Mexicanidad y Negritud: Tracing the Cultural and Legal Exclusion of Afro-descendants in México.

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To my friends, thank you for always being there for me and keeping my life interesting. I appreciate you all.

I dedicate this thesis to all those Afro-Mexicans who have been silenced and made to be forgotten. I share your dream of a Mexico where respect, justice, and freedom from oppression is the norm. I write this thesis so that your resistance to marginalization encourages others to stand up against the forces that continue to massacre ancestral cultures.
Abstract

In 2019, the Mexican National Congress amended Article 2 of the national constitution to recognize Afro-descendants as part of Mexico’s pluricultural constitution and grant them collective rights. With this, Mexico joined a group of five other Latin American countries to explicitly recognize Afro-descendants in the text of their constitution. Current Latin American scholarship analyzes Afro-descendant inclusion resulting from the creation of new multicultural constitutions. This literature, however, fails to take into consideration those cases where Afro-descendant inclusion happened via reforms to an existing constitution. This paper contributes to existing literature on constitutional multiculturalism by analyzing why the Mexican government recognized Afro-descendants. In explaining the 2019 amendment, this thesis addresses the following three questions: Why did Mexico fail to recognize Afro-descendants during its process of modern state formation (early to mid-19th)? Why did Mexico fail to recognize Afro-descendants during democratization (the 1990s and early 2000s)? What explains Afro-descendant recognition by the Mexican state in 2019? To answer these questions, my thesis provides an in-case analysis of the degree of Afro-Mexican political and legal inclusion through time. In the first chapter, I demonstrate how anti-Black racism led to the exclusion of Afro-descendants from national narratives of a mestizo identity. In chapter 2, I argue that visible and intense Indigenous mobilization, coupled with limited Afro-Mexican mobilization contributed to the disregard of Afro-descendants’ rights from the democratic reforms of the early 2000s. Finally, I argue that the rise of MORENA played a significant role in shifting political incentives in favor of Afro-descendants, facilitating the adoption of the 2019 constitutional amendment. Overall, this thesis highlights the centrality of anti-Black racism in shaping the government’s approach to Afro-descendant rights before and after the 2019 constitutional inclusion.
# Contents

Acknowledgements ........................................................................................................................................................................... 1  
Abstract ........................................................................................................................................................................................................ 2  
Contents ........................................................................................................................................................................................................ 3  
Introduction .......................................................................................................................................................................................... 5  
  Tracing the 2019 Constitutional Amendment ................................................................................................................................. 17  
  Looking ahead ......................................................................................................................................................................................... 18  
State-Building: Mestizaje and Afro-descendant Invisibilization ........................................................................................................... 19  
  Slavery in the New Spain: Afro-descendants and the Casta System .................................................................................................. 20  
    Codifying the Castas: Afro-descendants in Mexico City ................................................................................................................... 21  
    Challenges to the “Natural Order:” Social Mobility Within the Castas ....................................................................................... 24  
    The Mexican War of Independence: Liberty and Abolition ....................................................................................................... 26  
  Race During the Porfiriato .................................................................................................................................................................... 33  
    Positivism in the International Arena ............................................................................................................................................... 34  
    Franz Boas and the Latin American Response to Positivism ................................................................................................... 35  
    The Worst of Both Worlds: Race During the Porfiriato ................................................................................................................... 35  
  The 1910 Revolution and the Construction of the Modern State .................................................................................................... 38  
Conclusion ........................................................................................................................................................................................................ 40  
México’s Democratic Transition, Constitutional Multiculturalism, and Afro-Descendant Exclusion .................................................... 42  
  Democratization and Constitutional Multiculturalism ....................................................................................................................... 44  
  The historical and political context of México’s democratization .................................................................................................. 48  
    Rise of the PRI: Cardenas’ Corporatism and Economic Success .................................................................................................. 48  
    Transition to Neoliberalism and the Erosion of the PRI ................................................................................................................ 53  
  Democratization and the Limits of Multiculturalism ...................................................................................................................... 59  
Conclusion ........................................................................................................................................................................................................ 69  
The Path Toward the 2019 Constitutional Amendment .................................................................................................................... 70  
  Subnational Recognition ..................................................................................................................................................................... 71  
  Existing Recognition at the National Level: National Law to Prevent and Eliminate Discrimination & 2015 Intercensal Survey ........................................................................................................................................................... 74  
    The National Law to Prevent and Eliminate Discrimination ....................................................................................................... 75  
    Consequences of Exclusion: The Re-Creation of the Castas Through Modern Legislation ........................................................ 85  
  The 2019 Constitutional Amendment .............................................................................................................................................. 89
<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Rise of MORENA</td>
<td>90</td>
</tr>
<tr>
<td>The Path to the 2019 Amendment</td>
<td>92</td>
</tr>
<tr>
<td>The 2019 Constitutional Amendment and Its Aftermath</td>
<td>93</td>
</tr>
<tr>
<td>Final remarks</td>
<td>97</td>
</tr>
<tr>
<td>Conclusion</td>
<td>98</td>
</tr>
<tr>
<td>Bibliography</td>
<td>101</td>
</tr>
</tbody>
</table>
Introduction

“Let us be frank: health inequalities faced by Afro-descendant people occur in a context of discrimination and institutional racism, often exacerbated by gender inequalities.”

Carissa F. Etienne, Pan American Health Organization (PAHO) Director.¹

As of 2018, about a quarter of Latin Americans are identified as Afro-descendants.² Most of these 133 million people live in Brazil, Colombia, Ecuador, Mexico, and Venezuela.³ The countries with the highest number of Afro-descendants as percentages of the total population include Haiti, Brazil, Cuba, and Panama—see Figure 1. Afro-Latines experience high levels of socioeconomic and political inequality. According to the Pan American Health Organization (PAHO), “in more than 80% of the countries analyzed, Afro-descendants live with a broad range of disadvantages related to poverty, employment, maternal and child health, and lack of access to adequate housing and basic services.”⁴ Afro-Latines are “over 2.5 times more likely to live in chronic poverty than whites or mestizos.”⁵ In Uruguay, for example, a country known for its egalitarian social policies, Afro-descendants are “three times more likely to be poor” than any other group in the country and have limited access to public services.⁶ The proportion of Afro-Uruguayans with limited access to drinking water is 42%, almost double the 24% rate for non-

³ “Afro-Descendants in Latin America.”
⁴ “Afro-Descendants in Latin American Countries Live in Starkly Unequal Conditions That Impact Health and Well-Being, PAHO Study Shows.”
⁶ Freire et al.
Afro-descendants living in the country. This unequal access to public services and other forms of social support is widely replicated throughout the region. Take the case of Nicaragua. While only 35% of non-Afro-descendants have scarce water access in Nicaragua, 81% of Afro-descendants living in urban areas have limited access to water. Additionally, Afro-descendants are underrepresented in the political sphere. In Brazil, the limits to Afro-descendant participation in politics was demonstrated in the 2022 Congressional election. Out of the 27 senators elected in the 2022 elections, only 5 of them identified as Afro-Brazilian. Similarly, only 26% of the politicians elected to the Chamber of Deputies identified as Afro-descendant. How can we account for such high levels of socioeconomic and political inequality? Central to this story of inequality is the longstanding history of invisibilization, exclusion, and persistent marginalization of Afro-Latines.

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7 “Afro-Descendants in Latin American Countries Live in Starkly Unequal Conditions That Impact Health and Well-Being, PAHO Study Shows.”
8 “Afro-Descendants in Latin American Countries Live in Starkly Unequal Conditions That Impact Health and Well-Being, PAHO Study Shows.”
10 Janusz.
Figure 1. Afro-descendants Across Latin America

Note: Most data points come from an Economic Commission for Latin America and the Caribbean (ECLAC)/United Nations Population Fund (UNFPA) report titled “Afrodescendientes y la matriz de desigualdad social en América Latina: Retos para la inclusión.”\textsuperscript{11} Data for Mexico comes from the INEGI.\textsuperscript{12} Data for Colombia comes from the Departamento Administrativo Nacional de Estadistica (DANE).\textsuperscript{13} Data for Panama comes from the Instituto Nacional de Estadistica y Censo


\textsuperscript{13} “Poblacion Negra, Afrocolombiana, Raizal y Palenquera: Resultados del Censo Nacional de Poblacion y Vivienda 2018” (Departamento Administrativo Nacional de Estadistica, November 6, 2019),
The institutional and societal marginalization of Afro-descendants can be traced back to the state-building process of the modern Latin American states. During this period, elites adopted mestizaje as a racial and political ideology to construct the nation. As Paschel notes, mestizaje is the “idea that biological mixture and cultural hybridity between European, Indigenous and African peoples had given way to a racially egalitarian and homogenous society.” Imaging the nation as racially homogenous allowed elites to build a state detached from the intricate racial hierarchies structuring Latin American societies during colonial times. The institutionalization of mestizaje in state constitutions led to the creation of color-blind laws that overlooked the racism and inequalities faced by Afro-descendants and Indigenous peoples.

Moreover, anti-black racism led many Latin American states to view mestizaje as the mixture of Indigenous peoples and Europeans, excluding Afro-descendant phenotypical and cultural contributions to the creation of a mixed-race polity. This exclusion rendered any discussion of the existence of anti-black racism in the region illegitimate and subject to sanctions in the political sphere. One of the long-term consequences of this invisibilization was the


18 Paschel.
19 Paschel.
depoliticization of a black Latin American identity, which limited and continues to limit efforts to tackle racial inequality today.

After decades of invisibilization, Latin American governments began recognizing the pluricultural composition of their nations. In the 1990s, various Latin American states recognized the collective rights of black and Indigenous populations in their constitutions. As of 2024, six countries in the region explicitly mention Afro-descendants in the text of their constitutions—see Figure 2. The inclusion of Afro-descendants in four of these countries—Brazil, Colombia, Ecuador, and Bolivia—resulted from the constitution-making process as these countries solidified their democracy. The other two countries—Nicaragua, and México—included Afro-descendants through amendments to existing constitution years after the democratization wave washed over Latin America.
The cases of Brazil, Colombia, Ecuador, and Bolivia are particularly illustrative of the shift in recognition during the democratizing wave. All of these four countries began using direct reference terms such as “Afro-descendants” or “Black” in their constitutions following democratization. Brazil was one of the first countries in the region to break out of the myth of mestizaje and recognize Afro-descendants in its national constitution. The ratification of the 1988 Constitution marked Brazil’s transition to democracy after decades of autocratic rule.20 The

new Constitution criminalized racism for the first time, stating that practicing racism is a crime subject to a prison sentence. Moreover, Article 215, section 1 of the Constitution states that “the [Brazilian] state will protect the manifestation of Indigenous and Afro-descendant popular cultures and of other groups participating in the national civilizing process.” Later, in 2001, the Brazilian government endorsed and enacted race-based affirmative action policies for its Afro-descendant population as a way of providing reparations for the consequences of slavery.

Colombia was the following country to include Afro-descendants in the text of its constitution. The new 1991 Constitution included a clause that required Congress to expedite a law that “recognized the black communities that have been occupying abandoned lands in the rural riparian zones near the Pacific coast.” The Constitution promised that, in two years, Congress would expedite a law that would “establish a mechanism for the protection of the cultural identity and rights of these [black] communities.” As promised, Law 70 was passed in 1993. This law officially recognized Afro-Colombians as a distinct ethnic group and granted collective rights to black communities living along the Pacific coast.

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24 Paschel, “States, Movements and the New Politics of Blackness in Colombia and Brazil.”
26 Constitución Política de Colombia.
28 El Congreso de Colombia, 70.
Five years later, Ecuador ratified a new Constitution that also recognized the collective rights of Afro-descendants. Under the text of the 1998 Constitution, black communities are recognized as forming part of the Ecuadorian state. Aside from recognizing the cultural contributions of Afro-descendants, the Ecuadorian Constitution also outlines a set of rights guaranteed to Afro-Ecuadorians. The Constitution, for instance, allows for the creation of Afro-Ecuadorian autonomous territories and guarantees their right to “retain intellectual property rights over their ancestral knowledge.” According to Donna Lee Van Cott, the Ecuadorian Constitution established “a broader scope for Afro-Ecuadorian rights than its Colombian predecessor.” However, as in other Latin American countries, the constitutional rights granted to Afro-Ecuadorians were “less ample than those of Indigenous people” because Afro-descendant rights were molded after the existing protections granted to Indigenous people—See chapter 3.

Bolivia was the last Latin American country to grant constitutional recognition to Afro-descendants, which it did so under its 2008 Constitution. Unlike Brazil, Colombia, and Ecuador, Bolivia has had historically low percentages of Afro-descendants. The 2012 Bolivian census demonstrated that out of 10,059,856 people living in Bolivia, 23,330—or 0.23% of the total population—identified as Afro-descendant. Despite the low number of Afro-descendants living

31 Van Cott and Young.
32 Van Cott and Young.
33 Van Cott and Young.
in Bolivia in 2009, the constitution crafted under the Evo Morales presidency recognized “Afro-Bolivian” communities as part of the pluricultural nature of the country.\textsuperscript{35} The recognition of Afro-descendants in the state’s constitution is largely explained by the mobilization of Afro-Bolivians and their ability to establish alliance networks with actors involved in the 2006 Constitutional Assembly.\textsuperscript{36} Afro-Bolivian proposals to be included in the Constitutional Assembly were denied on the ground that Afro-Bolivians did not possess a distinct cultural identity deserving of special legal recognition.\textsuperscript{37} Despite their exclusion from the Assembly, Afro-Bolivians made their demands for constitutional inclusion visible through lobbying and public demonstrations.\textsuperscript{38} Additionally, Afro-Bolivians created alliances with other civil society actors, who amplified Afro-descendant calls for inclusion.\textsuperscript{39} For instance, Afro-Bolivians established links with Pacto de Unidad (Pact of Unity), a coalition of grassroots organizations active in the Constituent Assembly.\textsuperscript{40} Pacto de Unidad drafted and presented reports before the Constituent Assembly that highlighted the need for Afro-descendant constitutional inclusion.\textsuperscript{41} These efforts effectively contributed to the recognition of Afro-Bolivians as a distinct ethnic group that deserved special rights in the 2009 Constitution.

As illustrated above, Brazil, Colombia, Ecuador, and Bolivia all granted Afro-descendants with constitutional recognition through the creation of a new constitution. Scholars of comparative politics have long identified the importance of constitution making for the

\begin{footnotesize}
\begin{enumerate}
\item[37] Echeverri-Pineda.
\item[38] Echeverri-Pineda.
\item[39] Echeverri-Pineda.
\item[40] Echeverri-Pineda.
\item[41] Echeverri-Pineda.
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creation of multicultural constitutions throughout the Latin American region.\textsuperscript{42} In regards to Afro-descendant inclusion, Cristina Echeverri identifies the creation of new constitutions as a central factor in the constitutional recognition of Afro-descendants in the Andean region—Colombia, Ecuador, Bolivia, Venezuela, and Peru.\textsuperscript{43} Through a comparative examination of the multicultural constitutions created across the region, Echeverri argues that Afro-descendant recognition depended on the level of Afro-descendant mobilization and whether constitutional change allows for the widespread participation of social and political actors.\textsuperscript{44} However, what accounts for those cases where Afro-descendant inclusion was not a result of the creation of a new constitution? The cases of Mexico and Nicaragua questions whether Echeverri’s argument can be generalized to other countries in Latin America.

Mexico and Nicaragua included Afro-descendants through amendments to their existing constitutions rather than including them during the creation of their constitutions—as did Brazil, Colombia, Ecuador, and Bolivia. Nicaragua was the first Latin American country to include Afro-descendants in its constitution via a constitutional amendment. On January 2014, the Nicaraguan National Assembly approved Law N°. 854, which made partial amendments to various articles of the 1968 Constitution.\textsuperscript{45} Law N°. 854 is often cited when discussing the strengthening of authoritarianism in Nicaragua because the amendment eliminated the two-term limit for the president and the ban on consecutive reelection.\textsuperscript{46} However, Law N°. 854 also

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\textsuperscript{43} Echeverri-Pineda, “Reconocimiento Constitucional Para Afrodescendientes En La Región Andina.”
\textsuperscript{44} Echeverri-Pineda.
\end{flushright}
amended the constitution to include Afro-descendants for the first time.\textsuperscript{47} Before the explicit mention of Afro-descendants in the text of the constitution, Nicaraguan legislature already recognized Afro-descendants as legal subjects and recognized their collective rights. For instance, the Nicaraguan National Assembly approved Law No. 445 in 2002. This law regulates the communal property of Indigenous peoples and ethnic communities living in the autonomous regions of the Atlantic coast and along riverine regions across the country.\textsuperscript{48} The law defines “ethnic communities” as a “set of families of Afro-Caribbean descent that share a common ethnic consciousness due to their culture, values and traditions linked to their cultural roots and forms of tenure of the land and natural resources.”\textsuperscript{49} Despite the inclusion of Afro-descendants in Nicaraguan legislature since at least 2002, it was not until 2014 that Afro-descendants were explicitly included in the text of the Nicaraguan Constitution. The 2014 Constitutional Amendment (Law No. 854) modified Article 5 of the Nicaraguan Constitution to legally recognize Afro-descendants as a central part of the Nicaraguan nation and grant them collective rights.\textsuperscript{50} The inclusion of Afro-descendants in the Nicaraguan Constitution 28 years after the constitution was written signaled a failure of the existing framework in explaining why countries outside the Andean region included Afro-descendants in their constitutions.

\textsuperscript{47} Asamblea Nacional de la República de Nicaragua, LEY DE REFORMA PARCIAL A LA CONSTITUCIÓN POLÍTICA DE LA REPÚBLICA DE NICARAGUA.


\textsuperscript{49} Asamblea Nacional.

\textsuperscript{50} Asamblea Nacional de la República de Nicaragua, Ley de Reforma Parcial a la Constitucion Politica de la Republica de Nicaragua.
The shortcomings of previous explanations about Afro-descendant constitutional inclusion in Latin America became once again visible in 2019 when Mexico recognized its Afro-descendant population. In 2019, the Mexican Congress, approved a constitutional amendment that added section C to Article 2 of the Constitution’s first chapter. The five-line paragraph officially recognized Afro-descendants as “part of the pluricultural composition of the nation” and required the state to protect Afro-descendants' right to free determination, autonomy, development, and social inclusion. The inclusion of Afro-descendants in the Mexican and Nicaraguan constitutions years after their current constitutions were ratified point to the limits of existing literature in explaining what contributes to the legal recognition of Afro-descendant people throughout the Latin American region. Moreover, comparing Mexico’s constitutional inclusion of Afro-descendants with that of Nicaragua, a country with a higher percentage of Afro-descendants, raises the question of why Mexico recognized its Afro-descendants in 2019. Moreover, comparing Mexico’s constitutional inclusion of Afro-descendants with that of Nicaragua, a country with a significantly higher percentage of Afro-descendants, raises the question of why Mexico recognized its Afro-descendants in 2019.

Mexico and Nicaragua diverged from regional trends by constitutionally recognizing Afro-descendants years after writing their constitutions. However, Mexico’s inclusion diverged from other Latin American countries by legally recognizing its Afro-descendant population five years after Nicaragua, three decades after Latin American countries first began granting constitutional recognition to Afro-descendants, and one-hundred-and-two years after Mexico ratified its current constitution. As such, Mexico’s policy action and the timing of it raise three

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52 Constitución Política de los Estados Unidos Mexicanos.
questions, which this thesis seeks to address: Why did Mexico fail to recognize Afro-descendants during its modern state formation (early to mid-20th century)? Why did Mexico fail to recognize Afro-descendants during democratization (the 1990s and early 2000s)? What explains how Afro-descendants were legally recognized by the Mexican state in 2019?

Tracing the 2019 Constitutional Amendment

To answer these questions, my thesis provides an in-case analysis of the degree of Afro-Mexican political and legal inclusion through time. Concerning the first two questions, I argue that the invisibilization of Afro-descendants resulting from Mexico’s state-building efforts post-1910 shaped the political arena leading up to Mexico’s transition to democracy. During the liberalization and democratization of the late 1990s and early 2000s, Indigenous peoples visibly organized to demand legal recognition from the state. As a result, democratization became linked to Indigenous demands for opening the polity. This visible and intense Indigenous mobilization, coupled with the limited mobilization of Afro-Mexicans, meant that Indigenous peoples, and not Afro-Mexicans, were included in Mexico’s constitution as the country transitioned to democracy. In other words, the emphasis on Indigenous inclusion led Mexican society and political elites to overlook Mexico’s Afro-descendant population, which limited advocacy efforts seeking to achieve Afro-descendant political inclusion. If the historical invisibilization of Afro-descendants explains why they were not recognized during the 20th century, what explains their inclusion in 2019?

In responding to the third question, this thesis examines the social and political developments of the last two decades. I argue that the rise of MORENA and its rhetoric as a political party committed to social justice played a central role in the process of Afro-descendant
legal and political inclusion. As a case study, I explore MORENA Senator Susana Harp Iturribarrià’s efforts to include Afro-descendants in the Mexican constitution and the 2020 national census. Tracing this process of inclusion reveals that historical invisibilization and the persisting legacies of anti-black racism help explain why Mexico’s inclusion differed from that of other Latin American states.

Looking ahead
This thesis is divided into three chapters and a conclusion. Chapter 1 seeks to explain why Afro-descendants were excluded from the Mexican identity during the country’s nation-building process. The second chapter deals with Mexico’s transition to democracy as it analyses why Mexico failed to grant constitutional recognition to Afro-descendants as it wrote a new constitution and transitioned to democracy. The third chapter centers on examining the factors that led to the constitutional inclusion of Afro-Mexicans in 2019. The conclusion discusses the implications of this thesis’ findings for our understanding of multicultural reformism and political inclusion. Beyond theoretical implications, the conclusion also offers a reflection on the policy implications that follow from the inclusion of Afro-descendants based on existing legal frameworks that prioritize the protection of Indigenous rights.
1 | State-Building: Mestizaje and Afro-descendant Invisibilization

“Until about 1600, more Africans were brought to Mexico than anywhere else in the New World.”
– Camilla Townsend, *Fifth Sun: A New History of the Aztecs*. 53

In 2024, Mexico’s Constitution turned 107 years old, making it one of the oldest constitutions in Latin America. La *Constitución Política de Los Estados Unidos Mexicanos* was ratified in 1917 as Mexico transitioned from a dictatorship into a republic following ten years of a bloody revolutionary war. Since then, the 1917 Constitution has served as the basis for the construction of the modern Mexican nation and has been central to the historical marginalization and recent legal recognition of Afro-Mexicans. This chapter explores what led to the exclusion of Afro-Mexicans from the 1917 Constitution and the invisibilization of African heritage from state-building narratives. I start the chapter by providing historical background into the slave trade and the introduction of enslaved Africans into the New Spain. I then discuss how the interactions between Afro-descendants, Indigenous people, and Spaniards shaped the formation of the New Spain. More specifically, I highlight how Afro-descendants’ efforts to resist the system of slavery contributed to the formation of the casta system and shaped colonial legal codes. In this section, I further examine how the introduction of scientific racism to the colony resulted in the subordination of Afro-descendants to the bottom of the social hierarchy established by the castas. Through a brief historical analysis of the Mexican War of Independence, I demonstrate how Afro-descendants continued to shape the early development of

the Mexican nation despite their legal and social constraints. Following this, I pinpoint some of the first efforts conducted under the Diaz dictatorship at invisibilizing Afro-descendants from Mexico’s national identity. I end the chapter by illustrating the success of these state-building projects in erasing Afro-descendants from national narratives. The aim of this chapter is to highlight how the colonial legacies of the anti-Black casta system and the adoption of mestizaje as a tool to build the Mexican nation led to the invisibilization of Afro-descendants from national narratives. As such, I argue that anti-Black racism explains why Afro-Mexicans were excluded from the national imaginary during the process of modern state formation.

Slavery in the New Spain: Afro-descendants and the Casta System

The first African captives to enter the New World arrived in Puerto Rico in 1519. This group of captives coming from Spain would be the first of thousands of enslaved Africans to enter the New World through the Caribbean. The reliance on enslaved labor during the early years of colonization turned Mexico into the Spanish colony with the largest number of imported Africans. After Spanish explorers discovered silver in Mexican territory in the early 1540s, they began establishing silver mines to extract the highly-valued metal. The establishment of these silver mines triggered the beginning of the large-scale importation of enslaved Africans into the New Spain. The port of Veracruz, a hub of commercial transactions between Spain and

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55 “Trans-Atlantic Slave Trade.”
56 Townsend, *Fifth Sun*.
its colonies, became a central route in commercializing Black bodies throughout Mexico. According to historical records, most enslaved Africans arriving in the New World during the early colonial period were sold at the Port of Veracruz. While a large number of African captives were sold to plantation owners, a portion of them were sold to elites living in cities to work as domestic servants. The siphoning of enslaved Africans from silver mines and sugar plantations into cities gave rise to interactions between enslaved Africans, Indigenous people, and the wealthy Spanish elites. These interactions would prove to be important for Mexico's political and social development.

**Codifying the Castas: Afro-descendants in Mexico City**

Afro-descendant resistance to the system of slavery in Mexico City, the center of Spanish colonial domination, profoundly shaped colonial authorities’ efforts to codify a system of social divisions throughout the entire country. One of the first documented examples of Afro-descendant resistance to Spanish authorities occurred in Mexico City. The colonial authorities’ response to the incident illustrates the role Afro-descendants played in shaping the early legal development of Mexico. In the last days of 1611, a man from a famous and wealthy family murdered one of his slaves. On the day of her funeral, members of a black confraternity organized protests demanding that the slave master would be held accountable for his deeds.

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60 Iturralde Nieto and Velázquez.
61 Iturralde Nieto and Velázquez.
62 Townsend, *Fifth Sun*.
63 Townsend.
Three months later, the Royal Audiencia, Mexico’s ruling council, released several edicts aimed at the social control of Afro-descendants. According to the Audiencia Royal,

No black man was to carry a sword or wear a Spanish-style collar; no black woman was to wear a veil. And Spaniards owning more than two black slaves were to sell them so that no household would have more than two black residents.65

Aside from the edicts, the Spanish administration executed thirty-six enslaved people and exhibited their heads in the Plaza Mayor in Mexico City.66 The severity of these measures reflects the willingness of Spanish authorities to use the law as a tool to eradicate any potential force that questioned the power relations sustaining slavery. Moreover, the Royal Audiencia’s legal codification of racial discrimination against Afro-descendants following the 1612 protest illustrates the impact Afro-descendants had on the early legal formation of Mexico.

The colonial system of racial categorization was fortified with the enactment of the Bourbon Reforms, which marked the arrival of scientific racism to the New Spain. In 1765, Jose de Galvez, a Spanish lawyer appointed to lead the Council of the Indies, arrived in Veracruz.67 Soon after arriving, Galvez began implementing a series of political, social, and economic reforms that sought to spread scientific knowledge and curtail the power of the Catholic Church.68 Central to the contemporary conceptualization of knowledge was a scientific method “supported by experimentation and classification.”69 The emphasis on classifying the natural world was extended to studies on the human race as scientists began categorizing humans into

64 Townsend.
65 Townsend, 185.
66 Iturralde Nieto and Velázquez, “Afrodescendientes en México.”
67 Iturralde Nieto and Velázquez.
69 Iturralde Nieto and Velázquez, “Afrodescendientes en México.”
superior and inferior cultures based on skin color and other physical characteristics. The Bourbon Reforms, with their emphasis on classifying people, legitimized and accelerated colonial efforts to organize people living in the New Spain according to their phenotypes. The reforms contributed to codifying racial hierarchies into the colony’s legal regime. For instance, when someone was born in the New Spain, their birth had to be registered in either the “libro de color quebrado” (book of the broken color) or the “libro de los españoles” (book of the Spaniards). The former book recorded the birth of people of mixed Spanish, Indigenous, and African descent. The latter recorded the birth of those considered to be “pure race” Spaniards. Thus, the importation of scientific racism into Mexico legitimized Spanish authorities’ reliance on racial categories to rule colonized territory.

The introduction of scientific racism not only led to the legal codification of the castas but also contributed to the relegation of Afro-descendants to the bottom of the racial hierarchy. The castas classified people according to their Spanish, Indigenous, and African blood proportions. Skin color and other phenotypical characteristics, such as the form of the hair, nose, and color of the iris, were used to trace Spanish descendants and categorize people. The organization of people into these categories was underpinned by assumptions of the superiority of European blood and social behavior, as well as pejorative notions about Black Africans. As Magali Carrera has argued, the “negative social meaning” associated with black skin led

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70 Iturralde Nieto and Velázquez.
72 Carrera.
73 Carrera.
74 Carrera.
76 Carrera, “Imagining Identity in New Spain.”
colonizers to be concerned with the “permanen[t] corrupt[ion of Spanish and Indigenous blood] by admixtures with African blood.”

An important element that contributed to the relegation of Afro-descendants was the differential treatment of Indigenous people. The Spanish colonial authorities recognized “the existence of social and political hierarchies among the Indigenous people” and granted “social rights and privileges” to Indigenous nobles. According to Carrera, the Spaniards “believed that Indian blood was not blemished by infidel blood, and thus, was essentially pure blood.” This view of Indigenous people, which stood in stark contrast to the view of Afro-descendants, led to the establishment of the castas as a form of social organization where:

The whites formed a superior class; products of the mixture of white and Indian, the middle class; and [Blacks] with the products of their various miscegenations, the lowest class.

These beliefs, laws, and ordinances show that scientific racism had a profound effect on the organizational order of Mexican society under Spanish rule. Anti-Black racism served as the basis of a system of racial hierarchies where Afro-descendants were forced to the bottom.

**Challenges to the “Natural Order:” Social Mobility Within the Castas**

While the Spanish authorities aimed to classify individuals into fixed social categories, everyday life in Mexico remained characterized by widespread fluidity. This fluidity was particularly evident in the practice of miscegenation, which was prevalent prior to the enforcement of stricter social codes following the Bourbon Reforms. Ben Vinson argues that

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77 Carrera, 13.
78 Carrera.
79 Carrera.
80 Beltran, “Races in 17th Century Mexico,” 212.
81 Vinson, *Before Mestizaje*. 
this widespread racial mixture served as a key driver of social mobility during the colonial era.\textsuperscript{82} Even Afro-descendants, occupying the bottom rung of society, found opportunities for upward mobility. One way Afro-descendants could gain a higher social standing was through their participation in local militias.\textsuperscript{83} The Spanish crown, lacking a standing army to ensure territorial control over its colonies, relied on militias funded by Spanish colonizers and criollos—those of pure Spanish descent born in the new world—to defend New Spain from external threats.\textsuperscript{84} Faced with the rising power of competing empires, notably the British Empire, elites in the New Spain sought to strengthen local militias and organize a cohesive military force to bolster defenses against potential British offenses.\textsuperscript{85} Colonial authorities implemented measures to integrate local militias into the viceregal army as part of the Bourbonic reforms.\textsuperscript{86} Through these reforms, the Spanish crown extended opportunities for mulattos and other Afro-descendants to gain privileges granted to military personnel and enhance their social standing by enlisting in the army.\textsuperscript{87} Many Afro-descendants seized this opportunity, joining formalized militia groups across the colonial territory.\textsuperscript{88} Over time, Afro-descendants ascended to positions of authority within these militias, enjoying benefits such as tax exceptions that contributed to improving their social status and that of their families.\textsuperscript{89} Thus, the Bourbonic reforms in the security arena facilitated Afro-descendants’ ability to challenge the casta system and continue shaping the political development of the emerging nation.

\textsuperscript{82} Vinson.
\textsuperscript{83} Iturralde Nieto and Velázquez, “Afrodescendientes en México.”
\textsuperscript{84} Iturralde Nieto and Velázquez.
\textsuperscript{85} Iturralde Nieto and Velázquez.
\textsuperscript{86} Iturralde Nieto and Velázquez.
\textsuperscript{87} Iturralde Nieto and Velázquez.
\textsuperscript{88} Iturralde Nieto and Velázquez.
\textsuperscript{89} Iturralde Nieto and Velázquez.
The Mexican War of Independence: Liberty and Abolition

Afro-descendant involvement in militias contributed to their participation in the Mexican War of Independence. In September 1810, Miguel Hidalgo y Costilla rang the bell of his church, gathering the local community to urge them to take up arms and rebel against Spanish Rule.90 This marked the onset of the Mexican independence movement.91 At the time, approximately 80% of Mexico’s population were Indigenous, mestizo, or Afro-descendants, pointing to the importance of Afro-Indigenous communities in the independence movement.92

Afro-descendants responded differently to these calls to arms: those residing in regions like Oaxaca and Guerrero often sided with the royal army because of their prior involvement in royal militias.93 In areas where Afro-descendant enslavement persisted, such as Veracruz, the independence cause received support from Afro-descendants, who fought against the royalist forces.94 The backing of enslaved Africans and their descendants for the independence movement can be attributed to the revolutionary ideals advocating for the liberation of those oppressed under Spanish colonial rule. Central to the independence movement was the abolition of slavery and the dismantling of the casta system.95

The grievances against the Spanish crown stemmed from the unequal treatment of people, motivating revolutionary leaders to advocate for all inhabitants of the New World.96 For

91 Secretaría de la Defensa Nacional.
93 Iturralde Nieto and Velázquez, “Afrodescendientes en México.”
94 Iturralde Nieto and Velázquez.
95 Iturralde Nieto and Velázquez.
96 Iturralde Nieto and Velázquez.
instance, just a month after Hidalgo’s call to arms, he published a document calling for the abolition of slavery, asserting his authority as the Captain-General of the nation.\textsuperscript{97} Hidalgo ordered owners of enslaved individuals to release them and provide them with the necessary documentation to ensure they could execute the same legal activities as free people.\textsuperscript{98} He warned that those who refused to free their enslaved servants would have their goods seized as punishment.\textsuperscript{99} Additionally, he banned activities related to the buying and selling of enslaved individuals, including the issuance of deeds certifying such transactions.\textsuperscript{100}

In November of that same year, Hidalgo, in collaboration with Jose Maria Morelos, outlined the Plan of Government, which made the abolition of the casta system a central goal of the independence movement.\textsuperscript{101} The plan emphasized that no distinctions based on “calidad” would exist and that all inhabitants would be recognized as “Americans.”\textsuperscript{102} This move to a non-discriminatory citizenship regime sought to ensure the abolishment of the castas and the emancipation of enslaved people.\textsuperscript{103}

The independence ideological principles motivated Afro-descendants to join this cause and ascend to positions of power within the movement. Afro-descendants saw the struggle for independence as “no more than the fight for their liberty,” which explains why Afro-descendants—including José Maria Morelos, Vicente Guerrero, and Juan Álvarez—became central figures in the revolutionary movement.\textsuperscript{104} These Afro-descendant leaders were essential

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\textsuperscript{98} Lemoine.
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\textsuperscript{102} Lemoine.
\textsuperscript{103} Lemoine.
\textsuperscript{104} Adriana Naveda Chávez-Hita, “El Nuevo Orden Constitucional y El Fin de La Abolición de La Esclavitud En Córdoba, Veracruz, 1810-1825,” in De La Libertad y La Abolición: Africanos y
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in rallying the masses against the Spanish colonial regime by disseminating ideals of liberty and equality.\textsuperscript{105} For instance, in 1812, enslaved Afro-descendants working in sugar plantations revolted against their owners and Spanish authorities.\textsuperscript{106} These revolts were inspired by Hidalgo and Morelos’ call for independence and the abolition of slavery.\textsuperscript{107} In March 1812, Francisco Seveino, a follower of Morelos, sparked a series of uprisings against landowners in Veracruz.\textsuperscript{108} These uprisings were pivotal to the economic destabilization of colonial authorities because Veracruz was an important economic hub in the transatlantic trade.\textsuperscript{109}

The centrality of abolishing slavery for the independence movement also extended to non-Afro-descendant supporters. The association between enslavement and the authoritarian practices of the Spanish crown led those backing the independence to view abolition as a central value of the nascent nation.\textsuperscript{110} Indeed, some slave owners emancipated Afro-descendants to demonstrate their allegiance to an independent nation.\textsuperscript{111} Therefore, independence leaders championed the end of not just the subjugation and exploitation of enslaved Africans but of all individuals oppressed under the Spanish crown.

The equation between the abolition of slavery and independence from Spain led to the enshrinement of abolition in the first national documents produced in Mexico, demonstrating the importance of Afro-descendants' influence on the independence movement. In September 1813, the leader of the revolutionary forces, José María Morelos, called Mexico’s first congress in


\textsuperscript{105} Iturralde Nieto and Velázquez, “Afrodescendientes en México.”

\textsuperscript{106} Chávez-Hita, “El Nuevo Orden Constitucional y El Fin de La Abolición de La Esclavitud En Córdoba, Veracruz, 1810-1825.”

\textsuperscript{107} Chávez-Hita.

\textsuperscript{108} Chávez-Hita.

\textsuperscript{109} Chávez-Hita.

\textsuperscript{110} Chávez-Hita.

\textsuperscript{111} Chávez-Hita.
Chilpancingo. The congress drafted “Sentimientos de la Nación,” which laid out the guiding principles of the constitution that congress aimed to formulate. This document officially stated that “America [Mexico] is free and independent of Spain and of any other nation, government, or monarchy.” The document also states that slavery and the casta system are outlawed so that the only thing distinguishing a Mexican from another would be “vice and virtue.”

These values inspired the Constitutional Decree for the Liberty of Mexican America. The document, published by Mexico’s congress in 1814, created a new form of government through the establishment of a constitution in order to validate their efforts to declare independence from Spain. In essence, this was the first constitution of Mexico. The constitution reflected values of equality. Article 13 states that citizens of America are those born within it. The fifth chapter outlines the quality, security, property, and liberty of citizens of the new nation. Article 24 states that “the happiness of the people and each and every one of its citizens consists of the enjoyment of their equality, safety, property, and liberty. The integral conservation of these rights is the object of the institution of governments and the only end of political associations.” As a result, the independence leaders established the importance of equality before the law and prioritized citizen rights in creating the government. The notion that everyone born in the nation was created

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113 Instituto Nacional para el Federalismo y el Desarrollo Municipal.
114 Instituto Nacional para el Federalismo y el Desarrollo Municipal.
115 Lemoine, “Insurgencia y República Federal.”
117 “Decreto Constitucional Para La Libertad de La América Mexicana.”
118 “Decreto Constitucional Para La Libertad de La América Mexicana.”
equal and that the role of the state would be to protect the liberty of people was largely a consequence of the involvement of Afro-descendants in the War of Independence since they were fighting for liberty not only from colonial powers but also the system of slavery.

Despite recognizing the importance of abolition and the view that it was central to creating Mexico as a free nation, this word was not included in Mexico’s legal documents after it officially gained independence from Spain in 1821. Following the abdication of Agustin de Iturbide as the first emperor of the Mexican empire, the independence movement leaders established a constituent congress to write Mexico’s first constitution as an independent nation. In October 1821, the deputies proposed the abolition of slavery, stating that abolition was part of the honor of the new nation. They created the Comisión de Esclavos (Commission of the Enslaved), which presented a proposal for abolition at the end of November of that year. According to Maria Dolores Ballesteros Paez, the proposal began by outlining the moral wrongs of enslavement. Then, it moved to arguing that Mexico should follow Great Britain’s example and of the nations that liberated itself from the enslavement of the Europeans and end the enslavement of people within itself. Despite the existence of these abolitionist values, the first Constitution does not explicitly mention the abolishment of slavery. Even though the Constitution reflected the decrees and other documents produced before Mexico became a

119 Maria Dolores Ballesteros Paez, “De Castas y Esclavos a Ciudadanos Imagenes de La Poblacion Capitalina de Origen Africano(s. XVIII-XIX),” accessed February 2, 2024, https://www.academia.edu/35067967/DE_CASTAS_Y_ESCLAVOS_A_CIUDADANOS_IM%C3%81GENES_DE_LA_POBLCI%C3%93N_CAPITALINA_DE_ORIGEN_AFRICANO_S_XVIII_XIX.
121 Paez, “De Castas y Esclavos a Ciudadanos Imagenes de La Poblacion Capitalina de Origen Africano(s. XVIII-XIX).”
122 Paez.
123 Paez.
nation, the nation’s official legal regime after independence did not officially call for the end of slavery.\textsuperscript{124} As Chávez-Hita identifies, there was no “mention of slavery or equality between men.”\textsuperscript{125} She argues that the post-independence constitution did not consider the proclamations and decrees that the movement's leaders made regarding the abolition of slavery.\textsuperscript{126}

The Congreso Constituyente (Constituent Congress) was presided by Guadalupe Victoria, a general and political leader during the war of independence, who became the first president of the United Mexican States after adopting the 1824 constitution.\textsuperscript{127} As the person in charge of the Constituent Congress, he declared, “All trafficking of slaves coming from any territory or flag will be set free upon arrival.”\textsuperscript{128} As such, although slavery was not abolished, the trafficking of slaves itself was banned.\textsuperscript{129} Despite these calls, according to Paez, the commission did not ask to liberate enslaved people immediately.\textsuperscript{130} They asked for an incremental abolishment of slavery so that property rights would be protected.\textsuperscript{131}

At the same time that slavery was not abolished, the constituent congress reaffirmed the equality of civil rights to all of the free inhabitants of Mexico.\textsuperscript{132} In Paez’s words, the congress granted equality to all Mexicans except to those enslaved.\textsuperscript{133} It was not until the presidency of

\textsuperscript{124} Chávez-Hita, “El Nuevo Orden Constitucional y El Fin de La Abolición de La Esclavitud En Córdoba, Veracruz, 1810-1825.”
\textsuperscript{125} Chávez-Hita.
\textsuperscript{126} Chávez-Hita.
\textsuperscript{128} Chávez-Hita, “El Nuevo Orden Constitucional y El Fin de La Abolición de La Esclavitud En Córdoba, Veracruz, 1810-1825.”
\textsuperscript{129} Paez, “De Castas y Esclavos a Ciudadanos Imagenes de La Poblacion Capitalina de Origen Africano(s. XVIII-XIX).”
\textsuperscript{130} Paez.
\textsuperscript{131} Paez.
\textsuperscript{132} Paez.
\textsuperscript{133} Paez.
Vicente Guerrero, an Afro-descendant himself,\textsuperscript{134} that in 1829, the new nation declared the abolition of slavery.\textsuperscript{135} The lack of mention of abolition in the constitution until Guerrero was president demonstrates that even after the revolution, Afro-descendants struggled to make their priorities salient during the early formation of the state. The lag between gaining independence in 1821 and the abolishment of slavery in 1829 points to the legal challenges that Afro-descendants played in ensuring their contributions to the nation were rewarded through legal mechanisms that protected them from exploitation and other forms of inequality.

In addition, the constitution drafted after Mexico gained independence did not explicitly mention the rights of its citizens. It was not until the Constitutional Laws of 1836, which amended the constitution, that Mexican citizens' rights and responsibilities were defined.\textsuperscript{136} These established rights did not mention race.\textsuperscript{137} This omission likely stemmed from the revolutionary perspective that the end of the casta system and the abolition of slavery erased the legal distinctions among Mexican citizens. As such, there was no need to differentiate among the population because doing so risked perpetuating the divisive racial hierarchies that had sparked opposition to Spanish rule in the first place. Nonetheless, the social divisions imprinted by the casta system persisted in Mexican society despite legislative efforts to promote equality and unity among Mexicans.\textsuperscript{138}

The discrimination faced by Afro-descendants involved in the independence movement serves as evidence of the persistence of racial hierarchies. Afro-descendants encountered

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\textsuperscript{134} Iturralde Nieto and Velázquez, “Afrodescendientes en México.”
\textsuperscript{135} Paez, “De Castas y Esclavos a Ciudadanos Imagenes de La Poblacion Capitalina de Origen Africano(s. XVIII-XIX).”
\textsuperscript{137} Congreso General de la Nacion Mexicana.
\textsuperscript{138} Paez, “De Castas y Esclavos a Ciudadanos Imagenes de La Poblacion Capitalina de Origen Africano(s. XVIII-XIX).”
\end{footnotesize}
prejudice based on their physical characteristics as well as scrutiny because of the support they received from Afro-Indigenous communities.\textsuperscript{139} The racist legacy of scientific racism and the casta system endured among the Mexican elite and polity, with racial characteristics still associated with a person’s character and moral virtue.\textsuperscript{140} This negative association between Blackness and moral inferiority perpetuated the perceived desirability of whiteness. This led post-independence leaders, driven by concerns about the development of the newly developed nation, to advocate for the whitening of Mexico’s Afro-Indigenous masses.\textsuperscript{141}

For instance, President Jose Joaquin de Herrera argued that one of Mexico’s “biggest calamities and dangers” was a potential war between mixed-race populations within Mexico.\textsuperscript{142} He advocated for the immigration of white Europeans into Mexico under the belief that the whitening of the population “would contribute to the betterment of the Republic” and the mitigation of racial tensions between the castas.\textsuperscript{143} President Herrera’s statement reflects a belief among early Mexican leaders in the superiority of the white race and its potential for improving the Mexican nation. While Herrera’s declarations were suggestive, promoting blanqueamiento (whitening) gained traction during the Porfirio Diaz dictatorship.

\textbf{Race During the Porfiriato}

Porfirio Diaz adopted a nuanced approach to race that combined elements of positivism and Boasian anthropology. Analyzing this approach helps us understand why Afro-descendants were excluded from Mexican national identity while, at the same time, racial mixture was celebrated.
Positivism in the International Arena

The positivist discourse surrounding race on the international stage influenced the perspective of Mexican politicians and intellectuals. As such, it is crucial to explore the positivist approach to race before analyzing Diaz’s attitude towards Mexico’s Afro-descendants. By the late 19th century, positivist ideologies gained widespread acceptance among newly established nation-states.¹⁴⁴ According to Ben Vinson III, proponents of positivism argue that “race was both a barometer of the health of nations and a prognosticator of potential future advancement.”¹⁴⁵ This view of race led politicians and intellectuals to view “Latin America’s large black and native heritage” as a threat to the “character of the workforce, the moral capacity of the citizenry, and the region’s collective mental acuity.”¹⁴⁶ Aside from considering Indigenous and Black people as problematic, positivists viewed miscegenation as a problem. At the time, various social scientists, including polygenists and monogenists, expressed concerns about the consequences of racial mixing.¹⁴⁷ In the 18th century, figures like French naturalist Comte de Buffon propagated the theory of degeneration, suggesting that racial mixing “could eventually produce infertile offspring.”¹⁴⁸ By the mid-19th century, Western scientists argued that the degree of degenerative effects of racial mixing depended on the genetic distance between human groups.¹⁴⁹

It was in this context that Francis Galton published “Hereditary Genius,” where he proposed that “humans could successfully engineer ideal population types” through “social instruments and state policies.”¹⁵⁰ Galton’s work validated the idea that states had a role in

¹⁴⁴ Vinson, Before Mestizaje.
¹⁴⁵ Vinson.
¹⁴⁶ Vinson.
¹⁴⁷ Vinson.
¹⁴⁸ Vinson.
¹⁴⁹ Vinson.
¹⁵⁰ Vinson.
implementing policies that would provide “an antidote to degeneracy” by attempting to whiten the population. President Herrera’s remarks perfectly illustrate how positivist ideals influenced Mexican political elites’ understanding of the nation’s racial heritage and informed the government’s nation-building strategies.

**Franz Boas and the Latin American Response to Positivism**

At the turn of the twentieth century, new perspectives emerged in response to European critiques of racial mixing. Latin American intellectuals began challenging European viewpoints and embracing a newfound “acceptance [of] the region[‘s]…racial distinctiveness.” A pivotal figure in reshaping attitudes towards racial mixture was Franz Boas, who opposed the “pseudoscientific thought” of the eugenicists. As a cultural relativist, Boas criticized the “myth of European racial purity” and emphasized the importance of cultural environments on human behavior. In “The Mind of the Primitive Man,” Boas initiated an intellectual debate on the assumed link between physical characteristics and human behavior, effectively challenging essentialist notions of race and white superiority. Boas’ intellectual revolution led Latin American scholars to reject arguments about the genetic inferiority of their mixed-race masses and celebrate the region’s racial diversity.

**The Worst of Both Worlds: Race During the Porfiriato**

In the case of Mexico, President Porfirio Diaz (1880-1910) and his administration adopted a blend of these two leading racial perspectives. Diaz’s concern with the nation’s

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cultural and economic development led him to pursue a policy of whitening. At the same time, however, Diaz embraced Boas’ celebratory view of Mexico’s mixed-race heritage as he attempted to build a unified nation. Adopting these seemingly contradictory, yet not mutually exclusive, values significantly shaped Mexico’s racial conceptualization and national identity. Diaz’s emphasis on celebrating Mexico’s cultural diversity, coupled with his concern for establishing Mexico as a developing country, led to a selective celebration of diversity that highlighted Mexico’s Indigenous heritage while simultaneously promoting the whitening of the population.158 This selective approach that sought to prioritize Mexico’s European descent and promote blanqueamiento resulted in the exclusion of Afro-descendants from the national identity.

The 1910 centennial celebration of Mexico’s declaration of independence, planned and executed by the Diaz administration, demonstrates how a selective celebration of Mexico’s racial heritage contributed to the erasure of Afro-descendants from national symbols. In “Imagining Mexico in 1910,” Michael González analyzes how the centennial celebration of Mexico’s independence served as a tool for the Diaz regime to “construct historical memory” and advance certain “political programmes and philosophies.”159 More specifically, the centennial celebration capitalized on Mexico’s cultural and racial diversity to construct national narratives aimed at consolidating Diaz’s authoritarian regime.160

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159 Gonzalez.
160 Gonzalez.
For instance, during their speeches at the National Palace, President Diaz and other officials recognized the importance of Morelos’ mestizo background.\footnote{Gonzalez.} Similarly, the official chronicler of the centennial declared that Morelos was a “genuine representative of Mexican nationality” because he embodied the mestizo race.\footnote{Gonzalez.} Despite the celebration of Morelos’ mestizo identity, his Afro-descendant heritage was absent from the Diaz administration’s narratives. The regime crafted a mestizo identity that erased traces of Afro-descendant presence in Mexico.

In the Centenario’s “Historical Parade,” which depicted the Spanish conquest, colonization of Indigenous people, and the liberation of Mexico from Spanish rule, there was a complete absence of any mention of Afro-descendants.\footnote{Gonzalez.} The parade overlooked the importation of enslaved Africans and the contributions of Afro-descendant leaders to the war of independence.\footnote{Gonzalez.} However, the Diaz administration was not oblivious to the presence of Black people in Mexico. This is demonstrated by the fact that during the Diaz dictatorship, the government conducted a census where “denominations such as black, mulatto, mestizo and Indian were used to classify the population.”\footnote{Iturralde Nieto and Velázquez, “Afrodescendientes en México.”} The inclusion of Afro-descendants in the census contrasts with the absence of any mention of Morelos’ Afro-descendant heritage and the exclusion of Afro-descendants from the parade. This contrast points to Diaz’s deliberate efforts to exclude Afro-descendants from the national narrative. Furthermore, it illustrates that initial attempts at creating a national identity and solidifying the state were influenced by notions of
scientific racism that devalued the contributions of Afro-descendants to the economic, political, and social development of Mexico.

The 1910 Revolution and the Construction of the Modern State

Although the 1910 revolution was supposed to represent a total break from dictatorship, revolutionary leaders upheld ideologies similar to Diaz's. They continued implementing secular reforms initiated during the Porfiriato and stressed the importance of cultivating a civic culture.\textsuperscript{166} Another enduring aspect of the Porfiriato was the treatment of Mexico’s mixed-race population. During the revolution, the concept of mestizaje, which had gained momentum under the dictatorship, was used to garner support against the dictatorship.\textsuperscript{167} Instilling pride among the marginalized mestizo masses was key in building a revolutionary nationalism powerful enough to mobilize the masses against Diaz.\textsuperscript{168} Revolutionary leaders, such as Emiliano Zapata and Pancho Villa, were regarded as representatives of the neglected mestizo masses.

During the Porfiriato, the government’s economic policies negatively impacted rural communities, particularly those with large concentrations of Indigenous and mestizo peasants.\textsuperscript{169} Diaz’s policies of unregulated capitalist development favored hacendados and facilitated the concentration of resources in their hands.\textsuperscript{170} Privatizing policies expanded commercial agriculture and allowed landowners to monopolize “arable land and water resources.”\textsuperscript{171} The monopolization of resources furthered peasant exploitation as peasants became economically

\textsuperscript{167} Gonzalez, “Imagining Mexico in 1910: Visions of the Patria in the Centennial Celebration in Mexico City.”
\textsuperscript{168} Gonzales, \textit{The Mexican Revolution, 1910-1940}.
\textsuperscript{169} Gonzales.
\textsuperscript{170} Gonzales.
\textsuperscript{171} Gonzales.
dependent on their landowners. Eventually, the lack of economic independence and political autonomy gave rise to revolutionary leaders who demanded “land and liberty.”

These demands for liberty from authoritarian practices and land rights were intertwined with a strong sense of nationalism, which emerged as a response to Diaz’s favorable treatment of foreigners. As part of his development strategy, Diaz incentivized foreign investors to establish businesses in Mexico without implementing measures to safeguard domestic investors, businesses, and workers. The prominence of key industry ownership by foreign firms bred discontent, which allowed revolutionary leaders to frame the revolution as a struggle between the dispossessed mestizo masses and the wealthy white elite.

Revolutionary leaders incorporated mestizaje into nationalist discourse to challenge Diaz’s dictatorship. They sought to distinguish themselves from Diaz’s repressive regime by using mestizaje to mobilize the masses. The rhetorical incorporation of mestizaje into the revolutionary movement successfully transformed mestizaje into a political tool used to construct the Mexican nation.

Similar to the dictatorship’s interpretation of mestizaje, the post-revolutionary understanding of mestizaje was narrowly defined as the mixture of European and Indigenous people. Those who embraced mestizaje still espoused notions of white racial superiority, which led the ideal mestizo figure to be envisioned as possessing predominantly white characteristics over non-white ones. This is exemplified by José Vasconcelos, who, as the country’s first secretary of education, designed an educational plan intended to “eradicate the Indigenous

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172 Gonzales.
173 Gonzales.
174 Gonzales.
175 Gonzales.
culture through education in rural schools and to forge a homogenous society by making the
Indigenous people like the mestizos and whites.”  

Vasconcelos’ plan demonstrated the racist underpinnings of mestizaje as an ideology that
devalued non-European cultural and racial influences. The general devaluation of non-white
heritage, coupled with prejudice against Black people, who were perceived as possessing
undesirable qualities, further contributed to the exclusion of Afro-descendants from conceptions
of mestizaje in Mexico. As such, Mexican national narratives effectively excluded the
contributions of African racial and cultural elements during the process of state formation, which
resulted in the historic invisibilization of Mexico’s African roots—see Chapters 2 and 3.

Conclusion

This chapter delves into the reasons behind Afro-descendant exclusion from the process
of modern state formation. I argue that the process of invisibilization began with the introduction
of scientific racism into the New World, which led to the creation of a system of racial
hierarchies where people of African descent were relegated to the bottom. Afro-descendant
invisibilization was further solidified during the Porfirio Diaz dictatorship and after the 1910
Revolution. In both instances, political leaders conducted vigorous attempts at creating a unified
national identity by minimizing racial and ethnic differences under the banner of mestizaje.
However, the prevalence of anti-black racism explains why Afro-descendants were excluded
from national narratives despite the abolition of the casta system. In the following chapter, I
describe challenges to the mestizo ideology and assess the degree to which Mexico’s African

176 Felipe H. Lopez, “The Construction of Mexican Identity LatCrit VI: Latinas/Os and the Americans:
Centering North-South Frameworks in LatCrit Theory - Cluster VII: Race, Gender, and Sexuality,”
heritage was acknowledged during the country’s transition from mestizaje toward a multicultural framework during democratization.
México’s Democratic Transition, Constitutional Multiculturalism, and Afro-Descendant Exclusion

“Our fight is for history and the bad government proposes to erase history […]

The powerful want our silence. When we were silent, we died, without the world we did not exist. We fight against this loss of memory, against death and for life. We fight the fear of a death because we have ceased to exist in memory.

When the homeland speaks its Indian heart, it will have dignity and memory.”


The 2000 presidential election marked a turning point in México’s democratization process. The election of opposition candidate Vicente Fox Quesada to the Mexican presidency ended the PRI’s seven-decade-old political hegemony over the country. Fox’s election represented a culmination of strengthening opposition parties at the subnational level and growing dissent against the PRI’s repressive responses to civil society mobilization.

One of the biggest challenges to the PRI’s hegemony in the lead-up to the 2000 presidential election was the political, economic, and social responses to the Ejército Zapatista de Liberación Nacional’s (EZLN) war declaration on the Mexican state. The centrality of the Zapatista movement in México’s democratization shaped the consolidation of democratic values under the Fox presidency. The Zapatistas’ active calls for democratization led the Fox presidency
to reform the constitution during his first year in office to grant Indigenous peoples communal rights. Fox’s 2001 constitutional reform added México to the list of Latin American countries that adopted a multicultural approach to their constitutions during their transition to democracy. Few Latin American countries, including Ecuador and Colombia, explicitly included Afro-descendants in their constitutions as part of their efforts to establish inclusive democracies.

In this chapter, I aim to explain why México failed to include Afro-Mexicans in the national constitution after the country transitioned to democracy. Building upon literature on Latin American constitutional multiculturalism and México’s democratic transition, I argue that the visibility of the Zapatista movement during México’s democratic consolidation exacerbated the invisibility of Afro-descendants. The visible and intense Indigenous mobilization, coupled with the lack of institutional and otherwise channels promoting widespread popular participation in the 2001 constitutional reforms, limited the opportunities for Afro-descendants to play a role in México’s democratic transition. These limits to Afro-descendant participation in México’s multicultural reforms led the Mexican state to adopt a restrictive definition of multiculturalism that excluded Afro-descendants.

To make this argument, I first discuss the Latin American model of “multicultural constitutionalism” that emerged in the 1990s and place México in a regional context. I then describe the creation of the PRI’s monopoly-party system and outline how the erosion of the PRI’s control, coupled with increased threats to the livelihoods of Indigenous people, set the stage for the extensive role that the Zapatista movement played in México’s democratic transition. I end the chapter by analyzing how the politicization of an Indigenous identity shaped conceptions of a multicultural state that invisibilized México’s Afro-descendant population.
Democratization and Constitutional Multiculturalism

In the 1970s, multiple Latin American countries saw an unprecedented mobilization of Indigenous people in demanding political participation and protection of their collective rights.\textsuperscript{178} Central to the articulation of these demands were changes in the international system that emphasized the importance of protecting the social, economic, and cultural rights of Indigenous peoples.\textsuperscript{179} For instance, in 1975, the International Labor Organization (ILO) revised its convention to eliminate its assimilationist language and emphasize “the responsibility of states to ensure that policies affecting Indigenous peoples are devised through a process of consultation and participation.”\textsuperscript{180} The changes in international law created pressure on Latin American states to embrace a multicultural system of governance that re-defined the relationship between the state and Indigenous people.\textsuperscript{181} Additionally, these changes contributed to the creation of Inter-American Indigenous organizations that began framing their demands for political inclusion in terms of constitutional reform.\textsuperscript{182} Indigenous people demanded an end to their treatment as objects of legislation and called for their consideration as active subjects in the constitution's creation.\textsuperscript{183}

These demands for a different constitutional treatment that recognized Indigenous collective rights posed challenges to the assimilationist constitutions written during the nineteenth century during the process of state formation.\textsuperscript{184} These demands from Indigenous communities influenced the creation of new constitutions during the Latin American

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\textsuperscript{178} Van Cott, \textit{The Friendly Liquidation of the Past: The Politics of Diversity in Latin America}. \\
\textsuperscript{179} Van Cott. \\
\textsuperscript{180} Van Cott. \\
\textsuperscript{181} Van Cott. \\
\textsuperscript{182} Van Cott. \\
\textsuperscript{183} Van Cott. \\
\textsuperscript{184} Van Cott.
\end{flushleft}
democratization wave. In the 1990s, multiple Latin American countries entered a period of constitutional reform caused by a crisis of the political system emerging from its authoritarian practices, the legitimation of existing regimes, access to political participation of the polity, and the inability of political elites to reform the system.\textsuperscript{185}

Central to the creation of these new constitutions were the demands by ethnic organizations for special rights.\textsuperscript{186} The confluence of a democratic transition with direct calls for political inclusion by Indigenous people led to the emergence of what Donna Lee Van Cott refers to as a “multicultural model of constitutional reform in Latin America.”\textsuperscript{187} Accordingly, nine new constitutions written and ratified during the 1990s included elements of a multicultural model. These elements included recognizing the state's multiethnic nature, Indigenous customary laws, collective property rights, official recognition of Indigenous languages, and guarantees of bilingual education for Indigenous children.\textsuperscript{188}

During this embracement of multicultural constitutionalism, Afro-descendants in some countries gained inclusion in the constitution. Out of the constitutions written in the 1990s, the Colombian (1999) and Ecuadorian (1998) constitutions explicitly granted rights to Afro-descendants. Since then, a growing number of Latin American countries have included Afro-descendants in their constitution and policymaking to carry out their constitutions' multicultural values. The inclusion of Afro-descendants in Latin American constitutions during the democratization process, when new constitutions were written and ratified, points to the

\textsuperscript{185} Van Cott. \\
\textsuperscript{186} Van Cott. \\
\textsuperscript{187} Van Cott. \\
\textsuperscript{188} Van Cott.
importance of an open consultation process that created spaces for Afro-descendants to demand their constitutional inclusion.

Many scholars studying the constitutional inclusion of Afro-descendants recognize the importance of re-writing constitutions for the inclusion of Afro-descendants. The literature that exists on Afro-descendant inclusion concerns the reasons why Afro-descendants were successful in achieving inclusion during the constitution-making process. For instance, Juliet Hooker points out that the inclusion of Afro-descendants depended on their ability to establish themselves as a distinct ethnic group deserving of special constitutional protections.189 In Hooker’s words,

the cases in the region where blacks have won recognition as distinct groups with collective rights… have generally been those in which the existence of rural communities of descendants or runaway slaves have made possible the articulation of their struggles in a similar rhetorical vein to those of Indigenous peoples. The claims to land and other collective rights made by these black communities…are remarkably close to those of rural Indigenous communities.190

As summarized by Hooker, the strategy Afro-descendants used to achieve constitutional recognition was to mirror Indigenous claims for recognition.191 However, one crucial limitation of scholarly work on constitutional multiculturalism across Latin America is that it only focused on cases where democratization entailed writing a new constitution. This was not the case for all Latin American countries. In México, democratization did not result in a complete overhaul of

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190 Hooker.
191 Hooker.
the constitution. Rather than opening up space for a constituent assembly to re-write the constitution, the Mexican political elite compromised and negotiated an electoral transition to democracy, which resulted in quelling civil society’s demands for a new constitution. The existing constitution was modified to reflect the multicultural character of México. However, this happened under the lens of a governing elite that barely opened up the process of multicultural reform.

Indeed, modifying the Mexican constitution in 2019 to include Afro-descendants makes México an outlier case among other Latin American countries. Unlike its southern neighbors, México’s inclusion of Afro-descendants did not happen during its transition to democracy and the creation of a new constitution. It happened twenty years after this transition was completed. Its outlier status demands us to evaluate 1) the extent to which the lack of constitutional re-writing in the early 2000s led to the exclusion of Afro-descendants from the Mexican constitution, and 2) which factors contributed to their exclusion in the earlier constitutional amendments stemming from democratization.

The central argument of this chapter is that the lack of constitution-making coupled with the high visibility and mobilization of Indigenous peoples led to the adoption of a simplistic framework of constitutional multiculturalism that excluded Afro-descendants. México’s democratization context, where Indigenous demands were linked to democratization, shaped popular conceptions of a multicultural nation within the confines of Indigenous recognition, not of Afro-descendants. The lack of a participatory process to amend the Mexican constitution before and after the 2000 election further contributed to the exclusion of Afro-descendants because it limited Afro-descendants’ ability to influence the constitution reform process. Like the state’s narrow definition of mestizaje during the state-building process, the modern Mexican
state adopted a narrow definition of multiculturalism during its democratization process. In both periods, revolution and democratization, Afro-descendants were excluded from conceptions of citizenship, national identity, and democratic participation.

The historical and political context of México’s democratization

Understanding the PRI’s control mechanisms over the Mexican state is central to understanding the political process that shaped México’s transition to democracy and adopting the limited multicultural rhetoric that prevailed as Mexican leaders sought to solidify democracy. This section briefly overviews the factors that contributed to the endurance of the PRI’s rule over Mexican politics.

**Rise of the PRI: Cardenas’ Corporatism and Economic Success**

The 1910 Revolution resulted in the fall of the Porfirio Diaz dictatorship and the adoption of a new constitution in 1917. The different factions that fought in the revolution now competed for the presidency of the new nation. To ensure political stability, the political elite founded the Partido Nacional Revolucionario (PNR), a predecessor of the PRI, in 1929 to institutionalize the conflict among the revolutionary generals. 192 The institutionalization of conflict through the PRI allowed for the peaceful transition of power between different political interest groups. Political stability, in turn, allowed Mexican politicians to place their efforts into finishing building the modern Mexican state. As mentioned in Chapter 2, political leaders embraced the narrative that

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México was a mestizo nation as a way to increase unity among México’s different ethnic groups and make claims of authority over the Mexican territory.

The efforts to carry out the goals of the 1910 Revolution and create a unified nation extended into the policy realm. Following the rhetoric of the revolution, the PRI political elites engaged in political reforms that favored México’s domestic population. The Cardenas presidency (1934-1940) is often referred to as the “Second Revolution” because of the ‘radical’ reforms Lazaro Cardenas enacted to concretize the goals of the 1910 Revolution. Although previous presidents endorsed the socialist values of the Revolution, they did not make efforts to carry out the reforms that the revolutionary leaders promised. Unlike his predecessors, Cardenas enacted policies that sought to increase the masses' political participation and redistribute the national wealth. Under his presidency, Cardenas distributed land to the peasantry, created new welfare programs, and nationalized various industries.

Scholars of Mexican politics view his rule as a paradox because at the same time that Cardenas was reforming the government intending to turn México into a “worker’s democracy,” he also set the groundwork for the long-term stability of the PRI. Cardenas incorporated workers, peasants, and other sectors of Mexican society into the PRI (called Partido de la Revolucion Mexicana, or PRM, during his presidency) through the creation of national confederations that linked the interests of these sectors of society with those of the ruling party. By dividing society into these different interest groups, Cardenas could ensure that all

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194 Weston.
195 Weston.
196 Weston.
197 Weston.
198 Weston.
Mexicans—with some exceptions—were included in political decision-making. These groups were intended to facilitate the state’s mediation of popular interests to ensure that the state could effectively deliver social rights.

As part of his corporatist structure, Cardenas divided Mexican society into four main interest groups: industrial workers, peasants, businessmen and middle-class people (known as the popular sector), and the armed forces. He organized the working class into a cohesive political unit by forming the Mexican Workers Confederation (CTM). Cardenas provided subsidies, supported strikes, and harassed worker unions to affiliate with the CTM. Similarly, he organized the rural population into the National Peasant Confederation (CNC) by incentivizing peasants to become CNC members. For instance, one of the qualifications to receive land as part of his redistribution campaign was to hold membership in the CNC.

Cardenas organized the popular sector, which included businessmen and the middle class, into the National Confederation of Popular Organizations (CNOP), which was supposed to represent the entire middle class. Finally, Cardenas included the armed forces as a sector of the PRI to curtail the power and influence of the military.

In a move to strengthen the power of the presidency and officially incorporate these four groups into the ruling party, Cardenas reorganized the PNR in 1938 into the PRM. The PRM

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199 Weston.
200 Weston.
201 Weston.
202 Weston.
203 Weston.
204 Weston.
205 Weston.
206 Weston.
207 Weston.
established a political representation system where the confederations' leadership served as the intermediary link between the masses and his presidency. Moreover, the new party solidified the power of the presidency over the organization of society and political representation because the president was given the power to appoint the leaders of each confederation.²⁰⁹ As such, the creation of the corporate system and its incorporation into the political structure of the PRM allowed the president to extend his control over all sectors of society.

One of the long-term repercussions of this corporatist system was the solidification of the PRI as a monopoly party. Manuel Avila Camacho, a politician who favored more moderate reforms, succeeded Cardenas as president after the 1940 election. Under his rule and that of his successors, the presidency responded to the conservative reaction to Cardenas’ leftist values.²¹⁰ The corporatist structure Cardenas developed and the concentrated power of the presidency was used by moderate and conservative administrations to curtail Cardenas’ leftist reforms, including land redistribution.²¹¹ Moreover, Cadena’s goal to establish a “worker’s democracy” failed because the PRI’s hegemonic control over the electorate meant no real political competition. The lack of political competition meant the PRI elite could ignore the labor and peasant sectors without political repercussions. Moreover, the hegemonic control over the country’s political direction allowed the PRI to dictate an economic policy that strengthened the state's power.

The adoption of a more statist approach to the country’s economy, starting during Cardenas’ presidency, led to the growth of the Mexican economy, which further solidified the state's growth and the PRI's power. Beginning with the Avila Camacho administration, the Mexican ruling elite engaged in a more conservative economic policy that sought to limit land

²⁰⁹ Weston, “The Political Legacy of Lázaro Cárdenas.”
²¹⁰ Weston.
²¹¹ Weston.
redistribution and kickstart the development of domestic private industries.\textsuperscript{212} However, central to the new economic approach was to protect domestic industries against foreign competition by imposing import quotas and tariffs on imports.\textsuperscript{213} Additionally, the government created barriers against foreign investment to protect Mexican investors and incentivize the “Mexicanization” of the economy.\textsuperscript{214}

The government’s import substitution industrialization (ISI) was accompanied by increased expenditure on social policy.\textsuperscript{215} This expansion in government spending helped solidify the power of the PRI over the electorate. The PRI’s control over the country’s economic resources meant that each sector depended on the party to allocate resources, which allowed the PRI to engage in various tactics to maintain political control over the working class and peasants.\textsuperscript{216} One such tactic was the distribution of resources along the lines of the corporatist unions, which led to the creation of two-level patronage networks. At the individual level, people’s vote was seen as a test of loyalty to the party. They were rewarded with material benefits from the local branches of the national confederations.\textsuperscript{217} Since access to material resources depended on supporting the PRI, peasants, and workers had no incentives to challenge the political monopoly of the PRI. At the organizational leadership level, the PRI’s “patronage machine” also ensured that peasant and worker leaders’ interests would be linked to the stability

\textsuperscript{212} Weston.
\textsuperscript{214} Hamnett.
\textsuperscript{215} Hamnett.
\textsuperscript{216} Weston, “The Political Legacy of Lázaro Cárdenas.”
of the party. The PRI offered political and economic incentives to leaders of confederations at
the national and local levels to act per the party’s interests. The PRI used its power over
confederation leadership to remove political dissidents and reward those leaders who diffused
local challenges to the PRI’s authority. Additionally, the peasant and worker leaders were
economically rewarded for turning out votes for the PRI during elections.

Cardenas’ corporatist system and the expansion of the Mexican economy allowed the PRI
to tie the material interests of the working class and peasants with the party’s survival. Although
elections every six years legitimized the democratic character of México on the international
stage, the PRI’s control over the corporatist state apparatus allowed the PRI to diffuse electoral
challenges from opposition parties. The active role of the Mexican state in organizing society
and the economy from the 1940s to the early 1980s facilitated the growth of the PRI and helped
maintain a stable monopoly-party system.

Transition to Neoliberalism and the Erosion of the PRI

The strategy of ISI was not sustainable, and it had negative consequences for México’s
economy. Protectionism proved unsustainable because it hindered Mexican companies’
competitiveness internationally and led to a balance of payment deficit where México was not
exporting enough due to the weakness of its export sector. The lack of domestic capital and
barriers to foreign capital meant that Mexican industries were uncompetitive. Thus, the Mexican

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219 Weston, “The Political Legacy of Lázaro Cárdenas.”
220 Weston.
government needed debt to finance its public expenditure. Further, México’s domestic capital market did not provide the investment required to sustain import substitution.

The exhaustion of the ISI model led to a series of financial crises in the 1970s and 1980s that exposed long-standing problems in the Mexican economy. In 1981, the world oil prices collapsed, sending México into economic turmoil and the devaluation of its peso. The inability of the Lopez Portillo administration and the PRI to respond to the financial crisis severely hurt the party’s reputation. In the past, the booming economy had calmed down some of the disenchantment with the government and had justified the lack of reform in exchange for material benefits. Economic growth fueled public confidence in the PRI and allowed elites to overlook political dissatisfaction from the party’s monopoly over Mexican political life. However, the financial crisis that ensued from the devaluation of the peso and the inability of the government to respond not only eroded the confidence in the party but opened up spaces for political dissent. Facing financial disaster, the PRI looked for an alternative economic approach to ISI that would reignite economic growth and ensure its monopoly over politics. However, this new economic approach had the unintended consequence of eroding the power of the PRI.

The Miguel de la Madrid (1982-1988) administration proposed neoliberalism as the alternative solution to economic growth. Neoliberalism was not a new concept on the international stage. In the late 1970s and early 1980s, there was a global shift towards neoliberal policies, and countries began a process of “deregulation, privatization, and withdrawal of the

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222 Hamnett.
223 Hamnett.
224 Hamnett.
225 Hamnett.
226 Hamnett.
state from many areas of social provision.”\textsuperscript{227} Especially in the years from 1978 to 1980, there was an increase in the endorsement of liberalizing the economy, from Deng Xiaoping liberalizing China’s economy in 1978, Margaret Thatcher limiting the power of trade unions in 1979, and Ronald Reagan’s policies deregulating the U.S. market.\textsuperscript{228}

México was part of this trend emphasizing the free market, property rights, and free trade. The De La Madrid administration returned one-third of the banking system to private ownership, reduced taxes, engaged in austerity policies, halted the public-sector deficit, and went to international organizations for assistance to reduce its budget deficit.\textsuperscript{229} In 1985, De La Madrid joined the General Trade Agreement on Tariffs and Trade (GATT), which officially ended México’s economic nationalist approach because, as part of the agreement, signatory countries agreed to fully liberalize their markets and ensure that it did not protect its domestic industries from international competition.\textsuperscript{230} In seeking to reduce its public deficit, a core idea of neoliberalism, the government reduced expenditure and public investment in the economy.\textsuperscript{231} This shift in economic policy, especially the reduction of public spending, eroded the corporatist system and undermined the hegemonic position of the PRI. The reason is that the monopoly party system, as previously discussed, worked in great part because of the immense involvement of the state in the economy and its ability to use the economy to maintain control over Mexican society through patronage, corruption, and state-sanctioned unions.\textsuperscript{232}

\textsuperscript{228} Harvey.
\textsuperscript{229} Hamnett, \textit{“The Monopoly Party, 1940–2000.”}
\textsuperscript{230} Hamnett.
\textsuperscript{231} Teichman, \textit{“Neoliberalism and the Transformation of Mexican Authoritarianism.”}
\textsuperscript{232} Hamnett, \textit{“The Monopoly Party, 1940–2000.”}
Scholars of Mexican Politics, including Judith Teichman and Deborah Yashar, argue that the liberalization of the Mexican economy and its adherence to neoliberalism profoundly impacted Mexican politics as they challenged the system that had developed since the Cardenas presidency. The economic reforms eroded the corporatist state apparatus that sustained the PRI, which led to the weakening of the PRI. The economic reforms conducted by de la Madrid and Salinas dismantled much of the sector as the neoliberal frame limited the state's role in the economy and pushed the free market forward. Privatization came with eliminating state companies and other interventionist mechanisms that facilitated the state’s ability to provide material rewards in exchange for electoral support.  

For instance, regarding the worker sector of Mexican society, the Salinas Administration (1988-1994) sought to increase efficiency in Mexican industry and to decrease the public deficit, which was a central component of his neoliberal economic policies. Under neoliberalism, corporatist unions were considered to be hindering the “export competitiveness” of Mexican industries because of the negotiated wages and the benefits and privileges given to labor leadership. As such, the government ended those rewards. The Salinas administration removed union leadership that did not comply with the changes in restrictive collective agreements and the privatization of Mexican industries, especially petrochemicals. The Salinas administration installed a more compliant leadership that implemented the changes they wanted to see. For instance, in the case of the PEMEX union, the Salinas administration jailed the leadership of the PEMEX union that opposed the reforms and imposed a new one that modified the agreements

233 Teichman, “Neoliberalism and the Transformation of Mexican Authoritarianism.”
234 Teichman.
235 Teichman.
236 Teichman.
237 Teichman.
between the Union and the state. The new administration led to the loss of union leadership and membership privileges, such as union store subsidies, “the union’s exclusive right to perform contract work…in plant maintenance,” and “the requirement that contracting companies employ union personnel.”

The alteration to the benefits received from the state alienated powerful union leaders from the PRI since they lost access to privileges. In parallel, the loss of benefits from belonging to state-sponsored unions eroded the PRI’s control over labor union members, eventually leading to the erosion of loyalty and workers beginning to express discontent with the PRI. A similar process happened within the peasant sector. The neoliberal reforms reduced the allocation of resources to the rural sector and accelerated the decline of the CNC and the control of the state over peasant organizations. As with the labor sector, the changes in the benefits peasants received from the state added to the existing discontent with the PRI and weakened its electoral support from rural communities. In both cases, the neoliberal reforms led to the delinking of peasant organizations and workers' unions from the state, eroding the PRI's monopolistic power over Mexican society.

Another way these reforms eroded the PRI’s power was how the PRI lost the ability to present itself as a party that prioritized the interests of the working classes. Neoliberal reforms were directly opposed to the country’s nationalist ideology, which the PRI had used to unify the Mexican population and ensure its monopoly over national narratives. The liberalization of the Mexican economy challenged the long-held role of the state to defend the interests of Mexican

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238 Teichman.
239 Teichman.
240 Teichman.
workers and peasants. Although the PRI historically followed the ruling class's interests, they justified their policies under the umbrella of nationalism and as an extension of their commitment to protecting México from foreigners. However, once México opened up, the PRI lost the ability to make those claims, primarily as it oversaw a growing amount of capital inflows. The failures of neoliberal reforms to bring long-term success to the working class, especially among agricultural workers, combined with the lack of ability for the government to claim that they were protecting the interests of the nation, led to a decrease in confidence across the electorate, which undermined the PRI’s electoral position.

In response to its delegitimization, the PRI engaged in window-dressing political reforms. It allowed opposition parties to take office and set aside 100 out of the 400 seats in the Chamber of Deputies for opposition parties. Although the PRI continued to control the state apparatus, it sought to integrate the other parties into the political processes to divide and conquer. Having multiple opposition parties across the ideological spectrum ensured that the PRI did not have a concentrated or unified opposition while at the same time discouraging petitions to overhaul the entire political system. As Hamnett suggests, the slight redistribution of power did not compromise the political dominance of the PRI.

The PRI tried to put off deep political reforms as much as possible, hoping that the economic reforms they enacted would lead to the exponential growth of the economy and serve

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241 Teichman.
243 Moreno-Brid and Ros.
245 Hamnett.
246 Hamnett.
as the basis for a renewed PRI hegemony.\textsuperscript{247} The failure of this strategy was clearly illustrated during the 1988 election, which had been highly contested. There were serious challenges for the PRI from the opposition, including the PAN and the Frente Democratico Nacional (FDN)—comprised of elites who had just defected from the PRI following the selection of Carlos Salinas de Gortari as the official candidate.\textsuperscript{248} Although Salinas was ultimately declared the victor, early electoral ballots from México City showing strong support for the FDN forced the ruling party to alter about one-third of the vote tallies to ensure Salinas won with over 50% of the votes.\textsuperscript{249} The fact that the PRI engaged in blatant electoral fraud during the 1988 elections demonstrated that it had lost its grip over the Mexican electorate. The electoral fraud further delegitimatized its rule and forced the ruling party to acknowledge the opposition’s victories at the subnational level and make promises to end its authoritarian rule.\textsuperscript{250}

Democratization and the Limits of Multiculturalism

Another consequence of the transition to neoliberalism beyond delegitimizing the PRI’s political control was awakening Indigenous identities and strengthening Indigenous resistance to the state, further accelerating México’s democratization process in the 1990s. In the 1930s and 1940s, the Mexican government incorporated Indigenous people into its corporatist structure by integrating them into the peasant sector.\textsuperscript{251} As Yashar argues, Cardenas’ land reforms “weakened

\textsuperscript{247} Hamnett.
\textsuperscript{248} Hamnett.
\textsuperscript{250} Hamnett, “The Monopoly Party, 1940–2000.”
landed elite’s control of the countryside, redistributed significant tracts of land, and provided incentives for Indians to register as peasant communities.”^252 The incorporation of Indigenous people into peasant organizations allowed them to gain access to state resources and a degree of political incorporation.^253 They could secure communal lands (ejidos), maintain political autonomy from the state, and protect their cultural heritage.^254 However, the shift in state-society relations introduced in the 1980s under the country’s neoliberal turn threatened this Indigenous autonomy.^255 The privatization of land markets, liberalization of agricultural prices, and elimination of agricultural subsidies were detrimental to Indigenous livelihoods.^256

In particular, Salinas’ amendment of Article 27 of the Constitution had consequential effects on politicizing an Indigenous identity against the state. The amendment ended the redistribution of private lands to peasants to form ejidos.^257 It also authorized peasants to terminate communal ownership over the ejido and divided it into private property among the ejido members.^258 The loss of the ability of Indigenous people to establish new communal lands and the challenges emerging from the liberalization of agricultural prices led Indigenous communities to organize and confront the state.^259 In 1992, the same year Congress passed the amendment to Article 27 of the constitution, Congress established México as a pluricultural nation by establishing Article 4.^260 Under the new article, the constitution recognized Indigenous

^252 Yashar.
^253 Yashar.
^254 Yashar.
^255 Yashar.
^256 Yashar.
^258 Hamnett.
communities as an essential part of the nation, yet it did not grant them specific rights. The constitutional amendment serves as a means for the PRI to maintain its legitimacy by addressing the discontent resulting from the privatization of Indigenous lands.

Despite their inclusion in the constitution, Indigenous people continued to demand rights from the Mexican state. Indigenous challenge to state authority culminated in the Ejercito Zapatista de Liberacion Nacional’s war declaration on the Mexican government. The Zapatista uprising began on January 1, 1994, when thousands of armed Indigenous people occupied seven towns in the state of Chiapas. Unlike other uprisings, the Zapatistas did not seek to seize state power or engage in violent shows of force against the state. Instead, they advocated for the potential of civil society and nonviolent resistance to achieve democratic change. Central to their demands was bottom-up democratization. In his study of the Zapatista Revolution, Holloway argues that “unlike almost all previous revolutions, the Zapatista revolution does not aim to take power—neither through the ballot box nor through any form of seizure of power.” Their central role was to redefine and reshape the political system to be more inclusive of Indigenous communities and other marginalized identities. The Zapatista uprising sought to bring light to the “social costs of neoliberal economic reforms” and the “discrimination…directed against Indigenous people and women.” The Zapatistas viewed

261 “Asuntos Indígenas y Afrodescendientes En Reclusión.”
264 Gilbreth and Otero.
265 Gilbreth and Otero.
266 Holloway and Pelaez, Zapatista!
democracy as a mechanism to challenge forms of oppression.268 They demanded that “those who govern, govern by obeying.”269 As such, the Zapatistas were not only driven by the economic disadvantages that Indigenous communities suffered after the introduction of neoliberalism but also sought “the expansion of democratic political, social, and cultural practices in all spheres of Mexican life.”270

The EZLN conducted various efforts that allowed civil society to engage with and experience multiple democratizing efforts. The EZLN organized the National Democratic Convention in 1994, where 6,000 people from all over México went to Chiapas under their commitment to democracy.271 By not aligning with any political party, the convention provided an alternative engagement with the existing political system that rejected and circumvented the existing political parties seen as undemocratic.272 The convention reinforced the EZLN and the broader civil society’s commitment to democratization in México.273 Additionally, the convention demonstrated how the EZLN fostered democratic engagement among México’s civil society at a time when political parties did not provide honest and clear engagement with the political process. Their contributions to fostering a culture of an active civil society in México oriented towards democracy were also demonstrated when they had national consultations with civil society and created civil committees across México to support the Zapatistas and engage people in a dialogue about the future of Mexican democracy.274
The EZLN was able to conduct efforts that gave Mexican civil society a direct form of engagement with politics and empowered them to call for democratization. They successfully contested the state's power and opened space for civil society to make political claims. This led to an association between democracy and the Indigenous movement within México. Central to the calls of Indigenous peoples and civil society was a new transitional government, a constitutional assembly and a new federal constitution, registration of nonpartisan candidates, and the incorporation of referendums on the constitution.\textsuperscript{275} As such, the EZLN was able to “make recognition of the rights and cultures of Indigenous people an integral part of democratization in México.”\textsuperscript{276} This happened not only because of the ability of EZLN leaders to make visible the conditions under which Indigenous people lived but also by emphasizing and re-designing what democracy means.

Their redefinition of democracy resonated worldwide, and the EZLN was able to seize that sense of connectedness to connect their struggle with the larger struggle for democratization, effectively mobilizing civil society on their support. Their panflets had a wide readership throughout México and worldwide, which illustrates the widespread support and resonance of other people with the struggle for rights and a redefinition of democracy. A central part of the visibility of the movement was the rhetorical shrewdness of the EZLN’s leader, Subcomandante Marcos. He was able to tie the struggles of people from around the world with the Zapatista struggle for inclusion. The communiques also established transnational solidarity networks that ensured people were committed to the Indigenous cause. The following is an excerpt from one of Subcomandante Marcos’ speeches:

\textsuperscript{275} Harvey, \textit{The Chiapas Rebellion}.
\textsuperscript{276} Harvey.
Marcos is a gay in San Francisco, a black in South Africa, Asian in Europe, a Chicano in San Isidro… a Palestinian in Israel, an Indigenous person in the streets of San Cristobal… a Jew in Germany, ... a housewife in any neighborhood in any city in any part of México on a Saturday night, ... a woman alone in a Metro station at 10 p.m., a retired person standing around the Zocalo, a peasant without land, an underground editors, an unemployed worker, a doctor with no office, a non-conformist student, a dissident against neoliberalism, a writer without books or readers, and a Zapatista in the Mexican southeast. In other words, Marcos is a human being in this world. Marcos is every untolerated, oppressed, exploited minority that is resisting and saying, 'Enough!'

An example of the success of the EZLN in mobilizing the world on the topic of democracy was the organization of the Intercontinental Meeting for Humanity and Against Neoliberalism in 1996. The “Intergalactic,” as the convention was called, was attended by 3,000 representatives from over forty countries.

The international attention that the EZLN could leverage gave impetus to the movement and intensified the calls for democratization in México. The movement opened up space for non-institutional ways to challenge the ruling party's power. As Gilbreth and Otero argue, the external challenge to the existing political system or representation forced political parties “to cooperate among themselves and effect some meaningful change.” These authors argue that the Zapatista movement’s activation of civil society was a keystone in México’s

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277 Holloway and Pelaez, Zapatista!
278 Holloway and Pelaez.
279 Gilbreth and Otero, “Democratization in Mexico.”
democratization, even above opposition parties. According to these authors, right after the Zapatista uprising, “electoral reforms were announced that permitted international and civic observers to monitor the August 1995 presidential election.”280 Additionally, Otero identifies the Zapatista uprising as why the Federal Electoral Institute was “transformed into an independent body run by nonpartisan citizens rather than the government.”281

Wanting to retain the legitimacy of the existing political system, the government was forced to negotiate a transition to democracy that would quell the demands of the Zapatista movement. As such, the widespread national and international support for the Zapatista movement pressured the Mexican ruling party to accelerate the pace of reform.282 This opened space for opposition parties to come into power at the subnational level. It provided “opposition parties with access to resources, increase[d] their visibility among voters, and let them gain experience in government” and strengthened their national standing.283 As a result, the PRI lost its majority in the Chamber of Deputies in the 1997 mid-term elections, as well as the mayorship of the México City government and several state governorships.284

The pressure to democratize was also felt in the economic realm as investors demanded that Mexican leadership settle the Zapatista conflict as a condition for investing in México—it is important to note that the 1994 rebellion coincided with the Mexican Peso crisis. When Ernesto Zedillo assumed the presidency in December 1994, he continued Salina’s military pressures on

280 Gilbreth and Otero.
281 Gilbreth and Otero.
282 Gilbreth and Otero.
284 Klesner, “An Electoral Route to Democracy?”
the EZLN.\textsuperscript{285} The army continued engaging in low-intensity warfare so as not to compromise its international image.\textsuperscript{286} However, intensifying military pressures throughout Chiapas led the EZLN to counterattack in a nonviolent form.\textsuperscript{287} In December 1994, the EZLN broke through a military cordon and undertook actions in thirty-eight municipalities in Chiapas without engaging in armed conflict.\textsuperscript{288} This action demonstrated the movement's strength and changed investors' safety expectations. The following day, a massive outflow of capital led to the peso's devaluation, sparking the 1994 financial crisis.\textsuperscript{289}

In seeking to regain México’s image as a safe emerging market for foreign investment, PRI politicians understood the importance of settling an end to the EZLN revolt. However, the highly publicized uprising meant that the Mexican government had to engage in dialogue with EZLN leaders instead of using oppressive force, as it had done during the student mobilization of the late 1960s. For instance, as a response to the December action, the military moved into Zapatista territory in February 1995 to capture its leaders.\textsuperscript{290} The military occupied villages and destroyed crops, which led to demonstrations across México and the world demanding that the state cease violence against Indigenous and peasant communities.\textsuperscript{291} This pressure led the Mexican government to call off the military offensive and restore the cease-fire with the EZLN.\textsuperscript{292}

\textsuperscript{285} Holloway and Pelaez, \textit{Zapatista}!
\textsuperscript{286} Holloway and Pelaez.
\textsuperscript{287} Holloway and Pelaez.
\textsuperscript{288} Holloway and Pelaez.
\textsuperscript{289} Holloway and Pelaez.
\textsuperscript{290} Holloway and Pelaez.
\textsuperscript{291} Holloway and Pelaez.
\textsuperscript{292} Holloway and Pelaez.
The limits to using force to restore investor confidence meant that México had to keep negotiating with the Zapatistas. As such, the Mexican political elite also faced pressure to negotiate a transition to democracy to regain confidence and attract foreign capital. It was in the interest of the political and business elite to transition to democracy to regain foreign investment. Thus, the economic pressures of the financial crisis provided further incentives to the ruling party to engage in democratic reform.

As is evident from this discussion, Indigenous people played a central role in pressuring the Mexican government to democratize. Indigenous demands for recognizing their rights were linked to demands for democratization. However, unlike other Latin American countries, democratization in México did not entail the creation of a new constitution. Rather, the transition was dictated by negotiations between political parties seeking to retain the legitimacy of the existing political system. The political parties responded to the calls to democratize and an active civil society as a means to maintain control over politics and institutionalize citizen demands.

Despite failing to secure a new constitution, the EZLN’s redefinition of democracy shaped the state’s view on multiculturalism. The inclusion of Indigenous rights into the constitution was seen as key to the achievement of democracy in México. In other words, political elites understood that embracing the country’s multiculturalism was central to solidifying democracy. Although the Zapatista uprising forced the political elites and civil society to replace mestizaje with multiculturalism, the latter resembled mestizaje in that it was tied to indigeneity and excluded people of African descent. Their exclusion was essentially a result of the invisibility of Afro-descendants demands during the democratization process.

Vicente Fox, the first democratically elected president, framed himself as a democratic leader by relying on the protection and institutionalization of multiculturalism sparked by
Indigenous people. In his presidential campaign and inauguration speech, Fox pledged to settle the Chiapas conflict in fifteen minutes.293 By framing himself and his party as capable of negotiating with the EZLN, Fox portrayed the PAN as a party committed to respecting México’s multicultural background and ensuring democracy. Unlike the authoritarian PRI, Fox’s responsiveness to Indigenous demands was seen as a democratic act that would solidify democracy in México.

The importance of the EZLN and its version of multiculturalism in the democratic consolidation is also illustrated by the passage of the Rights and Cultures bill, which was high on President Fox’s agenda. In February 2002, a few months after assuming office, Fox publicly called on the Mexican Congress to conduct a comprehensive review of the Mexican constitution.294 Central to his first reforms was the recognition of the legal rights of Indigenous people.295 The Indigenous Rights Bill was given priority during the first months of the Fox presidency because its passage was “essential to achieving peace in Chiapas.”296 This was important because peace would help México get back on track to socioeconomic development.297

As part of his efforts to achieve an agreement with the EZLN, he promoted the presence of Zapatista leaders in Congress and dismantled military posts.298 His efforts culminated in 2001 when the Senate unanimously approved the Indigenous Rights and Culture Bill, which amended the constitution to grant Indigenous people rights. This urgency of engaging in peaceful

295 “President Fox Proposes Comprehensive Review of Mexican Constitution.”
297 Ramos de Villarreal.
298 Ramos de Villarreal.
negotiations with the EZLN and passing the Indigenous Rights Bill demonstrates that including Indigenous people in the constitution was key to solidifying democracy under Fox. However, Indigenous visibility in high government negotiations came at a cost since Afro-descendants were excluded from conceptualizing the new democratic and multicultural nation.

Conclusion
This chapter aimed to illustrate the impacts of Indigenous visibility in the 1990s to understand Afro-descendant legal exclusion in México’s transition to democracy. I argued that Afro-descendant invisibility stemmed from the hypervisibility of Indigenous people during the democratizing period and was further exacerbated by the lack of a constituent assembly. Unlike other emerging democracies across Latin America, the governing elite primarily dictated México’s transition. There were limited spaces for civil society to demand a new constitution and change who got included in the political system. The next chapter traces the development of the 2019 constitutional amendment to include Afro-descendants. It highlights some of the long-term consequences of the prioritization of Indigenous people during México’s transition to democracy.
3 | The Path Toward the 2019 Constitutional Amendment

“The invisibility of Afro-Mexicans directly impacts the conditions of inequality they find themselves in, even in comparison to Indigenous peoples and communities (…) In fact, many Afro-descendants see themselves as Indigenous, because they share, in more than one way, a social condition that is common among both groups: transgenerational poverty.”

—Susana Harp & Ricardo Monreal, 64th Mexican Legislature, 20 November 2018.299

In 2019, after hundreds of years of neglect, the Mexican National Congress amended the national constitution to recognize Afro-descendants as part of Mexico’s pluricultural composition. This chapter outlines the legal recognition of Afro-descendants prior to their constitutional inclusion and pinpoints the factors that led to the recognition of Afro-Mexicans in the country’s constitution. I begin the chapter by analyzing how Afro-descendant inclusion in various state-level constitutions resulted from Afro-Mexican civil society demands for local recognition. I argue that the dispersed calls for constitutional recognition could not reach the national agenda because of the lack of domestic political support for the federal recognition of Afro-Mexicans. I move to describe how, under this context, international pressure emerged as a key factor in the federal recognition of Afro-descendants in the Federal Law to Prevent and Eliminate Discrimination in 2014 and the 2015 Intercensal Survey—the precursors of the 2019 constitutional amendment. After describing the impacts of international pressure on the federal recognition of Afro-descendants, I argue that the lack of political incentives to prioritize Afro-

descendants’ rights limited the impact of these developments on Afro-Mexican constitutional inclusion. As such, this chapter points to the failures of dispersed domestic calls for recognition and international pressure in securing Afro-Mexican constitutional inclusion.

After describing the limits of civil society and international pressure to explain Afro-Mexican constitutional inclusion, I provide an alternative explanation for the recognition of Afro-descendants in Mexico’s constitution. Looking at the specific details of the amendment, I argue that the social and political change brought about by MORENA’s control over the presidency and the national congress is central to the story of Afro-Mexican constitutional inclusion. The rise of MORENA as a political party and social movement created incentives for political leaders to bring Afro-descendants to the forefront of the national agenda and secure their constitutional inclusion. I provide support for this explanation by describing the role of Susana Harp Iturribarría, a MORENA-affiliated Oaxacan Senator, in the 2019 amendment. As a way of concluding this chapter, I discuss one of the main shortcomings of the 2019 amendment: the reinforcement of an entrenched casta-like system where the rights of Afro-Mexicans are dependent on and subordinate to Indigenous rights.

Subnational Recognition

According to the 2020 Census, over 50% of the Afro-Mexican population concentrates in the following six federal entities: Guerrero, Mexico State, Veracruz, Oaxaca, Jalisco, and Mexico City—see Figure 3. Before the 2019 constitutional reform, four of the six entities included Afro-descendants in their state constitutions. These were Veracruz, Oaxaca, Guerrero,
and Mexico.\textsuperscript{301} Oaxaca was the first state to recognize Afro-descendants in its constitution in 1998.\textsuperscript{302} This subnational inclusion, I argue, is a result of the preservation of cultural and social ties among Afro-descendant communities in these four states. These ties led to the formation of Afro-descendant civil society organizations that played a central role in demanding recognition at the state level.

\textbf{Figure 3. Percentage of Afro-descendants by state}

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\end{center}

Note: Data from INEGI

\textsuperscript{301} “Población Afromexicana o Afrodescendiente.”

According to historian Ben Vinson, Mestizaje did not eradicate Black cultural traditions from Mexico despite its success in erasing blackness from the Mexican national identity.\(^{303}\) Throughout southern Mexico, especially in the coastal areas, Afro-descendants preserved strong ties to African cultural traditions and formed localized cultural identities. For instance, Costa Chica—an area along the Pacific southern coast of Guerrero and Oaxaca—has one of the highest concentrations of Afro-descendants.\(^{304}\) The contemporary visibility of Afro-Mexicans in these two states can be traced back to the region’s central role in the trade of enslaved people during the Spanish colonial period. Under the Spanish Viceroyalty, enslaved Africans were traded into the region to work in cacao plantations and livestock farming.\(^{305}\) Gradually, formerly enslaved Africans and their descendants began forming communities where African cultural traditions were celebrated and, thus, preserved.\(^{306}\) The preservation of African cultural traditions and the formation of social ties among Afro-descendants facilitated the creation of civil society organizations that sought the recognition of Mexico’s African heritage at the local, regional, and federal levels.\(^{307}\)

These social organizations—including Mexico Negro, A.C. and Africa A.C.\(^{308}\)—have directed efforts to ensure Afro-descendant communities can “regain their history and their cultural patrimony, with the end goal of bettering their conditions and fighting against racism and discrimination.”\(^{309}\) Consolidating these efforts was the establishment of the *Museo de las

\(^{303}\) Vinson, *Before Mestizaje*.
\(^{304}\) Iturralde Nieto and Velázquez, “Afrodescendientes en México.”
\(^{305}\) Iturralde Nieto and Velázquez.
\(^{306}\) Iturralde Nieto and Velázquez.
\(^{307}\) Iturralde Nieto and Velázquez.
\(^{309}\) Iturralde Nieto and Velázquez, “Afrodescendientes en México.”
Culturas Afromestizas (Museum of Afromestizo cultures) in Cuajinicuilapa, Guerrero, in 1995. The museum, which is still operating today, has contributed to preserving Afro-descendant history and is helping community members learn about the roots of their cultural expressions. Moreover, these organizations have made significant strides towards the protection of Afro-Mexicans’ rights by pushing for legal recognition at the subnational and national levels.

Despite demands from Afro-Mexican organizations, such as Africa A.C. and MuAfro, for recognition in the national constitution, they were only met at the subnational level before 2019. The calls for including Afro-descendants in the Mexican constitution were primarily limited by the lack of political support for recognition at the federal level. The following section explores in more detail how the lack of domestic support for constitutional inclusion limited the ability of Afro-descendant civil society and international influence to create the type of change embodied by the 2019 constitutional amendment.

Existing Recognition at the National Level: National Law to Prevent and Eliminate Discrimination & 2015 Intercensal Survey

During the presidency of Enrique Peña Nieto, two main developments signaled a change to the federal status of Afro-descendants in Mexico. In 2014, Afro-descendants were listed as a minority deserving affirmative action in the Federal Law to Prevent and Eliminate Discrimination (LFPED). Similarly, the National Institute of Statistics and Geography’s (INEGI)

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310 Iturralde Nieto and Velázquez.
311 Iturralde Nieto and Velázquez.
2015 Intercensal Survey included a question that asked respondents whether they identified as Afro-descendant. In this section, I argue that this federal recognition of Afro-descendants resulted from Mexico’s signatory status to international standards on human rights protections. In the absence of domestic demands for federal recognition, given that Afro-descendant advocacy was limited to the state level, Mexico’s international commitments to protecting human rights pressured the Peña Nieto administration to grant a degree of recognition to Afro-descendants.

**The National Law to Prevent and Eliminate Discrimination**

In June 2003, Mexico adopted the Federal Law to Prevent and Eliminate Discrimination. The bill aims to create a rules-based framework to prevent and eliminate all forms of discrimination. Additionally, it seeks to promote equal treatment and opportunity among the population. The law requires public entities to eliminate all obstacles that could hinder a person’s participation in the country's political, economic, cultural, and social life. The Law was reformed in March 2014 to expand its definition of discrimination and enshrine affirmative action in Mexico’s legal documents. The 2014 amendment under Peña Nieto transformed the law by adding racial discrimination to its definition. The new law now included as discrimination any action or the lack of action that interfered with a person’s ability

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314 “Ley Federal Para Prevenir y Eliminar La Discriminación.”
315 “Ley Federal Para Prevenir y Eliminar La Discriminación.”
318 Decreto por el que se Reforman, Adicionan, y Derogan Diversas Disposiciones de la Ley Federal para Prevenir y Eliminar la Discriminacion.
to exercise their rights based on the color of skin, culture, gender, physical appearance, genetic characteristics, migration status, political identity, or affiliation, family situation, familial responsibilities, or any other ground.\footnote{Camara de Diputados del Congreso de la Union, Ley Federal Para Prevenir y Eliminar la Discriminación.} It also explicitly banned any manifestation of racial segregation or racial discrimination.\footnote{Decreto por el que se Reforman, Adicionan, y Derogan Diversas Disposiciones de la Ley Federal para Prevenir y Eliminar la Discriminacion.} Moreover, the reform gave the government a higher responsibility to intervene to protect people from discrimination by engaging in affirmative action.

The law required the federal expenditure budget to include the allocation of funds to promote the leveling actions, actions of inclusion, and affirmative actions.\footnote{Decreto por el que se Reforman, Adicionan, y Derogan Diversas Disposiciones de la Ley Federal para Prevenir y Eliminar la Discriminacion.} Article 5 establishes that affirmative actions are not considered discriminatory actions as long as the goal is to promote the equality of opportunity of people or groups.\footnote{Camara de Diputados del Congreso de la Union, Ley Federal Para Prevenir y Eliminar la Discriminación.} Chapter IV further outlines these equal leveling, inclusion, and affirmative action measures. All federal public institutions are required to engage in measures of leveling, inclusions, and affirmative actions necessary to guarantee equality of opportunities and rights to non-discrimination.\footnote{Camara de Diputados del Congreso de la Union.} These actions include measures to prioritize access, retention, and promotion of people who belong to groups in situations of discrimination and are underrepresented in educational spaces, the workplace, and popularly elected positions through the establishment of percentages or quotas.\footnote{Camara de Diputados del Congreso de la Union.} The law also states that “affirmative actions will be priorly applied to people who belong to Indigenous communities, Afro-descendants, women, boys, girls, and youth, people with disabilities and
elderly people.” As we can see, rights were expanded under the Peña Nieto government. What led to this change in the federal government’s inclusive attitude towards Afro-descendants?

I argue that international, not domestic, factors help explain the shift in inclusion in the LFPED under Peña Nieto’s government. The demands for Afro-descendant recognition were not widespread at the national level, nor was there popular support. Political actors and civil organizations had little to no incentives to include Mexico’s Afro-descendant population in the LFPED because the relatively low percentages of Afro-descendants in Mexico made it so that there were no direct political benefits for their inclusion.

Additionally, since Afro-descendant demands for inclusion were concentrated in a few states, Afro-Mexican organizations could not forge linkages with the broader Mexican polity. The lack of linkages was worsened by the fact that the majority of Mexicans hold misconceptions about black people living in Mexico. The historical erasure of Afro-descendants from Mexico’s history and images of national identity means that many Mexicans believe there are no Black people in Mexico. The invisibility of Afro-descendants in Mexican history led many Mexicans to view blackness as antithetical to the Mexican national identity. In other words, because of the belief that Black people do not exist in Mexico, Afro-Mexicans were seen as foreigners. For example, the negation of the existence of blackness in Mexico led government institutions to heavily scrutinize Afro-Mexicans. This is particularly true of the police, who have stopped Afro-Mexicans on suspicion of being undocumented migrants into Mexico. They have also been deported to Central America. Overall, the view that there are no Afro-descendants in Mexico severely limited the ability of Afro-descendant communities and organizations to

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325 Camara de Diputados del Congreso de la Union.
establish ties with other sectors of Mexican society. Thus, the political salience of their legal inclusion remained low.

Another factor that contributed to the domestic lack of incentives for recognition, especially during the Peña Nieto administration, was the government's different policy priorities. The PRI was concerned with establishing its legitimacy at the domestic level after years of authoritarian rule and a contentious election with Andrés Manuel López Obrador (AMLO). It wanted to portray itself as a democratic party that could negotiate and collaborate with other parties.326

In the policy arena, the biggest challenges for the PRI in 2012 included “sparking economic growth and creating jobs, addressing Mexico’s stagnated legislative process, passing delayed structural reforms, and…making decisions regarding the future of public security and the influence of organized crime.”327 Mexicans wanted a political party that would bring significant economic growth and job creation.328 This clamor resulted from the inability of the Calderon and Fox administrations to pass major reforms (which did not have enough support in congress).329

In the democratic arena, the election of the PRI “sparked intense debate in Mexico about the health of democratic practice and the future of Mexico’s political institutions.”330 This was primarily due to AMLO, who, during the 2012 election, raised concerns over electoral fraud and

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327 Wood.
328 Wood.
329 Wood.
330 Wood.
claimed that PRI had engaged in vote buying. Additionally, student protests known as #YoSoy132 raised questions about the legitimacy of the PRI to rule the country.

Because of these two challenges to the legitimacy of the PRI, Peña Nieto had to “act quickly to prove that his government [was] working in the national interest.” That is precisely what he did. During the first thirteen months in office, Peña’s administration achieved the “congressional authorization of a remarkable array of reforms in education, telecommunications, banking taxation, electoral rules, government transparency laws, and the energy sector.” Central to these reforms was the consolidation of the “Pacto por Mexico,” where Peña Nieto reached an agreement between PRI, PAN, and PRD to ensure the success of his reform agenda. “The Pacto carefully balanced the core policy concerns of the president and the opposition,” neither of which included the inclusion of Afro-descendants.

The government’s emphasis on education, energy, security, finances, and electoral institutions showed that for the Peña Nieto administration, there were more critical and pressing issues to resolve other than inclusion. Indeed, the lack of domestic-driven change is further illustrated by the fact that, although Afro-descendants were included in the 2014 federal law to prevent discrimination, no major laws were subsequently changed during his presidency. Having shown that domestic pressures cannot explain why Afro-descendants were included in the LFPED in 2014, I turn to how international influence provides a better explanation of their inclusion in federal laws.

331 Wood.
332 Wood.
333 Wood.
335 Starr.
336 Starr.
The inclusion of Afro-descendants in the Federal Law to Prevent Discrimination can be understood as a response by the Peña administration to the shifting international standards and not a reaction to domestic demands for inclusion. Peña Nieto’s interest in presenting Mexico as a democratic country abroad and Mexico’s status as a signatory to international conventions on anti-discrimination strongly influenced the shift in Afro-descendant recognition during his administration.

A central concern for Peña Nieto was to make Mexico “have a greater role in world politics and be committed to participating in global problems” and to improve Mexico’s image in the world. As part of this commitment, Peña asked the national media to promote a positive image of Mexico by not emphasizing the news of violence in Mexico. In 2014, the Peña administration announced that Mexico would participate in UN peacekeeping operations. According to Rafael Velazquez-Flores, Mexico announced its participation in UN peacekeeping as a way to signal its commitment to becoming a responsible global actor.

Establishing its commitment as a global leader also required aligning with international standards. This was especially important for the PRI, which wanted to ensure that its administration was up to date with international standards on protecting civil rights and inclusivity to maintain the legitimacy of its administration. The PRI and Peña wanted to ensure that it

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338 Velazquez-Flores.
339 Velazquez-Flores.
340 Velazquez-Flores.
portrayed itself as a renewed party that had limited connections to the repression and disregard for human rights that happened during its 70-year rule.

Aside from the concerns of presenting the PRI in a new light, the Mexican government was also bound by constitutional law to protect the rights of its citizens per international standards. In June 2011, over a year before Peña took office, Mexico passed a set of constitutional reforms reaffirming its commitment to human rights protections. More specifically, the law required the country’s legal regime to adopt all of the human rights under international law as constitutional rights in Mexico.

The pressures to uphold international treaties, both because Peña wanted to portray the PRI as a democratic party and because the constitution required his administration to align the domestic human rights regime with the international regime, meant that changes in international treaties would trickle down to federal law. Under this context, international pressure emerged as a leading factor explaining the inclusion of Afro-descendants in the Federal Law to Prevent Discrimination and in the Intercensal Survey in 2015.

In the early 2000s, international organizations began viewing racism as a form of discrimination that needed to be tackled. In 2011 the ONU proclaimed the International Year of the Afrodescendant. UNESCO in 2015 established the International Decade for People of African Descent, observed from 2015 to 2024 with the intention of better living conditions for the Afro-descendants and reassuring their rights. These examples illustrate how attention in the international arena shifted towards the recognition of countering anti-black discrimination.

342 Freixa.
According to Tanya Duarte, the director of Afrodescendencia Mexico, the United Nations proclaimed the decade of Afro-descendants to pressuring countries to amend the constitution and include Afro-descendants. The UN stated that the goal of establishing the Decade for People of African Descent was to combat the inequality and disadvantages because of the legacy of slavery and colonialism. Another big emphasis was to “adopt and strengthen national, regional and international legal frameworks according to the Durban Declaration and Programme of Action and the International Convention on the Elimination of All Forms of Racial Discrimination and to ensure their full and effective implementation.”

The adoption of the Decade pressured state members to take specific action to contribute to the objectives. At the national level, it urged states to “take concrete and practical steps through the adoption and effective implementation of national and international legal frameworks, policies, and programs to combat racism, racial discrimination, xenophobia and related intolerance faced by people of African descent, taking into account the particular situation of women, girls, and young men.” It also urged to collect statistical data, incorporate human rights into development programs and generally preserve “historical memory of people of African descent.”

This shift in the international arena to protect the rights of Afro-descendants pressured the Mexican government to adopt similar legislation at the national level. The influence of international pressures is evident in the amendment that added Afro-descendants to the Federal

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343 López Suárez, “Proyecto Afrodescendencia México, la existencia de la tercera raíz.”
345 “International Decade for People of African Descent (2015-2024): About the Decade.”
346 “International Decade for People of African Descent (2015-2024): About the Decade.”
347 “International Decade for People of African Descent (2015-2024): About the Decade.”

Chiquito 82
Law to Prevent Discrimination. The law now mentioned Afro-descendants and included “color of skin” as grounds for discrimination.

It is also evident by including Afro-descendants in the 2015 Intercensal Survey. International influence opened spaces for Afro-Mexicans to question the Mexican government and demand recognition. International forums allowed civil society organizations to call out the government’s neglect and pressure it to act. The 1965 Convention on the Elimination of All Forms of Racial Discrimination is a clear example. According to Gay McDougall, the convention “remains the principal international human rights instrument defining and prohibiting racial discrimination in all sectors of private and public life.”\textsuperscript{348} The implementation of the convention is monitored by the Committee on the Elimination of All Forms of Racial Discrimination (CERD), which is an independent body composed of experts that ensure State parties meet their obligations.\textsuperscript{349} One of the CERD’s primary responsibilities is to analyze reports submitted by each State party every two years.\textsuperscript{350} After examining each report, the CERD provides State parties with recommendations in the form of “concluding observations.”\textsuperscript{351}

In the case of Mexico, the CERD made multiple “observations” regarding its Afro-descendant population. For instance, in 2006, the CERD questioned the exclusion of Afro-descendants from the National Census.\textsuperscript{352} The Committee also highlighted the lack of information

\begin{footnotes}
\footnotetext{350}{“Introduction: Committee on the Elimination of Racial Discrimination.”}
\footnotetext{351}{“Introduction: Committee on the Elimination of Racial Discrimination.”}
\end{footnotes}
about the political participation of Afro-Mexicans. According to the “Perfil sociodemográfico de la población Afrodescendiente en México” (Sociodemographic profile of the Afro-descendant population in Mexico), the CERD’s recommendations, combined with pressure from civil society organizations, led the INEGI to ask respondents whether they identified as Afro-descendants in the 2015 Intercensal Survey. The survey found that 1.4 million Mexican inhabitants, or 1.2% of Mexico’s total population, considered themselves Afro-descendants.

The intercensal results not only affirmed the existence of Afro-descendants in Mexico but also documented the inequalities that Afro-Mexicans experienced based on their historical marginalization. According to the Afro Mexican Women in Action collective, the results from the 2015 Intercensal Survey “permitted [Afro-Mexican] communities and organizations to demand constitutional recognition, as well as the generation of targeted and specific public policies.”

Moreover, Afro-Mexican civil society organizations used the 2015 results to amplify their demands for constitutional recognition at the international level. In 2018, the Inter-American Commission of Human Rights held an audience on Afro-Mexicans' rights between Mexican state representatives and various civil society organizations. During the audience, the civil society representatives used data from the 2015 survey to substantiate their claims of systemic racism and marginalization coming from the Mexican State. By presenting data on the inequality resulting

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353 García Hernández.  
354 García Hernández.  
355 García Hernández.  
358 México: Derechos Humanos.
from years of marginalization before international forums, Afro-descendant organizations were able to heighten pressure on the Mexican government to respond to their demands.

Although demands from civil society organizations and scrutiny by international institutions were key in pressuring the government to act, they are insufficient to explain why the constitution was amended in 2019. To better understand the timing of the constitutional change, we need to look at the political context during which it happened. We must look closely at the rise of MORENA. I argue that the changed political context brought about by MORENA created incentives for politicians to bring Afro-descendants to the forefront of the national agenda. Whereas their demands had been concentrated at the state level, they were now heard at the federal level.

**Consequences of Exclusion: The Re-Creation of the Castas Through Modern Legislation**

Although the state constitutions included language that protected Afro-descendants, they were insufficient to mitigate the consequences of their exclusion and marginalization at the federal level, given Mexico’s centralization of political and fiscal authority. Before analyzing the impact that the rise of MORENA had on the constitutional inclusion of Afro-descendants in 2019, it is important to have an understanding of how the exclusion of Afro-descendants from the constitution has impacted the lived experiences of Afro-descendants.

A major consequence of the lack of constitutional recognition in Mexico was an expression of the casta system in modern Mexico. The lack of policies that protected the collective rights of Afro-descendants led to a reinforcement of a preferential system of Indigenous communities. Under this system, Mexican authorities continued to uphold systemic neglect of Afro-descendants that expressed itself in the denying of equal access to public resources for Afro-descendant communities. In this section, I argue that the lack of recognition of Afro-descendants as subjects
of public law prevented Afro-descendant communities from accessing the services granted to Indigenous communities, reinforcing the preferential system established during the colonial period.

The exclusion of Afro-descendant communities in a constitution that did provide protections for Indigenous communities led to inequitable access to public services between these two minority groups. In 1992, the Mexican Congress established Mexico as a pluricultural nation by amending Article 4 of the constitution.\(^{359}\) Under this amendment, the constitution recognized Indigenous communities as an essential part of the nation. By doing so, the amendment provided for the protection of Indigenous rights to self-determination and the protection of their culture, languages, and customs.\(^{360}\) Nine years later, in 2001, a constitutional reform amended Article 2 of the constitution to include a list of Indigenous communities’ rights.\(^{361}\)

For instance, under Article 2, section A, the constitution “recognizes and guarantees the right of Indigenous communities to self-determination and, consequently, autonomy to decide their internal... social, political, and cultural organization.”\(^{362}\) Additionally, article 2 establishes various responsibilities for the Mexican state. Under section B, the federal and subnational ruling entities are given the responsibility to “establish the institutions and determine the necessary policies to guarantee the validity of the rights of Indigenous peoples and the integral development of their communities.”\(^{363}\) Furthermore, section B enumerates specific responsibilities for state authorities to ensure the promotion of the equality of opportunities of Indigenous peoples and eliminate any

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\(^{359}\) “Asuntos Indígenas y Afrodescendientes En Reclusión.”
\(^{360}\) “Asuntos Indígenas y Afrodescendientes En Reclusión.”
\(^{361}\) “Asuntos Indígenas y Afrodescendientes En Reclusión.”
\(^{363}\) “Constitución Política de los Estados Unidos Mexicanos.”
This includes the obligation to promote regional development of Indigenous zones, guarantee and increase levels of schooling with an emphasis on bilingual and intercultural education, ensure adequate access to health services, extend communication networks to allow for the integration of Indigenous communities, and establish social policies to protect Indigenous migrants among others. These obligations made Indigenous communities visible and directly impacted their social rights. For example, following the tenets of Article 2, Section B of the constitution, the Mexican state effectively enacted public policies that ensured more equitable access to public services for Indigenous peoples. For instance, social policies targeting Indigenous communities were central to Pena Nieto’s 2018 National Development Plan. The Plan established a four-tier framework focusing on boosting economic development, providing public services, expanding education, and protecting the rights of Indigenous peoples.

This framework guided the government’s efforts to enhance Indigenous communities' social and economic development. For instance, through its Programa de Mejoramiento de la Producción y Productividad Indígena (Program to Improve Indigenous Production and Productivity), the Pena Nieto administration invested over US$343 million in 30,595 developmental projects in the agricultural sector to boost the economic development of rural Indigenous communities. Similarly, under the 2018 National Development Plan, Peña Nieto’s government invested over US$1,365 million in infrastructural projects that expanded access to potable water, drainage, electricity, and new roads to about three million people living in

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364 “Constitución Política de los Estados Unidos Mexicanos.”
365 “Constitución Política de los Estados Unidos Mexicanos.”
367 “Beneficios de las políticas públicas para los Pueblos Indígenas.”
municipalities with a large population of Indigenous peoples. According to government officials, the establishment of these policies was a response to the “lack of opportunities... and discrimination” that Indigenous communities were historically subject to in Mexico. These public policies illustrate how the inclusion of Indigenous communities in the constitution directly impacted the government’s actions to guarantee Indigenous communities' rights to public services.

In contrast, mainly due to their exclusion from the constitution, Afro-descendant communities were not included in the policies that guaranteed their access to public services, leading to unequal access to public services among Mexico’s marginalized groups. The difficulties that Afro-descendant communities face when accessing public services in Mexico are best depicted in the short documentary “Somos Afromexicanos.” By interviewing people living in Afro-Mexican communities located along the coasts of Guerrero and Oaxaca—the two Mexican states with the largest percentage of Afro-descendants residing in its territory—the director exposes the marginalization of these communities. In the words of Paula Maximiana Laredo Herrero,

We have not had equality in terms of health services, justice, and education (...) We [Afro-descendants] are extremely marginalized. We are totally forgotten communities. We are lagging at least fifty to sixty years in comparison to other cities, so we are at a disadvantage.

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368 “Beneficios de las políticas públicas para los Pueblos Indígenas.”
369 “Beneficios de las políticas públicas para los Pueblos Indígenas.”
372 Presentación Del Corto Documental “Somos Afromexicanos.”
Community residents also emphasize the link between the marginalization of Afro-descendant communities vis-a-vis Indigenous populations. For example, Bertoldo Narvaez, an activist from an Afro-Indigenous community, relates the preferential treatment that regional healthcare institutions give Indigenous women over black Afro-descendant women.\textsuperscript{373} This preferential treatment is not only experienced at the individual level but also at the communal level. As Tulia Serrano Arellanes narrates,

> Preference is being given to Indigenous people. And us? They [the government] must first recognize us, we are here. They must include us in laws and constitutions so that they can provide us [with social services].\textsuperscript{374}

As it is clear from these testimonies, the exclusion of Afro-descendants from the constitution largely impeded them from accessing the type of public services that Indigenous peoples accessed. This upheld the colonial system in modern times. Afro-descendants were still devalued and were not seen as people who were victims of racism that had not only invisibilized them but also strictly limited their life outcomes.

**The 2019 Constitutional Amendment**

The lack of inclusion of Afro-descendants in the text of the law, even though Afro-descendants were included in the Federal Law to Prevent Discrimination, illustrates the lack of political support for ensuring Afro-descendants’ rights were fully protected. This section analyzes

\textsuperscript{373} Presentación Del Corto Documental “Somos Afromexicanos.”

\textsuperscript{374} Presentación Del Corto Documental “Somos Afromexicanos.”
the rise of MORENA as a political party and social movement to explain the constitutional recognition of Afro-descendants in 2019.

### The Rise of MORENA

AMLO founded MORENA in 2014. As Kenneth Green points out, the party was unlikely to win much support because it would compete with the PRD for votes—AMLO split from that party after two unsuccessful presidential runs—and because election laws in Mexico put new parties at a financial and advertisement disadvantage.\(^{375}\) Part of what explains AMLO’s electoral success was his ability to “tap a deep vein of voter frustration with chronic poverty and inequality, rising violence, and public corruption, while the already-tried PAN and PRI could not offer credible alternatives.”\(^{376}\) As such, AMLO’s electoral campaign centered on swaying a “growing group of voters felt unrepresented by the PRI’s authoritarianism, the PAN’s rightism, and the PRD’s leftism” towards MORENA.\(^{377}\)

AMLO “built a master narrative of regime crisis rooted in generalized corruption. He blamed bad government for poverty and inequality, public insecurity, poor services, and the misuse of public funds.”\(^{378}\) He ran a campaign where he denounced the ruling elite, who was out of touch with “ordinary people” and wanted to go against the interests of the elite.\(^{379}\) Those voters who saw convergence between PAN and PRI and believed that the parties represented the same political

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\(^{376}\) Greene and Sánchez-Talanquer.

\(^{377}\) Greene and Sánchez-Talanquer.

\(^{378}\) Greene and Sánchez-Talanquer.

\(^{379}\) Greene and Sánchez-Talanquer.
alternative were likelier to vote for AMLO. Essentially, support represented a rejection of the political establishment in Mexico.

AMLO’s capitalization of the discontent by portraying his party as antithetical to established political parties led to his electoral success. On July 1, 2018, AMLO won Mexico’s presidency with 53% of the popular vote. “Voters gave him the largest mandate any Mexican president had received since 1982. He won in thirty-one out of the country’s thirty-two states. His congressional coalition with the Labor Party (PT) and the Social Encounter Party (PES) won majorities in both houses of congress. Once he took office, candidates from other parties joined MORENA’s caucus, and his coalition controlled 313 seats in the 500-member Chamber of Deputies and seventy seats in the 128-member Senate.

AMLO’s administration has been closely following the MORENA party platform. Central to the MORENA platform is tackling corruption, anti-democracy, injustice and illegality. MORENA seeks to create a “revolution of the conscience” to achieve critical thinking among population. It seeks to achieve a deep moral and ethical change to achieve political, economic, cultural, and social change. These ethics centralize public participation of every Mexican who is no longer subject to clientelism and paternalism and achieves collective wellbeing.

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381 Castro Cornejo.
382 Greene and Sánchez-Talanquer, “Latin America’s Shifting Politics.”
383 Greene and Sánchez-Talanquer.
384 Greene and Sánchez-Talanquer.
385 Greene and Sánchez-Talanquer.
386 Greene and Sánchez-Talanquer.
388 “Programa del Movimiento Regeneración Nacional.”
389 “Programa del Movimiento Regeneración Nacional.”
Moreover, it wants to establish a solidarity state that is attentive to individual rights, especially the rights of those who live in vulnerable conditions.\textsuperscript{390} This includes older adults, people with a disability, Indigenous, women, youth, and children.\textsuperscript{391} MORENA places these rights in antithesis to the current political system. It argues that rights have been negated in practice because the establishment elites want to retain power. Thus, its success at the polls opened up space for politicians to adopt a narrative of protecting ordinary people against the encroachments of the elite.

MORENA’s success at the polls and its legislative control demonstrated that citizens rewarded political actors who aligned with MORENA’s narratives. There was an incentive for politicians to adhere to its ideas and take actions to show their commitment to supporting marginalized identities. One such politician was Susana Harp, who brought attention to Afro-descendant communities and eventually gathered support for their recognition at the federal level.

**The Path to the 2019 Amendment**

On October 18, 2018, a month after assuming office, Oaxacan Senator Susana Harp Iturribarría introduced an initiative to reform the constitution. She proposed amending Article 2 of the constitution to add a five-line paragraph that granted Afro-descendants the same rights as Indigenous peoples.\textsuperscript{392} Immediately after presenting her proposal, members of the other political parties and her own—MORENA, PAN, PRD, and PRI—verbally expressed their support for the

\textsuperscript{390} “Programa del Movimiento Regeneración Nacional.”
\textsuperscript{391} “Programa del Movimiento Regeneración Nacional.”
reform and endorsed the initiative.\textsuperscript{393} Six months later, on April 30, 2019, the Senate approved it unanimously when the reform was brought before the floor for discussion and voting.\textsuperscript{394}

The overwhelming support for the reform—an indicator of political will—in a context where Afro-descendants had been calling for their constitutional recognition for years suggests that political calculations by Senator Harp and other members of congress played a central role in the reform’s success. In 2020, Senator Harp further participated in the “AfroCenso MX” campaign, a national effort to encourage Afro-descendants living in Mexico to self-identify as such in the 2020 Census.\textsuperscript{395} Notably, Senator Harp was the only congressperson who actively collaborated with civil society organizations to promote the campaign.\textsuperscript{396}

Importantly, though, the fact that congress unanimously supported the reform while most congresspeople did not engage in the census campaign showed how protecting Afro-descendants’ rights continued to be a low priority for Mexico’s elected representatives. It reflected a broader attitude within the Mexican government that the protection of Afro-descendants’ was not worth pursuing. This attitude is crucial to understanding the aftermath of the 2019 constitutional amendment.

The 2019 Constitutional Amendment and Its Aftermath
The bill proposed by Senator Harp successfully modified the Mexican constitution by adding section C to Article 2 of the constitution. As previously discussed, Article 2, sections A


\textsuperscript{396} “Quiénes somos.”
and B listed Indigenous peoples' rights and the state's responsibilities towards Indigenous communities. According to the five-line addendum,

This constitution recognizes Afro-Mexican peoples and communities, regardless of their self-determination, as part of the pluricultural composition of the Nation. They will have the rights outlined in the preceding sections of the present Article in the terms that the laws establish, with the end goal of guaranteeing their free determination, autonomy, development, and social inclusion.397

As Section C states, the constitutional amendment granted Afro-descendants the same rights granted to Indigenous peoples eighteen years after. This led the Mexican state to redefine its relationship with Afro-Mexicans using a similar approach as the one used for Indigenous communities.

Following the constitutional amendment, the Mexican government reiterated its commitment to upholding its constitutional responsibilities towards Indigenous and Afro-descendant communities. For instance, in 2021, the government published the “Special Program for Indigenous and Afro-Mexican Peoples 2021-2024,” an addendum to the government’s 2019-2024 National Development Plan.398 According to the Program, the “Mexican State has the compromise to observe and fulfill a set of rights to which Indigenous and Afro-Mexican peoples are entitled under international and national legal regimes.”399

399 “PROGRAMA Especial de los Pueblos Indígenas y Afromexicano 2021-2024.”
Although the constitutional change led the Mexican government to recognize the legal rights of Afro-descendants, it did not allow for an acknowledgment of the specific needs of Afro-descendants living in Mexico. Including Afro-Mexicans under Article 2 of the constitution equated Afro-Mexicans with Indigenous peoples. As a result, the specific needs of Afro-descendant peoples were not considered. Moreover, the presumption that Afro-Mexican communities are organized the same way as Indigenous communities have once again led the government to emphasize the importance of protecting Indigenous rights, which is seen as an intrinsic protection of Afro-Mexican rights by default.

For instance, although the Special Program's mission is to fulfill its responsibilities to Afro-Mexican and Indigenous peoples, the government largely excludes the former group in the long-term vision presented in the Program’s epilogue. This is evident in the first paragraph of the epilogue, the Plan states:

To achieve the cultural rebirth of Mexico, we must honor our roots and ancient cultures. In our deepest roots are the Indigenous peoples that constitute the cornerstone of the pluricultural nature of the Mexican State. Accepting this reality means that we recognize ourselves as a diverse and plural country, similar to a rainbow, in which we abandon once and for all, the ideas of the nineteenth century of the negation and exclusion of the ‘other’, which gave origin to integrationist and assimilationist policies of the past.\textsuperscript{400}

The statement suggests that assimilationist policies are a thing of the past, which is a perspective that disregards the historical and contemporary exclusion of Afro-descendants in Mexico. Conceiving assimilationist policies as part of Mexico’s past points to how the government’s

\textsuperscript{400} “PROGRAMA Especial de los Pueblos Indígenas y Afromexicano 2021-2024.”
conception of Mexico as a pluricultural nation relies on the inclusion of Indigenous peoples in the constitution in the late 1990s and early 2000s.

The government’s vision for Mexico’s future continues to emphasize the protection of Indigenous rights while, at the same time, it omits the importance of protecting Afro-descendant’s rights. According to the second paragraph of the Plan,

With this new vision of the country, towards 2024, Indigenous peoples and communities will be fully recognized as subjects of public law, with full capacity to freely decide their forms of government and organization, as well as their integral development and communal well-being, with respect to their cultures and the sustainable exploitation of their lands, territories, and natural resources. Through this, the painful episode in which said populations were considered to be ‘objects,’ or in the best of cases, ‘passive subjects’ of governmental policies and actions, will be left behind to make way for a new phase in which their fundamental rights are recognized and respected.401

As this excerpt demonstrates, the government reinforced a narrow vision of what it means to be a pluricultural nation by assuming that protecting Indigenous peoples’ rights would intrinsically lead to respecting and recognizing everyone’s “fundamental rights,” including Afro-descendants. This discursive equation of Indigenous rights with Afro-descendant rights not only essentializes the distinct needs of both groups but also creates a system where the protection of Afro-Mexican rights is dependent on and subordinate to the protection of Indigenous rights.

401 “PROGRAMA Especial de los Pueblos Indígenas y Afromexicano 2021-2024.”
Final remarks

In seeking to answer why Afro-descendants were included in the constitution in 2019, this chapter explored the extent to which civil society demands, international influence, and the rise of MORENA contributed to the constitutional recognition of Afro-descendants in 2019. Although civil society and international influences help us explain the recognition of Afro-descendants before the 2019 amendment, these factors alone do not explain Afro-Mexican inclusion. I argue that the rise of MORENA created a political environment that opened space for politicians to bring Afro-descendant demands to the forefront of the national agenda. I provide support for this hypothesis by analyzing the involvement of MORENA Senator Susana Harp in the amendment process. Finally, I conclude the chapter by pointing out how the text of the constitutional amendment limits substantive changes to the conditions of marginality in which Afro-Mexicans live.
Conclusion

“Siempre estuvimos aquí
ahora somos visibles.”
—Mujeres Afromexicanas

This thesis aims to understand why the Mexican state decided to grant constitutional recognition to its Afro-Mexican population after hundreds of years of neglect. To answer this central question, I carry out a within-case analysis of the factors that led to the historic invisibilization of Afro-descendants and the factors that contributed to the 2019 constitutional amendment. This thesis is divided into three chapters, each covering a different period of Mexican history and answering separate but related questions. In the first chapter, I explore why México failed to recognize Afro-descendants during the process of modern state formation. The chapter discusses Afro-descendants’ political and social influences on the nascent nation before arguing that the introduction of scientific racism into the New World led to the devaluation of Afro-descendants and contributed to their invisibilization from national narratives. I demonstrate how political leaders, attempting to create a unified nation, embraced racist ideas that replicated the anti-Black casta system and limited the incorporation of Afro-descendants into the creation of the modern nation state.

In chapter two, I analyze the failure of the Mexican state to recognize Afro-descendants during its adoption of a multicultural constitution. I argue that the visibility of Indigenous people during México’s democratization, coupled with the lack of political opportunities for Afro-

descendants to place their demands for recognition on the national agenda contributed to the exclusion of Afro-descendants from the multicultural reforms of the early 2000s. In the last chapter, I analyze the factors that led to the constitutional recognition of Afro-descendants in 2019. I contend that central to the story of inclusion was the rise of MORENA as a political force that shifted domestic political incentives and facilitated Afro-descendant efforts for federal recognition.

In contrast to other Latin American countries that granted Afro-descendants constitutional inclusion via the drafting of new multicultural constitutions, México stands out as one of only two countries in the region to have included Afro-descendants through amendments to their existing constitutions. This thesis analyzes the unique approach México took to recognize its Afro-descendants, offering insights into an alternative method for Afro-descendant inclusion in the region. Additionally, my research sheds light on how persistent anti-Black racism has facilitated the survival of the casta system. The survival of the castas is evident in the way Indigenous rights have been prioritized in relation to Afro-descendant rights. During México’s transition to democracy, the visibility of Indigenous people shaped a notion of multiculturalism centered on extending collective rights and political participation solely to Indigenous groups. This exclusion of Afro-descendants from México’s multicultural constitution resulted in unequal treatment and limited access to state resources, mirroring the casta system. The disparities between Indigenous peoples and Afro-descendants persisted even after Afro-descendants were officially recognized in the text of México’s constitution. The inclusion of Afro-descendants within the legal framework that protects Indigenous peoples’ collective rights contributes to the maintenance of a system where the protection of Afro-Mexican rights is dependent on and subordinate to the protection of Indigenous rights—see chapter 3. In essence, this thesis
underscores the necessity for the Mexican state to enact laws specifically tailored to address the needs of Afro-descendants. Rather than lumping Afro-descendant and Indigenous communities together, Mexican politicians must actively engage with Afro-descendant communities and implement policies that address the historical invisibilization and marginalization of Afro-descendants.
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