercion. When the government of San Mateo obliged his request for 49 head of cattle he recommended the village to Alvarez, “so that you can thank them, and with that they will feel encouraged [*entusiasmados*] and happy”.⁶⁰

But dependence could also produce hostility. In the polarizing context of war, failure to assuage Padruno’s suspicions on the part of villages that had been visited by enemy bands – and therefore had, willingly or not, contributed to the enemy’s war-effort – risked catastrophic consequences. “I have already told you in my previous reports that I was thinking of directing myself toward Chalcatongo,” he wrote to Alvarez shortly after he had established himself in Teposcolula. Chalcatongo was a small town at the southern margins of insurgent territory, perhaps attractive as a target because it was located at enough of a distance from the corridor between Tlaxiaco and Sillacayoapan – the area of strongest insurgent control – for Padruno to feel safe from the threat of getting trapped by rebel forces. Padruno continued in his letter,

I will let you know beforehand that if I manage to occupy that point I [will] reduce it to ashes, and [with it] all those infamous rebel villages [nearby] that have not accepted the clemency which I have proposed to them for the second time.⁶¹

Alvarez answered that it would be “convenient that you threaten the town of Chalcatongo,” and Padruno’s later military-service record confirms that he set fire to “the rebel village of San Estevan, part of Chalcatongo” and caught and executed six rebels as

⁶⁰ Padruno to Alvarez, Teposcolula, 24 July 1814, in AGEO, Fondo Gobernación, Paquete de Guerra 1814/1820.

⁶¹ Padruno to Alvarez, Teposcolula, 6 June 1814, in AGEO, Fondo Gobernación, Paquete de Guerra 1814/1820.

part of the action.⁶² A reference to the destruction of a different village in a report about another of Padruno's punitive expeditions is limited to a shockingly casual sentence: "The rains almost didn't give me time to reach Yucunicoco and burn it down completely."⁶³ And by no means was the burning of villages confined to the royalist side – reports of villages victimized by insurgent predation and, sometimes, insurgent destruction, were common.⁶⁴

As the foregoing discussion makes clear, the instances of collective military punishment against the civilian population committed by Padruno's company were highly scattered. With the scorched-earth campaigns of twentieth-century civil warfare Padruno's punitive expeditions shared a totalizing attitude toward the civilian population that admitted no neutrality. But far from defining indigenous villagers as alien and subversive *in toto*, the us-them boundary dividing friends from enemies necessary for any military action was so fluid and uncertain that exemplary acts of violence served in a way as a final resort that allowed Padruno to fix villages in an unambiguous position on the other side of the conflict, just as it was their participation in Padruno's militia band (and in the acts of violence that it committed), rather than any strong ideological conviction, that alone fixed villagers squarely on the side of the royalists, at least as long as their

⁶² "Relacion del tiempo."

⁶³ Padruno to Alvarez, Mistepeque, 17 August 1814, in AGEO, Fondo Gobernación, Paquete de Guerra 1814/1820.

⁶⁴ Incomplete letter from Samaniegos to Alvarez beginning, "Acabo de recibir el oficio de VS. del 16..." no date (but apparently from July 1814), in AGEO, Fondo Gobernación, Paquete de Guerra – Gobierno Militar 1814-1819; Padruno to Alvarez, Teposcolula, 30 July 1814, in AGEO, Fondo Gobernación, Paquete de Guerra 1814/1820; Manuel Moscoso to Alvarez, Yxcatlan, 29 January 1815, in AGEO, Fondo Gobernación, Paquete Militar 1815-2; Enriquez to Alvarez, Teposcolula, 4 December 1814, and Urbano to Alvarez, Teposcolula, 25 October 1814, both in AGEO, Real Intendencia, Legajo 71, Expediente 16. On insurgent predations in indigenous villages see also Pastor, *Campesinos y reformas*, 417-18.

service lasted.⁶⁵ The dividing line between friend and foe in the Mixteca therefore was not ideological but practical. Drawn and redrawn by the perpetration or suffering of organized violence itself, dependent on momentary acts and seemingly void of the stabilizing guidance of conviction or even intent, it produced a popular reaction to the presence of warring military bands characterized by contingency and improvisation.

This means that matter-of-fact military reports such as Padrunos' gloss over the experiences not only of the victims of military violence but also those of its actual perpetrators, the local *milicianos* carrying out Padruno's orders. The forgotten history of Padruno's campaign comes down to us principally through the reports filed by its commander, but it is still a history of violence committed almost exclusively by popular, 'subaltern' actors, of poor townsmen and villagers setting fire to towns and villages. If violence became a habitual nexus between state and society in this time of civil warfare in the Mixteca, the relationships that it established were of complicity as well as victimization.

Practicing Violence: War and Political Culture

When the violence of civil war finally reached the Mixteca it was largely, at times exclusively, carried out by native inhabitants of the region, and yet the meanings that these men attached to their military experience, the transformations that it wrought in their lives as Mexican nationals as well as members of local communities, is among the

⁶⁵ On the use of state violence in order to construct and fix identities, see Richard Turits, "A World Destroyed, A Nation Imposed: The 1937 Haitian Massacre in the Dominican Republic," in *Hispanic American Historical Review* 82/3 (2002), 589-635, and Fernando Coronil and Julie Skurskie, "Dismembering and Remembering the Nation: The Semantics of Political Violence in Venezuela," *Comparative Studies in Society and History* 36/2 (1991), 288-337.

most understudied of questions in the social history of the War of Independence. Luis Villoro has interpreted Hidalgo's great, destructive mass-following as an "originary chaos" in which plebeian Mexicans (*el bajo pueblo*) - reveling in their liberty, unconcerned with any future - for the first time found and experienced themselves as integrants of a sovereign power.⁶⁶ In this view, popular violence by one stroke canceled local political arrangements and replaced them with the sudden revelation of a national brotherhood in arms. Eric Van Young, by contrast, shows particular acts of popular violence carried out under the auspices of Hidalgo's uprising to have been purely parochial in reach and intent, aiming at the "defense of the indigenous rural community as a moral, political, and even theological project."⁶⁷ But what about the violence carried out by indigenous villagers while serving in formal or semi-formal military structures, away from their communities and under the command of strangers? The scarcity of ordinary rebel soldiers' or *milicianos*' voices in the documentary record makes their military experience extremely hard to reconstruct; I will begin my analysis by considering the specific historical context in which plebeian soldiers perpetrated acts of violence and move on to an examination of a number of judicial cases that deal with conflicts between villagers who participated in the war and their communities, offering evidence about the transformative effect of war-time violence on the political self-understanding of its perpetrators.

Violence, the assault on the bodily integrity of another person, is a uniquely powerful force for the shaping of sociopolitical identities. Relating people directly and physically

⁶⁶ Villoro, *Proceso Ideológico*, 76-86.

⁶⁷ Van Young, *Other Rebellion*, 24; see also chapters 15-17.

through the paired experiences of dominance and subordination – each one constitutive of the other - it establishes hierarchies that are embodied and unambivalent. Peasant-on-peasant violence is perhaps best seen as the grasping at limited opportunities, through the exertion of sheer physical force, for gaining a measure of control in a world in which power could not often be made to reside in the application of individual or even communal effort. For this there existed direct precedents: in the late colonial period, as William Taylor has shown, village riots directed against agents of the Church or state were intimately linked to the assertion and defense of the village community as a self-governed entity, a bounded space in which villagers could still take charge of their lives, and even acts of murder had a strong political subtext by reasserting a certain type of threatened male authority within the household.⁶⁸ Peasant participation in the War of Independence in Mexico poses the question what new types of social and political identities were produced or asserted, and what new possibilities for power opened up, through participation in the military projects of extra-communal and even extra-regional actors.⁶⁹

I have already argued that the outbreak of civil warfare encouraged a new kind of national imagining because it became directly relevant to the lives of ordinary people who up to then had experienced the colonial state only mediately, as something far-away

⁶⁸ Taylor, *Drinking, Homicide & Rebellion*, chapters 3 and 4.

⁶⁹ Exploration of the relationship between military violence and political culture in the late colonial and early republican context has been more often discussed in the Andean historiography, for example by Walker, *Smoldering Ashes*, chapter 5; Sinclair Thomson, *We alone will rule: native Andean politics in the age of insurgency*, (Madison: University of Minnesota Press, 2002), chapter 6; Sergio Serulnikov, *Subverting colonial authority: challenges to Spanish rule in eighteenth-century southern Andes*, (Durham: Duke University Press, 2003), esp. chapter 4; and Cecilia Méndez, *The Plebeian Republic: The Huanta Rebellion and the Making of the Peruvian State, 1820-1850*, (Durham: Duke University Press, 2005), chapter 7.

and abstract made present locally by officials and politicians who drew from its mysterious power. During the War of Independence, however, violence ceased to be associated with merely local representations of state power, as in the punishments meted out by, or the riots directed against, local officials. Antonio Pacheco's fantastic assassination attempt, for instance, was directly aimed at Miguel Hidalgo, leader of the national insurgency. I contend that popular violence committed in the service of the mushrooming insurgent bands and royalist militias needs to be linked to this novel imagination. Concretely and practically it actualized the new relation between the state and its inhabitants that both insurgent and royalist propaganda were proclaiming in the universal language of national citizenship, and thus aligned Mixtecan peasants with the cross-Atlantic historical moment of the emergence of the militarized nation-state.⁷⁰

Even before the outbreak of the war the introduction of militia service in the colonies had, in spite of all the opposition that it also engendered, put those who served outside the bounds of ordinary law and invited notions of privilege and power.⁷¹ Militia service, in other words, had begun undermining traditional local authority structures even before 1810, and in this as in many other respects the War of Independence merely sharpened and gave sudden prominence to political trends that had been long in the making. In the Mixteca, this situation is illustrated by a conflict between Dionisio Mejía and the village government (*república*) of San Miguel Tequistepec, occurring in the first year of the war. After he entered into the militia in 1811, the *república* took Mejía prisoner for “not

⁷⁰ On the peculiarities of this process in Europe, see Geoffrey Best, *War and Society in Revolutionary Europe, 1770-1870*, (New York: Oxford University Press, 1986), and Colley, *Britons*; for the United States, see Marcus Cunliffe, *Soldiers & Civilians: The Martial Spirit in America, 1775-1865*. (Toronto: Little, Brown and Company, 1968).

⁷¹ Archer, *Army in Bourbon Mexico*, 112-135.

recognizing any superior authority in the village” and of refusing to pay the priest a customary fee. But while on their way to bring their prisoner before the *subdelegado* of Teposcolula, a group of *milicianos* from Coixtlahuaca accosted them, insulted and scorned their authority (they improvised satirical sonnets apparently on the spur of the moment), and freed Mejía. In order to avoid any possible repetition, the *república* demanded – in this final year before warfare would become entrenched in the area itself - that no soldier be allowed to live in their “Indian village” anymore.⁷²

A story that comes from the rebel side of the war deals more directly with the effect of violence on local politics. In 1813, when the insurgents controlled all of Oaxaca, the small Mixtecan community of San Pedro Jocotipaque, like many others, lent its support to the insurgent cause.⁷³ This, the complicity of the whole village with the rebellion in 1813, was a point emphasized by Anselmo Mendoza when defending himself against accusations of treason five years later. The accusation came from San Pedro’s village government (*república*): when the whole area was in insurgent hands, they said, and they had no choice but to comply with whatever the rebels demanded – “for we were not strong enough to resist this band” – the insurgents came into the village and gave Mendoza the title of ‘captain,’ apparently entrusting him with the leadership of the insurgency within the village. Aided by his son, Mendoza filled the position with brutal enthusiasm – only the intervention of the *república* prevented him from hacking their priest to death with a machete (no reasons are given for the attack, which Mendoza does not deny in his own statements). When the insurgents left the region, Mendoza, with his

⁷² AHJ, Teposcolula, Criminal, Legajo 49, Expediente 38.

⁷³ In 1827, San Pedro Jocotipaque, in the district of Nochistlan, had 193 inhabitants and, apart from agricultural production, specialized in the weaving of blankets. Spores, “La Situación Económica,” 138, 165-6.

son and his wife, began absenting himself from the village. He did not take part in communal labor projects and came down to the village only to get drunk and scream threats against everyone. According to the *república*, what he said at those times was that “although ten or twenty years may pass, *la América* will come [i.e., Mexico will become independent], and then he’ll do away with the village [*acavará con el Pueblo*], and they’ll all have to pay.” The whole village regarded him with terror, the *república* charged. Mendoza defended himself by arguing that his conduct in 1813 was irrelevant since he had been offered and accepted the royal pardon (just like the rest of the village), and that his alleged later misdemeanors were untrue, slander invented by a resentful elite clique who had always hated him. His defense did not convince the militia commander who, in 1818, acted as judge of the region. Mendoza and his son were sent to prison.⁷⁴

This case was not exceptional. Manuel Truxillo of Coixtlahuaca was similarly invested with local power by the rebels in 1818, which he used to threaten supporters of the royalist cause with extreme violence while the insurgents had control over the region.⁷⁵

Although both of the cases seem to some extent to represent genuine ideological divisions in these communities, pitting insurgent supporters against royalists or the indifferent, it was always the use of violence as a means to upset local hierarchies and satisfy new pretensions to power that were most sharply censured by the accusers.

These stories about the upheavals in local political cultures wrought by wartime militarization, though few in number, offer rare glimpses into the way that Mixteca residents who served in partisan bands, such as José Padruno’s company of *patriotas*, might have made sense of their military activities. Behind the violence that they

⁷⁴ AHJ, Teposcolula, Criminal, Legajo 51, Expediente 12.

⁷⁵ AHJ, Teposcolula, Criminal, Legajo 50, Expediente 29.

committed against other peasants while on campaign, and against their neighbors when stationed in their own communities, always stood the novel power of a national state - be it the American state of the rebels or the Spanish one of the royalists – offering its resources and authority to those willing to take up arms in its name. One could say that with the War of Independence a Mexican state became available to ordinary Mixtecan peasants as a disposition, and that this disposition was linked to the institutional practice of military service rather than to a fixed ideology.

Yet this formulation also makes it necessary to think about the weakness of a power that had so limited and contingent a source. While the perpetration of peasant-on-peasant violence in the service of a national project was a historic innovation in the post-conquest Mixteca, peasants' lives continued to be meaningful only in the social and political framework set by other peasants. Only within a communal context could the state cultivate its local base of power and could peasant-soldiers assimilate the state as a new source of authority. José Padrino finally ran up against the contradictions between the military necessities of the state which he represented, and the local desires and interests of his recruits, when he left Teposcolula and tried to establish himself in an area where the insurgents had long been dominant, in the town of Tlaxiaco.

Desertion and the Limits of Military Power

Raising men was not the same as making them fight. At the beginning of August Padrino was finally ready to march on to Tlaxiaco, and the records do not indicate that he met any

resistance when taking possession of the town on the fourth of the month.⁷⁶ By this time local militias had been organized and left behind in the major cities from Nochistlan to Teposcolula, and being able to establish himself in Tlaxiaco unopposed may have given Padruno the temporary impression that he was getting close to fulfilling his campaign objectives. But Padurno never managed to extend his control over the surrounding countryside. Tlaxiaco had been a main area of insurgent recruitment and predation after the royalist reconquest of the province, and armed enemy bands continued to operate in nearby villages and mountains. Even the loyalty of the town itself was suspect after more than three months of effective insurgent control and collaboration, however involuntary the latter may often have been. Before embarking on his march from Teposcolula, Padruno referred to Tlaxiaco as “that rebel town” and reported that many of its residents had fled to the mountains or even to the rebel-stronghold of Sillacayuapa before his advance.⁷⁷ Even when compared to other towns in the Mixteca – Teposcolula, Yanhuitlan, Nochistlan – Tlaxiaco was an exceptionally unstable and dangerous place, and throughout August apprehensions ran high among the occupying troops. A crisis taking place in the company late in the month finally revealed the frailty of Padruno’s control over the soldiers he had raised.

In the afternoon of 24 August a Tlaxiacan family left town with their belongings in order to relocate to the safer, more peaceful Teposcolula. But only shortly out of town they were set upon by a rebel band. Not only did the rebels steal their possessions, but the

⁷⁶ Padruno marched from Teposcolula to Tlaxiaco on 3 and 4 of August. See Padruno to Alvarez, Yolomecal, 4 August 1814, in AGEO, Fondo Gobernación, Paquete de Guerra 1814/1820.

⁷⁷ Padruno to Alvarez, Teposcolula, 29 July 1814 and 30 July 1814, in AGEO, Fondo Gobernación, Paquete de Guerra 1814/1820.

whole family was taken prisoner except for a small boy (*un muchachillo*), who managed to run back to Tlaxiaco and alarm Padruno. A cavalry detachment sent to pursue the rebels harried them enough to let go of the family, but at some point during the pursuit panic spread within the troops and they began fleeing from the company. Instead of pursuing rebels, Padruno's lieutenant now pursued his own men, but managed to catch only three; thirty two more had deserted. The next morning Padruno called his troops to a general meeting in which he tried "to exhort and persuade [the soldiers] and, with as many reasons as I could muster, make them see the offense and dishonor of such an indecorous action."⁷⁸ He also ordered his sergeants to investigate the reasons for the troops' apparent discontent. In their statement, included in his own report to Alvarez, the sergeants wrote that the soldiers, when asked about their motives for deserting and for showing such unwillingness to serve,

all answered in a low voice that they did so only because they were aware of not being sufficient to resist the enemy: first, because their division was very small; second, because of their weapons, which are muskets and useless... [but] that for their loyalty to our Sovereign, to the Fatherland and to Religion, they are ready to spill the last drop of their blood...⁷⁹

In spite of ending on a formulaic note of loyalty, another eleven men went missing two days later.⁸⁰

It would be fascinating to know what kind of stories were circulating in Tlaxiaco and surroundings – what the 'word on the street' was – about the strength of the insurgents in

⁷⁸ The event and its consequences are described in Padruno to Alvarez, Tlaxiaco, 25 August 1814, in AGE0, Fondo Gobernación, Paquete de Guerra 1814/1820.

⁷⁹ Statement beginning, "Sôr Grâl/ Habiendo formado nuestro Comandante las Companias de su mando...," no place or date, in AGE0, Fondo Gobernación, Paquete Militar 1814-1816.

⁸⁰ Padruno to Alvarez, Tlaxiaco, 27 August 1814, in AGE0, Fondo Gobernación, Paquete Militar 1814-1816.

the area and the likely fate of the militiamen. We have seen that rumors ran fast in the Mixteca, and the soldiers clearly felt beleaguered. But the most striking aspect of the episode is the remarkable mildness of Padruno's conduct in the face of what seems to have been a near-complete loss of authority among his troops. Not only do we not hear of any harsh punishments inflicted on the three apprehended deserters, but the commander actually took it upon himself to talk to his soldiers and hear out their complaints. This may to some extent have been a result of Padruno's character, since it is easy to imagine a different commander taking a much harder approach to his soldiers in the same situation, but it also indicates the depth of his dilemma: Padruno was trying not only not to lose his men with their weapons, he was trying not to lose them to the enemy. He finished his report of the first desertions to Alvarez with the question of whether he should collect his soldiers' guns, being afraid that if he did not they would end up in enemy hands when the men deserted – his minimal assumption seems to have been that the villages and mountains around Tlaxiaco were insurgent-infested to such an extent that all arms leaving town unprotected would necessarily fall into their hands, but the report suggests more strongly that he thought that deserters were going right over to join the insurgents.⁸¹

Some soldiers serving under Padruno in Tlaxiaco attempted to avoid the crime of open desertion by negotiating their leave. The militia company formed in Chilapa had sent fifteen men to accompany Padruno to Tlaxiaco and outfitted them with weapons, saddlery, horses, and money for their maintenance, all donated by the whole town. On 24 August Padruno enclosed a petition written in the name of the company, subservient in

⁸¹ Padruno to Alvarez, Tlaxiaco, 25 August 1814.

tone yet firm in its content, along with his own letter to Alvarez. “Since the arrival of the Captain Don Jose Padruno to the head-town of Teposcolula it can be said that we have neglected our families, giving some proof of our Patriotism and loyalty to our Catholic Monarch (whom God may guard),” wrote the Chilapeños. Padruno, far from being offended or defensive, confirmed the account of their service in every detail and added his own praises of the extent of their patriotic fervor. The petition went on,

... however, Sir, compelled by the extreme necessities that our mentioned families are passing through, as a result of not having planted [the fields] last year because we were living as fugitives from the insurgents, and equally this year because of our military service; the occupation of laborer [i.e., agricultural smallholder] being the only one that we have.... For all these reasons we appeal to your pious heart that you permit us to retire so that we can in some way help our said families, remaining always ready to lend our support when it is needed in urgent cases.⁸²

The petition is noteworthy for refusing to equate village-interest with crown-interest, instead establishing a conflict between the private necessities of the villagers and the disturbances visited upon them by both the insurgent and the royalist side. More importantly, and notwithstanding its deferential tone and Padruno’s sympathy with its authors, the villagers’ request to return home further contributed to the unraveling of his position in Tlaxiaco.

Padruno’s problems were exacerbated by the reluctance of the defensive militias which he had left behind in the major towns *en route* to Oaxaca to come to his aid. Even before whole flocks of his own men started deserting, he had ordered his sublieutenant in

⁸² Padruno to Alvarez, Tlaxiaco, 24 August 1814; and petition signed by “Compania de Chilapa,” followed by comments by Padruno dated Tlaxiaco, 24 August 1814, in AGEO, Fondo Gobernación, Paquete Militar 1814-1816.

Yanhuitlan, Felix José Carrizón, to send him fifty men as reinforcements. “But neither my written orders had any effect,” replied an embarrassed Carrizón, “nor that I [tried to] persuade them in person, nor did reading them the order that you cited suffice nor all the respect for the *Señor General* [Alvarez] that you cite me, for they have made their resistance to leaving very clear.”⁸³ The recruits from Yanhuitlan explained their refusal to aid Padruno in Tlaxiaco by saying that “they were Patriot soldiers of this soil” and that “they would stay here as protection for this town and from here they would not leave.”⁸⁴ Like the *Chilapeños*, therefore, the company from Yanhuitlan justified their decision by evoking conflicting but legitimate local interests. But while the *milicianos* from Chilapa presented their unwillingness to go on fighting in the deferential idiom of the hardworking and apolitical colonial subject, those from Yanhuitlan spoke from the paradoxical position of patriot-soldiers serving a local military interest that they treated as independent of the cause to which they nominally adhered. In their formulation, the articulation between local and royalist projects rested entirely on the strength of a common military practice and had no overtones of either deferential submission or shared political goals, such as might prevent a defection to the enemy should changing contingencies so require.

Padruno’s situation in Tlaxiaco reveals the precarious nature of his hold over the men securing the parts of the Mixteca over which he had reestablished royalist control and, by extension, the precarious nature of that control itself: the same men he had laboriously raised and armed to establish royalist military hegemony in the region might at any

⁸³ Subteniente Felix Jose Carrizon to Padruno, Yanhuitlan, 24 August 1814, in AGEO, Fondo Gobernación, Paquete Militar 1814-1816.

⁸⁴ Carrizon to Padruno, Yanhuitlan, 24 August 1814.

indication that the fortunes of war were turning contribute to the military hegemony of the enemy or return to the submissive indifference of the Indian subject. The national citizenship that these men had practiced in Padruno's company was complementary and ultimately subordinate to their local, communal attachments.

Padruno's surviving correspondence with Alvarez ends in Tlaxiaco in that last week of August. At the time he seemed desperate and overwhelmed. "I am afraid of being left alone," he wrote on 27 August after relating the last spate of desertions, "and hope that you will tell me tomorrow what I shall do, [and] if you can send over some troops to reinforce me..."⁸⁵ I have found only one later document authored by Padruno, dated almost three months after his plea for help and detailing the exact sums and goods contributed to his campaign by various towns and villages of the Mixteca between May and November 1814; it therefore appears that he continued to operate in the region at least for a few more months.⁸⁶ Beginning in October, however, field reports sent to Oaxaca City by other militia and army commanders in the Mixteca begin to appear, suggesting that Padruno now answered to higher-ranking officers active in the same area. At that time – and I am guessing this happened very shortly after the last week of August – royalist forces had left Tlaxiaco and fallen back to Teposcolula. "There is no other news from this district than that of the enemies passing through and robbing the villages surrounding Tlaxiaco," José Francés Enriquez wrote Alvarez in early December, from Teposcolula.⁸⁷ Things had returned to the status quo of the early summer, before Padruno

⁸⁵ Padruno to Alvarez, Tlaxiaco, 27 August 1814.

⁸⁶ "Canton de Teposcolula/ Quenta q.e rinde el Capitan de Patriotas D Jose Padruno, de las Cantidades que ha recibido desde 16 Mayo de este Año..." in AGEO, Fondo Gobernación, Paquete de Guerra 1814/1820.

⁸⁷ Enriquez to Comandante General, Teposcolula, 4 December 1814, in AGEO, Real Intendencia, Teposcolula, Legajo 71, Expediente 16.

had temporarily occupied and attempted to hold the city during the month of August, and found that he lacked sufficient authority with the men he had recruited to carry his enterprise to success.

Conclusion

I have argued that in the Mixteca the War of Independence produced its greatest effect by forcing a convergence between local and national imaginings, experiences, and institutions – first in the stories and rumors that it set loose, then in the encounters that it created between local peasants and townsmen on the one hand and competing royalist and insurgent state projects on the other. Mixtecan of the lowest social and political ranks could now partake of state power, and instantiate it locally, by participating in one of the war's armed groups. Many must have been compelled into the option by the climate of fear that accompanied militarization while others may have fought willingly, but the spaces of participation so created were always rooted in local society. They were openings that – as Captain José Padrino learned the hard way – could be closed or offered to the rival army if military power appeared weak and its demands became too onerous, or local benefits seemed paltry. Yet they did threaten fundamental aspects of local political culture by offering townsmen and villagers access to state authority – traditionally mediated by bilingual elites - through the practice of military participation. There is a good deal of irony in this: while the elite intermediaries of the colonial era had often used what Yanna Yannakakis calls their “cross-cultural competence” to open spaces of negotiation that would avert the use of state violence against indigenous communities, the militarization of local society during the War of Independence produced new spaces

of negotiation that gave indigenous commoners the means to bypass the old elite brokers precisely by participating in the violence of the state.⁸⁸

To the extent that popular participation in the War of Independence had a dynamic impact on local political identities in the Mixteca, introducing practices of cross-regional alliances and linking local to national political contexts, such impact was the result not of the “mobilizing effect” of “the universal promise of a national-democratic project,” such as Florencia Mallon has argued was at work in the peasant militias of Puebla and Morelos fighting in Mexico’s mid-century civil wars, but of what seems to have been the mobilizing effects of violence itself, and one might ask if it was not the perpetration of violence, so important an ingredient of both local and state-level political repertoires during the colonial period, that acted as the first powerful universal to mediate between indigenous and state politics in post-colonial Mexico, creating the collaborative spaces in which discourses of local sovereignty and national democracy could then begin to converge.⁸⁹ At least we should be alert to the inevitable entanglement between military and civic identities in a historical context in which these two realms of experience were so closely tied together, rather than treating war as an indifferent backdrop to the process of hegemonic contestation.

After independence discourses of citizenship and military service continued to develop in close association. Participation in provincial militia companies became the principal performative link between the new state and the towns and villages of the Mixteca, the site of struggle over a whole bundle of rights and meanings through which the concrete

⁸⁸ Yanna Yannakakis, *The Art of Being In-Between: Native Intermediaries, Indian Identity, and Local Rule in Colonial Oaxaca*, (Durham: Duke University Press, 2008), 4, 13-14.

⁸⁹ Mallon, *Peasant and Nation*, 14.

content of popular citizenship was determined. Between the promulgation of Mexico's federalist Constitution of 1824 (followed in Oaxaca by a provincial Constitution working within the federal framework in 1825) and Santa Anna's centralist coup in 1835, townsmen and villagers were incorporated into the new structures of state power, and experienced their new citizenship status in practical terms, through their recruitment into the national army, the provincial active militia, and community-based reserve companies that, for a few years, existed in all Mixtecan towns and villages.⁹⁰ Among all the new ways in which the republic attempted to insinuate itself in the Mixtecan social fabric, this was the only one with a constant, steady effect on the lives of local townsmen and villagers.⁹¹ While the establishment of primary schools was ordered in all municipalities in January 1824, its implementation was left to the discretion of village governments, and in a review of village primary education in 1835 most local authorities declared

⁹⁰ Two excellent reviews of the creation of Mexico's provincial and national armed forces and their political entanglements in this period are Juan Ortiz Escamilla, "Las Fuerzas Militares y el Proyecto de Estado en México, 1767-1835," in Alicia Hernández Chavez and Manuel Miño Grijalva (eds.), *Cincuenta años de historia en México*, (Mexico City: El Colegio de México, 1991), and José Antonio Serrano Ortega, *El contingente de sangre: los gobiernos estatales y departamentales y los métodos de reclutamiento del ejército permanente mexicano, 1824-1844*, (Mexico City: INAH, 1993). On 'armed citizenship in nineteenth-century Mexico, see also Fernando Escalante Gonzalbo, *Ciudadanos Imaginarios: Memorial de los Afanes y Desventuras de la Virtud y Apología del Vicio Triunfante en la República Mexicana*, (Mexico City: El Colegio de México, 1992), 197-206

⁹¹ For documentation on peasant-recruitment for the national army and active provincial militia, see for instance the communication between the mayors of various villages and the District Governor, Legajo 312, Expediente 6, in Archivo Histórico Municipal de la Ciudad de Tlaxiaco (hereafter AHMCT), and in Legajo "Justicia 1830-1839" Expediente "1830" and Expediente "Presidencia 1829, Comunicados y oficios de varios pueblos," and the personal files of enlisted soldiers, Legajo "Presidencia 1823-1829," Expediente "1824 filiaciones de soldados para el batallón activo del Edo. de Oajaca, de la compañía de Teposcolula," in Archivo Histórico Municipal de Teposcolula (hereafter AHMT; boxes and folders are not numbered in this archive). A circular letter from February 1828, ordering the establishment of reserve militias in all villages, is to be found in Legajo 312, Expediente 9, in AHMCT. Many dozens of the reserve militia lists from individual villages have survived in Legajo "Presidencia 1820-1829," Expediente "Presidencia 1828: lista de la milicia de los pueblos perteneciendo al Departamento de Teposcolula," AHMT.

themselves unable to maintain a school and teacher as stipulated by law.⁹² The new rules for the election of village officials, for the first time based on universal suffrage rather than carried out by a limited group of village *principales*, seem likewise to have had little effect: reports of the 1828 election results from various villages that were sent on to the district administration list extremely low numbers of voters for each of the political offices, suggesting that voting remained confined to the members of small elite cliques during the first years of the new political era.⁹³ The duty of armed service, by contrast, in various and complicated ways and with various and complicated effects that stand in need of much more detailed investigation, brought the republican state into the lives of all. It is plausible to assume that the meanings that Mixtecan peasants attached to this new and difficult experience took up the greatest part of their evolving civic identities as Oaxacan and Mexican citizens, so that in the Mixteca the performance of violence continued to be woven into nationalist civic identities throughout the first decade of Mexico's republican history.

⁹² AHMCT, Legajo 312, Expediente 4; AHMT, Legajo "Presidencia 1830-1839, 13 Expedientes," Expediente "1835, Comunicados;" Legajo "Presidencia 1830-1839, 19 Expedientes," Expediente "Presidencia 1835, Oficios y Comunicados dirigidos al Gobernador de Teposcolula."

⁹³ AHMT, Legajo "Presidencia 1820-1829," Expediente "Presidencia 1828, Actas de Escrutinio de la eleccion de las autoridades de varios pueblos." Peter Guardino, in contrast, argues that in the district of Villa Alta in this period the introduction of universal suffrage in village elections represented a significant challenge to traditional village authorities and led to important changes in local political practice. Most of his evidence comes from after 1830, and it is possible that indigenous commoners grew more assertive about their new rights over the years. It also needs to be kept in mind that the situation could vary greatly from village to village, and a more careful scrutiny of village elections in the Mixteca in the 1820s may well discover some cases more in line with Guardino's argument. Guardino, *Time of Liberty*, 234-8.

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