

The Rhetoric of Proto-Eugenics in Porfirian Mexico

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Abstract

This thesis investigates the development of proto-eugenic thought and policy in Porfirian Mexico and how those ideas were important to the Mexican eugenics movement of the twentieth-century. Proto-eugenics is the name given to the ideas of biological and racial improvement developed by leading Mexican thinkers in the late nineteenth-century, until the Mexican Revolution of 1910. Proto-eugenic thought was most concerned with eliminating immoral and degenerate traits that could be passed down from parent to child, and encouraging those with prized traits to have children. Through discussion of writings on criminality and education, this thesis argues that proto-eugenic thought had a large influence on the development of Mexican eugenics in the twentieth-century, and the importance of proto-eugenic thought on nationalism in the Porfiriato. It is important to understand how proto-eugenic science was created in order to investigate the development of eugenic social policy in the twentieth-century.

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Introduction

The object of this thesis is to investigate the ideas that some elite members of late nineteenth-century Mexico had about criminology, human heredity and positivism, and how those ideas were linked to the Mexican eugenics movement of the twentieth century. I draw from the literature on governance, social control, criminology and positivism in the Porfirian period as well as the literature on the development of the eugenics movement in the twentieth century. Eugenics in the historiography of Mexico is a science of the twentieth century. Most introductions to the topic state that eugenics in Mexico began slightly before or after the 1910 revolution. Mexicans only adopted the term eugenics after the revolution, but the ideas had been present since the 1880s.

Eugenics is defined as the science of biological and racial improvement of future generations.¹ In Mexico eugenicists were fighting against the stereotype that was espoused by Europeans of Latin American degeneration caused by miscegenation. Eugenic ideas were circulated between Europe and Latin America, but the eugenicists of Latin America were theoretically distinct.² In Mexico the theory that was used was developed out of the Lamarckian idea of soft inheritance.

Mexico between 1876 and 1910 is referred to as the Porfiriato or the Porfirian era; named after the rule of President Porfirio Díaz. The Porfirian era is remembered as a time of stability in between two periods of violence in Mexican history. The dictator, Porfirio Díaz, ran on a platform of no re-election but remained in office for over thirty

¹ Gordon Allen, "Eugenics", *International Encyclopedia of the Social Sciences*, vol. 5, (New York: The Macmillan Company and the Free Press, 1968): 193

² Nancy Leys Stepan, *The Hour of Eugenics: Race, Gender, and Nation in Latin America* (Ithaca: Cornell University Press, 1991): 2-3

years. Díaz's government built railroads, centralized government power and built an efficient rural police force to combat bandits. The *científicos* (technical experts) who were associated with the Porfirian government were the main group of intellectuals who developed and espoused the criminological and positivist thought that will be examined.

The Porfiriato included more stability in government and rapid industrialization, but the Porfirian government also used authoritarian ruling techniques in order to portray a strong government and a peaceful country to the outside world. Díaz's policies restricted political opposition and free speech, and these measures were justified as the best way for the government to keep order in the country.³ The *científicos* were scientists who gained the favour of Porfirio Díaz, and used their influence to suggest government policies that followed scientific and positivist ideas. Proto-eugenic ideas display one of the weaknesses that led to the end of the Porfirian regime; Díaz's unwillingness to expand his base of supporters beyond the elite. Historians William H. Beezley and Colin M. MacLachlan conclude that the middle classes were expecting to be rewarded by the Porfirian government for their ability to rise out of the working class, but were frustrated when they were not accepted into the political sphere, which led to the middle class' disconnection from the government.⁴ Proto-eugenic ideas created a hierarchy of 'civility' within Porfirian society, and the middle class were people who had accepted and internalized that hierarchy, but instead of being rewarded for progressing, middle class people still received the message that they were not yet the ideal citizen, they still had to

³ Monica A. Rankin and Thomas M. Leonard, eds., "Díaz, Porfirio" *Encyclopedia of Latin America, Volume III. Search for a National Identity 1820s to 1900* (New York: Facts on File, Inc.): 104-105. See also the chapter 'Constructing the Porfiriato' in Colin M. MacLachlan and William H. Beezley's *Mexico's Crucial Century, 1810-1910: An Introduction* (Lincoln: University of Nebraska Press, 2010): 145-168

⁴ Colin M. MacLachlan and William H. Beezley's *Mexico's Crucial Century, 1810-1910: An Introduction* (Lincoln: University of Nebraska Press, 2010): 245

change in order to be accepted into elite society. Beezley and MacLachlan suggest that the disillusionment of the middle class was a large contributing factor to the beginning of the Revolution in 1910.

Eugenic science is predicated on theories of biological inheritance and its prominence in society grew with the new discoveries in the field of genetics such as chromosomes in the 1910s and 1920s. However, the term eugenics was popularized by Francis Galton in 1882 and was in use in Latin America before 1900. Galton was interested in why and how progress was achieved, and eugenics was born out of his ideas on how to improve human intelligence and hence increase the rate of progress.⁵ The idea of improving the health, productivity and morality of a nation's population was not a new concept developed alongside genetics. The elite ideology of improving the lower classes through 'modernizing' reforms had been circulating in Mexico since the Bourbon reforms of the colonial period.⁶ However, the scientific rhetoric and language of heredity used by Galton and Mexican proto-eugenicists codified progress as attainable only through biology. Under different names such as criminology and criminal anthropology, the sentiment of eugenic science and policy was very strong among the elite during the time of the Porfiriato.

Proto-eugenics is the term I have chosen to use to describe the scientific ideas developed in the nineteenth century relating to the improvement of Mexican society, and

⁵ Greta Jones, "Theoretical Foundations of Eugenics" *Essays in the History of Eugenics: Proceedings of a Conference organized by the Galton Institute, London, 1997* ed: Robert A. Peel (The Galton Institute, 1998): 3-4. Galton himself held a much less malleable view than other British eugenicists of what could affect progress; he argued that it was only inherited ability. Jones explains that Galton's ideas were not the dominant discourse even in Britain, but he championed the idea of innateness of traits, both positive and negative. Raising the idea of innate characteristics, as well as a reliance on physical evidence are the largest ideas that transferred from Galton to the Mexican proto-eugenicists.

⁶ See Juan Pedro Viqueira Albán's *Propriety and Permissiveness in Bourbon Mexico* trans: Sonya Lipsett-Rivera and Sergio Rivera Ayala (Lanham, Maryland: SR Books, 2004)

to signify the link between the ideas and policies of the nineteenth and the twentieth centuries. These ideas focused on public and personal hygiene, the development of a 'proper' educational policy, and theories and policy about criminality. The term proto-eugenics implies that although these ideas and policies went under names such as criminology and criminal anthropology they were theoretically linked with eugenics and proto-eugenic thought and policy can be seen as the precursor to the Mexican eugenics movement in the twentieth century. I do not mean to imply that Porfirians were mislabelling their studies, the elites were aware of the term eugenics by the 1890s, but did not adopt the term. My use of the word proto-eugenics is to suggest that the studies and policies coming out of positivist ideas as well as criminology and criminal anthropology studies directly influenced eugenic thought and policy in Mexico in the twentieth century.

Proto-eugenic thought was developed during the Porfiriato under the increasing prominence of positivism and was influenced by international thought on heredity and degeneration emanating from Western Europe. The Mexican proto-eugenicists relied upon the Frenchman Jean Baptiste Lamarck's theory of inheritance in the development of their ideas.⁷ Lamarck's theory of inheritance claimed that characteristics could be acquired from both one's family and one's environment. This allowed Mexican proto-eugenicists and eugenicists to believe that through racial intermixture their race could be improved because bad traits would be subsumed by the good. As well, proto-eugenicists believed that intervention in public health and education could create a more perfect country. Lamarckian thought was very influential in Mexico in the nineteenth century

⁷ Stepan, *The Hour of Eugenics*, 71-73

and was used until the 1940s. The continued belief in Lamarckian inheritance is one of the strongest ties between the proto-eugenic and the eugenic period.

There were many differences between Lamarckian theorists: some were proponents of sterilization because of a fear that the humanity had come to a place that was irredeemable through social reforms, but others were committed to the improvement of the population through education, better living conditions and preferential marriages.⁸ Mexican eugenicists were predominantly in the latter category, there was discussion around sterilization at hygiene conferences, both advocating and opposing the idea, and the implementation of a short-lived sterilization law in Veracruz, but some Mexicans' proto-eugenic and eugenic efforts were directed towards the other methods of racial improvement.

Mexico was one of the last countries to renounce Lamarckian thinking and intellectuals continued to believe in the influence of both genetics and environmental factors until the 1940s. Twentieth-century Mexican eugenic thought still denied the idea that racial mixture was a negative attribute of the Mexican population. Nineteenth-century scientists in Mexico were attempting to reconcile the idea of free will and the mutability of characteristics over generations with the stricter views of inheritance that held purchase in the United States and Western Europe. This strict Darwinian view of inheritance left no room for the improvement of populations that had already 'degenerated', and led to policies of sterilization and the prohibition of miscegenation.⁹

⁸ Diane B. Paul, *Controlling Human Heredity 1865 to the Present* (New Jersey: Humanities Press, 1995): 42-45

⁹ This strict view of inheritance was favoured by eugenicists in Britain, Canada, the United States and Germany. Mexico also adopted some of the more extreme eugenic measures during the twentieth century, but Mexican eugenicists very quickly changed their position to anti-sterilization after hearing about the laws implemented in Nazi Germany in 1933. Mexican eugenicists were in favour of allowing access to

Theorists from Western Europe believed that Mexicans were a degenerated race because of the degree of miscegenation in the history of the Mexican population. Mexican elites praised the mestizo for political reasons in order to disavow the beliefs of the strict social Darwinists by being proud of their legacy of miscegenation.

The underlying bias of proto-eugenicists' attempts to blend the ideas of inheritance and acquisition of traits was to negate the idea that Mexico was inferior to Europe. Emphasis on environmental factors in the outcome of morality and criminality was a constant thread through the proto-eugenics of the nineteenth century and the eugenic science of the twentieth century. Lamarckian thinking was a counter-balance to the ideas coming out of Europe and the United States that placed Mexicans in the category of a degenerated race with little hope of being changed. Historian Alexandra Minna Stern argues that "neo-Lamarckism promoted optimism in reformers who hoped that cleaning up urban decay and instituting public and personal hygiene could produce more vigorous 'stock'. On the other hand, it also made reformers skeptical about their ability to impede the likely and natural regression of humans back down the evolutionary scale."¹⁰ Lamarckian thinking led to optimism for the future of Mexico, that with the correct education and hygienic atmosphere in the home that Mexicans would be the most progressive society on earth. However, the natural occurrence of criminality and immorality in individuals and families required not only a proactive approach to the environment but a reaction to criminals by the implementation of an effective

birth control as a means of controlling who would reproduce. See *The Oxford Handbook of the History of Eugenics* eds: Alison Bashford and Philippa Levine (New York: Oxford University Press 2010)

¹⁰ Alexandra Minna Stern, *Eugenic Nation: Faults and Frontiers of Better Breeding in Modern America* (Berkeley: University of California Press, 2005): 14

penitentiary system to segregate criminals from the rest of society, and to rehabilitate those who were not inherently criminal.

Cesare Lombroso's study on physiognomy and criminal anthropology was also very influential for Mexican proto-eugenicists. The term 'criminal anthropology' was introduced to Mexico in 1884 in a translated work of Lombroso and influenced the scientists who centred their search for the cause of criminality on the body.¹¹ The Mexican elite were consuming this information and using it in their theories. Mexican elites were concerned with the modernization of the country, and Western Europe was at this time proclaiming itself as the most advanced and modern part of civilization. The imperial powers of Western Europe were informing the framework of the Mexican discussion around progress. At times the Mexican elites accepted the ideas coming from Europe but they also worked to prove that that the European discussion of Mexican degeneration was wrong.

Eugenics in twentieth-century Mexico is most well-remembered for José Vasconcelos' idea of the 'cosmic race'. This idea was that by mixing together Mexicans could form one new race that would be better than all the rest.¹² In 1928, the Mexican government instituted mandatory premarital medical tests to determine if the offspring of the marriage would be helpful or harmful to the progression of humans and of Mexicans.¹³ Mexican eugenicists even implemented the only sterilization law in Latin

¹¹ Elisa Speckman Guerra, *Crimen y Castigo: Legislación Penal, Interpretaciones de la Criminalidad y Administración de Justicia (Ciudad de México 1872-1910)*, (México, D.F.: El Colegio de México, UNAM, 2002):93-94

¹² Stepan, *The Hour of Eugenics*, 147

¹³ Stepan, *The Hour of Eugenics*, 125

America in the state of Veracruz in 1932, which was authorized by the governor.¹⁴

However, it is not known whether any sterilizations were actually administered in Veracruz.¹⁵

Both proto-eugenic and eugenic science were focused on the improvement of the Mexican race through selecting the best traits. The science of the nineteenth century did not include genetics or DNA; instead scientists spoke of germ plasms and miasmas that transferred both physical and character traits to children. The proto-eugenics of the nineteenth century was no less grounded in science. Proto-eugenicists used the scientific method that they believed was the most objective. Criminological works like those of Carlos Roumagnac used observations of prisoners in their living environment as well as detailed observations of the prisoners' bodies.¹⁶ Education policy of the time was influenced by paediatricians, who lent their medical authority to the discourse around proto-eugenic ideas on education.¹⁷

Proto-eugenics was concerned with the moral and physical improvement of the Mexican people. Biological selection was a tool used by the proto-eugenicists in an effort to form their vision of an ideal nation. The development of Mexican criminology

¹⁴ Alexandra Minna Stern, "The Hour of Eugenics' in Veracruz, Mexico: Radical Politics, Public Health and Latin America's Only Sterilization Law" *Hispanic American Historical Review* vol. 91, no. 3, (2011): 431

¹⁵ Stepan, *The Hour of Eugenics*, 131-132; Alexandra Minna Stern, "The Hour of Eugenics in Veracruz", 441. The popularity of Catholicism is one possible reason for the failure of the sterilization law in Veracruz. Catholic doctrine opposed birth control and sterilization methods of any kind. There is also an interesting link to Canadian eugenics history and discussion of Quebec's catholic population opposing eugenic practices in Angus McLaren's *Our Own Master Race: Eugenics in Canada, 1885-1945* (Toronto: McClelland & Stewart, Inc., 1990): 150-154.

¹⁶ See chapter two of Robert M. Buffington's *Criminal and Citizen in Modern Mexico* (Lincoln: University of Nebraska Press, 2000)

¹⁷ There were many conferences of doctors and educators within Mexico, as well as Pan-American conferences. As an example see: Archivo General de la Nación, (hereafter referred to as AGN) Gobernación: Folletería, caja 36, folleto 952, *Memorias del primer Congreso Higiénico-Pedagógico, reunido en la Ciudad de México el año de 1882* (México: Imprenta del Gobierno, 1883): 1-208

in the nineteenth century focused on familial and educational influences over children. The upper classes put into place policies around education and criminal law that were designed to create a population that reflected the elites' vision of a progressive and modern Mexico. Criminologists held fears of racial and national degeneration that prompted research into inherent, scientific reasons for deviance. Criminology during the Porfiriato was also influenced by Lamarck's ideas of the heritability of moral characteristics developed in the nineteenth century.¹⁸ Lamarck believed that although vices, immorality and criminality were passed down from parents to children these traits could be corrected in children if they were properly raised and educated.

Proto-eugenics praised the intermixture of indigenous Mexicans with people of European ancestry, but did not celebrate the indigenous people and cultures in their country. Policies for dealing with the inclusion of indigenous people followed the same pattern in the attempts to modernize the population during the Porfiriato and the state policy of *indigenismo* in the twentieth century. Both the nineteenth and twentieth century ideas of inclusion of indigenous people are arguably only a limited inclusion, as the policies did not eliminate discrimination. The improvement of indigenous people was measured by standards held by the elite, the standards of European society. The Mexican elite thought that the representation of mestizo and indigenous peoples during the Porfiriato was much more inclusive than the colonial policies. However, the Porfirian policies were still assimilationist and inclusion in the elite definition of Mexico is not the same as indigenous peoples having positive or equal representation in the imagined community of the country. Representation in the national imagination as a minority

¹⁸ Paul, *Controlling Human Heredity*, 40-41

solidifies a group's otherness and social subordination to the norm. Proto-eugenic thought was intricately linked with the development of nationalism by the Porfirian government. The Porfirian government was focused on the goals of progress and modernity in an attempt to create their ideal country, which was a Mexico that adhered to a more European standard for education and customs.

During the nineteenth century, the governing theory advanced the idea that “[l]o cotidiano es un asunto de gobierno. La higiene es parte del orden público y una más de las carencias que evidenciaban la inferioridad moral de la plebe” (Daily life is the business of government. Hygiene is a part of public order and one more of the deficiencies that show the moral inferiority of the plebeians).¹⁹ Government officials and elite thinkers studied lower class hygiene and environments to determine how the lower classes were inferior to the upper classes and how hygiene could be corrected to elevate the Mexican people as a whole. Twentieth-century eugenic scientists also thought of the population as the subject for studies to improve the nation. Científicos studied indigenous populations in an effort to capture the extent of its degeneration and the possibilities for its improvement. These proto-eugenic thinkers thought that the indigenous population was progressing when they intermarried with mestizos, and so mestizaje was the mark of progress for indigenous peoples and Mexico as a whole.²⁰

Mexican thinkers were set apart by their unique interpretation of soft inheritance, believing that moral and physical characteristics could be acquired through

¹⁹Alejandra Araya Espinoza, “De los límites de la modernidad a la subversión de la obscenidad: vagos, mendigos y populacho en México 1821-1871” *Culturas de Pobreza y Resistencia: Estudios do marginados, proscritos y descontentos México, 1804-1910*, Editor: Romana Falcón (El Colegio de México: Universidad Autónoma de Querétaro, 2005): 61

²⁰ Buffington, *Criminal and Citizen in Modern Mexico*, 153

environmental as well as biological influences and that both innate and acquired characteristics could be passed through generations. The list of characteristics of traits that could be inherited included “physiognomy, tastes, abilities, weaknesses, and customs.”²¹ Therefore, a change in environment could eliminate degenerate acquired traits and education could prevent the development of degenerate characteristics in children who were susceptible to them because of the traits their parents had. Mexican científicos and eugenicists chose more proactive solutions, and focused more on what historians consider to be ‘positive’ eugenics: the encouragement of the reproduction of those deemed ‘fit’, instead of the ‘negative’ eugenics of stopping the reproduction of the unfit.²²

Proto-eugenics was classified under the disciplines of criminology or criminal anthropology in nineteenth-century Mexico. Criminology only began to be recognized as a legitimate science during the Porfiriato.²³ Criminology in the Porfirian era was a tool used by the elites to classify and categorize the social hierarchy of their society. Porfirian criminology reinforced long held assumptions about the lower classes and the indigenous population through statistics and research into prison populations. The use of science to classify criminals instead of only behaviour brought criminology into the modern positivist age. The elite’s fear of degeneration and disorderly behaviour in the lower classes coalesced around a discourse of innate, scientific difference between the classes. Elite intellectuals argued that the distinction between the classes was that the lower

²¹ Pablo Piccato, *City of Suspects: Crime in Mexico City, 1900-1931* (Durham: Duke University Press, 2001): 68

²² Minna Stern, *Eugenic Nation*, 9. Most eugenic movements did not fit completely into either the category positive or negative, the eugenic movements in Western Europe, and other countries in the Americas developed policies that both encouraged the reproduction of the ‘fit’ and discouraged the reproduction of the unfit.

²³ Buffington, *Criminal and Citizen in Modern Mexico*, 42

classes had fallen to ‘social diseases’ and so there were very clear links between class and morality.²⁴ Social norms were solidified through the elite proving they were normal, moral and healthy; and denying that these traits existed in anyone other than themselves. Deviance as a scientific difference between classes reinforced the idea that this was a trait that only affected certain sectors of society. Proto-eugenicists thought deviance was an illness that could be transmitted to people through social interaction, but was isolated to the lower classes.

The Porfirian elites’ obsession with cataloguing deviance and discovering its roots was an attempt to solidify the social hierarchy that had existed from colonial times and was in flux after independence. The elite during the Porfiriato was made up of mostly the same type of people who had been the elite during the colonial period. The Porfirian elite’s place on top of the social hierarchy could be questioned because the lines delineating classes post-independence were not as clear as they had been under colonial rule. The justification for the naturalness of the social order came in the form of proto-eugenic thought. Scientific criminology was a new method which reinforced the same long held beliefs about the social hierarchy. Criminology repackaged these beliefs in the certainty and un-deniability of science. A social hierarchy based on whoever could exert the most military power could govern, but could not make the population internalize the ruling class’ message. Science was constructed as impartial and disinterested, and therefore the unquestionable truth. Using the most modern scientific concepts and technologies, the idea of deviance as a social illness was internalized by the Mexican population. If an individual wanted to raise their social capital they had to buy into the

²⁴ Piccato, *City of Suspects*, 58

idea of erasing deviance from their biological makeup. Lamarckian inheritance gave hope that individuals could change their circumstances and move up in society if they changed their environment or behaviour even if they were predisposed to criminality.

The commonalities between the Porfiriato and the 1920s and 30s are evidence of why it is important to study the intellectual discourse of the Porfiriato. Even though many of these ideas were not implemented in the nineteenth century, they informed the development of the eugenics movement in the twentieth century. Understanding the discourse of proto-eugenic ideas also helps us to conceptualise how race is understood up to the present day; how races are perceived as too different to ever understand one another and the underlying assumptions that certain characteristics are biologically inherent to certain races. It is also a useful tool to show how the colonial mentality still affected the Mexican population in the post-colonial period, and how colonialism still affects the relationships between nations today.

This study sits at the intersection of a literature on criminology, crime and social control in Porfirian Mexico as well as a literature on eugenics in twentieth-century Mexico. These two literatures do not overlap, yet it is by comparing them that I found the similarities and the continuity between Porfirian and post-revolution scientific and medical ideas. The books written on crime and social control during the Porfiriato all discuss the themes of the construction of nationalism and citizenship.

Pablo Piccato, James Alex Garza and Robert Buffington all discuss the development of criminology during the Porfiriato and the construction of Mexican nationalism based upon crime. Piccato focuses on the political developments before and after the Revolution as well as the quotidian resistance to policing and judicial methods.

Piccato is tracing crime and the meanings of crime through the beginning of the twentieth century, involving discussion of the positivist movement and its influence on the criminal justice system.²⁵ Buffington focuses on the nineteenth-century development of criminology by the elite, tying its development with the creation of the nationalism of a newly independent Mexican state. Buffington discusses nationalism as a tool used to separate between those whom the elite wanted within the nation and those they labelled as not belonging. The Mexican elite used the category of criminal to exclude people from the supposedly inclusive category of citizenship.²⁶

Garza focuses on the elite construction of the criminal world and how that reflected the fears and prejudices of the upper classes. Garza discusses the rhetoric used by the upper classes to differentiate themselves from and denigrate the lower classes. This rhetoric includes a lot of what I term proto-eugenics, including the creation of a scientific hierarchy of the races. Garza refers to the rhetoric of degeneration and the views of some elites that criminals were subhuman but never makes an association to the twentieth century. Garza discusses the influence of social Darwinism and positivism on the Porfirian era, but never talks about eugenics.

The literature that I draw on about the eugenics movement in twentieth-century Mexico includes the work of Nancy Leys Stepan, Alexandra Minna Stern, Lara Suárez y López Guazo, and Beatriz Urias Horcasitas. Stepan provides the foundational text *The Hour of Eugenics*, which explores the eugenics movements in Argentina, Brazil and Mexico, arguing that eugenics in Latin America did not fit the traditional bifurcation of positive and negative eugenics and should instead be thought to occupy a middle ground.

²⁵ Piccato, *City of Suspects*

²⁶ Buffington, *Criminal and Citizen in Modern Mexico*, 4

Stepan also argues for the importance of studying the different forms eugenics took in different regions, as the Latin American paradigm shows a resistance to the eugenic ideas of Western Europe.²⁷ Stepan argues that eugenic ideology cannot be easily separated into positive and negative and that much of preventative eugenics incorporated policies from both sides of this divide. Thinking of Mexican intellectual development of eugenics as focusing on prevention of degeneration allows me to argue that the proto-eugenic period was influential the development of eugenic thought. Proto-eugenicists were also trying to prevent the degeneration of their race, and to encourage the best possible genetic future. Minna Stern discusses eugenics from the perspective of the border between Mexico and the United States, showing the differences between Mexican and American eugenic thought and American prejudice towards the Mexican race.²⁸ Minna Stern also explores the sterilization law in Veracruz of 1932, focusing on it as the epitome of restrictive eugenic policy in Mexico.²⁹

Lara Suárez y López Guazo and Beatriz Urias Horcasitas have examined the connections between politics and eugenics in the twentieth century. Suárez y López Guazo focuses on the eugenic implications on the realms of education and public health, while Urias Horcasitas writes on the eugenicists' ideas about race.³⁰ Both authors examine Mexican eugenicists' policies surrounding the indigenous and mestizo population, and eugenics' ties to nation-building. Both Suárez y López Guazo and Urias Horcasitas' articles serve as a good introduction to the nuances of eugenic ideas in

²⁷ Stepan, *The Hour of Eugenics*, 7

²⁸ Minna Stern, *Eugenic Nation*, 57-81

²⁹ Minna Stern, "The Hour of Eugenics in Veracruz"

³⁰ Lara Suarez y López Guazo, "La Influencia de la Sociedad Eugénica en la educación y en la medicina social" *Asclepio* vol. 54 iss. 2 (july 1999) and Beatriz Urias Horcasitas "Eugenesia e ideas sobre las razas en México, 1930-1950" *Historia y Graphía* iss. 17 (Dec. 2001)

twentieth-century Mexico. The development of a nationalism predicated upon exclusion is a common theme running through both the literature on crime and social control as well as the literature on eugenics.

This thesis is by necessity narrowly focused on the Mexican interpretation of eugenics, as the term eugenics has had contested meanings throughout the twentieth century and it took a unique form in each country that it was implemented.³¹ However, proto-eugenic and eugenic ideas did not develop in a vacuum; there was intellectual exchange between thinkers across the Americas as well as between the Americas and Western Europe. The influence of ideas from other countries cannot be overlooked, especially as the doctrine of strict hereditarianism that was popular in Britain and the United States directly impacted Mexican thinkers. This thesis will be comparing examples from the Porfiriato and the eugenics movement of the 1920s and 30s in order to show the connection between the ideas and policies of the two periods. Proto-eugenic and eugenic thought in Mexico were closely tied to the development of nationalism by the government and the elites. Ideas on the scientific basis of morality and progress were expressed through elite discourse, so the voices in the sources that I use are always the opinions the elite had about the lower classes and criminals. I have chosen to focus on the elite discourse surrounding education and criminality, and how those two themes were connected to the development of nationalism that reflected proto-eugenic and eugenic goals.

³¹ For discussion on the shifting meanings of eugenics see Diane B. Paul's "Eugenic Anxieties, Social Realities, and Political Choices" *The Politics of Heredity: Essays on Eugenics, Biomedicine, and the Nature-Nurture Debate* (Albany: State University of New York Press, 1998).

Each chapter focuses on a different aspect of proto-eugenic thought and practice, but all are tied together by ideas of criminality, progress, the development of nationalism, and the rhetoric that was used by elites to justify proto-eugenic thought. The idea of the rhetoric of proto-eugenics is influenced by Marouf Arif Hasian, Jr.'s book *The Rhetoric of Eugenics in Anglo-American Thought*. Hasian argues that “eugenical arguments . . . were also *rhetorical* fragments, representing the ideologies of multitudes of social actors who at different historical junctures have reconfigured these ideographs to legitimate a plethora of political, social, and economic agendas” and that it is possible to find “recurring argumentative patterns” throughout the history of eugenics.³² By focusing on rhetoric it is possible to discern how the proto-eugenic thought of the Porfiriato was transferred to the eugenic thought and policy of the 1920s and 30s, as well as how eugenic ideas were interpreted across different countries.

Chapter one focuses on the book *Fisiología del Crimen* written by proto-eugenic thinker Rafael de Zayas Enríquez in 1886. Zayas Enríquez wrote this book in an attempt to convince other Mexican intellectuals of the scientific merits of positivism and argue for changes to the criminal justice system. Zayas Enríquez's book is a good example of the beginning of the shift among Mexican intellectuals towards a paradigm of science being used to define the morality of individuals and using biology as a way to discern a person's morality or criminality. *Fisiología del Crimen* also exemplifies the proto-eugenicists attempts to create a nationalism based upon the difference between normal citizens and those deemed degenerate.

³² Marouf Arif Hasian, Jr. *The Rhetoric of Eugenics in Anglo-American Thought* (Athens: The University of Georgia Press, 1996): 22-23

Chapter two focuses on the proto-eugenic and eugenic ideas on education and the indigenous population of Mexico. The primary sources used are pamphlets from the Porfiriato dealing with education and hygiene. Some of the pamphlets were speeches of intellectuals that were presented at academic conferences or at the opening of important buildings and ministries. Others were disseminated by the government in order to inform workers how to detect houses that had improper hygiene. It also draws on a collection of laws about education during the Porfiriato and statistics about specific Mexican states that were collected and disseminated by the Porfirian government in order to show the state of education and progress that each state had achieved. Education was very important to both proto-eugenicists and eugenicists as a method to modernize the nation; education was seen as a civilizing tool to the elites. Intellectuals in both time periods were attempting to construct a nationalism based upon the racial and moral perfection of the population, and eugenicists relied upon many of the ideas of proto-eugenicists when constructing their arguments.

Chapter three focuses on the influence that proto-eugenic ideas had on the criminal justice system and the portrayal of crime in the Porfiriato. The sources I use are criminal statistics that were published by the government in monthly bulletins as well as newspaper articles from *El Imparcial*, a large newspaper from Mexico City. The compilation of criminal statistics shows an emerging pattern of racialization of criminals during the Porfiriato. Those who were arrested were overwhelmingly mestizo and those who were imprisoned were overwhelmingly indigenous. The proto-eugenic belief that crime was a moral illness confined to the lower classes and less evolved races influenced police and judges' decisions on who needed to be punished through the criminal justice

system and who did not. The newspaper articles written about crimes characterized criminals as a different species, one only found amongst the lower classes and those who were considered mostly indigenous.

The theme of nation-building ties the Porfiriato and the twentieth-century eugenic period together. During the Porfiriato proto-eugenic thought was developed in Mexico and by the end of the era the Porfirian government was using proto-eugenic ideas in order to consolidate their vision of the modern Mexican nation. During the post-revolution period the government was concerned with developing a new nationalism that was founded upon the values of the revolution. Eugenic thought was important to the development of post-revolution Mexican nationalism; the government disseminated the ideas of biological differences between races and classes, and supported the exclusion of some members of society based upon the eugenic idea of social hierarchy. The eugenicists of the twentieth century also relied upon the works of proto-eugenicists from the Porfiriato, the mutual goal of building a eugenic nationalism made proto-eugenic thought a rich resource to build upon.

Chapter 1: Rafael de Zayas Enríquez and Proto-Eugenic Thought

Proto-eugenics incorporated emerging ideas on crime and social control with new discoveries about biology. The intellectual elites in Porfirian Mexico held a unique view on the innate nature of moral characteristics and the redeem-ability of certain people in society. The Porfirian government was heavily influenced by the emerging theory of positivism, and the científicos who were associated with the government used positivist theories when thinking about social problems such as alcoholism, poverty, criminality and prostitution.³³ Científicos like Zayas Enríquez thought that they were helping the country to progress, become stronger, more inclusive and more modern. However, racism and classism still appeared in Mexican positivist thinking, although it was unacknowledged by writers like Zayas Enríquez. The elite Porfirian vision of Mexico was centred on the goal of creating a society based upon order and progress, but it only tolerated one type of modernity. In this chapter I will be exploring the development of proto-eugenic thought through the book *Fisiología del Crimen* written by Zayas Enríquez. This book is an example of the emergence of positivist thought during the Porfiriato. It explained and advocated for positivist science and recommended policy changes. As proto-eugenic thought was only beginning to emerge at that time, Zayas Enríquez needed to convince Mexican intellectuals that positivist ideas were legitimate science and that they would create a better country.

The Porfirian goal of modernity was to be achieved through technology as well as positivist science. Zayas Enríquez thought that progress was an inclusive goal, and that the Mexican population would be elevated through proto-eugenic science. This idealistic

³³ Don Coerver, Suzanne B. Pasztor and Robert Buffington, *Mexico: An Encyclopedia of Contemporary Culture and History* (Santa Barbara: ABC-CLIO, 2004): 141-142

view of inclusion of all citizens is contrasted with the acceptance and promotion of beliefs such as Cesare Lombroso's innate criminal who is exposed through cranial measurement and Charles Letourneau's theory of passion and madness being linked to civilization and the intelligence of the races.³⁴ Zayas Enríquez espoused this somewhat colonial mentality of inclusion as progressive even though it reinforced the dichotomy between those who belonged to the modern nation of Mexico and those who were simply a remnant of the past.

According to Buffington, Zayas Enríquez can be considered "Mexico's first 'scientific' criminologist".³⁵ Zayas Enríquez was a judge from the state of Veracruz, a believer in the tenets of positivism, and that the causes of criminality could be seen through physical inspection of criminals. Zayas Enríquez's book *Fisiología del Crimen* was an important contribution to the field of positivist criminology during the Porfiriato. Zayas Enríquez's arguments were precursors to the way eugenic theory developed in Mexico in the twentieth century. There is much evidence of proto-eugenic thought included in *Fisiología del Crimen*. It is an explicit renunciation of the traditional legal conception of criminality and instead promotes the nineteenth-century idea of the scientific method. It uses the Lamarckian theory of inheritance as well as Lombroso's theory of the innate criminal to argue that criminality should be seen as an illness that had both inherited and acquired components. Zayas Enríquez argued that there was an unchangeable set of morals inherent to humanity, and people who did not follow those morals had a physical defect that made them irreparable. He did not discuss exactly

³⁴ Rafael de Zayas Enríquez, *Fisiología del Crimen: Estudio Jurídico-Sociológico* (Veracruz: Imprenta de R. de Zayas, 1886). Zayas Enríquez quotes both of these men multiple times throughout *Fisiología del Crimen*. See especially pages 37, 68.

³⁵ Buffington, *Criminal and Citizen in Modern Mexico*, 43

when or what circumstances would make a person irredeemable, only that each person must be evaluated individually, and corrected if possible.³⁶

Zayas Enríquez lists the sentiments he believes to be innately moral, including: “el amor que atrae un sexo hacia el otro . . . el amor de los padres, y muy principalmente el de la madre . . . el amor patrio . . . la prudencia . . . y por fin el sentimiento del bien y del mal” (heterosexuality, parental love, especially that of the mother, love of one’s country, prudence, and finally a sense of right and wrong).³⁷ These supposedly innate morals show the underlying bias of the science that Zayas Enríquez was espousing. If the love of one’s country was innate, then those who the elite decided were unpatriotic or somehow working against the greater good of the country were defective and needed to be either corrected or stopped from degrading the country any further. The idea that traits like these were innate shows the contradictions in the prevailing belief of the time that people were born with the ability to reason and had free will and yet they were born with innate morals that determined behaviour.

A lack of morality was seen as a “vicio congénito de la organización mental” (a congenital defect of mental organization), it was an inherent flaw in a person’s physiology which impacted their morality.³⁸ Zayas Enríquez’s view that a person either has these morals or is lacking them, and that deficiency would lead to criminal behaviour, contradicts the idea of free will. The Mexican legal system of the late nineteenth century assumed that people had the ability to reason and had free will, but the emerging proto-eugenic thought argued the opposite, that only some people had enough intellect to act

³⁶ Zayas Enríquez, *Fisiología del Crimen*, 124-125

³⁷ Zayas Enríquez, *Fisiología del Crimen*, 21

³⁸ Zayas Enríquez, *Fisiología del Crimen*, 22

upon reasonable logic, those who were degenerate could not reason, and so it was unfair to apply the same standard. This argument led to the elite taking away legal rights of people that they decided were unfit, or not as advanced as the elite thought themselves to be. This logic put any person deemed degenerate in the position of being under the paternalistic care of the government, which did not believe that a degenerate individual would be capable of making logical decisions on their own behalf.

Zayas Enríquez concluded that criminals were an anachronism in modern society; “un salvaje en país civilizado” (a savage in a civilized country) and that they were born with characteristics of prehistoric races that no longer existed in more advanced peoples.³⁹ The dissociation of criminals from ‘normal’ people constructs the Mexican citizen as different from the criminal. The criminal is the ‘other’ around which citizenship and nationalism was constructed. Porfirian criminologists considered criminals as another species, one not deserving of rights but requiring correction through the positivist penal system. Mexican elites in the Porfirian era believed that some traits of criminality could be erased by instilling better morals through a strict work regimen, a planned day, silence and segregation from others to allow for contemplation of right and wrong. The criminal was both a product of biological backwardness and unhealthy environmental influences. The penitentiary could erase the influence of environmental factors, but the biological faults could only be suppressed by the dominance of social norms.

The idea that criminal characteristics were associated with prehistoric humans also has racist and classist implications. Criminals were overwhelmingly from the lower

³⁹ Zayas Enríquez, *Fisiología del Crimen*, 35

classes and had more indigenous heritage. Connecting indigeneity to a less advanced species of humanity is a collective denunciation of the indigenous people living in Mexico at that time. Porfirian elites promoted the idea that mestizaje (the mixture of races) was positive for the Mexican nation.⁴⁰ Mestizos were advanced because they had acquired the positive traits of both their indigenous and European ancestors. Porfirian society revered the Aztecs as the forebears of their nation and praised their strength, but did not accept that contemporary indigenous people would not want to intermarry with mestizos, follow contemporary urban Mexican customs or be educated in Spanish. The indigenous in the elite Porfirian mindset were people of the past to be praised but should not exist as such in their modern nation, these people needed to assimilate into the elite version of Mexican culture. This mindset persisted in the eugenics movement of the 1920s and 1930s with the publication of José Vasconcelos's essay *La Raza Cósmica* (The Cosmic Race).

In this essay, Vasconcelos articulated the idea of racial mixture in more detail than anyone had before.⁴¹ Vasconcelos envisioned the cosmic race as the final stage of race formation when the blending of races created one perfect race, which would take place in Latin America because the mixture was the most developed there.⁴² Praise of the mestizo as the Mexican race began during the Porfiriato as a tool to promote unity in the population and a modern vision of Mexico as well as to negate the theories of racial degeneration being espoused in Europe. The praise of mestizaje in both the pre- and post-revolution eras was a promotion of Mexican nationalism. Mexican elites turned one of the factors that distinguished their country from Western Europe and the United States,

⁴⁰ Buffington, *Criminal and Citizen in Modern Mexico*, 157

⁴¹ Stepan, *The Hour of Eugenics*, 147

⁴² Stepan, *The Hour of Eugenics*, 147

the high rate of interracial people, into a point of pride. Zayas Enríquez was proposing similar ideas; that the population of the country could only be uplifted through racial mixture because it would eliminate all of the inheritable moral diseases through the strength of the civilized races. Zayas Enríquez was not subtle in his belief that some people were naturally superior to others and that the inferior needed to be corrected. The belief in natural superiority of the elite was common amongst thinkers in many different countries during the late nineteenth century.⁴³ Zayas Enríquez and other Mexican thinkers believed in these ideas as well; it was their refusal to believe that miscegenation was a cause of degeneration that set apart the proto-eugenic ideas of Mexico. The proto-eugenicists' belief in the potential of interracial people was a characteristic unique to the Mexican movement and was a continued thread from the proto-eugenicists to the eugenicists like Vasconcelos.

Zayas Enríquez's book included many racist and classist conclusions, but they were obscured by the rhetoric of science as objective and only providing the truth. At the beginning of his argument, Zayas Enríquez counters his detractors as being tied to theological and metaphysical ways of thinking. Zayas Enríquez argues that "con la biología y la fisiología ha abierto nuevos horizontes al espíritu del hombre, se independió

⁴³ For examples of the same rhetoric of elite superiority and the development of eugenic movements based upon the prejudices of the upper classes see William H. Schneider "The Eugenics Movement in France, 1890-1940" *The Wellborn Science: Eugenics in Germany, France, Brazil, and Russia* ed: Mark B. Adams (New York: Oxford University Press, 1990): 70-71 and Angus McLaren's *Our Own Master Race: Eugenics in Canada, 1885-1945* (Toronto: McClelland & Stewart, Inc., 1990): 23-27. Schneider discusses the development of the eugenics movement in France as being influenced by the elite prejudice against the developing middle class, which was exacerbated by statistics that showed an increase in criminality and alcoholics and a decline in the birth rate. McLaren discusses the development of eugenics in Canada as being tied to the professionalization of medicine. Doctors fashioned themselves as experts who were the only people capable of discerning how diseases were spread and put themselves in charge of educating the public as to the vices that could cause degeneration. As well, the doctors placed themselves as the experts of heredity, and so argued that only they were capable of planning government policy on health, immigration and education.

de la teología y de la metafísica”⁴⁴ (biology and physiology have opened new horizons of the spirit of man independent of theology and metaphysics). Zayas Enríquez argued that because this science was not associated with the old ways of thinking it was objective and only found the truth, it did not waste time with theories that could not be proven. This confidence in the authority of proto-eugenic thought allowed the elites in Mexican society to convey the same message about the social hierarchy that had been in place since the colonial period in a new manner that was harder to oppose because it was wrapped in the language of science.

In the nineteenth century fears of degeneration were mixed with the promotion of nationalism. Porfirian intellectuals were afraid that the country would degenerate without proper care. The elite beliefs about the importance of race and nationalism mixed within the framework of anthropology in the 1920s and 30s.⁴⁵ Fear of the degeneration of the Mexican population was not confined to the Porfirian era; it was a large influence on the twentieth-century eugenic movement. The proto-eugenic ideas for the improvement of the Mexican race were quite similar to the later eugenic ideas. Both movements tied nationalism into the promotion of racial advancement. Improvement of the race was one of the main tenets of Porfirian and twentieth-century eugenic nationalism.

Promoting a sense of nationalism was a means of social control while at the same time it helped develop a sense of unity amongst the population. The coherent message of nationalism during the Porfiriato was ‘order and progress’. The Porfirian elite espoused a vision of modernity for the country that was very similar to European society in terms of fashion, science and technology such as railroads. The mestizo was an ideal that the elite

⁴⁴ Zayas Enríquez, *Fisiología del Crimen*, 15

⁴⁵ Piccato, *City of Suspects*, 69

saw as the new protagonist of Mexico, and who embodied the values of modernity. The ideal Mexican citizen was a mestizo who had been cultured and educated in the 'modern' style, read European books, followed European style and held moral and political views much closer to the white elite than the rest of Mexican society. This ideal was represented in the underlying biases of the proto-eugenic studies and education policy of the time. There was a dichotomous representation of society, those who belonged and those who did not. This dichotomy was shown in many of the discourses of Porfirian society: the healthy versus the unhealthy, the sane versus the insane, the moral person versus the criminal, the educated versus the ignorant, and the progressive mestizo versus the backward indigenous person who 'refused to adapt'.

Nationalism predicated upon proto-eugenic and eugenic thought aimed for the homogenization of the population into the ideal that the elite wished for the country. Porfirio Díaz's authoritarian rule was very concerned with the improvement of the Mexican population. Eugenic nationalism during the Porfiriato was helped to develop by the strict control the government was asserting over the population. The Porfirian government created stability in the country through authoritarian rule and the dissemination of a nationalist sentiment based on the improvement of the race. The ideas of eugenic nationalism were powerful because they were being created by the elite who had a lot of influence over how the territorial and municipal governments operated. Eugenic nationalism was a form of social control because it required the citizenry to believe in a particular form of progress, both technological and racial, and reinforced the social hierarchy that already existed in Porfirian society.

Zayas Enríquez argued that crime and criminals did not act reasonably, they were acting out of animal instincts that belonged to an inferior order of civilization.⁴⁶

Criminals were therefore dangerous to the progress of the country; they were a cause of degeneration. Criminals were incorporated into the discourse of progress only as a step that must be overcome in order to move forward. Criminals were necessary as the opponents to progress that the elite could fight against and the elites could attempt to unify the country against the hereditary threat of criminality.

Proto-eugenicists also praised the mestizo race as a way to further modernize the country and perfect the Mexican race. The positive representation of the mestizo in the political realm could be interpreted as a step towards further equality of people of different races in Mexico. However, the inclusion of a certain type of mestizo was predicated upon the exclusion of the more traditional indigenous lifestyle; the elites prized traits which they already held and the customs of their Spanish heritage.⁴⁷ The positive representation of the mestizo normalized a certain way of being for Mexican citizens. Zayas Enríquez discussed the normalization of certain physical traits within the language of evolution. After discussing the differences in the size of the forebrain of many different animals, Zayas Enríquez argued that the same phenomenon occurred within humans. He noted that “en todos los hombres dotados escepcionalmente de una notable inteligencia, los surcos y las circunvoluciones de la superficie cerebral son más profundos que entre los hombres ordinarios; á su vez, estos últimos aventajan, en este

⁴⁶ Zayas Enríquez, *Fisiología del Crimen*, 4

⁴⁷ See Pablo Piccato’s discussion on the invention of the term *ratero* and how it was applied by the elites to the lower classes. The label *ratero* was applied by the elites to lower class suspects, and the elites also extended its use to imply that any lower class person could become a *ratero*. The *ratero* became a type of person in society, one only found in the lower classes. The elites criminalized people who were migrating into the cities from the countryside, who the elite labelled as vagrants or beggars. Piccato, *City of Suspects*, 163-165

concepto, á los cretinos é idiotas” (sic) (in all men exceptionally endowed with a remarkable intelligence, furrows and convolutions of the brain surface are deeper than among ordinary men, in their turn, the latter excel, to the cretins and idiots).⁴⁸ Zayas Enríquez built his case for the differences between classes and races within a scientific rhetoric, linking the differences between the brains of animals to a hierarchy of brain structure amongst humans. This rhetoric implies that Zayas Enríquez had a way to differentiate between the hierarchy of brains in living individuals, using physical traits to classify who he believed to be smarter, more evolved and less likely to become a criminal or have a mental illness. Race became a placeholder for these ideas; it was a trait that was moderately easy to distinguish that could be used to assume other differences that could not be observed.

The elevation of the mestizo to a place of honour celebrated certain traits that the elites wanted to promote. Citizens who believed in these traits already were justified by their government and included in their nation. Citizens who fell outside of the goals of progress towards modernity and the order imposed by the Porfirian government were ‘othered’; they did not fit into the conception of the new Mexican nation for reasons such as having illnesses (physical, mental or moral) thought to be transmitted through families or contagious, being less civilized than the Spanish elite or breaking the law. The praise of the mestizo only really praised a certain segment of the mestizo population, those who fit within the elite’s imagining of a good citizen. Only those who fell into the category of fit or progressive were imagined to be within the national community.

⁴⁸ Zayas Enríquez, *Fisiología del Crimen*, 29

Judith Butler asserts that “[t]he norm governs intelligibility, allows for certain kinds of practices and action to become recognizable as such, imposing a grid of legibility on the social and defining the parameters of what will and will not appear within the domain of the social”.⁴⁹ National identity in this understanding was a norm that allowed citizens to be intelligible, or understandable, to one another and to citizens of other countries. Intelligibility as used by Butler means to be instantly understandable to mainstream society, and also to fit within the norms that govern that society. If a person’s identity is not intelligible, they cannot exist in the imagined community of the nation. The limit of who was considered inside of the norm that was national identity presents the parameters of who was recognizable as a citizen. It also delineates who was seen as not truly a part of the country, who was rendered understandable as a part of the “other” upon which inclusion was predicated.

Butler helps us understand Zayas Enríquez’s thoughts on who belongs to the nation and who does not. Zayas Enríquez is developing an outline for proto-eugenic nationalism, citizenship based upon racial, moral and physical fitness. Only those who are deemed fit through the proto-eugenic lens are considered intelligible to the nation. The pre-existing social norms that were influenced by colonial structure were the governing factors of who and what characteristics were considered intelligible and worthy to be incorporated by the proto-eugenicists.

Zayas Enríquez was theorizing about an ideal Mexico that had been transformed by proto-eugenics.⁵⁰ This ideal country would only include some of the population; the people that the científicos thought were fit. The creation of a place within the national

⁴⁹ Judith Butler, *Undoing Gender* (New York: Routledge, 2004): 42

⁵⁰ See the introduction to book one of Zayas Enríquez’s *Fisiología del Crimen*.

imagining for the mestizo and even the praise of the Aztecs as the forebears of the Mexican nation excluded the physically, mentally and morally ‘unfit’ and also excluded indigenous groups, because they were a part of the history and not the present of the nation. There was an imperative of leaving indigeneity in the past when promoting a culture of blending. The ‘other’ that was being excluded in proto-eugenic discourse was the population deemed degenerate; they were excluded from the rhetoric of progress as well as from being understood as a part of the Mexican nation. Zayas Enríquez was a part of the intellectual elite who determined which populations were included in the imagined nation of Mexico. Works like *Fisiología del Crimen* influenced the elite Porfirians’ ideas of what a citizen was and should be.

The Porfirian government espoused a nationalism that only included the elites and the mestizo population that conformed to the elite vision of social norms. Zayas Enríquez viewed patriotism as a virtue that was inherent in the portion of the population that was considered legitimate: “El patriotismo legítimo, que no es más que el amor á la familia ensanchado á más amplia . . . es una virtud de las mas nobles” (Legitimate patriotism, which is no more than the love of family spread more widely . . . is a virtue of the most noble kind).⁵¹ Patriotism was a love of the Mexican nation, but a specific imagining of the Mexican nation. Applying Benedict Anderson’s concept of a nation as an imagined community, the Mexico imagined in the Porfirian era was imagined to fit all those who were normalized by the elite.⁵² All those people in the country who fit into the

⁵¹ Zayas Enríquez, *Fisiología del Crimen*, 5-6

⁵² Benedict Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism* (London: Verso, 2006): 1-8. Anderson’s theory is useful to thinking about the development of independent Mexico and how the elites created a space where only some members of the society were actually thought to belong to the nation. There are limits to the application of Anderson’s theory in the Latin American context, not all of the idea of imagined communities can explain the development of the Mexican nation.

vision of modernity espoused by Porfirian elites were lauded as patriotic. The government and the elites constructed the imagined community and those who defined its boundaries.

Zayas Enríquez differentiates patriotism into legitimate and illegitimate. His vision of legitimate patriotism was self-proclaimed as not exclusionary nor aggressive. Zayas Enríquez saw patriotism as a place for those who used reason instead of violence to create the society they wanted.⁵³ Zayas Enríquez' aversion to the militant type of patriotism that promoted fighting physically for one's vision of the nation displays his commitment to the positivist values of reason. It may also have been influenced by recent events in his lifetime in Mexico: the decades of fighting between conservatives and liberals that marked the period since Mexican independence and just previous to the Porfiriato. Zayas Enríquez's commitment to a more scientific and rational method was still exclusionary; he refused to believe that any citizen of Mexico would not agree with his ideal of the Mexican nation and its citizens. Zayas Enríquez excluded the lower classes and the indigenous from his vision of the nation until they had been fixed to conform to the elite's idea of citizens. While not done through conquest or war, the government and scientific community's push towards modernity was coercive. It did not accept citizens who did not fit with what was scientifically 'normal' or desirable to the upper classes.

The emphasis on racial mixture was not with equal emphasis on all parts; the elite mindset was that through mixing the Mexican race could get rid of the bad traits of the

For discussion on the applicability of Imagined Communities in Latin America see: Sara Castro-Klaren and John Charles Chasteen, eds., *Beyond Imagined Communities: Reading and Writing the Nation in Nineteenth Century Latin America*, (Baltimore: Johns Hopkins University Press, 2003)

⁵³ Zayas Enríquez, *Fisiología del Crimen*, 6

indigenous 'race' because the strongest and best qualities of both races would prevail.⁵⁴ One could argue that representation of the Aztecs and honouring the indigenous roots of the Mexican nation was better and more inclusive than simply forgetting about that heritage. However, the acknowledgement of that history did not lead to the equality of those citizens, and relegating someone to the past is not a way of honouring a culture. A tokenized or segregated representation actually achieves the opposite of inclusion. As Butler argues,

[t]o be oppressed means that you already exist as a subject of some kind, you are there as the visible and oppressed other for the master subject, as a possible or potential subject, but to be unreal is something else again. To be oppressed you must first become intelligible. To find that you are fundamentally unintelligible (indeed, that the laws of culture and of language find you to be an impossibility) is to find that you have not yet achieved access to the human.⁵⁵

A group whose representation is marginal or tokenized is not being brought into the concept of belonging to the nation; they are simply being explained as marginal groups in society. A marginal representation creates a subject in the national consciousness that exists so that it can be oppressed. The elevation of the mestizo and the honouring of Aztec ancestry during the Porfirian era was not a mechanism of inclusion for all mestizo and indigenous people in society. The discourse on criminality during the Porfiriato excluded any convicted criminal or anyone thought to carry inherent criminality from being included in the nation. These groups were being confined by the roles and ideals being constructed in the national imagining. Zayas Enríquez's book on criminality

⁵⁴ This necessitates a belief that the Spanish 'race' holds more positive characteristics than the indigenous 'race', and that these superior qualities are stronger than any negative inheritable qualities. This is one more example of the underlying bias towards Spanish heritage within proto-eugenic science.

⁵⁵ Judith Butler, *Undoing Gender*, 30

worked to delineate who belonged in the national imagining of Porfirian Mexico by associating criminal traits with certain races and classes in society.

Zayas Enríquez presented evidence of the biological differences between the criminal and the normal citizen. This scientific evidence was used to solidify the argument that criminals were inherently different from the rest of society, and that there was an objective way to discern this that could accurately reveal criminals when they were tested. Zayas Enríquez tested the tendon reflex in many criminals in order to demonstrate the biological basis for criminality.⁵⁶ He does not explain why tendon reflexes were a good indicator of inherent moral difference; this fact is treated as obvious in Zayas Enríquez's writing.

Zayas Enríquez presents the evidence of the natural roots of crime with statistics that find a lack of tendon reflex in: 7 percent of rapists, 27 percent of thieves, 38 percent of those who committed fraud, and 25 to 30 percent of murderers.⁵⁷ Conversely, Zayas Enríquez also found an exaggerated tendon reflex in: 18 to 20 percent of rapists, 14 percent of thieves, 21 percent of those who committed fraud, and 23 to 25 percent of murderers.⁵⁸ The most interesting difference to Zayas Enríquez himself, however, was that 23 percent of criminals had a preference for left-handedness, compared to only 14 percent of ordinary individuals.⁵⁹ The contradictory statistics about tendon reflexes of criminals do not actually make criminals any more identifiable to the authorities. If 25 percent of murderers have weak reflexes and another 25 percent have exaggerated reflexes, there were still 50 percent of murderers who have a normal tendon reflex.

⁵⁶ Zayas Enríquez, *Fisiología del Crimen*, 42-44

⁵⁷ Zayas Enríquez, *Fisiología del Crimen*, 43

⁵⁸ Zayas Enríquez, *Fisiología del Crimen*, 43

⁵⁹ Zayas Enríquez, *Fisiología del Crimen*, 43-44

Proto-eugenicists would have to find a different biological basis for the criminality of those offenders whose reflexes were within the normal range.

That left-handedness was seemingly more prevalent amongst criminals does not elucidate how criminals are created, but was used by Zayas Enríquez and other proto-eugenicists to infer a hereditary linkage between the two traits. These statistics were more useful as a tool for proto-eugenicists to make criminals intelligible to the elite. These numbers gave a concrete measurement of the inherent basis of criminality. These statistics also convey that Zayas Enríquez was attempting to exert control over and give order to the realm of criminality. The statistics could provide the answers as to why Mexico was not progressing at the rate desired by the proto-eugenicists and inform the elite as to which traits needed to be eliminated from society in order to create a more perfect country.

Zayas Enríquez's title 'Physiology of Crime' situates him in the scientific milieu of proto-eugenics, looking for the biological and physical basis for criminal behaviour. His conclusions were quite novel for the time; he believed that while all people are born with free will and rationality, those characteristics are not fully developed in people who have a mental illness, and so they should not be punished for crimes that were committed while these people were not in control of their actions.⁶⁰ Zayas Enríquez's portrayal of criminals was of people without intelligence and therefore without the ability to develop morals. Zayas Enríquez believed that "las afecciones mentales, como las enfermedades corporales, pueden ser *congénitas*, es decir, depender de un vicio inherente á la organización; pueden ser *hereditarias*, es decir, transmitidas por la vía de la generación;

⁶⁰ Zayas Enríquez, *Fisiología del Crimen*, 16

pueden ser *adquiridas*, es decir, desarrolladas desde el nacimiento” (Mental disorders, like physical illnesses, can be congenital, which is to say, depending on an inherent vice of the organization; or they can be hereditary, that is to say transmitted through generations; or they can be acquired, that is to say developed after birth).⁶¹ The root of criminality according to Zayas Enríquez was a mental deficiency or illness that could be congenital, hereditary or acquired. The scientific ideas of the vectors of characteristics and morality was no less certain in the nineteenth century than in the twentieth, and the construction of criminality as a disease was already present in proto-eugenic thinking.

Framing criminality as a disease served an important purpose; it changed criminality from an individual problem to a societal one. Criminality as a contagious disease also fit the mind set of vice being not only an inherited trait but one that could be acquired through living in an unclean and not virtuous environment. According to Piccato “[t]he notion of ‘contagion’ was particularly useful because it encompassed culture but preserved the priority of biological mechanisms.”⁶² Criminality became a contagious disease, both cultural and physiological in nature; one that needed to be eradicated from society in order to stop its transmission.

Criminality, as a disease, was framed by Zayas Enríquez as ‘la locura moral’ (moral insanity).⁶³ Moral insanity had many factors contributing to its development, and so not every person who had a hereditary predisposition to the moral insensitivity that leads to criminality would end up a criminal, because a good environment or education

⁶¹ Zayas Enríquez, *Fisiología del Crimen*, 95

⁶² Piccato, *City of Suspects*, 67

⁶³ Zayas Enríquez, *Fisiología del Crimen*, 113

could compensate.⁶⁴ Education and public hygiene were therefore a societal responsibility for the upper classes to inculcate the lower classes in the proper way of being to subsume vices in those who otherwise would become criminals. Moral insanity was a disease marked by mental anomalies, whose root cause was differences in the physical structure of the brain in criminals or ‘the criminal classes’.⁶⁵ The mental processes that Zayas Enríquez linked to criminality had physical components; the class of people who became criminals had a different brain, they were set apart from the ‘normal’ society upon whom they targeted. The attempt to identify and isolate criminals from the rest of the population was important to the elites because the isolation of criminals and criminal traits would stop the disease of criminality from spreading to the uninfected portions of the population.

The demarcation of the criminal classes from the rest of Mexican citizens shows an underlying bias as to what a criminal would look like. The upper classes were hypothesizing as to the nature of vice and criminality in society and believed that criminality resided in a class of people. The lower classes were the criminal classes. They were the individuals who needed a better education and environment to become more like the elites. The appellation of the criminal classes ostracized the lower classes to the position of criminals, and to a national project that had to be fixed in order for Mexico to achieve progress and modernity. Porfirian discourse about criminality was not searching for a way to provide the benefits of modernity to the entire Mexican population. The modern, proto-eugenic science actually worked towards excluding a

⁶⁴ Zayas Enríquez, *Fisiología del Crimen*, 124-125

⁶⁵ Zayas Enríquez, *Fisiología del Crimen*, 132-133

large portion of the population from the idea and the tangible benefits of modernity.⁶⁶ Progress was accomplished at the expense of those deemed criminal. Criminals were imagined as ‘other’, as outside of the imagined Mexican nation. Modernity did not apply to anyone who did not fall into the ideal population as envisioned by proto-eugenicists. Any person who did not follow the tenets of assimilation into the dominant elite culture was also classified as backwards, or as in need of help to achieve modernity.

Rafael de Zayas Enríquez’s book *Fisiología del Crimen* exemplifies the proto-eugenic ideology of criminality. The book expounds a theory of criminality based in positivist and Lamarckian thought. Criminality was constructed as a social disease that had to be cured through preventive detection of those individuals and classes who are predisposed to criminal behaviour. The identification of the criminal in society was a tool not only to attempt to control criminality but also to define who belonged to the new Porfirian Mexican nation. The fact that whole classes of people were defined as criminal shows the elite bias towards what type of person was considered normal, and what the ideal citizen was in the elite imagining. The elite representation of mestizo and indigenous people was not as inclusive as they portrayed it to be. The normalized mestizo was the person who conformed to the European influenced standards of the elite. The indigenous in the elite imagining were a part of the past that should be glorified, but were unnecessary and a hindrance to progress when existing in the Porfirian era. These ideas of criminality and who should be included in the modern Mexican nation continued to influence eugenic thought in the twentieth century in policies such as indigenismo, and the use of Lamarckian inheritance to form education and public health policy.

⁶⁶ Piccato, *City of Suspects*, 71

Chapter 2: Education and Proto-Eugenic Nationalism

The proto-eugenic ideas being formed in the Porfiriato were disseminated mainly through pamphlets and books written by the científicos and the *Consejo Superior de la Salubridad* (Superior Council of Health), as well as at conferences on hygiene, pedagogy and public health held all over Latin America. Proto-eugenic ideas and policy about education are the focus of this chapter. The proto-eugenic ideas on education remained mostly theoretical during the Porfiriato, on the level of elite discourse between científicos. There was some implementation of proto-eugenic ideas in the late Porfiriato, and these ideas greatly influenced thinking around education and its link to the development of nationalism during the eugenic period of the 1920s and 30s. There were problems implementing many of the policies due to a lack of infrastructure or willingness on the part of teachers in rural areas. The proto-eugenic nationalism being promoted by the Porfirian government was not accepted by all members of Mexican society. These ideas about education were used by the elite as a means of social control of the population that they deemed unfit. Proto-eugenic ideas about the education of indigenous peoples were connected to the overall depictions of indigenous peoples in Mexico and the development of proto-eugenic and eugenic nationalism.

The limited application of proto-eugenic policy during the Porfiriato was only able to occur because of the political stability of the regime. This steadiness was largely created by the considerable amount of control the federal government exerted over municipalities and territories. The Porfirian government undertook a project of centralizing the power of the Mexican government specifically in the areas of the military and education. Creating a centralized government allowed President Porfirio Díaz more

control over the Mexican population and he used that control to espouse beliefs of improving the nation through racial progress. The Mexican race was going to progress through better breeding, public health, and education. Proto-eugenic thought was focused on the education of young citizens as a means of uplifting the nation. Díaz's government attempted to standardize the quality of education across Mexico, although differential funding made the quality of schools superior in urban areas.⁶⁷ The politicians most interested in education reform were those who were associated with positivism and modernization theory.⁶⁸ Proto-eugenicists were concerned with education as a way to civilize the nation, as well as a way to eliminate criminality from children who would have learned it from their families. Proto-eugenic thinkers thought that children were redeemable; they could enrich the racial and moral character of the nation if given the proper training.

Positivist thought was new to Mexico in the Porfirian era. Zayas Enríquez and the other científicos were arguing for the validity of positivist thought as well as trying to implement their policies. Many positivist policy ideas were never implemented during the Porfiriato or in the twentieth century. In many ways, this is the history of elite thought that did not come to fruition. Porfirian intellectuals were divided as to the usefulness of the positivist method, and proto-eugenic thought was a part of the progressive, liberal end of the political spectrum. Some intellectuals doubted the scientific method of physical observation and new sciences like psychology because they

⁶⁷ Mary Kay Vaughan, *The State, Education, and Social Class in Mexico 1880-1928* (DeKalb: Northern Illinois University Press 1982):40-43

⁶⁸ Vaughan, *The State, Education, and Social Class*, 75

attempted to observe internal processes, or processes of the soul.⁶⁹ Proto-eugenic thought is a predecessor to the eugenic thought of the twentieth century not only because of the closeness of the beliefs, but also because more of the ideas were accepted and implemented during the twentieth century. Advances in genetics and the understanding of heredity in the twentieth century lent weight to some of the earlier ideas of heredity of traits and degeneration, while discrediting others. This discussion of education and proto-eugenics in the Porfirian era deals more with representation than lived experience. Most of the primary sources are pamphlets that were distributed among the elite and to teachers and public health workers, as well as lectures at national conferences for paediatricians and educators and not records of the implementation of the ideas that were discussed. The fact that many of these ideas remained from the Porfiriato and re-occurred in the policy and debates of the 1920s and 30s suggests that while not all proto-eugenic thought may have been implemented in the policy of the Porfiriato, it was still influential in the country. The elites before and after the Revolution found something compelling or useful in the rhetoric of racial improvement of the nation. Eugenics was still also very influential internationally in the early twentieth century, and so Mexico was still attempting to redeem its international image through the ideas of eugenics after the Revolution.

Michel Foucault's notion of bio-power fits well into the discussion of proto-eugenics as a theoretical discussion during the Porfiriato. Foucault argues that power is not unidirectional, it flows from multiple sites in society, and power is not static, it

⁶⁹ AGN, Gobernación: Folletería, folleto 937. G. Tiberghien, *El Ateísmo, el Materialismo y el Positivismo: Discurso de apertura pronunciado el 7 de Octubre 1867* (Mexico City, 1882):53

changes as it is exerted over the population.⁷⁰ Bio-power is the government's ability to control the bodies of the populace, to the extent that the government decides who to let live or make die. Foucault explains that bio-power is exerted through the discipline of bodies in schools, and that these mechanisms of power create stratification of social classes.⁷¹ Proto-eugenic thought was a type of bio-power in Porfirian society; it was a scientific ideology that regulated children's bodies. The exertion of bio-power was not total, proto-eugenic thought was not the hegemonic scientific ideology of the early Porfiriato and was never accepted by all members of Mexican society. Proto-eugenic thought was being disseminated by Mexican elites to the rest of society. The fact that these ideas were not all translated into policy was not only because of a lack of resources to implement them; the multidirectional nature of power made it possible for the lower classes to resist these ideas and so they did not permeate totally through society. We must not assume that mestizos and indigenous people accepted the ideology that they were inferior to Mexicans of European heritage, because to do so would "concede the 'naturalness and inevitability of European cultural precepts about race.'⁷² This discussion of education policy and the dissemination of a eugenic nationalism are to be understood as a discourse of the elite that was attempting to permeate through all of society, but was never hegemonic.

Proto-eugenic thought can be understood as trying to use bio-power; it was the government attempting to regulate the bodies of the population. The científicos were focused on morals, hygiene and racial improvement which were all conceptualised as

⁷⁰ Michel Foucault, *The History of Sexuality volume I: an introduction*, trans:Robert Hurley (New York: Vintage Books, 1980): 140-143

⁷¹ Foucault, *The History of Sexuality*, 140-141

⁷² Carol A. Smith "The Symbolics of Blood: Mestizaje in the Americas" *Identities* vol 3, no. 4 (1997):501

being held within the body. Proto-eugenic and eugenic scientists discussed policies that regulated the body of those deemed unfit. Foucault's discussion of discourse is useful to understand the implications of proto-eugenic thought that was never implemented into policy. Proto-eugenic thought existed as a discourse in Mexican society about who was modern, progressive and racially fit, and who was not. These ideas existed in the realm of intellectual debate amongst the elite. The ideas were accepted or rejected by the lower classes upon whom they were applied. Though proto-eugenic thought existed mainly in the realm of intellectual debate it is important to study because proto-eugenic thought informed the development of the Mexican eugenic movement in the twentieth century. The aspects of Mexican eugenics that make it unique are its focus on liberal policies and the praise of miscegenation as strengthening the nation. These are influenced by how proto-eugenic thought developed.

The theories of white racial superiority and European cultural superiority were evident during the Porfirian period, as progress and modernity were conceptualised in very European terms. The cultural imperialism of Europe was evident in everything from the fashion of the elite to the Spanish language instruction in schools and the choice of Castilian grammar as the first grammar classes in elementary schools.⁷³ The fusion of all races into a mestizo race was thought of in the nineteenth century and resurfaced during the indigenismo movement of the twentieth century.⁷⁴ In both the nineteenth and twentieth centuries the idea of positive miscegenation was thought to be very liberal policy.

⁷³ AGN, Gobernación: Folleteria folleto 1048. Alfonso Luis Velasco, *Geographia y Estadística de la República Mexicana Tomo IV – Geographia y estadística del Estado de Nuevo León* (México Oficina de la tip. de la secretaria de fomento, 1890): 221

⁷⁴ Urias Horcasitas "Eugenesia e ideas sobre las razas", 177

In the past, historians have discussed the emergence of José Vasconcelos' theory of the *Raza Cósmica* as the beginning of a more accepting era of indigeneity in Mexico, but more recent historiography has shifted to argue that the idea of the *Raza Cósmica* was still exclusionary. In reality the idea of the *Raza Cósmica* “established the Spanish and white creole as the superior and integrating elements of Latin American culture and its link with civilization. In the cosmic race, the other peoples of Latin America were acceptable only in aesthetic and stereotypic stylizations”.⁷⁵ The explicit message of white and European supremacy of the nineteenth century was transferred into the more implicit message of the cosmic race in the twentieth century. Eugenics in the twentieth century also included explicit references to the superiority of whiteness. Eugenicians in the twentieth century believed that mestizos inherited traits such as activity, intelligence and ambition from the ‘white’ blood and traits like passivity and apathy from the ‘tanned’ blood.⁷⁶ Eugenics essentialized personality traits, linking them biologically to certain races. These favoured the colonizer, who was the same class and race of person who was on the top of the societal hierarchy during the Porfiriato and after the Revolution.

The post-revolutionary education policy was concerned with the same problem as the Porfirians of proving their modernity and progress to the rest of the world. They used the *Raza Cósmica* as a way to make Mexico seem progressive on the world stage and having Mexicans buy into the idea of national racial unity while still not treating their indigenous heritage near equally in the vision of mixture. The *Raza Cósmica* did not espouse that the intermixture of people of all different races would make the Mexican race stronger because every different race would bring its own strengths to the blend. It

⁷⁵ Vaughan, *The State, Education, and Social Class*, 251

⁷⁶ Urias Horcasitas “Eugenesia e ideas sobre las razas”, 196

espoused that the mixture of races would make Mexico stronger and more modern because the white racial characteristics (physical, mental and moral) would be the strongest influence on this new cosmic race. Some good qualities would be drawn from other races, but the white race would contribute most of the positive qualities, and the aesthetic of the cosmic race would be lighter.

The Porfirian idea of centralized, nationally programmed education system was to create a population in which everyone understood the same principles, to create a nationalistic feeling, and to reinforce the social hierarchy that was already in place in society. The Porfirian educational system taught a sense of duty to the nation, and as Mary Kay Vaughan argues attempted to instill a sense of natural social hierarchy. Vaughan sees the development of the centralized school system in Mexico as being intricately linked to the development of capitalism, arguing that the rise of capitalism informed the values that were taught to children, and that it was in the upper classes best interests to create productive, obedient and patriotic citizens.⁷⁷ Instilling a sense of duty was not only in the elite's interests economically, it was a part of promoting eugenic nationalism. The centralized school system could create a national workforce of productive citizens. The regulation of children's bodies in the school system would prepare them for the regulations of the workforce, to not question their place in the hierarchy of capitalism or their place on the scale of eugenic development.

The rhetoric of progress was based in the biological improvement of the Mexican race. Eugenic nationalism brought this rhetoric of biological progress into the realm of patriotism. In the 1930s, prominent eugenicist Rafael Carrillo said that he saw Mexico as

⁷⁷ Vaughan, *The State, Education, and Social Class*, 30

a lab where there would be the assimilation of some and the de-assimilation of others in order to create a nation with a better character.⁷⁸ This idea is typical of the eugenic sentiment of the time. Eugenicists were in control of what traits were considered good and should be encouraged and which traits should be eliminated. Carrillo was highlighting the fact that eugenicists were focusing on the need to eliminate some people who lived in Mexico from the imagined community of Mexico that eugenicists were building. Eugenic nationalism made the biological construction of a person the defining characteristic of their worth to society. Racial improvement would leave only those who were fit to belong in the nation, and those who did not belong would be removed from society. Education would create productive citizens out of those who could have become criminals because of outside factors.

Positivist thinker Andrés Díaz Millán gave numbers linking illiteracy and crime in France and Mexico in an 1889 book, but thought criminality was an individual problem, not a phenomenon created by social problems.⁷⁹ To eliminate criminality, all that was required was education and prosperity.⁸⁰ Crime was unpatriotic because it made the country less civilized and less productive. Education instituted nationally would help combat criminality because illiteracy was one of the components of leading a less civilized, less modern life. Prosperity was something individuals needed to attain for themselves, which the upper class saw as not a problem because they did not live with the systemic barriers that made it difficult to earn enough money to survive or possibly move up the socio-economic scale. Therefore, to be willfully poor was somehow unpatriotic, it was a sign that even given what the elite thought of as the proper educational

⁷⁸ Suarez y López Guazo, “La Influencia de la Sociedad Eugénica”, 71

⁷⁹ Speckman Guerra, *Crimen y Castigo*, 89

⁸⁰ Speckman Guerra, *Crimen y Castigo*, 89

environment to succeed people of the lower classes still failed to adapt to the modern nation. Poor people then became a biologically inferior type, which happened to be racialized because of the power hierarchy in Mexican society in the nineteenth century. Nationalism based on eugenics saw these people as speeding the degeneration the nation. They were dangerous to the health of the racial stock as well as the economy.

Proto-eugenic and eugenic thought relied on controlling the population through a rhetoric of difference. Racial degeneration was a social evil that was to be avoided at all costs. Porfirian elites considered difference from the norm to be dangerous because it could lead to degeneration.⁸¹ The norm, however, was what had been normalized through the law and intellectuals to be considered positive and healthy. The Porfirian norm was not what was statistically the most common in society; it was what was disseminated as being morally correct. The rhetoric of difference between the classes and the races was the tool used to solidify the hierarchy of social status in society. The education system was a mechanism for the dispersal of the rhetoric of difference. Positivist thinkers thought that students should be taught in a manner that would build upon positivist ideals of the perfect citizenry. In a positivist school, children with illnesses that were considered contagious would be separated from the rest of the class or told to go home. This was a practical remedy for children with fevers, but was more of a moral judgment when the disease was epilepsy or ‘attacks of the nerves’.⁸² Illnesses with an unknown cause or illnesses of the mind were treated as having a moral component.

⁸¹ Mario Barbosa Cruz, “El Ocio Prohibido. Control “Moral” y Resistencia Cultural en la ciudad de México a finales del Porfiriato” *Culturas de Pobreza y Resistencia: : Estudios do marginados, proscritos y descontentos México, 1804-1910*, Editor: Romana Falcón (El Colegio de México, Universidad Autónoma de Querétaro, 2005): 180

⁸² AGN, Gobernación: Folletería caja 36, folleto 952, ej 1. *Memorias del Primer Congreso Higiénico Pedagógico*, 180,184

The teaching of Mexico's history during the Porfiriato followed a teleological understanding of progress. According to these ideas, the nation had to move forward and become more modern, otherwise it would degenerate and stagnate. This vision of Mexico's future did not leave any room for the acceptance of indigenous culture. Eugenicists were praising the mixture of indigenous and European blood, but the indigenous history of Mexico was consigned to the 'primitive' past and instead the eugenicists emphasized the development of modern industrial society.⁸³ Indigenous culture was not accepted as a legitimate part of the modern nation. These characterisations of indigenous culture as backwards or uncivilized continued into the twentieth century. Eugenics in the twentieth century solidified the biological basis of differences between races as the language of heredity transformed into the language of genetics. The colonial mentality did not disappear when Mexico became independent; it merely became a discussion of the characteristics of the lower classes.

The language of education was an important site for coalescing proto-eugenic thought during the Porfiriato. Teaching indigenous peoples in Spanish would integrate them into the elite vision of a Mexican culture based in European traditions. The use of indigenous languages was a distinct indicator to the elite of whether a person was modern or backwards and in need of education. In a series of reports published on the demographic and economic statistics of each state in the late 1880s the different languages spoken by the population were collected. In the state of Guanajuato the language section began with the assertion that "[e]l idioma español (sic) es el que hablan los habitantes más civilizados" (The Spanish language is spoken by the most civilized

⁸³ Vaughan, *The State, Education, and Social Class*, 32

inhabitants).⁸⁴ The booklet then proceeds to list all of the indigenous languages that are also spoken in Guanajuato, including Nahuatl, Totonac, Huichol, Chichimeca, and Otomí.⁸⁵ The collection of the statistics in each state included a moral judgement on the population by the data collectors, who very explicitly found the indigenous languages to be not as civilized as Spanish. The Porfirian government wanted to enumerate the indigenous population that existed in Mexico in order to know how much work needed to be done to assimilate the population into one homogenous nation. In 1894 the Council for Public Instruction created a law to collect the statistical information on primary instruction in the country, to be able to understand the culture of the Mexican people and how to perfect it.⁸⁶ The government relied on statistics to show the truth of the country's situation, and convince the population that education reform was an effective method for the unification of Mexicans under one nationalist sentiment.

The attempted erasure of indigenous languages was done in order to create an ideal nation in the eyes of the Porfirian elites who believed that European heritage was the ideal. To that end, the Ministry of Public Instruction argued that Mexico needed to have one national language to unify the culture and morals of the populace.⁸⁷ This rhetoric was being argued at the same time that the Porfirian elite were praising the Aztec ancestry of the country as a noble heritage that made Mexico strong.⁸⁸ There was a

⁸⁴ AGN, Gobernación: Folleteria caja 39, folleto 1009-A. Dr. Antonio Peñafiel. *Estadística General de la República Mexicana* (oficina de la tip. de la secretaria de fomento, 1887):45

⁸⁵ AGN, Gobernación: Folleteria caja 39, folleto 1009-A. Peñafiel. *Estadística General*, 45-46

⁸⁶ AGN, Antiguo Fondo Reservado de Galería 5: Justicia, Instrucción Pública caja 1, expediente 3. *Inventario Leyes Instrucción Pública 1856-1898*: 61

⁸⁷ AGN, Gobernación: Folleteria folleto 1212. Discurso pronunciado Por el Sr. Subsecretario de Instrucción Pública, Lic. D. Justo Sierra, el día 13 de Septiembre del año de 1902, con motivo de la inauguración del Consejo Superior de Educación Pública (México, 1903):4-5

⁸⁸ This praise of Aztec ancestry also erased the other indigenous cultures that had existed at least as long as the Aztecs and endured after Conquest. The choice of the Porfirian elites to praise the Aztecs in particular is quite interesting, because it shows that they did not want to engage with the surviving indigenous

disconnect between the imagined indigenous heritage that all of Mexico was supposed to draw on to feel patriotic and the treatment and stereotypic portrayal of actual indigenous people living in Mexico during the Porfiriato.

Education was not only to fix the racial degeneration that could occur in Mexico, it was to be the prophylaxis to crime. The *Consejo Superior de Educación Pública* (Council for Public Education) was created to be the enforcement of this proactive change in the population.⁸⁹ Criminality was linked to illiteracy and class, and the elite Porfirian solution to diminish crime rates was to uplift the nation morally and intellectually through education. This belief was a mixture of positivist proto-eugenic thought and the earlier beliefs about criminality. Mexican positivists believed in the redemption of most offenders, and the classical beliefs about crime, they also believed in the logical nature of the offender, and so crime was a personal responsibility because every citizen knew why it was morally reprehensible to commit a crime. At the *Primer Congreso Higiénico Pedagógico* (First Congress of Hygiene and Pedagogy) in Mexico City in 1882 the president of the Consejo Superior de la Salubridad I. Velasco expounded that teaching methods should be based in health and well-being and how moral education was intimately tied to physical and intellectual education.⁹⁰ Mandatory education was one of the easiest ways for the elite ideology to be taught to the lower classes. Education

cultures in their country, they chose the culture that had ended because of the destruction of Tenochtitlan by the Spanish. The choice of a culture that no longer existed made it safe for the elite to praise the Aztecs for their contributions to Mexico while at the same time attempting to erase the existing indigenous cultures in the country. There were and still are many other indigenous cultures in Mexico. To name but a few, there are: the Yaqui in the north, the Maya in the Yucatan peninsula, the Zapotec in the south, and the Totonacs and the Huasteco on the Gulf Coast. These cultures were ignored by the Porfirian government's description of the indigenous heritage of Mexico.

⁸⁹ AGN, Gobernación: Folleteria folleto 1212. *Discurso pronunciado Por el Sr. Subsecretario de Instrucción Pública*, 2

⁹⁰ AGN, Gobernación: Folleteria caja 36, folleto 952, ej 1. *Memorias del Primer Congreso Higiénico Pedagógico*, 12-13

could mould children into the ideal citizens that the elite envisioned, and the criminal justice system could punish those who were irredeemable because of biological factors.

Justo Sierra, who at the time of making this speech was the sub-secretary of Public Instruction, was a well-known writer and politician during the Porfiriato. Sierra presented this speech at the launch of the Superior Council for Public Education, a board that operated according to proto-eugenic ideas, and made policy about the school system in Mexico. This speech illustrates a lot of the proto-eugenic themes that would go on to influence the Superior Council of Public Education. Sierra talked about learning as the prophylaxis to crime, alcoholism as the tool that would bring about the extermination of one's race, and about moral hygiene faults and how to correct them.⁹¹ The proto-eugenic ideas being highlighted at the introduction of this new regulatory body show the influence that the proto-eugenicists were having on the discourse about education in Porfirian Mexico. The comments about the need for a unified national language was just a part of the rhetoric that homogenization of the population to the standards of the elite would be beneficial for the whole country.

Eugenicists in the twentieth century debated whether it was possible to truly integrate indigenous people into the modern nation. There were some like twentieth-century Mexican thinker Emilio Rabasa who thought that indigenous people were incapable of gaining anything from education and so the state should not even attempt to offer education to indigenous populations.⁹² There were thinkers in both the nineteenth and twentieth centuries who believed that attempts to integrate indigenous people would

⁹¹ AGN, Gobernación: Folletería folleto 1212. *Discurso pronunciado Por el Sr. Subsecretario de Instrucción Pública*, 2, 12, 18-19

⁹² Suárez y López Guazo, "La Influencia de la Sociedad Eugénica", 53

fail. In the nineteenth century there was more optimism that indigenous people could be assimilated into the modern nation because of a more malleable understanding of how traits were passed on through generations. In the Porfirian era, most thinkers believed that indigenous culture belonged to the past, and that the indigenous population could become productive citizens by adopting European based customs. As eugenic thought developed in the twentieth century, a stricter view of genetic inheritance seemed to verify that the way forward was the European model and the indigenous way of life was to become extinct through ‘progress’.

Vasconcelos was very concerned with education reform, but was conservative in his approach. He wished to incorporate indigenous people into European civilization.⁹³ Vasconcelos’s idea of the cosmic race did not include any indigenous cultural elements. The European inspired education system held the goal of eliminating indigenous culture from contemporary Mexico, but eugenicists still praised the country’s Aztec heritage as one of the factors that made Mexico unique and strong. Eugenicists selectively praised the indigenous ancestry of the country while actively trying to eliminate the modern indigenous population because of a belief that the indigenous race was the source of many social problems. Societal problems like criminality and alcoholism were essentialized to be a part of the inherent make-up of indigenous and lower class people. Education would be the key to pro-actively stopping these social ills before they occurred.

At the beginning of 1895 a pamphlet was distributed to new students of the state college of Guanajuato. It included many proto-eugenic sentiments about education. This

⁹³ Vaughan, *The State, Education, and Social Class*, 140-141

pamphlet exalted education as the force that would create a world where patriotism and honour would prevail over the degenerate traits that were attacking society.⁹⁴ European-style education was perceived as superior to the social ills; it had the power to overcome and create productive, well behaved citizens. The pamphlet for new members of the state college of Guanajuato also focused a lot of attention on patriotism. The authors of the pamphlet described patriotism as the highest form of love, and education as an effective method for passing patriotism from one generation to another.⁹⁵ This pamphlet is an example of the elite spreading their ideas about patriotism and education to other members of the elite. New students at the college would be introduced to the school by being told what their part was in the creation and dissemination of patriotism and eugenic nationalism.

Proto-eugenics in the Porfiriato was the beginning of a new scientific paradigm, and was still in dispute. The logic around criminality and the improvement of the Mexican race drew from multiple scientific theories, some of which contradicted each other, in order to argue for proto-eugenic policies. Proto-eugenicists debated about whether criminals were morally corrupt because they had free will but chose to use it for bad purposes, or if criminals were inherently bad because of a physical defect in their brains and so it was not a bad choice, rather it was inevitable because of their biology. The proto-eugenicists used both of these explanations at different times depending on the circumstance. Because the experts considered criminality to be a malleable quality caused by both environment and biology, they believed that criminals acted because of a

⁹⁴ AGN, Gobernación: Folletería caja 47, folleto 1095. *Concurso Fraternal de 6 de Enero de 1895 en el Colegio del Estado de Guanajuato*, Edición 'La Prensa' (León: Imprenta de la Escuela de Instrucción secundaria, 1895): 23

⁹⁵ AGN, Gobernación: Folletería caja 47, folleto 1095. *Concurso Fraternal de 6 de Enero de 1895*, 23

different mix of free will and biology for each individual, and so proto-eugenic experts were required in order to study criminals and find the best policy for behavioural reform.

The tension in proto-eugenic science was also caused by the thinkers' reliance on European criminological and eugenic theories. Mexican proto-eugenicists translated and cited the works of European eugenic thinkers like Lombroso and Herbert Spencer. Mexican criminologists such as Zayas Enríquez, as well as Francisco Martínez Baca and Manuel Vergara cite these European thinkers in their works that were published in the 1890s.⁹⁶ The Mexican thinkers' ideological development was at cross-purposes with that of the Europeans. European eugenicists were arguing that there was no way to redeem a country like Mexico; it was already too degenerated because of the history of miscegenation in the country. European eugenicists found all of Latin America to be degenerate, if not because of miscegenation then simply because the tropical climate was not conducive to the production of strong, healthy bodies. Mexican proto-eugenics countered these ideas by insisting, with what they believed to be objective scientific proof, that Mexico was in fact stronger because of its legacy of miscegenation; and that with the proper social policies Mexico could become as affluent and civilized as any European country.⁹⁷ Proto-eugenics put to this nationalistic purpose required that science prove the Mexican ideology of the strength of the mestizo nation. Proto-eugenic science was not only being used to try to improve the racial character of the nation; it was

⁹⁶ Zayas Enríquez, *Fisiología del Crimen*, 37,68 and Buffington, *Criminal and Citizen in Modern Mexico*, 48

⁹⁷ The nineteenth century proto-eugenicists' ideas of an objective scientific method and proof is very different from those same ideas today. My historical interpretation of these methods is to accept the proto-eugenicists belief in the objectivity of their science, while acknowledging that I see inconsistencies and biases in their work. Science today is no more objective than science in the twentieth century, to believe so is to not question the teleological idea of progress that tells us that contemporary society is more evolved than societies of the past.

used to raise the opinion that Mexicans had of their own country. The proto-eugenic ideals being spread through the education system were a way to inculcate children in the importance of these ideals as well as trying to implement them at the same time.

A pamphlet distributed by the Consejo Superior de la Salubridad in 1898 informed sanitation inspectors that education and example would slowly eliminate the public health problems that were inherent to the lower classes.⁹⁸ Education of the lower classes was not only to be within the school system. Public hygiene campaigns were aimed at changing the social norms of the lower classes to make their living environments more sanitary as well as more morally acceptable to the elite. The fears over public hygiene and sanitation were concerned with the outbreak of contagious disease; but were also concerned with moral disease which could lead to racial and national degeneration. The authors of the pamphlet state that the ‘needy classes’ live in “desaseo innato” (innate slovenliness) and that by education and example the behaviour of the lower classes could be changed.⁹⁹ The lower classes required the example to be set by the upper classes in order to progress from degeneration to become fit and productive.

The first Mexican Congress of the Child in 1921 passed a resolution that proposed sterilizing criminals, but the Congress was not a legal body, so the resolution was only symbolic.¹⁰⁰ The fact that criminality and sterilization were being discussed at a conference about children shows that eugenicists felt that education and criminality were linked together, and influence over education could decrease the amount of criminal behaviour in society. Education reform was of great importance to both Porfirian

⁹⁸ AGN, Gobernación: Folletería folletto 1129. *Informes rendidos por los Inspectores Sanitarios de Cuartel y por los distritos* (México: Imprenta del Gobierno, 1898): 10

⁹⁹ AGN, Gobernación: Folletería folletto 1129. *Informes rendidos por los Inspectores Sanitarios*, 10

¹⁰⁰ Suárez y López Guazo, “La Influencia de la Sociedad Eugénica”, 57

thinkers and twentieth-century eugenicists, and was thought to be the key to the creation of a united Mexican society. In the twentieth century there was less optimism in the redemption of criminals than there had been in the nineteenth century. The eugenicists' decision to publicly announce that they were in favour of sterilizing criminals signals that they were coming to accept the stricter Darwinian view of inheritance that was prevalent in Europe. The strict view of inheritability of traits found that immoral characteristics were passed through the generations in an unchanged manner, and so environmental influence could not rid a person of criminal tendencies. Therefore, the only way to get rid of criminality in this worldview was to stop criminals from having children. This is a great change from the era of the *Primer Congreso Higiénico Pedagógico* in the 1880s when the value of education as a tool to reform nascent criminality was praised.

Eugenic thought was changed by the evolution of the international discussion on racial and societal development in the 1920s and 30s. Eugenics in Mexico may have also developed a level of urgency that was absent during the Porfiriato. International eugenic policies were becoming more coercive and Mexico now faced American border agents who believed that Mexicans were unfit to be a part of the American nation. Minna Stern discusses how the medicalization and militarization of the U.S.-Mexico border in the 1910s and 20s created a “regime of eugenic gatekeeping” that was aimed at protecting the racial purity of the United States.¹⁰¹ Mexican proto-eugenic thought was developed in response to European ideas of Latin American and ‘tropical’ inferiority, but after the First World War the hierarchy of nations based on affluence and racial purity came much closer to the Mexican population with the United States performing medical

¹⁰¹ Minna Stern, *Eugenic Nation*, 58

examinations at the border and branding the arms of Mexicans as they were admitted into the US.¹⁰² Mexicans were falling out of the centre of eugenic discourse by not embracing the strict view of heredity and the more coercive policies that that science encouraged.

The development of the Sociedad Eugénica Mexicana (Mexican Eugenics Society) coincided with an increase in nationalism and the emergence of worker organization in the 1920s.¹⁰³ Mexican nationalism in the early twentieth century was very focused on the improvement of the Mexican race, and the optimism of the creation of an ideal country brought on by the Revolution. Mexican nationalism was predicated upon the idea that they could create the most advanced race in the world through the encouragement of the mestizo race, and proper breeding to ensure only the best traits would be passed on to future generations. The proto-eugenic thinkers were developing this eugenic nationalism based on praise of the mestizo race. The modern mestizo would be the future of Mexico, and public health education was a tool of the Porfirian government used to disseminate that idea.

The Porfirian government's focus on educating the population through mandatory schooling and public health education disseminated by laws and sanitation inspectors had as its ultimate goal the homogenization of the population to the standards of the elite. The Porfirian elite were creating a eugenic nationalism that would delineate who was biologically fit enough to be included in the nation, both physically and ideologically. The proto-eugenicists and eugenicists used similar methods and institutions to attempt the implementation of their goals. Education through the school system and through public health campaigns were influential sites of activity during both time periods.

¹⁰² Minna Stern, *Eugenic Nation*, 57-58

¹⁰³ Suárez y López Guazo, "La Influencia de la Sociedad Eugénica", 62

Children were to be taught that the nation-state was the authority to whom they owed allegiance. The Porfirian elite wished to dismantle the older forms of allegiance to ethnic groups or regions, and have the population all united in their love and defense of the country. Patriotism was referred to as the supreme or highest form of love, it was one of the best virtues that a person could have.¹⁰⁴ In January 1883 politicians passed a law regarding public instruction that made it mandatory for certain years of preparatory school to study ‘Historia y Raíces Griega’ (History and Greek Roots).¹⁰⁵ The nationalist sentiment being portrayed in schools was based upon the idea that Mexico had an impressive heritage from Europe that was to be translated into the modern, progressive Mexico of the future. The history of Mexico was being taught from the colonial perspective, the praise of Greek and European cultures was institutionalized, but the praise of indigenous heritage only occurred on the level of speeches made by the government, it was not carried through to policy. The eugenic nationalism of the Porfiriato prized European over indigenous heritage, and acknowledged that their ideal vision of the future did not include much influence from any cultures that did not reside in Western Europe.

The eugenic nationalism of the twentieth century was more explicitly displayed through the rhetoric of the cosmic race, the policies of marriage licenses and discourse around the sterilization of criminals. The post-revolution government implemented a ‘ley sobre relaciones familiares’ (law on familial relations) that operated upon the theory that natural selection required some human intervention in order to perfect the Mexican

¹⁰⁴ AGN, Gobernación: Folletería caja 47, folleto 1095. *Concurso Fraternal de 6 de Enero de 1895*, IV

¹⁰⁵ AGN, Antiguo Fondo Reservado de Galería 5: Justicia, Instrucción Pública caja 1, expediente 3. *Inventario Leyes Instrucción Pública*.

race.¹⁰⁶ The requirement for partners to undergo a medical examination to determine if they were fit to have children that began in the 1920s were an explicit announcement that the government was concerned with the genetic future of the country. The imagining of the ideal Mexican nation was one where there were no genetic imperfections in the population, and the eugenic idea of genetic perfection was one that was skewed towards the phenotype of the Anglo-Saxon and the morality that was supposedly inherent in that race. The perfection of the Mexican race would occur through the blending of peoples in Mexico until only the strongest and best qualities remained, and the culture and morals were unified throughout the country. The nationalism of the 1920s and 30s was based not on the idea that Mexico was already the strongest and most fit nation, but that it could become so through strict adherence to eugenic ideas.

The education policy of the Porfiriato promoted the unification of the country into a homogenous racial and cultural unit. The proto-eugenic ideas were more optimistic about the effect of education on the development of the country. The belief in Lamarckian inheritance meant that education was an option for the improvement of the race. Much of the discourse on education reform during the Porfiriato was not implemented; it remained as an elite discourse that influenced the government thinking during the 1920s and 30s. Both the education reform that was implemented during the Porfiriato, including mandatory primary schooling, as well as educational discourse was very influential on the eugenic policy of the twentieth century. In both the Porfiriato and the 1920s and 30s education was used as a tool to instill patriotism into the children of the nation.

¹⁰⁶ Suarez y López Guazo, “La Influencia de la Sociedad Eugénica”, 54-55

The idea of the cosmic race played on the development of eugenic thought to create a nationalist feeling in Mexico that was based on the biological improvement of the race into the most advanced people on earth. The praise of the mestizo as the Mexican race was not actually inclusive of the indigenous culture in Mexico. The cosmic race would actually assimilate all the different cultures of Mexico into one homogenous entity that would display the traits of European heritage, because those were considered the most progressive and biologically fit. In both the proto-eugenics of the Porfiriato and the eugenic policy of the 1920s and 30s indigenous culture was praised as a part of the history of Mexico, but the contemporary indigenous peoples were thought to be backwards and in need of assimilation to the modern Mexico in order to stop racial degeneration. Education discourse was a site for the consolidation of proto-eugenic and eugenic ideas in Mexico, and was a site for the formation of a nationalism based upon eugenic principles.

Chapter 3: Racializing Crime and Criminals in Porfirian Mexico

As positivist thought started to become more widely accepted in the last decade of the Porfiriato, it began to influence the circulation of information regarding the criminal justice system. The government of the Federal District published monthly bulletins of demographics. This included the number of births, separated into legitimate and illegitimate, deaths by cause, marriages, and the number of arrests and imprisonments in the jail and penitentiary that occurred in the Federal District. The evolving ideas on criminality and the ability to inherit moral characteristics had an effect on how crime was talked about at the elite level in Porfirian Mexico. Criminology was being developed at this time, and eugenic nationalism was separating the normal citizen from the criminal, creating a bifurcation between the different segments of society that was theorized to be insurmountable.

This chapter will focus on monthly bulletins of statistics of the number of arrests and convictions made in Mexico City from 1905-1907 as well as newspaper accounts of crime from *El Imparcial* in the year 1905. These statistics are a very detailed record of what crime people were arrested for as well as their occupation, social class, race, and literacy status. The newspaper accounts show the racializing of criminals and the dissemination of proto-eugenic ideas to a wider audience. The collection and circulation of all this data about criminals shows the influence that positivist thought had on the criminal justice system of Mexico. The need to accumulate and disseminate the social markers of criminals shows that the positivist scientific method of criminology was important to the elite discussion of crime. These statistics showed a correlation between being lower class, unemployed, or illiterate and committing a crime. These correlations

were the evidence used by proto-eugenic thinkers to argue for their ideas and policies based upon the pre-supposition of inherent differences between races and that some races were more adapted to survive and flourish than others. This created a distinction between the fit and the unfit that was the base upon which criminological studies were founded, and how the proto-eugenicists found evidence to support their theories. These criminological ideas were developed during the Porfiriato and were also very influential to the eugenics movement of the 1920s and 30s. The Mexican eugenicists received many of the ideas of inherited degeneracy and predispositions to criminality, and transformed those ideas with the changes in science to refer to the genetic construction of races and the traits that were passed down through genes.

Proto-eugenic thought differentiated the criminal from the normal person in biological terms. Criminals were a part of a completely different species or branch of humanity, and so did not deserve the same treatment as regular citizens. The development of scientific criminology in the nineteenth century “helped delimit the social boundaries of modern Mexican society, [and] to set the limits of citizenship”.¹⁰⁷ The eugenic paradigm was still not completely developed during the Porfiriato, and so there was debate around the best method for segregating or treating criminals. The push back against European eugenic thought that characterised Mexico as irredeemably degenerated took the form of Mexican elites attempting to rehabilitate as many criminals as possible. A belief in neo-Lamarckian thought, however, did not mean that Porfirian elites saw every Mexican as redeemable. Porfirian elites and twentieth-century eugenicists accepted Lombroso’s view on innate criminality, and that those people would be more

¹⁰⁷ Buffington, *Criminal and Citizen in Modern Mexico*, 41-42

prone to vices like prostitution, homosexuality and alcohol abuse.¹⁰⁸ As proto-eugenic thought developed and became more solidified in society the indigenous and lower class mestizo became the target of the elites' goal to redeem criminals and to segregate from society those who could not be helped.

Debates around reforming criminal law in the late Porfiriato focused on the practical implications of positivism, with intellectuals agreeing that punishment should be based on the level of the offender's danger to society. Criminal law did not change very quickly to show the influence of positivist thought, but positivist theory did influence the ongoing debates about criminal law in the late Porfiriato.¹⁰⁹ Punishment in late Porfirian criminal courts was suited to the offender and not the crime. The indigenous and lower class mestizo offender were viewed as more dangerous to society not only because of their crimes, but because of their perceived degeneracy. These types of offenders would bring racial and moral degeneration to the entire country if not given the proper treatment to raise them up. If the degenerate offender was unable to be redeemed they needed to be segregated from healthy citizens in order to stop the transmission of degenerate traits through the environment and through generations. The positivist ideas of punishment and rehabilitation continued into the post-revolutionary eugenic period.

The Palacio de Lecumberri, the penitentiary in Mexico City that operated from 1900 until 1976 and was built as a modification on the panopticon style, was a physical link of the similarities in ideology between the two regimes.¹¹⁰ The panopticon design of

¹⁰⁸ Patience A. Schell, "Eugenics Policy in Cuba, Puerto Rico, and Mexico" in *The Oxford Handbook of the History of Eugenics* eds: Alison Bashford and Philippa Levine (New York: Oxford University Press 2010): 486

¹⁰⁹ Buffington, *Criminal and Citizen in Modern Mexico*, 119

¹¹⁰ The panopticon prison design was created by philosopher Jeremy Bentham in England in the 1700s. The panopticon is designed as a watchtower in the middle of many struts, as if of a wheel, where the

prisons was an important facet of positivist criminological theory.¹¹¹ The panopticon would supposedly create law-abiding, productive citizens because the constant feeling of being watched in prison would turn into an internalized self-regulation.¹¹² The Lecumberri prison was used by both proto-eugenic and eugenic governments in the attempt to create ideal citizens. Positivist criminology espoused the belief that those who were redeemable should be helped by the state to become the best possible incarnation of themselves, and that the potential of the lower classes could be realized if the correct measures were implemented by the elites. The post-revolutionary eugenic ideology believed fewer Mexicans were able or worthy of redemption. The focus on degeneration became more preventive and less rehabilitative in the twentieth century; and so the penitentiary became more of a site of segregation of those deemed dangerous to the health and progress of the nation.

As the proto-eugenicists became more influential in criminological discourse it was more important to know who was thought to be redeemable and who was hopeless. Porfirian elites believed that the criminal classes were made up of people who were indigenous or mostly indigenous in heritage.¹¹³ The institutional racism of the colonial period towards indigenous people continued into the Porfiriato. Positivist intellectuals in

prisoners' cells are. The guard in the watchtower from their elevated and central position can see all of the prison at once and so can monitor every prisoner. The windows of the watchtower are slats that are slanted so the guard can see out but the prisoners cannot see in. In this way, the prisoners never know if they are being watched, and so the prisoner will supposedly self-regulate their behaviour, because they feel that they may be under surveillance at any time. Positivist scientists of many different regions adapted the panopticon design when building prisons in the late nineteenth century. There are examples of this type of prison architecture in Canada, the United States as well as El Palacio de Lecumberri in Mexico.

¹¹¹ James Alex Garza, *The Imagined Underworld: Sex, Crime, and Vice in Mexico City* (Lincoln, University of Nebraska Press, 2007): 36

¹¹² Elisa Speckman Guerra, "Disorder and Control: Crime, Justice and Punishment in Porfirian and Revolutionary Society" *A Companion to Mexican History and Culture* ed: William H. Beezley (West Sussex, UK: Blackwell Publishing Ltd., 2011): 384

¹¹³ Piccato, *City of Suspects*, 58

the Porfirian period saw indigenous people as drunks and natural thieves, and debated how the indigenous population could be turned into productive citizens.¹¹⁴ The mestizo was a symbol of hybridization and progress for the Porfirian elites. Proto-eugenic scientists believed that as indigenous blood mixed with European, the bad traits would disappear, and the resulting mestizo race would be stronger and progress along the evolutionary scale. The indigenous race was associated with biological and cultural backwardness, threatening the health and progress of the Mexican nation as a unit. As the stereotype of the indigenous person became more associated with degeneration and criminality, the idea of the mestizo became more favoured by the elites. The indigenous person, not just their biology, came to be thought of as irredeemable.

The Porfirian belief that it was the indigenous people and the lower classes that were prone to criminality because of their biological and environmental influences was transferred into the twentieth century. The ideas of científicos about *rateros* (petty thieves) were used by the post-revolutionary government. Eugenicists held the same racial and class prejudices about who they thought would become a *ratero* and how they should be punished.¹¹⁵ The mestizo was the national race, and the productive, law-abiding mestizo was the ideal formulation of the Mexican race to the elites in the eugenic era. Eugenic nationalism was being developed by the Porfirian government, but was also used by the post-revolution government. The two governments shared the belief in science that espoused a belief in the inherent criminality of the indigenous, that the creation of a cosmic race would uplift the nation into a country with the proper values, and that there was a teleological concept of progress, if the country was not moving

¹¹⁴ Buffington, *Criminal and Citizen in Modern Mexico*, 145

¹¹⁵ Piccato, *City of Suspects*, 163

forward then it would be moving backwards and so there was a constant fight to keep the country on the path towards progress.

In a newspaper article about bandits in northern Mexico in 1905, the author makes very explicit the fact that the criminal were Yaquis before they had been apprehended and when all of the bandits' victims had been murdered.¹¹⁶ The author of the article was making a generalization about the bandits before they had been apprehended. In the initial article as well as the follow up a few days later the author ended with a sentiment of hope that the bandits would be apprehended and punished severely.¹¹⁷ The second article included the sentiment that there was a population of Yaquis in Sonora who were law abiding and hard-working, the overall tone of the article still conveys the message that the Yaquis in general were dangerous and needed to be controlled or assimilated. The strong focus on the racial identity of the bandits was a way to reinforce the proto-eugenic idea of the inherent criminality of the indigenous race to the general public.

The following tables are compilations of the data taken from the monthly bulletins of general statistics of the Federal District in 1905 and 1907. Table 1 is the number of people arrested in the Federal District and their race. Table 2 is the number of people imprisoned during those same months and their race.

¹¹⁶ *El Imparcial* 23 January 1905 "Un Crimen en Sonora – Bandidos Yaquis"

¹¹⁷ *El Imparcial* 23 January 1905 "Un Crimen en Sonora – Bandidos Yaquis" and *El Imparcial* 31 January 1905 "Los Yaquis en Sonora – Activa Persecución"

Table 1

Total number of those arrested in the Distrito Federal by race				
Month and Year	Indigenas	Mestizo	Blancas	Otras Razas
September, 1905	32	2174	42	1
October, 1905	4	2205	17	2
June, 1907	0	2613	34	10
July, 1907	1	2737	35	4
August, 1907	2	2565	50	72
September, 1907	3	2377	40	14
October, 1907	5	2461	32	1
November, 1907	1	2337	42	7
December, 1907	0	2576	38	7

Source: Compilation of the statistics from the *Boletín Mensual de Estadística del Distrito Federal* from: año V, Septiembre de 1905 número 9, folleto 1169; año V, Octubre de 1905 número 10, folleto 1237; año VII, Junio de 1907 número 6, folleto 1280; año VII, Julio de 1907 número 7, folleto 1281; año VII, Agosto de 1907 número 8, folleto 1282; año VII, Septiembre de 1907 número 9, folleto 1283; año VII, Octubre de 1907 número 10, folleto 1284; año VII, Noviembre de 1907 número 11, folleto 1285; año VII, Diciembre de 1907 número 12, folleto 1286.

Table 2

Total number of those imprisoned in the Distrito Federal by race				
Month and Year	Indigenas	Mestizo	Blancas	Otras razas
September, 1905	1876	0	0	68
October, 1905	2005	0	0	55
June, 1907	546	1567	64	1
July, 1907	513	1788	54	3
August, 1907	499	1642	78	134
September, 1907	405	1639	81	17
October, 1907	415	1665	67	15
November, 1907	438	1602	62	5
December, 1907	409	1680	59	1

Source: Compilation of the statistics from the *Boletín Mensual de Estadística del Distrito Federal* from: año I, Diciembre de 1901 número 12, folleto 1169; año V, Septiembre de 1905 número 9, folleto 1169; año V, Octubre de 1905 número 10, folleto 1237; año VII, Junio de 1907 número 6, folleto 1280; año VII, Julio de 1907 número 7, folleto 1281; año VII, Agosto de 1907 número 8, folleto 1282; año VII, Septiembre de 1907 número 9,

folleto 1283; año VII, Octubre de 1907 número 10, folleto 1284; año VII, Noviembre de 1907 número 11, folleto 1285; año VII, Diciembre de 1907 número 12, folleto 1286.

Table 1 shows that the overwhelming number of people who were arrested in each month were classified as mestizo, with indigenous as not even the second most numerous group. Table 2 shows that out of those imprisoned, while the largest number in most months was still mestizo, the indigenous column gained a significant percentage. It is important to note that not every person who was arrested would have gone to court and been convicted, and also there would be a delay between when a person is arrested and when they are imprisoned. Even accounting for a long discrepancy between arrests and imprisonments, the numbers of mestizos and indigenous people do not correlate. The fact that the numbers in each month are relatively stable over a selection of eight months covering two years I believe shows that the pattern of arrests and imprisonments was relatively stable over that time period. These statistics are not comprehensive of the time period, but they show the pattern of the criminal justice system. The pattern of the Porfirian justice system was to arrest mostly mestizo individuals, but incarcerate a disproportionate number of indigenous people.

There is a caveat to these statistics in that it is not known whether the race published in the monthly bulletin was a self-identification by the offender or inferred by the court. If the offender was able to self-identify, then the politics of being able to pass for a mestizo might have been used in order for the offender to try and gain more lenient treatment from police and the court. It is more likely that the court decided itself through physical examination and the testimony of the witnesses who knew the offender what race would be marked down.

These statistics are evidence that the científicos of the Porfiriato were influencing the ideas of who was perceived as more criminal in society. The last decade of the Porfiriato was when positivist ideas started becoming more influential in policy, and the statistics show that while the main group of people arrested were labelled mestizo, the largest group that was sentenced to jail time were people labelled indigenous. There could be slippage in how offenders are racially characterised during the court and sentencing process, it may be that some offenders were arrested as mestizos, but were jailed as indigenous. That explanation would infer that the idea that indigenous people were more prone to criminality led to administrative officials in the criminal justice system to be more likely to label offenders who were convicted as being indigenous. However, race was understood by the members of the criminal justice system as an inherent and unchangeable facet of a person's construction.¹¹⁸ The court would not want to change the racial identity of an offender unless the judge felt that there had been an error somewhere previously. The court may have decided that offenders had lied about their race, and that the criminal traits these people had meant that they actually belonged in the indigenous category.

The second option for the statistics is that no offender changed racial status during the course of their interaction with the justice system, but that offenders who were labelled indigenous were more likely to be convicted because of the bias the elite class held towards the indigenous. The Porfirian proto-eugenic ideas on degeneration and redeem-ability of races explains how the Porfirian elites would have favoured the lower

¹¹⁸ Proto-eugenic and eugenic policy were designed to influence the improvement of the race, which could change acquired characteristics within a person's lifetime, but inherent characteristics would only be improved over the course of multiple generations. For discussion of this phenomenon in the twentieth century see Schell's "Eugenics Policy and Practice in Cuba, Puerto Rico, and Mexico", 486-487

class mestizo offender as more able to learn from punishment, and have believed that the lower class indigenous offender was more likely to need a prison sentence to segregate them from society, and stop the flow of immoral influences throughout society. The history of institutional racism against indigenous Mexicans from the colonial period remained to influence which type of offender was seen as irredeemable to the administrators of justice during the Porfiriato. It is likely that the ideas of redeem-ability and proto-eugenics were combined with the court making decisions on behalf of offenders as to their racial classification to produce the numbers in the monthly bulletins. The proto-eugenic ideas of race espoused that race was essential and unchanging in the make-up of a person, but in practice it was more fluid, because there is no sure way to tell a person's ancestry from their physical characteristics, and the científicos were assuming that they could do just that.

In the effort to create an imagined community within Porfirian Mexico the elites also developed an imagined criminal Mexico. The modern Mexican nationalism operated by separating the upper classes from this imagined criminal world.¹¹⁹ In this elite vision, the criminal world was populated by only lower class mestizo and indigenous people who had inherited and acquired many vices that made them dangerous to the rest of society. The nationalism that the Porfirian elites were developing relied on the inclusion of the moral, law abiding Mexico and the exclusion of the criminal elements of Mexico. It was not a coincidence that these separate parts of Mexican society were differentiated by their race and class. Garza argues that “[b]y linking the imagined underworld with the urban poor . . . elites successfully labeled the underclass as inherently dangerous, allowing for

¹¹⁹ Garza, *The Imagined Underworld*, 2-4

more effective social engineering and control.”¹²⁰ The creation of an imagined divide that could not be overcome between the criminal and the upper class Mexican was a part of the development of eugenic nationalism. The separation of the classes and the perceived need by the elite to assimilate the lower classes into the correct way of being was a facet of the ideology of social control espoused by proto-eugenicists. The elite created a vision of the criminal in society and made the distinction between the criminal and the elite person as one that was biological and insurmountable, the upper classes would not become criminals because they were not predisposed to criminality; they were the leaders of the nation.

Eugenic nationalism was a way to reinforce the long held beliefs of the upper class as to their right to be at the top of the social and economic scale, and that it was biologically predestined that others would be at the bottom. The belief that criminality was inherent allowed the upper classes to justify the use of racial profiling in who they arrested and sent to prison. That what is criminal was decided by the elites and therefore reflected the upper class mentality of right and wrong, as well as the mentality of the elites towards the lower classes. Survival tactics of the lower classes were criminalised because they disrupted the economic and social life of the elites. Practices of the elites that made it more difficult for the lower classes to survive were not criminalised, because the elites protected their own interests. The criminal justice system was in the control of the elites and was used to their benefit as well as reinforcing their beliefs.

¹²⁰ Garza, *The Imagined Underworld*, 4

The underclass was portrayed in the media as “subhuman and vice ridden”.¹²¹ These portrayals evolved out of colonial views about indigenous Mexicans, which continued to reinforce the message of the elites that the indigenous did not belong to the progressive nation. The judicial system changed during the Porfiriato due to the influence of liberalism, the court process became more modern, but the colonial mentality that vilified the lower classes and indigenous people still influenced criminology and judicial practice.¹²² The language of evolution and moral impropriety was linked to the beliefs of proto-eugenicists. The overwhelming number of mestizo and indigenous offenders arrested and imprisoned were categorised as being part of the third and lowest social class in the statistical reports.¹²³ The racist and classist ideas of the Porfirian elite, which were influenced by a long held colonial mentality, coalesced into the proto-eugenic discourse of biological inferiority of the lower classes and the indigenous population. To elites, the labels of indigenous and lower class were synonymous. The indigenous population was characterised as subhuman or possibly a different species based upon long standing ideas that reinforced conquest and colonialism.

What makes the paradigm shift to proto-eugenics different from the colonial mentality of racism is the adoption of new scientific principles that emerged in the nineteenth century. It was these new beliefs in the objective scientific method’s ability to determine the evolutionary hierarchy of humanity and the idea that morality resided

¹²¹ Garza, *The Imagined Underworld*, 7

¹²² Kathryn A. Sloan, “The Penal Code of 1871: From Religious to Civil Control of Everyday Life” *A Companion to Mexican History and Culture* ed: William H. Beezley (West Sussex, UK: Blackwell Publishing Ltd, 2011): 302

¹²³ Compilation of the statistics from the *Boletín Mensual de Estadística del Distrito Federal* from: año I, Diciembre de 1901 número 12, folleto 1169; año V, Septiembre de 1905 número 9, folleto 1169; año V, Octubre de 1905 número 10, folleto 1237; año VII, Junio de 1907 número 6, folleto 1280; año VII, Julio de 1907 número 7, folleto 1281; año VII, Agosto de 1907 número 8, folleto 1282; año VII, Septiembre de 1907 número 9, folleto 1283; año VII, Octubre de 1907 número 10, folleto 1284; año VII, Noviembre de 1907 número 11, folleto 1285; año VII, Diciembre de 1907 número 12, folleto 1286.

within the biology of a race that allowed for the dissemination of proto-eugenic thought. The police force and court system of the Porfiriato was designed to operate in a scientific manner, using the most modern techniques in order to objectively find criminals.¹²⁴ The belief in the scientific paradigm is one of the strong ties between proto-eugenics in the nineteenth century and eugenics in the twentieth century. The criminal statistics reinforcing these beliefs is not surprising. The beliefs about criminality and its link to the lower classes and the indigenous population were widespread through the elite, and the elite were in charge of the criminal justice system.

That these statistics are a reflection of the biases of the upper classes is important to note, but the more important idea that comes out of these statistics is the legacy of criminalizing the indigenous and excluding them from the rhetoric of the progress of the Mexican nation. The indigenous were characterised as inherently criminal, and therefore needed to be changed or eliminated from the nation in order for Mexico to reach its epitome. This pinnacle that the elite envisioned was based on their assumptions that what would create the best country was what they could contribute. These lines of logic, that the indigenous needed to be controlled and that there was only one possible form and trajectory of progress, are what are transferred to the eugenics movement of the twentieth century. The teleological understanding of history and progress were mixed with biological explanations of social status and the prosperity of the nation as a whole to create a eugenics movement and a eugenic nationalism.

The acceptance of the elite Porfirian ideal of the orderly city rested on the acceptance of modern medical techniques that proved how moral and healthy the upper

¹²⁴ Speckman Guerra, "Disorder and Control", 383

classes were. The campaigns to improve public health all focused on cleaning up the parts of Mexican society the elites found reprehensible, which happened to be the parts of Mexican culture associated with the lower classes or with non-European customs. The elite attack on pulque and pulquerías was an attempt to control the lower classes and eliminate the lack of productivity and the crime that elites associated with drunkenness. A newspaper article from the 19th of January 1905 stated that the new regulations on businesses selling alcohol have had a positive effect in the three months that they had been in effect.¹²⁵ The article goes on to state that the Justice department created a special count of the statistics of the crimes associated with alcohol.¹²⁶ This infers that there was a lot of crime associated with alcohol, enough to make it a serious societal problem. The statistics of crimes influenced by alcohol would have disproportionately affected the lower classes as their alcohol consumption happened in more public spaces.

The attack on pulque specifically was racialized, because pulque was an indigenous drink.¹²⁷ A newspaper article about a fight between two men who were drunk on pulque characterises the offenders as “rudos y analfabetas” (rough and illiterate), and places the blame for the fight on pulque, stating that the men had been friends before killing one another.¹²⁸ This newspaper article reinforced proto-eugenic ideas to its audience. The lower class men who had been drinking pulque were the archetype of the degeneration that was occurring in the country. This story was sensationalized by the newspaper, but was also a warning to the readers about the moral illnesses that existed in society and needed to be eliminated.

¹²⁵ *El Imparcial* 19 January 1905 “Ley de Catastro”

¹²⁶ *El Imparcial* 19 January 1905 “Ley de Catastro”

¹²⁷ See chapter 1 of James Alex Garza’s *The Imagined Underworld*

¹²⁸ *El Imparcial* 13 February 1905 “Sangre y Pulque”

Criminalizing the parts of culture in which the elites did not participate in also skewed the arrest and conviction rates of the criminal justice system. There were many more offenses for which a lower class person could be arrested, because the leisure pursuits of the lower classes were considered immoral by the elites.¹²⁹ The Porfirian elites were specifically targeting parts of indigenous culture in their development of a criminal justice system based upon proto-eugenic ideas. The influence of the proto-eugenic scientific paradigm was most effective in the court system, because of the amount of discretion on the part of police officers, lawyers and judges.

The Porfirian justice system did not have as much judicial discretion as the post-revolutionary period, but there was still room for the courts to preferentially convict some groups of people over others. The authors of the 1871 penal code set out strict guidelines as to what the sentence for any crime should be, including the changes in sentence for mitigating or aggravating circumstances. However, the court used an offender's honour and reputation as one of the factors that impacted the sentence.¹³⁰ Lower class and indigenous individuals would receive harsher sentences under this regime because they lacked honour according to the elites. The lower classes and indigenous people were considered not honourable during the colonial period, and this portrayal of low character was solidified into a biological exclusion from elite society through proto-eugenic thought. These biases were a contributing factor to the overrepresentation of indigenous and lower class people in the criminal justice system. Porfirian eugenic nationalism espoused that Mexico would benefit from the correction of the criminality of the lower

¹²⁹ See chapter one of William H. Beezley's *Judas at the Jockey Club and other episodes of Porfirian Mexico* (Lincoln: University of Nebraska Press, 1987)

¹³⁰ Sloan, "The Penal Code of 1871", 304-305

classes; that it was imperative to have strict control over criminality in society in order for the country to progress forward on the optimal trajectory.

The 1931 penal code created more room for judicial discretion in Mexican criminal courts. Penal reformers thought that this would create a justice system that could tailor sentences to the social, economic and racial status of the offender.¹³¹ This also allowed room for eugenic ideas about race and criminality to have an unofficial place in shaping the punishments of offenders. More judicial discretion in the twentieth century allowed judges who believed in eugenic principles to implement them in the courtroom. Eugenic discourse was widely accepted among the elites of the post-revolutionary time period. The change in the penal code of 1931 allowed for the emerging ideas of eugenic science to be implemented without the delay that occurred with attempts to legislate the same ideas.

Judicial discretion was a mechanism for the implementation of the most recent science in an effective manner. Eugenic ideas on criminality in Mexico could be used in the choice of sentence for offenders characterised as degenerate and in the denunciation of certain habits and traits that were brought before the court. The actions that were criminalised were not specifically racialized in the same way that education policy was. Vagrancy, theft, assault and vice associated with pulquerías had long been considered immoral and criminal, it was only in the Porfiriato with the emergence of proto-eugenic thought that these crimes had taken on a scientific dimension and become evidence of the inherent inferiority of certain races and classes. There is a direct connection between the criminal justice system of the Porfiriato and that of the 1920s and 30s; proto-eugenic and

¹³¹ Buffington, *Criminal and Citizen in Modern Mexico*, 126-127

eugenic ideas were put into practice in the sentencing of offenders in criminal court cases. Porfirian intellectuals like Zayas Enríquez who were judges and lawyers were often those discussing positivist ideas on criminality. Eugenicists in the twentieth century were government officials and scientists who managed to implement eugenic ideas through the formal mechanism of legislation as well as dissemination through court judgements. Proto-eugenic and eugenic ideas were being disseminated by the elites in society, who had control over the government. The elites could use the most legitimated channels in society, the institutions that were hardest to question in order to perpetuate their ideas on the improvement of the nation.

On a physical level, the tables of statistics shown previously are evidence of the construction of the criminal body in Porfirian Mexico. Proto-eugenic thought narrowed the possible bodies that were seen as criminal down to a certain few. These bodies were the ones who fell outside of the imaginary ideal Mexican who held all of the positive traits of biological evolution and modern morality. The criminal body in Porfirian Mexico was one that contained the fears of degeneration of the upper classes made manifest through traits such as skin colour and disease. Historian Elisa Speckman Guerra aggregated and studied the numbers of police suspects and convictions between the years of 1871 and 1930.¹³² Speckman Guerra's data found that criminals had a high rate of illiteracy, and correlates that to the high rate of illiteracy amongst the population as a whole.¹³³ I would argue that the high rate of criminals who were illiterate is also a reflection of the higher rate of criminals who come from the lower classes.

¹³² Speckman Guerra, "Disorder and Control", 371-389

¹³³ Speckman Guerra, "Disorder and Control", 372-374

The data in the editions of the *Boletín Mensual* that I collected showed an overwhelming proportion of those arrested and convicted were labelled as being a part of the third and lowest socio-economic class.¹³⁴ Speckman Guerra also notes that close to half of those convicted described their occupation as farm workers, also adding to the argument that a disproportionate number of lower class Mexicans were convicted.¹³⁵ The data in tables 1 and 2 also shows that there was a disproportionately large number of mestizo and indigenous people who were a part of the lowest social class. Speckman Guerra's statistics along with my own present the argument that crime was constructed as a trait of the lower classes and the racialized body in Porfirian and post-revolutionary Mexico.

The number of offenders categorised as white or other in tables 1 and 2 was small compared to the number labelled mestizo and indigenous. The large number of mestizo offenders would have been evidence to the proto-eugenicists that there was still work to be done in the elevation of the moral standard of the nation's citizens. The focus on incarcerating those who were indigenous or 'mostly' indigenous relied upon the officials of the criminal justice system to make value judgements about offenders based upon their appearance. The biases that the elites held towards the indigenous people as being biologically predisposed to poverty and crime would have influenced the severity of punishments handed out. Proto-eugenic scientists believed that relying upon physical observation to come to objective conclusions was the most trustworthy scientific method,

¹³⁴ Compilation of the statistics from the *Boletín Mensual de Estadística del Distrito Federal* from: año I, Diciembre de 1901 número 12, folleto 1169; año V, Septiembre de 1905 número 9, folleto 1169; año V, Octubre de 1905 número 10, folleto 1237; año VII, Junio de 1907 número 6, folleto 1280; año VII, Julio de 1907 número 7, folleto 1281; año VII, Agosto de 1907 número 8, folleto 1282; año VII, Septiembre de 1907 número 9, folleto 1283; año VII, Octubre de 1907 número 10, folleto 1284; año VII, Noviembre de 1907 número 11, folleto 1285; año VII, Diciembre de 1907 número 12, folleto 1286.

¹³⁵ Speckman Guerra, "Disorder and Control", 374

and so a visual appraisal could tell a proto-eugenicist of what background and therefore what morality an offender was.

Racial science depended on visual representations as evidence. The Porfirian criminological studies of penitentiary inmates often took the form of pictures; full body nude shots to show physical degeneration or inherent differences in the criminal versus the normal body, or many head shots placed together to show the similarities between certain types of criminals.¹³⁶ These photographs were supposed to be self-evident truths that exposed the biological characteristics of criminals. These pictures were the manifestation of proto-eugenic ideas; they grouped together criminals based upon physical characteristics, showing the bias that Porfirian elites held towards the indigenous race and the lower class.¹³⁷ Like statistics, photographs were meant to be an objective representation of proto-eugenic science, and so could not be challenged because there were no flaws they simply portrayed the truth. Proto-eugenic beliefs about criminals could not be questioned because they came in the form of the new scientific paradigm that was infallible. So, according to the elites, indigenous people and the lower class population needed to accept the help of the elites instead of resisting progress.

Stepan argues that “diagrams of race could not be compared to the ‘real things’ of race, since the races became coherently visible only as a function of the representations

¹³⁶ For examples of this type of study see Buffington’s *Criminal and Citizen in Modern Mexico*.

¹³⁷ For a discussion on this topic from a different country see James N. Green’s “Gender, Race, Eugenics, and the ‘Invert’ in Urban Brazil” *Gender, Sexuality, and Power in Latin America Since Independence* eds: William E. French and Katherine Elaine Bliss (New York: Rowman and Littlefield Publishers, Inc.): 187-189. Green discusses how homosexuals were constructed in Brazilian society by doctors and lawyers, who argued that the homosexual could easily be identified by their physical characteristics and were dangers to society because of their degenerate nature and inability to control their criminal sexual impulses. The Brazilian elite also racialized the idea of the homosexual as a “dark, sinister [force] preying on the purity of innocent white Brazilian youth.” (187-188)

themselves.”¹³⁸ In this way race is created through its representation, the reality of race can only be found through its representation. These pictures of criminals were racialized; they not only showed the differences between criminals and the normal population, they also showed differences between races. The criminal statistics were compiled to show the inherent nature of different races. The connotations of race were made visible in these pictures, and associations of race with crime were solidified. These criminological studies attempted to make racial identification in Mexico simple and unchanging to assert that race was in fact inherent and essential. In reality the fluid nature of race and racial identification showed the unnaturalness of race. Eugenic criminological studies reinforced the biological ideas and class prejudice that permeated twentieth century scientific discourse about criminality.¹³⁹ These studies always reinforced the elite’s belief of their superiority and the need to uplift the rest of the country to their standard. These studies were heralded as the most objective science because of the new scientific methods used, but they reflected the biases of the Porfirian and post-revolutionary elite. Science cannot ever be totally objective, because scientists approach their subject with the preconceived notions of their time period and society.

The criminal statistics were manufactured by the elite’s biases about the criminal classes and in turn used as evidence to support those biases. The large numbers of indigenous offenders and lower class mestizo offenders were the product of proto-eugenic ideas influencing the criminal justice system. The disparate numbers of indigenous people being arrested versus those being imprisoned is a reflection of the proto-eugenic ideas on the best way to handle the indigenous population of Porfirian

¹³⁸ Nancy Leys Stepan, *Picturing Tropical Nature* (Ithaca: Cornell University Press 2001): 95

¹³⁹ Piccato, *City of Suspects*, 63

Mexico. Proto-eugenicists agreed that they needed to either assimilate or segregate the indigenous population. There were debates as to whether assimilation was possible and what the most effective method might be. Imprisonment was the choice for those who could not be redeemed and assimilated through the education system. Indigenous Mexicans were seen as a threat to the stability of the Mexican nation by the elites. The rhetoric of contagion and degeneration and the belief that moral characteristics could be acquired through proximity made it urgent that the criminal population and the indigenous population in Mexico City be contained, or else criminality would become an even bigger and unmanageable problem for the Porfirian government.

Through the visual profiling of offenders proto-eugenicists were trying to create their ideal version of Mexico, which was implicitly a whiter version of the country.¹⁴⁰ While Mexican proto-eugenic thought did not adhere to the idea that the strict separation of the races was the most effective way to achieve evolutionary progress the elites still held an implicit bias towards lighter skin tones. Proto-eugenic and eugenic nationalism shared the characteristic of attempting to homogenize and heighten the European cultural and genetic influence of Mexico. Criminal justice policy and practice are measures of social control, and the Porfirian focus on the indigenous population was a measure of the proto-eugenicist fervor to obtain control over the segments of society that they deemed degenerative or morally unacceptable. The authoritarian government of Porfirio Díaz favoured tools of social control as the instrument to create a sense of nationalistic pride in the population.

¹⁴⁰ See Schell's "Eugenics Policy and Practice in Cuba, Puerto Rico, and Mexico", 487. Schell links the discourse surrounding the mestizo as progressive and the founder of the national race of the post-revolution period with the Porfiriato, and illuminates the fact that beneath the glorification of the mestizo there was still the assumption by elites that eventually mestizo traits would disappear by racial intermixture because white traits were superior.

The criminal statistics listed in the monthly bulletins published by the government were a tool used by the government to show the population that the elite fears about the criminal tendencies of the lower classes and the indigenous population were founded. These statistics tell the story of a scientific paradigm becoming more accepted in society, and beginning to influence the proceedings of the criminal justice system. These proto-eugenic beliefs were a sincere belief that the Mexican nation needed to follow the modernizing example of Europe in order to be the best country possible, and also that the nation could fall into a state of degeneration if not properly attended to. These beliefs led to the imprisonment of many indigenous people in Mexico City in the first decade of the twentieth century. The post-revolutionary government did distance itself somewhat from the Porfiriato, but the elite in the eugenic era inherited many of the proto-eugenic ideas, because science of the improvement of the race was still very influential around the world in the 1920s and 30s. The Revolution did not eliminate the elite's desire to improve the genetics of the country.

Nationalism based upon the potential improvement and perfection of Mexico and Mexicans became prominent in the twentieth century. The last decade of the Porfiriato showed an increase in the acceptance of positivism among the elite scientific community that translated into these ideas being put into practice in the criminal justice system. The statistics shown in Tables 1 and 2 are evidence that the government was becoming interested in keeping track of the race of criminals, an exercise that only became important when positivism and proto-eugenics became prominent theories. Statistics were one of the most important tools of positivists, because they were thought to be self-evident, objective measurements. The statistics of the race of criminals was important

evidence to proto-eugenicists because it confirmed the elite fears that the populations with the least European blood or influence were the ones with the highest crime rate. This confirmed the proto-eugenicists belief that these populations needed to be either assimilated or segregated from the population in order for the country to flourish. Essentializing criminality into a characteristic of race allowed the elite to solidify their claim to the top of the socio-economic scale of Mexican society. The elite's privileged position was explained as their being inherently superior, biologically and morally when the language of proto-eugenics was adopted. Proto-eugenics was a mechanism for the elites to create a nationalism based upon the population believing that the elite, European influenced mode of being was better than an indigenous way of being, and pride in the country of Mexico being directed towards homogenizing the population.

Conclusion

The ideology that was developed by the científicos of the Porfiriato used emerging theories of eugenics from Europe in order to try to perfect their country. The evolution of Mexican society according to the ideology of the científicos relied upon the differentiation of the population into those who were fit and those who were unfit or degenerate. The fit population would help Mexico become a more modern and progressive nation, they would pass on the best possible qualities to the next generation. The degenerate were those in society who needed to be corrected because the elite thought they would pass on physical, mental and moral traits that would be harmful to society. The categories of fit versus unfit were constructed by the Porfirian elite and reflected their racial and class prejudices. Proto-eugenic science associated immoral and criminal traits as well as mental and physical illness with the lower classes and the indigenous population.

Proto-eugenicists were influenced by the theories of positivism and eugenics that were being disseminated in Europe, and while they incorporated some of these views into their work, proto-eugenicists did not adopt the term eugenics until the twentieth century. Mexican proto-eugenic and eugenic ideas were constructed to counter some of the beliefs that were being developed in Europe that characterised Mexico as a degenerate country with no hope of progress. Proto-eugenicists used the rhetoric of science in order to counter the claims of racial degeneration in Mexico, positing instead that intermixture would create a superior race by blending all of the most positive traits of all races. Proto-eugenicists were also disseminating a nationalism that was predicated upon eugenic ideals. Only the Mexicans deemed acceptable by proto-eugenicists were considered a

part of the new Mexico being created during the Porfiriato. Nationalism based upon the differentiation of those who were deemed worthy to belong as those who were not was a method of instituting controls over the population that was deemed unfit. The eugenic nationalism that was being disseminated by the Porfirian elite failed to keep that government in power, but the ideas survived and were still popular amongst the elite in the post-revolution period.

The proto-eugenic ideas of the Porfiriato were used by the eugenicists of the twentieth century as a framework upon which they built. The Mexican eugenics movement was ideologically linked to the proto-eugenic thought developed in the Porfiriato. Both used the Lamarckian idea of inheritance much longer than other parts of the world. A soft inheritance that exhorted the possibility of genetic improvement through change in environmental factors was conducive to the goal of proving to the population of the country as well as the rest of the world that Mexico could eliminate from its population the characteristics that caused degeneration.

Eugenicists directly cited the works of proto-eugenicists in order to build upon their work. Many of the concepts that were debated amongst proto-eugenicists became tenets of the eugenic movement and were instituted as law during the 1920s and 30s. Proto-eugenicists debated ways that education could be made the most conducive to the creation of healthy, productive and moral citizens. Education was adapted under the advice of the científicos to include classes aimed at the homogenization of the population, such as classes on the history and Greek roots of Mexico, and teaching formal Spanish grammar. There were differences between the two periods, but both governments felt that education needed to be controlled in order to create the best possible country.

There were debates amongst proto-eugenicists as well as eugenicists as to whether the indigenous population could benefit from education, but both agreed that it would benefit the Mexican race if indigenous people adapted to modern customs and dress and intermarried with the mestizo population in order to dilute the degenerate traits that were carried in indigenous blood. The prejudices against the indigenous people and their lifestyle began in the colonial period. The elite belief that the indigenous population was not equal to them was solidified as being inherent to the biological make-up of indigenous people during the proto-eugenic period. The new scientific concepts that were being formulated during the Porfiriato created an incontrovertible truth out of long standing biases. The eugenicists of the twentieth century followed upon this tradition by espousing the idea of a cosmic race, one that ideally incorporated all races in Mexico into one, but that was still skewed towards European heritage, as the underlying belief of eugenicists was that the strength of European blood would overpower the degenerate traits of other races. The ideal of a cosmic race was still biased towards whiteness.

Criminality was constructed by proto-eugenicists and eugenicists as belonging to a particular type of person, one that was inherently different from the rest of society and could be discovered through physical traits as if they were a different species of humanity. Criminality was associated to the lower classes and those who had more indigenous heritage by the elites in Mexican society. Crime was racialized by proto-eugenic and eugenic thought, which used the power of scientific rhetoric in order to make the elite biases against the lower classes and the indigenous population into a factual analysis of genetic predisposition to crime.

Proto-eugenicists and eugenicists used new scientific methods and theories in order to further their wishes for the development of the country. Both groups created a nationalism predicated upon eugenic principles. In order to be included in the ideal vision of the nation, Mexicans were required to conform to the elite vision of racial perfection, and any person who did not reflect the morals and culture of the elites was considered to be outside of the trajectory of progress. Eugenic nationalism was a thread through both the Porfirian and the post-revolution government's development of policy. Both of these governments were concerned with a very narrow vision of progress that they developed and happened to leave the elite at the top of the social hierarchy. Proto-eugenic and eugenic thought were tools developed and used by the elite in order to maintain control over the portions of the population they found problematic. As well, the elites were invested in creating a country that reflected their values and culture, and through eugenic nationalism that vision excluded much of the lower class and indigenous population from being considered a productive part of the nation of Mexico.

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