

August 1998

Mexican Workers Fire the Boss:

The Use of Article 33 to Attempt to Expel Supervisors, 1922-1936

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Two days after the Christmas of 1922, a group of Mexican miners from the town of Mineral de Agujita, Coahuila wrote to President Alvarado Obregon to demand that their American supervisor G.T. Perrin be expelled from Mexico. The workers accused him of being an undesirable alien who did not respect the Mexican government, its Constitution or its laws. The men referred to Perrin as "the worst tyrant among all the foreign supervisors who until now it has been our misfortune to know." They wrote that, "Neither the strikes, nor the grievances, nor the court cases which we have brought against him have been sufficient; having exhausted to the best of our knowledge all the resources, we come to seek your enlightened kindness in the hope that you will do us justice according to the law." The workers' central complaint was that Perrin was a "slave driver" (negrero) who "daily committed all sorts of abuses and arbitrary acts" and--their most serious grievance--fired workers without paying them their legal severance pay and evicting them from the company-owned housing without giving them time to find other shelter.

The mine workers also made a political argument. They reported that Perrin had not been happy with any government

established since the Revolution of 1910, that he had defamed all sorts of government authorities, and that he had stated that "the Laws of our Country meant nothing to him...." All of this Perrin often expressed in oaths and obscenities. The workers went on, suggesting that if the president did not do something, the workers might take justice in their own hands:

We believe it our duty as Mexicans to denounce these acts since the local authorities are so little interested in preserving the decorum and dignity of our Country, and we bring it to your attention because you are the only authority who can bring about a quick solution to this matter, which for some time has been aggravating the unrest among the workers of this mining town, and it would not be difficult that some day, the workers who are directly under his command, tire of his bad treatments and actions and decide to punish him themselves, and it would be hard to foresee the lengths to which they might go.

Finally the workers concluded:

So, for all these reasons given above, we ask you Citizen President of the Republic that, making use of the faculty conferred upon you by Article 33 of our Magna Carta, and for the decorum and prestige of our Country, and the good name of your Government, that you expel G.T. Perrin as a pernicious foreigner, for which we shall be very grateful.

Thanking the President in advance for his help, the letter was signed by 102 workers.

Christmas vacation in Mexico lasts until the end of the first week of January, and so understandably it was not until January 19 that one of President Obregon's assistants replied that the case would be looked into. That same day the case was assigned for investigation to the office of President Obregon's Minister of the Interior (Gobernacion) Plutarco Elias Calles. He put a man on the case, and in just a little more than a month, a report had been returned to him.

The government investigator reported that he had interviewed local authorities, businessmen and a great number of workers. Perrin, the investigator explained, was a forty year-old American with a wife and three children who had lived in Agujita for 16 years, and in addition to being a company supervisor of the coke ovens was also a labor contractor. "I have come to realize," wrote the investigator, "that most of the charges made by the men who signed the letter are justified, for this man treats the workers very badly..." For example, reported the investigator, Perrin frequently cheated men out of their pay. The investigator concluded that:

Through his egregious conduct Mr. Perrin has created such ill will among all the workers in general, that I could see that if something wasn't done to rectify the wrong pointed out, by means of a radical measure and as soon as possible, it will be necessary to lament an irreparable misfortune affecting his person, since at this point the workers have exhausted their patience and are excited and violent against this man, who surely will not change his tyrannical and arbitrary ways.

Having read the report, Calles asked the Governor of the State of Coahuila to speak to G.T. Perrin, warning him that if his conduct continued unchanged, "he would be expelled." The case file of the Mineral Agujita miners versus G.T. Perrin end at that point, and there is no record of further action.¹ The workers' plea that Perrin be expelled had not been carried out, but the Minister of the Interior had warned him that if he did not change his ways, he could and would be expelled. Certainly the workers had found another weapon with which to confront the employer in the area of industrial relations.

Very possibly President Obregon and his Minister of the Interior Plutarco Elias Calles did not actually expel Perrin because of the importance of the largely foreign-owned mining sector in the Mexican economy, and because of the Mexican government's over-riding concern with winning political recognition from the United States. The expulsion of foreign mine industry managers was not likely to win any friends on Wall Street or in Washington.

Yet, in another sense, this was not the end of the matter. The case of those mine workers versus their American supervisor is just one of the first in a series of 30 cases between 1922 and 1936 in which Mexican workers attempted to have their foreign bosses expelled from Mexico, and in a few cases actually succeeded.² (See Appendix A for a list of the cases, and Appendix B for a short narrative of each of the cases.) In effect, Mexican workers attempted to fire the boss--supervisors, managers, or foremen--by driving him out of the country.

To the best of my knowledge, only one of these cases, the largest and most famous one involving the expulsion of Harvey Leach has ever been studied at any length.³ Yet the cases merit study, for taken together, these records allow us to open a window on the experience, ideas, and values of Mexican workers in the 1920s and 30s. These cases give us insight into Mexican workers' attitudes toward their bosses and corporate employers, toward foreigners, and toward the state. The union initiated Article 33 cases permit us to see how workers' actions and ideas manifested what we think of as traditional communal values, labor

union consciousness and Mexican nationalism. They show us how workers fought in their own interest by attempting to use the newly founded revolutionary state. But they show us how sometimes Mexico's revolutionary politicians manipulated workers and unions, and protected their own interests. Finally, the workers' actions in the Article 33 cases may also shed light on the most famous of all worker struggles against foreign employers in Mexico, for the logic in these cases bears some similarity to the state's support for the petroleum workers and the nationalization of the petroleum industry.

The notion that workers could fire the boss by expelling him from the country was certainly a radical idea. On a couple of occasions the workers involved used the word "socialist" to refer to their union, the government or the president. But the demand to expel the boss was apparently never linked to a broader socialist strategy to expropriate the capitalist class, or take control of the means of production and the state. The workers merely wanted a particularly obnoxious boss removed from the workplace and they recognized that their demand for his expulsion was an extraordinary and exceptional measure. But removing a particularly authoritarian, anti-union, or especially demanding boss would give the workers more latitude and perhaps more power in the workplace. At the very least, a Federal government investigation would put the boss on notice that his actions had come to the attention to the highest powers of the country. While not part of a socialist strategy, such a demand for expulsion could be a useful part of a labor union's tactics.

The workers' audacity in demanding that the government expel the boss grew out of the Mexican Revolution of 1910-1920, and out of the Constitution of 1917, out of new state labor laws, out of the experience of labor unionism, and, perhaps most important, grew out of changed ideas and attitudes about the place of the worker in society, the relationship of the worker to the employer, and in particular the relationship of the Mexican worker to the foreigner employer. But these new attitudes about the role of the worker and the union in society existed in a very complex and contradictory context.

In 1920 President Alvaro Obregon became president, and under Obregon and his successor Plutarco Elias Calles, the Mexican revolutionary government's central preoccupation was "reconstruction," that is: the strengthening of the state, the establishment of order, and a return to capitalist productivity and profitability. Of primary importance for the achievement of that program was diplomatic recognition by the United States, which was among the highest priorities of the Obregon government.

The most important social support of the new regime, however, was the organized working class, particularly the Regional Confederation of Mexican Workers (CROM) and its political organization the Labor Party (PL). The regime also came under pressure from the labor opposition grouped in the anarchist General Confederation of Workers (CGT).⁴ Thus the Obregon and Calles found themselves in a contradiction between the internal support provided by the labor unions and the external support needed from the United States government. Consequently the

Mexican presidents had to balance between the demands of the unions on the one hand, and foreign capital on the other.

Workers' demands for the expulsion of their foreign bosses, then went right to the heart of the central dilemma of the new Mexican state being built by Obregon and Calles: how both to please foreign capital and to placate the Mexican workers? The workers' demands could not be ignored, but, at least in most cases, neither could they be fulfilled. Out of the ambivalence of the situation, grew an ambiguous or, perhaps better, a duplicitous political response.

Article 33

Article 33 has been in the headlines recently because President Ernesto Zedillo has invoked it to expel scores of foreigner observers from Chiapas for supposedly meddling in Mexican political affairs.⁵ But it is one of the oldest Mexican laws dating back to the first years of independence from Spain. The fundamental language of Article 33 of the Constitution of 1917 came almost unaltered from the liberal Constitution of 1857, which in turn derived from earlier Mexican Constitutions.⁶

Article 33 is one of the shortest articles in the Constitution of 1917, and unlike most other articles it has not been reformed or changed since its original adoption. It states simply that all those not previously defined as Mexican citizens shall be considered foreigners, and that they have the rights guaranteed to Mexican citizens, with the exception however, that "...the Executive of the Union will have the exclusive power to

force to leave the national territory, immediately and without necessity of any previous trial, all foreigners whose continued presence in the country may be deemed inconvenient." The second and last paragraph explains what is meant by "inconvenient. It reads: "Foreigners shall not, in any way, involve themselves in the political matters of the country." In effect, through Article 33 foreigners if they engaged in politics in Mexico could lose the fundamental human and civil rights otherwise guaranteed to them.⁷

Article 33 has sometimes been used to expel criminals and con-men, but it is not a deportation law and its essential function is political.⁸ Historically in the revolutionary period Article 33 was used against foreign-born priests, religious zealots, labor agitators, radicals, anarchists, communists, or other presumed enemies of the regime. Some of the most famous Article 33 cases were those brought by President Obregon against Spanish anarchists and U.S. war resisters and draft evaders known as the "slackers" who had become involved in leftist politics and labor unions in Mexico. Thus Article 33 formed part of the state's panoply of weapons for suppressing radicalism. There was a saying in Mexico in the revolutionary era--unfortunately I cannot remember the source of this--"For foreigners have the 33, for Mexicans, the 30-30," that is the carbine, the firing squad.

But under the pressure of workers and their unions, Article 33 was invoked against employers and bosses. Labor unions attempted to give Article 33 an anti-capital and anti-imperialist character, making it another tool to defend Mexican workers

against foreign employers and bosses. But while Article 33 as interpreted by the unions may have had an anti-imperialist thrust, it nevertheless remained a dictatorial and anti-democratic law which deprived its victims of their civil rights. Moreover the invocation of Article 33 empowered the president, and thus reinforced the undemocratic tendency toward what in Mexico is called "presidentialism" and consequently strengthened the state and its executive branch. So it was a law and a procedure in which leftist or nationalist anti-imperialism and statist authoritarianism sometimes coincided.

In demanding the expulsion of their bosses, Mexican workers, usually acting through their unions, typically argued before the Minister of the Interior (Gobernacion) and the Mexican President that their foreign-born bosses had violated Article 123 of the Constitution of 1917--the labor article that gives Mexican workers the right to organize and strike, as well as many forms of protective legislation--and that therefore those bosses had illegally engaged in political activity. Consequently, the workers contended, their employers could and should be expelled from the country under Constitutional Article 33 which forbids foreigners from involvement in Mexican politics.

In the case of the labor initiated Article 33 cases workers or union officials--usually after having attempted to deal with their problem bosses through the state Juntas de Conciliacion y Arbitraje (labor boards), through the local courts or through the state government--wrote directly to the Minister of the Interior or the President. In those years the labor unions, particularly

the CROM, had a special and direct connection to Minister of the Interior Calles. The Minister of the Interior's assistants then investigated the case, usually writing to the municipal president, the state governor and to other authorities seeking information. The employer or supervisor might also volunteer or be asked to give information. The investigators usually visited the particular town and workplace and spoke to those involved. The process typically took a few months, after which time the case might simply languish from neglect, be closed if found to have no merit, be referred to the state prosecutors or the courts, or the Minister of the Interior might forward the case to the president with the recommendation that the individual in question be warned or expelled. Since the case depended for its resolution upon the decision of the Minister of the Interior and the President, there was really no such thing as "due process." Politics not justice was the principal consideration. Nevertheless the Minister of the Interior clearly sought all the information possible in able to make an informed decision, if not necessarily a fair one.

Worker and Union Article 33 Cases

Mexican labor organizations do not seem to have adopted Article 33 as a conscious strategy to challenge foreign bosses on a regional, industrial or national level. Only two of the cases were filed on the letterhead of the Regional Confederation of Mexican Workers (CROM) over the signature of Ricardo Trevino. (Cases #9, #11) None appear to have been initiated by the other

major federations, the General Confederation of Workers (CGT) or the Confederation of Railway Societies, the alliance of Mexico sixteen railroad workers' unions. The labor union Article 33 cases seem to have originated among the miners' union in northern Mexico, and then to have been taken up by other union organization. We do not know if there was any sort of communication among these unions, though many of their documents follow a similar pattern.

The workers who brought these cases came from all sorts of industries and firms: they were bartenders and waiters, miners and foundry workers, electricians and streetcar conductors, telegraphers and telephone operators, textile and petroleum workers, railroad workers and farm laborers. Some of the unions were allied with the government, such as the CROM, but some may also have been members of independent or opposition labor organizations, and at least one was a Communist Party union.

The workers who made the complaints in the 30 cases which I have located came from eleven different states or districts of Mexico, though mostly from the border states, from the Gulf states, and from the valley of Mexico. As might be expected, the cases tended to come from the areas with the highest levels of labor organization and militancy, so of the 30 cases five came from the state of Tamaulipas, four from Veracruz, four from Mexico City, D.F., four from Coahuila and three from Chihuahua. Another way to put it would be to say that the cases came from the border, the mining states, the ports, the petroleum region, and Mexico's biggest city. All of these areas had more active and

aggressive labor unions, usually because of the presence of organized workers in heavy industry such as public utilities, textiles, mining, petroleum, or the maritime industries. While one of the unions is called the "union of men and women workers," the makers of all the complaints appear to have been men, and no woman's name is found in any of the documents.

These cases fall between 1922 and 1936, though most are concentrated in the years 1923 to 1928 (17 cases). There were also a large numbers of cases in 1931, seven; and 1935, five. There seems to be little correlation between the cases and other forms of working class activity. The year 1931, for example, has fewer strikes than any other year in the decade, only 11, while 1935 has more than any other year, 642. Yet those two years have the largest number of labor related Article 33 cases.

Why did they want to expel the boss?

Why did Mexican workers seek to expel their foreign bosses? In most cases the motives behind these cases were standard labor union issues: wages, working conditions, steady employment and questions of respect and dignity at work. Other cases involved workers' struggles for union recognition, contract enforcement or labor union strikes.

The issue of low wages gave rise to several of these cases. The Sociedad Mutualista de Empleados de Cantina y Retaurant of Reynosa, Tamaulipas wanted H.P. Moore, manager of the Azteca Cabaret expelled because he paid the miserable wages of 10 pesos per week. (Case #17) Likewise, the Sindicato "Jose Maria Morelos"

of Reforma, Coahuila wanted the Italian Francisco Rosciano, the representative of the Empresas de Cuatro Ciénegas, to be expelled because he refused to pay the minimum wage and maintained a company store. (Case #29).

Health and safety issues led to other cases. A mining accident which killed two workers started the chain of events which led the governor of the state of Durango to seek the expulsion of Federico B. Goetter, the administrator of the Mexican Candelaria Mining Company in San Dimas, Durango. Behind the demand for the expulsion of William H. Yeandle, the manager of the Continental Rubber Company by the "Liga de Sindicatos de la Comarca Lagunera" in Torreon, Coahuila was the failure of the company to pay the indemnity for the death of a worker. (Case #10).

Workers also became angry when employers threatened to reduce production or shutdown the workplace. The Sindicato de Obreros wanted C.R. Maclane expelled because he had threatened to shut down the factory on the hacienda. (Case #13). Similarly, the Union Regional Zacatecana del Trabajo in Concepcion de Oro, Zacatecas demanded the expulsion of George D. Jermain in part because he threatened to shut down the Mazapil Copper Co. foundry. (Case #16).

When management treated workers in ways that offended their dignity, that too might be a reason for seeking their expulsion.

The Union Sindical de Empeados de Restaurant y Similares wanted Charles Warden to be deported simply because he had a long record of mistreating Mexican workers. (Case #20). The Sindicato de

Obreros y Obreras of Bellavista, Nayarit demanded the expulsion of an unnamed foreign manager for "ignoring the laws of our country and treating the workers as in Porfirian times." (Case #12)

Sometimes the unions wanted the expulsion of foreign workers who were identified as scabs. Thus the Federacion de Uniones Obreras of Tijuana, B.C. demanded that Stojan Grinich be expelled from Mexico because he had supported the employer and informed on fellow workers. (Case #11) The Union Sindical de Obreros y Empleados of the University Club wanted the Spanish workers Simon Clusa and Juan B. Miquel expelled because they sided with management and were not loyal to the union. (Case #25)

Many of these cases arose directly out of labor union organizing activities, contracts or strikes. The mine workers' of Parral, Chihuahua sought the expulsion of E.N. Hobart, the superintendent of the ASARCO mine because he had fired the union leader Eduardo Modesto Flores and 100 other workers after they had organized a union. (Case #1). The Union de Empleados de la Cia. Telegrafica Mexicana sought the expulsion of the supervisor Cacoulides because he refused to recognize their labor union. (Case #7) The Union de Obreros Panaderos Reposteros y Similares wanted the government to expel the Spaniard Antonio Bueres Frade because he evaded the contract paying only half the union wage. (Case #22) The Sindicato de Empleados de Cantina, Meseros y Similares of Piedras Negras sought the expulsion of C.W. Warden for refusing to sign a collective bargaining agreement. (Case #26) The Sindicato Unico de Trabajadores El Buen Tono of Mexico

City urged the expulsion of the Frenchman Mauricio Demard because he had attempted to divide the workers by creating a company union. (Case #28).

In many of these cases the workers or unions argue that some specific grievance--such as refusing to recognize or sign a contract with the union--is a violation of Constitutional Article 123. The logic of the union argument is that in violating the Mexican Constitution and the state labor law, the foreigners are flaunting the law of the land. At least in that sense, the foreign bosses have become involved in politics, and therefore subject to expulsion under Article 33. The union's arguments thus logically tended to link the union, the labor law and the government. In demanding the expulsion of their foreign bosses under Article 33, workers tended to suggest that an attack on the union was also an attack on Constitutional Article 123, and therefore on the Mexican government. Clearly such an arguments linking workers, unions, the Constitution and the state, tended to reinforce the state's revolutionary nationalist ideology.

Sometimes workers tried to strengthen their case by also asserting that the offending foreign bosses had insulted the Mexican flag or the president. The workers of the Gran "Sindicato Obrero de Santa Rosalia" in Baja, California said the Frenchman Marcelo Goum had called the union members of bunch of bandits, and the president too for supporting such organizations. (Case #8). Similarly the Union Obrera de la Experiencia of Jalisco claimed that the Spaniards Luis Vailis and Joaquin Gual had encouraged "500 Catholic workers to leave work and shout insults

at the President of the Nation, the Union Obrera de la Experiencia, and the CROM." (Case #9) The Union Sindical de Obreros y Empleados of The University Society in Mexico City claimed that Spaniards Simon Clusa and Juan B. Miquel had insulted the Mexican flag by passing it between their legs and under their testicles saying, "Here's to your Mexican flag."

Other workers or their union attempted to link the employer to anti-government rebellions, such as the de la Huerta Rebellion or the Cristero Rebellion. (Case #25) At least one union, the Sindicato de Obreros y Obreroas of Bellavista, Nayarit, even suggested that the employer was sabotaging production and thus the government's war effort in the civil war against the Cristero rebellion. (Case #12)

Mexican Nationalism and Anti-Imperialism

The labor initiated Article 33 case form part of a patter of workers resistance to foreign employers throughout the revolutionary and post-revolutionary era. The Mexican Revolution, of course, had an anti-imperialist thrust. Mexico had a long history of foreign-domination by the great imperial powers. Spain had "discovered," conquered and then colonized Mexico beginning in the early sixteenth century lasting for 300 years until the national independence movement of 1810-1821. The United States had conquered and taken half of Mexico in a series of predatory wars, invasions and coercive treaties between 1836 and 1854. France had invaded, conquered and made Mexico a colony in the mid-1860s. These experiences of foreign domination contributed

both to Mexican nationalism and anti-imperialism.

During the late nineteenth century, the United States had become the region's dominant economic power, and U.S. businessmen and the U.S. government exercised enormous political power as well. Yet Mexican resentment was directed more at the U.S. government than at U.S. corporations or individuals. On the eve of the Mexican Revolution, in November of 1910, a young Mexican man who had been accused of murdering a woman was taken from a jail in Rock Springs, Texas and killed by a lynch mob, resulting in anti-American violence in various Mexican cities. "The preferred victims in 1910 (as in subsequent anti-American outbreaks) were the official representative of the US Government or, occasionally, symbols of Yanqui culture and religion, but not American economic interests," writes Alan Knight.⁹

With the outbreak of the Mexican Revolution, the United States invaded Mexico twice, first at Veracruz in 1914 and then in Chihuahua in 1916. To many Mexicans these experiences represented the humiliating culmination of a history of foreign domination which the Mexican Revolution was intended to end. These experiences strengthened Mexican nationalist anti-imperialist sentiment, and led revolutionary groups and the government to assert, if not always to successfully defend, Mexico's national sovereignty.

The Mexican revolutionary governments attempted to assert independence in the face of the imperial powers, especially vis-a-vis the United States. In fact, the attempt to free Mexico from foreign economic domination actually began a few years before the

revolution during the dictatorship of Porfirio Diaz. Diaz and his Minister of Finance Jose Yves Limantour first bought up the stock and nationalized most of the Mexican railways, and then began a process known as the "Mexicanization" of the Mexican railroads. This Mexicanization involved the replacement of foreign, mostly U.S. railroad administrators, supervisors, foremen and skilled workers by Mexicans, eventually resulting in the firing and repatriation of over a thousand U.S. railroad workers.¹⁰ The Mexicanization of the railroads, an alliance between the Mexican railroad workers' unions and the state to remove foreign supervisors and skilled workers, bears some similarity to the Article 33 cases aimed at foreign bosses.

The Mexican Constitutional Convention of 1917 represented another and more important stage in resisting foreign domination. The convention adopted Article 27 which gave the nation of Mexico ultimate ownership of nation's land, including the subsoil, that is, mineral and petroleum rights. Article 27 was intended to reduce the power of the primarily U.S. and English oil companies, and also threatened foreign landowners in Mexico. Article 27 laid the basis for the later expropriation and nationalization of the Mexican oil companies by President Lazaro Cardenas in 1938.

Associated with the anti-imperialist thrust of the Mexican Revolution, though certainly not identical with it, was a wave of xenophobia which swept Mexico during the revolutionary years and on into the 1930s. The Mexican masses' xenophobic sentiments had direct and sometimes deadly affects on foreigners living in Mexico. The Spaniards were among the group which suffered most

from xenophobic attack. Spaniards were often despised because of their role as factory bosses, hacienda administrators, and pawnbrokers or moneylenders. The Spanish author Ramon del Valle-Inclan captured the Mexican attitude toward Spaniards in his novel Tirano Banderas where a Mexican man denied an extension on his payments by a Spanish moneylender says, "Este judio gachupin nos crucifica." ("This Spanish Jew is crucifying us!")¹¹ (The use of judio or Jew is purely gratuitous anti-semitism and there was no intended suggestion that the Spaniard is actually Jewish.) Andres Molina Enriquez, one of Mexico's leading social scientists, and an advisor to the National Agrarian Confederation (CNA) launched a bitter campaign against the Spaniards, denouncing them for their cruelty as hacienda bosses. "!Mas espanoles, ya no!" said Molina.¹² In Martin Luis Guzman's autobiographical story of the Mexican Revolution, El Aguila y la serpiente, a revolutionary general says to two men whom he believes to be Spanish sailors, "!Que' bueno que en ganando la Revolucion vamos a acabar con todos los gachupines!" ("How good that in winning the Revolution we're going to be done with all the Spaniards!")¹³ As Alan Knight has noted, "The old Mexican antipathy to the gachupin was greatly exacerbated by this social confrontation in the Porfirian countryside, and Spaniards--far more than Americans--bore the brunt of popular xenophobia in the years after 1910."¹⁴

Mexican peasants and workers in particular reacted with hostility to Spanish owners, managers, and foremen, particularly in areas like Puebla where Spaniards dominated the haciendas and

textile mills. In 1914 a group of factory workers signed a leaflet saying, "out of here with this race of bullfighters, monks, pawnbrokers, grocers and beggars."¹⁵ During the violent years of the Revolution in Puebla, some workers would not allow Spaniards to enter the factory and only permitted Mexicans to enter the fields.¹⁶ As can be seen, what has been called xenophobia in Mexico was often the peasants' or the workers' hatred for the foreign boss or businessman, the foreign exploiter. Of course that working class hatred for the boss might also be mixed with a reactionary racism and anti-semitism.

Driven by these xenophobic feelings, between 1910 and 1919 Mexicans murdered some 1,477 foreigners living in Mexico, the largest number in absolute terms being some 550 citizens of the United States. Spaniards represent the third largest group with 209 assassinated. Arabs and Chinese, while not the largest in absolute terms, had the largest number of their people murdered proportionate to their population in Mexico.¹⁷ The most notorious xenophobic atrocity was the massacre of between 249 and 303 unarmed Chinese men in Torreon in May of 1911.¹⁸ In xenophobic attacks, Mexicans attempted to kill or to drive foreigners, many of whom were foreign bosses, out of Mexico.

While the xenophobic murders and massacres abated toward the end of the violent teens, other factors intervened to create hostility to foreigners, especially Americans. The 1920s were years of constant tension between the United States and Mexico. Pressured by U.S. corporations with economic interests in Mexico, especially by the oil interests, throughout the 1920s the U.S.

government mobilized troops along the Mexican border threatening yet another invasion of Mexico. These military mobilizations may have added to the Mexican public's hostility toward the United States until the late 1920s when the U.S. adopted a more conciliatory attitude. Workers must certainly have been influenced by these border tensions and conflicts.

A final and central factor in the workers' demands against their employers was the rise of a particularly militant unionism in the 1920s. Already in the period between 1910 and 1920, Mexican workers had succeeded in many areas in organizing unions, winning labor union contracts and even winning a national pattern agreement in the textile industry.¹⁹ The combination of the experience of the Mexican revolution, the influence of Spanish anarcho-syndicalists, the expansion of the radical U.S. union, the Industrial Workers of the World to Mexico, and above all the pent up frustrations and anger of Mexican workers led to a particularly aggressive Mexican labor movement especially in the early 1920s. Mexican workers, sometimes with arms in hand fought not only for union recognition and labor union contracts, but also often for workers' control in the factory, including the right to exclude particular bosses.

Workers sometimes physically drove the bosses out of the factories. In the Textile mills of Orizaba in the 1920s, for example, workers demanded the right to remove abusive supervisors and foremen, and frequently exercised the right. "When they had decided on the expulsion of an employee, the workers suspended their labors, surrounded him and obliged him to abandon the

factory amidst shouts, whistling and the cheers of the workers' children."²⁰ What they had done collectively and personally in the factory, they later attempted through Article 33 to do legally, pushing the foreman not only out the door, but over the border and out of Mexico.

Most of the employers that the workers wanted deported--14 out of the 30 cases being considered here--appear to have been citizens of the United States, the dominant power in the Mexican economy from the 1920s to today. The Spaniards were the second largest group, six of them. Other bosses were English, Greek, Italian, German, and several were of unidentified nationality. Surprisingly, perhaps, while the workers make their complaints against foreign employers, they seldom use racial epithets or derogatory ethnic terms. They sometimes refer to United States citizens with the mildly offensive term "gringos" and they occasionally use the more derogatory racial epithet "gachupines" in referring to Spaniards. Nearly always, however, their references to the foreigners are political, not racial, arguing against their bosses' anti-labor or anti-government political activities, not criticizing their nationality, race or religion.

For example in 1931 Arturo Gonzalez, general secretary, and Alfonso Rodriguez, secretary of relations, both of the Union Sindical de Empleados de Restaurant y Similares of Reynosa, Tamaulipas wrote to the Mexican government's Minister of the Interior regarding the U.S. citizen Charles Warden manager of the "New Tampico Club," a local night spot. (Case #20) In their letter they mentioned their union members' complaints about "the

despotism and the injuries that they receive daily from the Yankee" and they write that "said Imperialist already has established many bad precedents of his despotism in dealing with the Mexican worker in our country." This is just about the strongest language in any of these 31 Article 33 cases and yet the connotations here are clearly more political than racial. The workers hate Warden and want him expelled because he is an "Imperialist" Yanqui, not simply because he is a Yanqui.

A Case Study: The Boss Disrespects the People's Customs

Most cases, as we have seen, involved standard union issues--wages, working conditions, union recognition, contracts and strikes. But sometimes the matter was more complicated than it appeared at first glance, as demonstrated in a case involving oil workers in Tampico and a British manager of a British company.¹ What appeared to be principally a labor union dispute proves also to be a cultural conflict as well.

On January 28, 1928 Tomas Palomino Rojas, general secretary, and J.S. Novelo, secretary of relations, both of the Workers Federation of Tampico, Tamaulipas sent a telegram to the Minister of the Interior, Adalberto Tejeda, the left-wing, pro-labor, former governor of Veracruz. The union leaders wrote:

The Workers Federation of Tampico in the name of the organized worker of the oil region protest in the most forceful manner the violations against our Laws by the

¹Tampico is a city of the state of Tamaulipas, but lies on the border of the state of Veracruz and at the time formed part of the petroleum region centered in Veracruz, which is why this case sometimes involves officials of that state.

pernicious H.B. Davidson who treats workers of the Transcontinental Company worse than [they were treated] in the times of the dictatorship [of Porfirio Diaz].²¹

The office of the Minister of the Interior wrote back to the union few days later asking for particulars.

A letter from the Union of United Workers and Employees of the Transcontinental Oil Company signed by Rito Garcia and Guillermo Estrada, presumably the officers of the union, accused H.B. Davidson of "an unjust attitude" and of "ignoring the laws of our country." They said that Davidson "treated his workers as in times of slavery." They concluded saying, "As we know this Ministry, under your worthy charge, will attend to our pleas, since we all know your socialist behavior in the struggles for the emancipation of the workers, we are happy to anticipate the thanks owed to you one more time." Then in another letter dated January 22, 1928, the same officials began to become more explicit about their charges. Repeating that Davidson treated the workers "as if they were slaves," they explained that he was "making them work Sundays for straight time." As both the union and the Minister of the Interior would know, Article 123 of the Constitution required overtime on Sundays. They repeat that Davidson was a pernicious foreigner and ask for his expulsion under Article 23.

These two letters, however, did not satisfy the officials of the Minister of the Interior who asked for more specifics regarding the case of Davidson. Therefore on March 2, 1928, the officials of the Workers Federation of Tampico replied with a long and detailed charge against Davidson, sent to both Minister

of the Interior Adalberto Tejeda and to Mexican president Plutarco Elias Calles. This document refers to "H.B. Davidson, a pernicious foreigner who is carrying out a labor of disorganization among the working people in the southern part of our state, and laughing at our laws..." The officials then go on to transcribe an account of events by the local Union of United Workers and Employees of the Transcontinental Oil Company, which said in part:

H.B. Davidson had only been working at this Terminal for eight days when he suspended the service of the corn mill [Molino de Nixtamal], which the company had established many years before, which, as you can well understand, negatively affected our workers. This camp is very isolated, and the workers could not get cornmeal in a timely fashion and the workers had to go hungry, something which was only intended to harass us.

This same account reiterates the earlier charge that Davidson had declined to pay the workers double time for Sunday, as has been the practice before he arrived. The union officials explained that they had taken the matter to the Board of Conciliation and Arbitration.

This account, however, also raises yet other issues, not previously mentioned. Davidson, the union claimed, had also demanded that the teamsters [fogoneros] take responsibility for the ice plant, and had also cut the drivers' pay, contrary to the contract [convenio] and to the State Labor Law. The company had also without any justification laid off the only automobile chauffeur, Felipe Zentencalt, and another man, Aurelio Velazquez.

Then the local union officials turn to another issue which may after all have been the real crux of the matter. In an

underlined paragraph the officials explain that before Davidson arrived the company had always provided for the burial of the workers' dead, providing a casket, a boat to take the dead to the cemetery, and laborers to dig the grave in the Pantheon de Villa Cuauhtemoc. They go on:

...and now Mr. Davidson refuses to provide the indispensable services in these cases, which has resulted in the case of a body in complete decomposition which could not be buried because the company would not provide the boat, and another--the body of a little girl--whose family could not bury her because the company did not provide the boat on time, disillusioning the family about the Company's attitude, they had to rent a boat and pay for it themselves.

Finally, the union officials claim that Davidson had attempted to break the Union of Barco and Cacalilao, whose workers "work with us," and that he is "looking toward the destruction of our union organization." As a result of the unions' letters in May of 1928 Minister of the Interior Tejeda's office wrote to the Governor of the State of Veracruz asking him to carry out a full and complete investigation of H.B. Davidson.

In this same file of the Ministry of the Interior there is a note from the Minister of Foreign Relations indicating that the British Legation had informed the Mexican government that Mr. Richard Ludlow would be entering Mexico by way of Laredo and within 15 days. Apparently the matter of Davidson's behavior would be taken up with the British diplomats. However, there is no further record of the discussions. With that the matter apparently ended, for no further documents are found in the dossier.

What does the case of the oil workers versus Davidson tell

us about workers in Mexico in the 1920s? The Constitutional, legal and contractual matters in the case of the oil workers versus Davidson were plain enough: the failure to pay double time on Sunday, violating the contract by asking men to work outside their craft, and laying men off without cause. More serious was the charge that Davidson had already broken one labor union and was planning to break theirs. These labor union matters were quite serious. But perhaps there were deeper matters at issue, matters of culture and custom. What appeared to be a simply labor union matter, a simple matter of work and hours, turned out to be a much more complicated matter.

Davidson, in taking command of the Transcontinental Terminal at Tampico, apparently disrupted all sorts of contractual and customary relations not only at the terminal but also in the community. Whether his acts were unconscious or intentional we have no idea, but he disrupted customs and practices which formed the basis of everyday life among the workers of the Terminal and the communities around Villa Cuauhtemoc. In closing the corn mill, Davidson had created antagonism in the same way a manager in Britain would have done had he changed the workers' customary tea-time. Leaving to arrive at work at five a.m. the men carried tortillas for breakfast. With the corn mill closed, the wives of the workers did not have time to grind the corn to make fresh corn meal for tortillas before the men left for work. So the men went to work hungry--and angry.

But perhaps there was something deeper at work here as well. In closing the molino de nixtamal, the corn mill, Davidson had,

no doubt unconsciously and inadvertently, touched the very basis of Mexican society. The people of Mexico and Central American are often referred to as the "people of corn." The milpa or corn field historically formed the foundation of the community and corn provided the staple food which gave life to the people of Mexico. While they had left the corn fields to go to work in the oil fields, corn still remained the basis of the workers' diet in the form of tamales and tortillas, and corn was still tied to the core of the culture. Perhaps Davidson had touched not only the men's stomach's but also a deeper cultural nerve.

No doubt the most shocking charge made by the union, however, was Davidson's refusal to provide a boat to carry cadavers to the cemetery, causing a decomposing corpse to be left laying in one of the workers' communities. Tampico sits on the Gulf of Mexico, one of the hottest and most humid places in Mexico, a place where dead bodies decompose quickly. On the lowlands and islands around Tampico lying at or below sea level, burial is impossible, that is why the bodies had to be taken to the higher ground of the cemetery of Villa Cuauhtemoc. But it was not simply a practical matter of getting the body in the ground. As any student of Mexican culture or even the most casual tourist knows, death and burial are profoundly important matters in Mexico, both because of the need for a Christian burial in hallowed ground in a Catholic Country, and because of older Indian traditions preserved in customs such as the Day of the Dead. The unburied, rotting body must have been a painful reminder of the new boss with his high-handed manner and his lack

of concern for the workers or their traditions.

Legally Davidson may have been a "pernicious foreigner" because he violated Article 123 and thus mixed in Mexican politics. But the oil workers demand for Davidson's expulsion may not have been simply because he had broken the labor union contract, the state labor laws, or the Mexican Constitution. They may have been driven to seek his expulsion as an undesirable alien because he had no respect for the Mexican people, their culture and customs. These workers may have turned to Article 33 because of what they saw as the gross assault on their community and its values. This is the only case which contains such an example of what appears to be a conflict between a foreign employer and local customs, but it is possible that such tensions and antagonisms may have existed behind other cases as well.

The Boss Challenges the Workers and Insults the President

The most politically important of all the Article 33 case without a doubt was that involving Harvey S. Leach.²² The struggle between the Electrical Workers Union (SME) of Tampico and Harvey S. Leach, manager of the Tampico Electric Company first became a local, then a regional, and finally a national issue, and led to Leach's expulsion from the country under Article 33. Mexico City's daily newspapers reported President Obregon's denunciation of Leach as a man who failed to abide by the country's laws, and his ejection of Leach from the country.

The Leach case grew out of a series of electrical workers' and streetcar workers' strikes in 1923 against the light and power company of Tampico, Tamaulipas of which Leach was the chief

executive. Harvey Leach had a long history as a boss and as a chief executive in Mexico. Leach first came to Mexico in 1891 as an employee of Weetman Dickson Pearson (later Lord Cowdray), the British construction contractor, railroad builder, and later oil magnate. To begin work with Pearson's was to begin at the top, for Pearson had established a close relationship to President Porfirio Diaz who gave the British engineer the most important Mexican construction contracts. In the English parliament Pearson was known as "the member for Mexico" because he had so much influence there. Leach worked for Pearson from 1891 to 1899, a period in which the Pearson company built the canals that drained Mexico City, constructed the harbor and docks of Veracruz, and finally laid the tracks of the Inter-Ocean Railroad across the Isthmus of Tehuantepec.

In 1900 Leach left the Pearson company and went to work as a consulting engineer for the Guanajuato Power Company from 1900 to 1904. Leach took another job in 1904, this time as consulting engineer for the Guanajuato Development Company, and then from 1906 to 1912 Leach worked as a general construction contractor in Mexico City. Finally in 1912 Leach went to work for the Tampico Electric Company as a civil engineer, rising to become general manager of the company by 1914. By 1922 when his problems with the electrical workers began, Leach had been living and working in Mexico for 32 years.²³ According to one of his colleagues, in his nine years as head of Tampico power, Leach had never faced a strike by his employees.

But the early 1920s, as we have already seen, were years of tremendous labor upheaval for Mexico, and nowhere more tumultuous than in the Gulf State ports of Tampico and Veracruz where the expansion of the oil industry had given a fillip to the working class. The Mexican Revolution, the new Constitutional Article 123, the influence of the radical League of Agrarian Communities, and the presence in the port cities of the Industrial Workers of the World, Spanish anarchists, and later pro-Soviet Communists had combined with fights over working conditions and wages, and over housing and rents, to create a radical, militant, and politically sophisticated work force.

The principal instigator of the struggle between Leach and the electrical workers, however, seems to have been Leach himself. During the previous couple of years, Leach had made himself quite an unpopular man. First, Leach angered the public by raising the fares for service to the suburbs of Arbol Grande, Cecilia, Miramar and other areas. Leach also had some bitter differences with the city government over the installation of the city's water pumping system and over his request to extend streetcar service to El Aguila. Then in 1922 Leach ordered a general reduction of the wages of all of the employees of the company. Surprisingly, given the broad radicalization of the labor movement, employees accepted the wage cut at that time without protest.

However, when Leach returned a year later and on July 27, 1923 announced another 15 percent wage cut, this time just for the electrical workers, the workers reacted collectively. In

response to the wage cut, the electrical workers organized a union, apparently a local of the Sindicato Mexicano de Electricistas (SME) headquartered in Mexico City. Leach in turn then began to fire the electrical workers--not for union activities, he said, but because the completion of the company's newly constructed buildings meant that the company no longer needed so many employees.

The union and government investigators later pointed out, however, that Leach had not laid off the unneeded construction workers but rather the plant's newly organized electrical workers. As the state government would later assert, Leach's claims about the end of construction justifying the layoffs was "an absolutely unfounded pretext."²⁴ Leach also claimed that the recent introduction of automobiles had cut into the Electric Company's streetcar business, necessitating the reduction of wages, though at the time there was only one decent thoroughfare in the area, while the Electric Company had 25 kilometers of streetcar lines.²⁵ The notion of automobile competition with the streetcars in the Tampico of 1923 seemed equally specious.

What was it the workers wanted of Leach? The workers' demands included the restitution of their lost wages, the rehiring of the fired employees, improvements in working conditions, particularly improved health and safety conditions, and wage equality with the light and power companies of Puebla, Guanajuato, San Luis Potosi, Morelos and Hidalgo. Moreover, the workers wanted the recognition of their unions, and a respectful treatment from Leach.

But Leach went on firing union activists, and not only did he fire the electrical workers, but he also refused to pay them the three months indemnity required by the Constitution's Article 123. In addition, Leach refused to meet and deal with the new union's representatives, which was also a violation of the labor Article. Through his actions Leach made it clear that he did not feel bound by Mexico's Constitutional labor law, and that he would do everything in his power to break the back of the Electrical Workers Union.

Faced with the boss's intransigence, the workers took the matter to the Junta de Conciliacion y Arbitraje de Tampico (the local labor board). The President of the Junta required Leach to come to the labor board to discuss matters with the workers. Leach agreed to negotiate some issues, but refused to reconsider the wage cut or to rehire the fired workers. The Electrical Workers Union then began to consider calling a strike. A strike by the electrical workers would have stopped all electrical light and power in Tampico, not only darkening the city streets and many homes, but also halting the city and suburban street car system, then the principal form of transportation, and stopping the pumps for the city's water system. An electrical workers' strike would have paralyzed the entire metropolitan area of one of Mexico's most important ports, moreover the port which served the Mexican oil industry at that time when oil was Mexico's biggest export and a major source of federal revenue.

At that point the Governor of the State of Tamaulipas, Cesar Lopez de Lara, decided to intervene in the matter in an attempt

to avoid a strike. Governor Lopez de Lara convened a meeting in Ciudad Victoria, the state capital, between the union representing the workers and Leach representing the Electric Company. The governor first met with the workers, then with Leach, and then with both together. The workers were conciliatory, and willing to accept a five percent wage cut, but Leach refused to consider any of the workers' demands. With Leach and the union unable to reach an agreement, on September 1, the workers walked out on strike leaving Tampico and the suburbs of Dona Cecilia, Arbol Grande and Llanos del Golfo without light, transportation or water. The governor and the city fire department made arrangements for emergency water supplies.

On September 2, shortly after the strike broke out, Leach sent a telegram and letters to President Obregon, demanding that the Federal government send troops to protect the electric company because the workers had robbed and damaged property and buildings. Leach justified the President's intervention because the Electric Company plant was located in the Cerro de Andonegui which was federal property. In his telegram Leach wrote that at midnight on September 1, some 150 men had invaded the electric plant and used guns and clubs to drive out the workers, and then removed oil and water valves, shutting down the plant. There had also been substantial damage to the property, the exact extent of which could not be determined, he asserted. Leach claimed that the company's workers wanted to return to work but had been stopped by the violence of the outsiders. In a subsequent telegram on September 4, Leach claimed that the strikers

represented only 170 workers who were stopping some 400 from returning to work.

President Obregon responded at once, ordering an investigation. The Governor and the local authorities immediately investigated, but, contrary's to Leach's claims, found that the strike had been completely peaceful and that there had been no damage to the plant whatsoever. Leach's biggest mistake may have been lying to the president about the workers' alleged violence. It is one thing to disrepect a country's laws, and another to insult the intelligence of the president. The latter is a more serious matter in Mexico, and perhaps in most countries.

As soon as the strike broke out, the Electrical Workers Union began a campaign calling for the expulsion of Harvey S. Leach under Article 33. The campaign begun in September of 1923 would continue into December, and eventually involved more than a score of labor unions and other organizations which sent telegrams to the President or the Minister of the Interior. Most of the telegrams came from unions, though others came from small business groups, political clubs and women's organizations. They generally follow the same pattern, describing Leach as a "pernicious foreigner" who disrepected Mexican laws and asking the President therefore to expel him. The many telegrams to the President illustrate the dense web of connections amongst the unions and popular organizations in Tampico.

As the unions sent off their telegrams, the strike meanwhile continued. Because of the strike's impact on the port and the population of the city, the National Chamber of Commerce of

Tampico called for the Governor's intervention. The Governor was supposedly sick, but sent two representatives who on September 7 succeeded in negotiating the end of the strike. The key aspect of the settlement was that the issue of wages would be sent to a "mixed commission." The mixed commission was a specially constituted arbitration board made up of five parties, representatives of the company, the union, the National Chamber of Commerce of Tampico, the municipality (Ayuntamiento), and the state government. The board was to reach a decision within fifteen days, during which time the Chamber of Commerce agreed to pay to the workers the difference between their former wages and their reduced wages. It was decided that those points on which the parties could not agree would be referred to the Junta de Conciliacion y Arbitraje de Tampico, and then to the President of Mexico who would make the final award. Finally, general manager Leach agreed that there would be no reprisals against workers who had taken part in the strike.

The mixed commission rendered its decision on September 19, a decision not only favorable to the union, but praising the workers for their behavior throughout the strike, and chastising the company's general manager Harvey S. Leach and his assistant Alberto Aragon for taking advantage of every opportunity to create further difficulties. The other matters, as indicated, had been referred to the Junta de Conciliacion y Arbitraje which also rendered its decision. Leach disagreed with the decision of the Junta, and appealed to President Obregon, but Obregon claimed he was sick and unable to take up the matter. Later Leach would

argue that because the state of Tamaulipas had never passed legislation implementing the Constitution's Article 123, and had never created a genuine Junta de Conciliacion y Arbitraje, therefore the decision was not binding. In any case, Leach soon violated the decision of the mixed commission, and began to fire workers who had been involved in the strike: on September 15, he fired the first forty; on September 22, he fired another 36; on September 29, he fired yet another 30.

Meanwhile other workers had begun to organize, apparently in response to Leach's heavy-handed approach to labor relations. On September 28, the tranviarios or streetcar workers formed a local union also affiliated with the Sindicato Mexicano de Electricistas (SME). In response Leach began to fire streetcar workers as well as electricians. Eventually Leach fired a total of 187 workers, refusing to pay the required indemnity to any of them.

The result was to be expected: on October 8 the electrical workers went on strike again, now joined by the streetcar workers. On October 10 Luis de la Tejera a leader of the streetcar workers union sent a telegram to Obregon reporting that one of their members had been murdered in the course of the strike. Obregon who still claimed to be sick, refused to intercede in the strike, but Governor Lopez de Lara did intervene, and at his request the workers once again called off the strike. Meanwhile, Governor Lopez de Lara's Secretary of the Interior, Enrique Oolunga, revealed to the press that Tamaulipas was prepared to seek the expulsion of Leach under Article 33.²⁶

Apparently utterly disgusted with Leach, who had not only violated the Constitution and lied to the President, but had also reneged on his previous agreement, on October 25, 1923, Lopez de Lara, the governor of the State of Tamaulipas, officially asked for expulsion of Harvey S. Leach under Article 33 "for his attitude of open hostility towards the Institutions of the Republic and the complete lack of respect for the authorities of the Nation." The governor's dossier on Leach also included a statement from the Attorney General of Tamaulipas in which he recounted Leach's several violations of Article 123 of the Constitution, and noted his various demonstrations of disrespect for the governmental authorities. He added, "In addition to these many reasons there has also come to the official attention of this office [Secretary of the Interior of the State] a great popular demonstration asking for the expulsion of Mr. Leach, which demonstrates how the people's passions have been excited against his intransigent attitude and open hostility to the Institutions of the Republic and his lack of respect for the authorities of the nation..." Nevertheless, President Obregon and Secretary of the Interior Calles still hesitated to expel Leach, partly because of the growing controversy surrounding the presidential succession and the opposition presidential campaign of Adolfo de la Huerta.

As a result of Governor Lopez de Lara's intervention, on October 26 to 30, the Electric Company and the Electrical Workers Union (SME) signed an agreement resolving their differences. However, ambiguity in the contract language dealing with

seniority and indemnity for fired employees was interpreted by the company in a manner prejudicial to the interest of the workers. As a result on November 28, the third strike in three months broke out. Once again, on December 4, 1923, Governor Lopez de Lara invited both parties to meet in the state capital. Only this time, on the second day of negotiations, December 5th, Lopez de Lara read Harvey Leach an expulsion order from President Obregon. Intransigent as ever, Leach told the newspapers that he would only leave the country with the force of arms.²⁷ Certainly the government was prepared to have Leach forcibly ejected if necessary. So it seemed that after several months of struggle by the end of December 1923 the workers had won an enormous victory, successfully pressuring the government to expel an egregious employer. But the workers victory was not all it appeared to be.

Only three days after Leach was ordered to leave the country, on December 7, 1923, Adolfo de la Huerta issued a manifesto in the nearby Gulf Coast port of Veracruz and then rose in armed rebellion against the government of President Obregon. At one level all of this made the Leach case insignificant in comparison, but on another level, the treatment of Leach might become a factor affecting the government's attempt to deal with the rebellion. Obregon found himself facing a case which embodied the central contradiction of his regime, and the genius of his administration. He could not afford to offend the electrical workers union for fear of driving it into the arms of de la Huerta, who had already garnered the support of many radical labor unions. But even more important, Obregon, who depended on

U.S. political and military support to defeat de la Huerta, could not afford to offend the United States.

Leach must have recognized Obregon's dilemma when he put himself in touch with the U.S. representative in Mexico George T. Summerlin. (The U.S. did not recognize Mexico and had no ambassador between 1921 and 1923, though Summerlin carried out ambassadorial functions.) Summerlin and Mexico's Secretary of Foreign Relations Aaron Saenz worked out a deal. On December 26, Saenz informed Summerlin that President Obregon would permit Leach to return secretly to Mexico with the understanding that he could live anywhere he wanted, except in the city of Tampico.

The de la Huerta rebellion turned Tamaulipas and Tampico upside down. Governor Lopez de Lara went over to de la Huerta and like him fled to the United States. Some sources say that Ernesto Velasco, the leader of the Tampico electrical workers, also supported the de la Huerta rebellion. However, Obregon's General Lorenzo Munoz succeeded in keeping the electrical workers from going over to the rebel cause en masse.

The electrical workers took advantage of the situation to the extent possible and for a while managed the plant themselves. Later the government imposed first a civilian and then a military trusteeship on the company. The electrical workers organized and struggled against both until February 20, 1924 when General Lorenzo Munoz brought the company and the workers to reach an agreement. In that agreement the workers won all of their demands, including the right of the union to be involved in hiring and firing employees, joint labor-management committees to

deal with all issues, and full pay for the workers for the pay lost during the strike.²⁸ However, 1924 and 1925 represented the end of a period of rank and file labor revolts. After 1925 President Plutarco Elias Calles and General Secretary Luis N. Morones of the Regional Confederation of Mexican Workers (CROM) succeeded in taking control of the labor movement, and gradually defeated the wave of union militancy.

Unlike the other cases discussed here, the Leach case really became a national issue. In part this was due to Leach's intransigent attitude, but this was not just a psychological matter or a flaw of character. Leach had spent 33 years in Mexico apparently without any significant incident, and for nine years had managed the Tampico electrical company without a single strike. What happened in the 1920s was that workers' demands for union recognition, and improved wages and conditions, accompanied by more radical calls for workers' control and even anarchist, syndicalist and Communist calls for workers' revolution came into direct conflict with foreign capital and foreign managers. Some employers and bosses decided they had to draw the line and take a stand for capital, which is precisely what Leach did.

Moreover Leach did so in an industry and a location which was both geographically and strategically central to the Mexican economy and Mexican politics. Tampico stood at the center of the oil industry, and oil was the crux of years of conflict between Mexico and the United States and England. Veracruz and more recently Tampico were Mexico's major Gulf Coast ports, and therefore the inevitable scene of foreign invasions and troop

landings. Tampico was also a center of the radical labor movement, particularly among oil workers, stevedores and electrical workers. All of these factors made Tampico a strategic location. Had Leach been the manager of the light and power company of, say, Guanajuato, these matters would likely never have become so controversial.

In Tampico, because of its importance for the oil industry, the conflict between Leach and the union tended to drive the union and the state into alliance. Both Leach and the union tended to look toward the president to resolve the problems, which in this case at least were not only local problems but also national problems, since they revolved around the strategic oil port. Driven by the logic of events, the President finally overcame all of his reluctance and expelled Leach. But precisely because of the strategic importance of Tampico and of oil and of the United States, once the de la Huerta uprising occurred, the President had to maintain good relations with the United States and permitted Leach to return secretly.

The Prelude to the Nationalization of the Oil Industry

The Mexican workers of the 1920s and early 1930s who brought the Article 33 cases against their bosses not only played a role in the struggles of their unions against the employers, but also helped to shape the Mexican nationalist state, and influenced foreign policy, particularly U.S.-Mexican relations. The workers Article 33 cases tended to strengthen the state and the presidency in its dealing with foreign capital and other

governments.

These struggles of Mexican workers against their employers, mediated by the Mexican state, while interesting and important in their own right, take on additional significance when seen as forerunners of the President Lazaro Cardenas' expropriation and subsequent nationalization of the petroleum industry. The famous 1938 expropriation of the oil industry obeyed a logic quite similar to that of the Article 33 case. When foreign employers refused to meet the workers' demands, the union turned to the national executive, in this case not only to expel the boss, but to eliminate the corporate employer by expropriating and nationalizing his property.

The story, of course, is well known. Since the outbreak of the Mexican Revolution in 1910 there had been a struggle between the Mexican revolutionary governments and the British and American oil companies. Presidents Carranza and Obregon had attempted to strengthen the control of the Mexican government over the oil industry at the expense of foreign-owned oil companies.²⁹ But not until the 1930s did the Mexican government finally attempt to wrest control of the oil fields and refineries from the foreign owners.

The oil workers and their unions provided both a pretext and a real motive for the nationalization of the industry. The oil workers' unions also became a driving force demanding the nationalization of the industry.³⁰ In the mid-1930s, encouraged and supported by the government, Mexican oil workers succeeded in organizing stable unions in most of the major oil fields and

refineries. The unions then made demands for wages increases from the oil companies before the Junta Federal de Conciliacion y Arbitraje (labor board). The oil workers conflict thus became "the determining factor in the new confrontation" between the state and the oil companies.³¹ On December 18, 1937 the labor board ruled that the companies should pay 26 million pesos in wage increases to the workers, but they refused. The labor board decision then went to the Mexican Supreme Court of Justice which ruled that the labor board decision was constitutional and should be obeyed. Led by Standard Oil and Royal Dutch Shell, the oil companies then claimed that they could not pay. At that point President Lazaro Cardenas intervened and on March 18, 1938 expropriated and nationalized the foreign-owned oil companies, arguing that it was necessary to do so to protect Mexico's national sovereignty.

Mexican history and Mexican foreign policy, usually studied as events completely determined by states and statesmen, who certainly played a dominant role. But those events should also be seen as the result of the struggle of ordinary workers. President Cardenas's expropriation of the oil industry followed a logic already established by the nationalization and Mexicanization of the railroad industry between 1909 and 1914, by the adoption of the Constitution of 1917, particularly Article 27, and by the Article 33 cases in which unions demanded the expulsion of their foreign employers for failure to abide by the Constitution's Article 123. Seen in this light, the Article 33 cases against foreign bosses represent another link in a chain of events

leading to the nationalization of the Mexican oil industry.

Conclusion

In revolutionary Mexico of the 1920s and 1930s, the workers and their union leaders felt they did not have to abide pernicious foreigner bosses who paid low wages, ignored the contract, broke the union or smashed the strike, those foreign employers who meddled in politics by trampling on the Constitution, insulted the President and sometimes violated local customs. The worker and the union felt they could ask the president to do on a national scale what they had done in their own factories, push the foreign exploiter out--only this time, out of Mexico. Working class militancy and revolutionary nationalism joined together in the demand to fire the boss.

But ultimately, the workers won few of their cases. Of the 31 cases found in the AGN and SRE archives, the workers or the union succeeded in getting the President to agree to expel only three employers. In those cases one expulsion order was rescinded, and in another, that of Leach, a secret agreement permitted the foreign boss to return. Mexico's presidents knew they needed U.S. recognition and U.S. corporate investment in order to govern the country and rebuild a strong capitalist economy. So when the workers and unions came to the with their Article 33 cases, the president often investigated the case, and sometimes warned the employers, they could hardly afford to expel foreigners and offend Wall Street or Washington. Article 33 thus became another example of the duplicity of the post-revolutionary

governments which talked of socialism and advancing the working class, while taking care to placate foreign bosses.

1. Archivo Historico Genero Estrada - Secretaria de Relaciones Exteriores, Mexico City (hereafter SRE), Expediente 8-27-213.

2. In the Mexican national archives (Archivo General de la Nacion, AGN) and in the archives of the Mexican Secretary of Foreign Relations (Secretaria de Relaciones Exteriores, SRE) there exist 30 cases of workers, usually acting through their labor unions, who brought such charges to the Minister of the Interior or to the President of Mexico. There may possibly have been other cases which records have been lost, and some of the records we have may be incomplete. While some case records are slim and contain only a few documents, and little of substance, many of the records involve not only the workers' initial charges against their bosses, but also government investigators' reports, documents from the bosses refuting the workers' charges, newspaper clippings and other such materials.

3. Claudio Ovando, "Avances de investigacion sobre la huelga de electricistas en Tampico en 1923," a paper presented at the Cuarto Coloquio Regional de Historia Obrera," Toluca, Mexico, 1982. Thanks to Benedikt Behrens of Hamburg, Germany for calling this paper to my attention.

4. On the Mexican labor movement in this period see: Barry Carr, El movimiento obrero y la politica en Mexico: 1910-1929 (Mexico: Ediciones Era, 1981); Ramon Eduardo Ruiz, La revolucion mexicana y el movimiento obrero (Mexico: Ediciones, Era, 1978); Marjorie Ruth Clark, Organized Labor in Mexico (Chapel Hill: University of North Carolina Press, 1934).

5. Juan Balboa, "Expulsados de territorio nacional, 76 extranjeros en solo cinco meses," La Jornada, July 27, 1998; Elio Henriquez and Georgina Saldierna, "Expulsa el gobierno al activista estadounidense Peter Brown," La Jornada, July 26, 1998; Julia Preston, "Mexico Expels French Priest in Latest Move Against Outsiders in Rebel Area," New York Times February 28, 1998; Julia Preston, "Mexico Accuses Foreigners of Aiding Rebels," New York Times, February 19, 1998; Trina Kleist, "Foreigners in Chiapas targeted for expulsion," San Diego Union-Tribune, March 15, 1998. In most of the cases mentioned in these articles the Mexican government invoked Article 33 against foreigners for involvement in Mexican politics and expelled them from the country.

6. See the excellent short article: Javier Wimer, "Cumpleaños del 33," La Jornada 30 January 1996, page. 1.
7. Nuestra Constitución: Historia de la libertad y soberanía del pueblo mexicano: Cuaderno 13, De los mexicanos, de los extranjeros y de los ciudadanos mexicanos, artículos 30 al 38 (Mexico: Instituto Nacional de Estudios Históricos de la Revolución Mexicana, 1990), 45-46.
8. Until 1934 when Mexico passed the Nationality and Naturalization Law, Article 33 had no statutory or enabling legislation. That is, the legislature had not established government agencies or procedures for bringing a charge against a particular foreigner to demand his expulsion.
9. Alan Knight, The Mexican Revolution I, 172.
10. The process of Mexicanization took place in three stages beginning before and ending after the outbreak of the revolution. First, on July 17, 1909, when about 100 American dispatchers in Mexico declared a strike to resist their replacement by Mexicans, they were summarily fired and replaced by their Mexican assistants. The second step took place in 1912 when the Mexican national railroads rejected a series of demands by engineers and conductors. The engineers and conductors had demanded that English be used in official communications, that Mexicans not be promoted to certain positions, and that the U.S. railroad brotherhoods be recognized as the official labor organizations. When the Mexican authorities rejected these demands, the American engineers and conductors declared a strike on April 17, 1912. At that point the Mexican President Francisco Madero's government fired about 1,000 U.S. superintendents, train chiefs, machinist inspectors, master mechanics, and foremen, and replaced them with Mexican workers. The third, and final step of Mexicanization took place on April 14, 1914 after the U.S. attack on Veracruz, at which time the 41 remaining foreign administrators and supervisors on the Mexican lines were fired and replaced with Mexicans. Altogether about 1,150 foreign workers, mainly U.S. citizens, were fired and most then left the country. Servando A. Alzati, Historia de la Mexicanization de los Ferrocarriles Nacionales de México (Mexico: Beatriz de Silva, 1946), Chapter 17, "Las tres etapas en que se efectuó la mexicanización de los ferrocarriles nacionales," 305-307.
11. Cited in: Carlos Illades, Presencia Española en la Revolución Mexicana (1910-1915) (Mexico: UNAM and Instituto Mora, 1991), 56.
12. Moises Gonzalez Navarro, "Xenophobia y Xenofilia en la Revolución Mexicana," Historia mexicana (18) Abril-Junio 1969, 569-614.
13. Martin Luis Guzman, El águila y la serpiente (Madrid: Ediciones

de Cultura Hispanica, 1994), 280.

14. Alan Knight, The Mexican Revolution, I, 87.

15. Illades, Presencia espanola, 84.

16. Ibid., 85.

17. Moises Gonzalez Navarro, "Xenofobia y Xenofilia," 575.

18. Juan Puig, Entre el rio Perla y el Nazas: La China decimononica y sus braceros emigrantes, y la colonia china de Torreon y la matanza de 1911 (Mexico: Consejo Nacional para la Cultura y las Artes, 1992) 173-228.

19. Jeffrey Bortz, "'Without Any More Law Than Their Own Caprice,' Cotton Textile Workers and the Challenge to Factory Authority During the Mexican Revolution," International Review of Social History 42 (1997) 253-288.

20. Bernardo Garcia Diaz, Textiles del Valle de Orizaba (1880-1925: Cinco ensayos de historia sindical y social (Veracruz: Universidad Veracruzana, 1990). This is from the excellent essay, "Accion Directa y Poder Obrero (1915-1924)," 203-248, the citation is from page 218. Garcia Diaz gives several examples.

21. AGN, Direccion General de Gobierno, Expediente 2.362.2(24)22.

22. The Leach case documents can be found in the Archivo General de la Nacion (AGN), Fondo Obregon-Calles, Expediente 407-T-7 and in Archivo de la Secretaria de Relaciones Exteriores (SRE), Expediente 8-27-216, and in U.S. National Archives, Records of the Department of State Relating to the Internal Affairs of Mexico, No. 84, Tampico post records, general correspondence, 1923, file 320. In addition, see Claudia Ovando (of CEHSMIO), "Avances de Investigacion Sobre la Huelga de Electricistas en Tampico en 1923," a paper presented at the Cuarto Coloquio Regional de Historia Obrera, Toluca 1982.

23. A sketch of Leach's biography and work record is found in a letter of W. Armstrong to Mr. Steward, December 6, 1923 located in expediente 8-27-216 of Archivo de Relaciones Exteriores.

24. Memorandum relativo a la actitud asumida por el senor Harvey S. Leach, en las dificultades existentes entre la Compania Electrica de Tampico S.A. y el Sindicato de Electricistas primeramente, a Quien se unio despues el Sindicato de Tranviarios, in SRE, exp. 8-27-216. The memorandum forms part of the governor's investigation of the events which resulted in recommending Leach's expulsion.

25. Claudia Ovando, "Avances de Investigacion sobre la Huelga de

Electricistas en Tampico en 1923," a paper presented at the "Cuarto Coloquio Regional de Historia Obrera, Toluca 1982, p 5.

26. "Art. 33 para el Gerente de la Cia. de Luz de Tampico," El Universal, 11 October 1923.

27. Ovando, "Avances," 13.

28. Ovando, "Avances," 21.

29. Linda B. Hall, Oil Banks and Politics: The United States and Postrevolutionary Mexico, 1917-1924 (Austin: University of Texas, 1995), 174-80.

30. Jonathan C. Brown, "Acting for Themselves: Workers and the Mexican Oil Nationalization," in: Jonathan C. Brown, ed., Workers' Control in Latin America (Chapel Hill: University of North Carolina Press, 1997), 45-71.

31. Lorenzo Meyer, Mexico y los Estados Unidos en el conflicto petrolero: 1917-1942 (Mexico: Colegio de Mexico, 1981), 314.