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# President Benito Juárez and General Porfirio Díaz: Reconstruction of their Break-Up in the Summer of 1867

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## Introduction

In July 1867, the war against the French Intervention and the Empire of Maximilian of Mexico came to an end. The army of the Republic was to disappear and the leaders were to give up the powers they had during the war, which in the case of Porfirio Díaz included seven states in addition to the Federal District. After that time, the victors now had to devote their efforts to the more laborious task of bringing order to the reconstruction of their country. These men, united in the war against aggression, had different opinions on several of the issues to be decided, opinions which they debated intensely in the press and on the tribune. Among the issues they discussed with their party colleagues there were two that stood out above the rest, around which differences began to emerge: one had to do with the fate of the army that allowed President Juárez to triumph, the other with the fate of the government that sustained the rule of Emperor Maximilian. Both were delicate and controversial issues regarding what to do with the soldiers of the Republic and what to do with the defenders of the Empire. This meant reward and punishment, of course, but also demobilization and amnesty.

Liberals were divided over the treatment of soldiers who fought for their cause and over the punishment to be meted out to their enemies, whom they called traitors to the homeland. This division caused unrest in their ranks. But what ended up dividing them completely and thoroughly was the publication of the call for the 1867 elections, in which President Benito Juárez consulted the Mexican people, in the form of a plebiscite, to reform the Constitution with the aim of strengthening the Executive Branch vis-à-vis the Legislative Power. The referendum proposal that accompanied the call marked the birth of what Manuel María de Zamacona called the restored Republic. It exacerbated the divisions that explain the break-up of Porfirio Díaz and Benito Juárez. This is the thesis proposed in this paper. Their break-up was one of the most

momentous events of the second half of the nineteenth century, and occurred in a few weeks in the Summer of 1867.

## Background to the break-up

There are various explanations in the literature for the rift between Juárez and Díaz, which was to have such serious consequences for the Mexican Republic. Some of the older biographers of Díaz, such as Salvador Quevedo y Zubieta, referred to issues of a personal nature: frictions, slights, disagreements which occurred at the time of Juárez's arrival in Mexico City in July 1867. When they met on the outskirts of the capital, as Quevedo y Zubieta wrote, President Juárez, according to Díaz, responded badly to his greeting: "He received me with a sullen air."[1] Modern authors rescue this kind of comment: "Díaz was not invited to get into the presidential car," wrote the great Juárez biographer Ralph Roeder.[2]

Several incidents are documented that form the context in which the first rift took place. After the capture of Puebla in April 1867, General Díaz pardoned all prisoners (including chiefs and officers) taken since the battles of Miahuatlán and La Carbonera. This pardon annoyed Juárez. "It seems to me good that you should follow the rule you have used of not shooting the class of troops who fall prisoner," he wrote to him. "As for prominent ringleaders and chiefs, officers and soldiers in whom there are aggravating circumstances, the full rigour of the law must be applied to them."[3] Later, during the siege of Querétaro, Díaz ordered General Juan N. Méndez to leave that city to return to Puebla, and wrote to President Juárez: "If your orders for him to stop in Querétaro had arrived in time, Señor Méndez would have obeyed, although

[1] Salvador Quevedo y Zubieta, *El caudillo* (Mexico City: Editora Nacional, 1967), 176. The passage in question reads as follows: "Don Benito responded badly to the caudillo's affectionate greeting. 'He received me with a sullen air', he said in a confidence. On the contrary, Don Sebastián got out of the vehicle, went to the general 'very kindly' and invited him to get into the carriage with him" (Ibid.). Quevedo y Zubieta's book originally appeared in 1909, when Porfirio Díaz was alive and in power. The author said that he wished to write a biography in which Díaz himself spoke about his life. "To this end I approached our president, obtained from him patient conversations in the course of which he lent me a copy, which escaped destruction, of a book entitled *Memoirs of General Porfirio Díaz*" (Ibid.). The account of his meeting with Juárez is thus based on his conversations with Díaz.

[2] Ralph Roeder, *Juárez y su México* (Mexico City: Fondo de Cultura Económica, 1972), 1000.

[3] Letter from Benito Juárez to Porfirio Díaz, San Luis Potosí, 27 April 1867, in Jorge L. Tamayo, ed., *Benito Juárez: documentos, discursos y correspondencia*, vol. XI (Mexico City: Secretaría del Patrimonio Nacional, 1964–1970), 883.

he made me change my whole combination. However, if you wish him to return to the Army of Operations, I will send him, although I would be very grateful if he could remain as he is today."[4] His words, thus spoken, bordered on insubordination.

President Juárez must have felt, in the matter of the prisoners, that by offering an amnesty General Díaz was assuming powers that did not correspond to him. And he must have felt, with regard to the transfer of troops ordered by him to strengthen the siege of Querétaro, that, as the head of the Army of the East, Díaz was flirting with indiscipline towards the Supreme Government by his reluctance to cede more forces. Juárez was also annoyed with the appointment of Juan José Baz, with whom he was estranged. He had asked Díaz not to appoint the governor of the Federal District. Díaz assumed that the purpose of the request was to veto Baz, who had already held that position in the past, for which he was empowered, so he decided to appoint him, not governor of the district, but political chief of the capital. "Nothing was said to me afterwards about this incident by Señor Juárez, but I understood that it was not without reason that he had disliked my conduct," he would reveal, explaining in his defense that he needed to appoint an authority at the moment of occupying the capital.[5]

One of the issues that contributed most to the strained relationship between Juárez and Díaz on the eve of the triumph of the Republic concerned the French Minister Plenipotentiary to Maximilian's court, Alphonse Dano. Shortly before the occupation of the capital, Dano had requested permission to leave Mexico. The general forwarded the request to the president. "You will do me the favour of telling me, of course, what I must do," he said.[6] Benito Juárez, in his reply, gave the order to take Minister Dano to prison. Díaz replied that he did not think it prudent to follow that procedure; he asked him to exempt him from carrying it out and, if he insisted, he offered him his resignation, to hand over the command of his troops to a chief who could carry out the order. The general received no reply to his letter, nor to the others he had sent during the course of the week, so he chose to do what he had offered the president: on taking the capital, the enemy having surrendered, he sent him his resignation in writing: "Considering the all-encompassing powers he has conferred on me no longer necessary, and my continuance in the post of General-in-Chief of the Army and Line of the East, which he entrusted to me

[4] Ibid.

[5] Porfirio Díaz, *Memorias*, vol. II (Mexico City: Conaculta, 1994), 125.

[6] Letter from Porfirio Díaz to Benito Juárez, Tacubaya, 9 June 1867, in Tamayo, ed., *Benito Juárez*, vol. XII, 50.

without my deserving it, I formally resign from that post, giving the President and his worthy minister the most sincere thanks for the confidence with which they have honoured me."[7]

These are some of the differences that marked Díaz's relationship with Juárez in the moments before the triumph of the Republic. But they did not determine their rupture, as Díaz's early biographers suggest. "The key to the Juárez-Díaz relationship in 1867 lies not in fears, jealousies, slights and offences, but in the natural dissolution of the war coalition and the birth of an opposition to Benito Juárez," wrote Laurens Ballard Perry in his classic book *Juárez and Díaz: Continuity and Rupture in Mexican Politics*.[8] That is indeed the case. Among Juárez's best-known biographers, Brian Hamnett devoted a long and detailed essay, most notably to the divisions among the liberals that erupted in the Summer of 1867: "The convocation of 1867," he noted, "was seen less as a political mistake than as a premeditated action designed to destroy the Constitution."[9] Among Díaz's more recent biographers, in turn, Paul Garner also noted the coincidence of the convocation (the *convocatoria*) with the rupture. "Without the growth of opposition to Juárez in the Summer of 1867," he said, "it is doubtful that Díaz would have stood as a candidate."[10] That opposition begins to be evident on the issues of demobilization and amnesty, and explodes at the moment of the convocation, which pits Díaz and Juárez against each other. The extent of their rift is evident in their correspondence in the Summer and Autumn of 1867, brought to light by Jorge L. Tamayo (*Benito Juárez: documentos, discursos y correspondencia*) and Alberto María Carreño (*Archivo del general Porfirio Díaz*).

[7] Communication of Porfirio Díaz to the Ministry of War, Tacubaya, 21 June 1867, in Díaz, *Memorias*, vol. II, 115.

[8] Laurens Ballard Perry, *Juárez y Díaz: continuidad y ruptura en la política mexicana* (Mexico City: Era-Universidad Autónoma Metropolitana, 1996), 50. In his book, Perry emphasizes continuity over rupture, and caricatures the view that speaks of "the final substitution of *Juárez's democracy* for *Díaz's dictatorship*" (p. 48).

[9] Brian Hamnett, "Liberalism Divided: Regional Politics and the National Project during the Mexican Restored Republic, 1867–1876," *The Hispanic American Historical Review* (November 1996): 674.

[10] Paul Garner, *Porfirio Díaz, del héroe al dictador: una biografía política* (Mexico City: Planeta, 2003), 61.

## The demobilization of the Republican Army and the amnesty of the servants of the Mexican Empire

The demobilization of the Army of the Republic was the responsibility of Juárez's Minister of War, General Ignacio Mejía. "I began by reducing the army personnel, which consisted of about seventy thousand men, to the number suitable for the security of public peace," Mejía recalled in his memoirs.[11] Discharge was, he said, a necessity that could not be postponed. He proposed to the president an army of twenty thousand soldiers, the minimum for peace, which even so represented, in the coming year's budget, "45 per cent of the federal budget," as Brian Hamnett recalled.[12] His proposal was accepted. Those twenty thousand troops were then divided into five divisions: the Northern based in San Luis Potosí (Mariano Escobedo), the Western based in Mazatlán (Ramón Corona), the Central based in Morelia (Nicolás Régules), the Southern based in Acapulco (Juan Alvarez) and, finally, the Eastern based in Tehuacán, with jurisdiction over Puebla, Veracruz, Oaxaca, Tabasco, Chiapas, and Yucatán, the former *Línea de Oriente* (under Porfirio Díaz). At the end of July 1867, Mejía addressed a communication to all these chiefs to confirm the changes made in the army. The communication from the Minister of War read: "You will immediately set out on your march to the point indicated as your headquarters with the troops of your command, from which you will form the division entrusted to you as you see fit, withdrawing to their homes the forces that have requested it, as well as those that are not necessary, thanking them in the name of the Supreme Government for their loyalty and good services."[13]

Porfirio Díaz had expressed his desire to leave the armed service at the end of the struggle against the Empire. He said so in the letters he addressed to President Juárez through his Minister of War. He did not want to accept command of the 2nd Division, based in Tehuacán. But there is no evidence that his reasons were political. He wished in fact to settle in Veracruz, engaged in commerce in partnership with his youthful friend, Luis Mier y Terán. In the Summer of 1867, he had a conversation with President Juárez about his desire to live in Veracruz. He needed to be paid for his services. "I begged him to order to have me paid for my services, on the understanding that I did not want them paid in full, but only a credit of 5,000 or 6,000 pesos, and that the

[11] National Newspaper Archive of Mexico, Ignacio Mejía, "Autobiografía," *El Imparcial*, 5–12 December 1906.

[12] Brian Hamnett, *Juárez, el benemérito de las Américas* (Madrid: Biblioteca Nueva, 2006), 208.

[13] National Newspaper Archives of Mexico, Order of Ignacio Mejía, Mexico, 23 July 1867, *El Monitor Republicano*, 27 July 1867.

rest would be paid to me by the customs of Veracruz, with the import duties that I caused directly, since I intended to dedicate myself to commerce," he recalled. "Señor Juárez made very obvious remarks to me about how difficult it would be for me to pursue another career."[14] Díaz wanted to resign from the army. He made no secret of his intention. "My separation is almost arranged with the president," he wrote to a friend. "I will go to live in Veracruz, where I have arranged my work with Terán."[15]

Matters concerning the discharge of the soldiers of the Republic, voluntary or involuntary, were at the time intertwined with those concerning the fate of the defenders of the Empire. These too were a source of discord among the liberals. Attention was focused that Summer of 1867 on General Tomás O'Horan, apprehended at the hacienda of San Nicolás el Grande. O'Horan came from an illustrious family in Yucatán. His soldiering, begun at a young age, was legendary; he fought in the Texas campaign, defeated the French at San Juan de Ulua, fought the *Yankees* at La Angostura, was influential in the triumph against the Expeditionary Corps at Puebla, and defeated their allies at Atlixco. Later, like many others, he offered his allegiance to the Empire, which he served towards the end in the garrison of Mexico City. When the capital was occupied by the Republicans, O'Horan disappeared amid rumours that he was under the protection of the General-in-Chief of the Army of the East. Díaz had him arrested for disobeying the order to remain at the disposal of the authorities by attempting to escape, but took up his defense in the trial that began in August, promoted by the government of the Republic. He had known O'Horan during the siege of Puebla. He knew his merits as a soldier. And since the end of the war, he had played the role of protector of the soldiers – of everyone, even the *traitors*.

O'Horan's defense was conducted by Justo Benítez, Porfirio Díaz's childhood companion and trusted confidant. The trial began. Porfirio accompanied Marcus Otterbourg, the United States Consul in Mexico, to an appointment with Sebastián Lerdo de Tejada, the Minister of Foreign Affairs and the Interior. Otterbourg pleaded for O'Horan on behalf of his government, for having given guarantees to his country's citizens during the siege of Mexico. He was unsuccessful. Díaz himself offered written testimony that O'Horan's cooperation had been vital to occupying the city without bloodshed, testimony that would be acknowledged by the general of the Empire ("in the depths of my soul is engraved my gratitude") from his prison in the convent of Santa

[14] Díaz, *Memorias*, 125.

[15] Note from Porfirio Díaz to Francisco Pérez, Mexico, 7 August 1867, in Alberto María Carreño, ed., *Archivo del general Porfirio Díaz*, vol. IV (Mexico City: Editorial Elede, 1947–1961), 132.

Brígida.[16] The court martial's decision, however, had already been made. O'Horan was sentenced to death on 18 August 1867. His defense asked the President of the Republic for a pardon, but he was not granted the pardon. The general was shot dead three days after being sentenced to death.

## The call for elections

On 18 August 1867, in fulfilment of his duty, Benito Juárez announced to the people of Mexico the call (the *convocatoria*) for the election of the country's authorities: the President of the Republic, the deputies to the Congress of the Union and the magistrates of the Supreme Court of Justice, as well as the legislators and governors of the states of the Federation. The call for elections was necessary to return to normality, to re-establish the order of the Republic, broken by the Intervention and the Empire. There was nothing unusual about it. But the document immediately provoked a reaction because, in calling the elections, it proposed a consultation of the nation, in the form of a plebiscite, on a set of reforms that the government considered necessary to the Constitution. The call made, in effect, "a special appeal to the people so that, in the act of electing their representatives, they express their free and sovereign will as to whether they want to authorize the next Congress of the Union to add to or reform the Federal Constitution on certain specific points, which may be of very urgent interest to consolidate peace and consolidate the institutions, as they refer to the balance of the Supreme Powers of the Union."[17] These additions or reforms could be made by the people, the convocation added, "without the need to observe the requirements established in Article 127 of the Constitution."[18]

What were the changes proposed in the call? They all had to do with strengthening the Executive Power. The 1857 Constitution laid the foundations for a system of government that was more parliamentary than presidential in spirit, which went against the grain of Mexican tradition. The constituents were convinced that sovereignty resided in the Legislative Branch. They thus established a single, all-powerful assembly against a weak and fragile president, who lacked even veto power. All the rulers who exercised power

[16] Letter from Tomás O'Horan to Porfirio Díaz, Mexico, 8 August 1867, in Carreño, ed., *Archivo del general Porfi rio Díaz*, vol. IV, 171.

[17] *Convocatoria* of Benito Juárez, México, 14 August 1867, in Tamayo , ed., *Benito Juárez*, vol. XII, 325.

[18] Ibid., 327.

under their rule therefore reacted against them, first and foremost Comonfort, author of a phrase that would become famous: "You cannot govern with the Constitution".[19] Historian Carmen Sáez Pueyo, in her book *Justo Sierra: antecedentes del partido único en México*, recalls that during an interview with Manuel Doblado, Comonfort prepared some notes on the reforms he considered indispensable to make the Constitution viable, the first of which read: "Extension of powers to the Central Executive Power."[20]

Juárez used the Constitution as a banner during the Reform and the Intervention, but he tried to reform it when he won the war, by means of the convocation or call for elections (the *convocatoria)*. He believed it was essential to limit the power of Congress. He recalled that he had almost been removed from office in 1861 by a vote of the Chamber of Deputies ("hostility towards Juárez had always been present within the liberal ranks," Hamnett states).[21] And he mused that the legislators, by rejecting his proposal to negotiate the debt with England, had in fact precipitated the military intervention of their country (he recalled the "arrogant pride, not to say foolishness, of the Mexican Congress, in rejecting that treaty," as Frank A. Knapp writes).[22] He thus sought to re-establish the balance between the Powers of the Union, for which he called on Mexicans to express their opinion on the points set out in the convocation in its most controversial section, Article 9. There were four of them: 1) to divide the powers of Congress by creating an additional chamber, the Senate; 2) to give the President of the Republic the power to veto resolutions by legislators which did not have at least two-thirds of the votes; 3) to empower the President to give reports not verbally but in writing, including through his ministers; and 4) to restrict the powers of deputies to convene non-ordinary working sessions.

President Juárez accompanied the call with a circular explaining the purpose of the plebiscite, signed by Sebastián Lerdo de Tejada. In that circular, Lerdo reiterated the need to change the attributions of the Powers of the Union. "As they are organised in the Constitution, the Legislative is everything and the Executive lacks authority in front of the Legislative," he said. "The government

[19] National Newspaper Archives of Mexico, quoted by Justo Sierra, "La sombra de la Constitución," *El Bien Público,* 1 August 1876.

[20] Carmen Sáez Pueyo, *Justo Sierra: antecedentes del partido único en México* (Mexico City: Porrúa-UNAM, 2001), 286.

[21] Hamnett, *Juárez*, 206.

[22] Frank A. Knapp, *Sebastián Lerdo de Tejada* (Veracruz: Universidad Veracruzana-INEHRM, 2011), 144.

believes the remedy is necessary and urgent."[23] Lerdo rightly observed that the assembly of deputies, rather than functioning as a congress, had in the past worked as a convention. It was fine for the periods of exception that the country had experienced, but bad for the times of normality that were coming, in which the despotism of a convention was as dangerous as the tyranny of a dictator. That is why the balance of power had to be restored. In what form? The Constitution was a text of no more than twenty pages, divided into one hundred and twenty-eight articles, brief and forceful as a whole. Article 127 explained how it could be added to or amended: by a two-thirds vote of the Congress of the Union, as Felipe Tena Ramírez recalls in *Leyes fundamentales de México (1808–1957)*[24]. It was a laborious and time-consuming process because this vote had to be approved by the majority of the state legislatures. Lerdo argued that, in this case, it was not indispensable to go through these formalities. "The freely manifested liberty of the majority of the people," he declared, "is superior to any law, being the first source of all law."[25]

The call was a polemical proposal both in form and in substance: in form, because it appealed to the people themselves to reform the Constitution, and in substance, because it proposed strengthening the Executive at the expense of the Legislature. This mixture proved explosive. Its publication caused a storm in Mexico. The following day, *El Siglo XIX* published a front-page editorial addressed to President Juárez: "We are truly astonished by the call you have issued, because it resolves points that only the Congress can decide in the terms indicated by the fundamental code of the Republic."[26] The press questioned not only the legality of the plebiscite, but also the nature of the reforms it presented to the nation. The editors of the most influential newspapers in the country—Alfredo Chavero (*El Siglo XIX*), Manuel María de Zamacona (*El Globo*), José María Castillo Velasco (*El Monitor Republicano*), Vicente Riva Palacio (*La Orquesta*)—signed a protest against it on 20 August as a threat to freedom in Mexico. Don Benito, faced with the onslaught, addressed a manifesto to the nation. "Some have wanted to censure the conduct of the government, and in order that my silence should not lead opinion astray, I thought I should address my fellow citizens," he said. "Mexicans, it is up to you to decide freely on the reforms which I have proposed to you, and you will shortly do so, at the

[23] Statement from Sebastián Lerdo de Tejada, Mexico, 14 August 1867, in Tamayo, ed., *Benito Juárez*, 334–35.

[24] Porrúa, *Mexico*, 627.

[25] Statement from Sebastián Lerdo de Tejada, Mexico, 14 August 1867, in Tamayo, ed., *Benito Juárez*, vol. XII, 339.

[26] National Newspaper Archive of Mexico, *El Siglo XIX*, 19 August 1867.

same time that you appoint the officials who are to govern your destinies."[27] He seemed serene, but was perplexed and annoyed by the reaction of the liberal press against the convocation, which was soon to be the reaction of his entire party. The storm, in fact, was just beginning.

State governors were quick to lash out against the convocation. Their opposition was partly influenced by a decree issued by the president just a few days earlier, which displeased everyone, especially the *caciques*, as it made the office of governor incompatible with that of commander-in-chief of the state forces. Among those who expressed their disagreement with the plebiscite to Juárez were Juan N. Méndez of Puebla ("it has produced a strong and unfavourable sensation"), Miguel Auza of Zacatecas ("it falsifies the principles for which the nation has fought for so many years"), León Guzmán of Guanajuato ("out of duty, conscience and conviction, I have believed that we should not give effect to the articles that refer to the constitutional reforms") and Domingo Rubí of Sinaloa, who said what everyone thought ("with the Constitution of 1857 we triumphed over the conservatives and it was also our banner in the hard-fought struggle we have just had against the Intervention and against the Empire, and it seems to me that, after the triumph, it is not convenient to modify it in any other way than as it was envisaged in it").[28]

Unlike the governors, the army chiefs generally adopted a more docile attitude to the proposed constitutional reforms. Mariano Escobedo and Ramón Corona, from the North and West armies, both supported President Juárez. So did other chiefs in command of troops, who maintained their support for the Supreme Government. Porfirio Díaz was the exception. He certainly objected to the rehabilitation of the clergy, through a modification of the law allowing them to vote, promoted by Lerdo ("we cannot continue at his side without deserving the name of reactionaries or *mochos*," he wrote).[29] But he condemned, above all, the concentration of power in the figure of President Juárez, whom many saw as aspiring to an unchecked command of the Republic, outside the rules established by the Constitution. His friends sent him notes on the subject from all corners of the country, to which he himself replied. "I am equally sorry that the government has taken a step outside the constitutional

[27] Manifesto of Benito Juárez, México, 22 August 1867, in Tamayo, ed., *Benito Juárez*, vol. XII, 341–42.

[28] Quoted in Tamayo, ed., *Benito Juárez*, vol. XII, 408–11. One of the few governors who spoke in favour of the *convocatoria* was Luis Terrazas, Juárez's host and ally in Chihuahua.

[29] Letter from Porfirio Díaz to Fidencio Hernández, Tehuacán, 21 October 1867, in Tamayo, ed., *Benito Juárez*, vol. XII, 504. Díaz makes reference to Article 15 of the convocatoria, which favoured members of the Church. Article 22, on the other hand, made it difficult to rehabilitate employees and officials of the Empire.

order," he told one of them. "But I think its good sense will soon bring it back to where it started from."[30] Several of his letters were like that. Others were more explicit, like the one he sent to General Vicente Jiménez, the *cacique* of Tixtla who, during the war, had given him the men and weapons with which he began the campaign against the Empire. "The attack that the convocation gives to the fundamental law of the nation has obliged me to have somewhat serious explanations with the president," he told him. "It would not be remote that if he insists on playing with the people, I should withdraw all my political and military intervention, so that I am not considered as the author or accomplice of what I not only do not approve of but have fought against with all my reason and all the moral effort of which I am capable."[31] His opposition would later become public and notorious, as he took on the safeguarding of the Constitution, making Juárez appear on the defensive, as its transgressor, after having personified it during the Reform and the Intervention. The convocation is the act that triggered this estrangement.

In issuing the convocation, Benito Juárez highlighted real problems in the country's system of government; he proposed reforms that were necessary to solve them. Many pointed out what a mistake it was, on the eve of the elections, to try to change the Constitution – the banner of the people during the war – just as he was entering in triumph the capital of the Republic. "How was it possible for a politician of such long experience to make such a blatant faux pas?" asks José Fuentes Mares, who devoted a long and well-informed essay to the subject, published in the journal *Historia de México*.[32] Daniel Cosío Villegas also felt that it was a mistake by Juárez, one that his adversary took advantage of. "Díaz saw that fate allowed him to take advantage of a government error," he said, "and he waited, under the guise of a well-guarded public silence, to reap the best fruits of that error."[33]

Perhaps it was not a mistake by the president. Perhaps it was more of a gamble, which he made, and lost. It was reasonable to make that gamble. Juárez thought he would be re-elected. He wanted to take advantage of the

[30] Note from Porfirio Díaz to Carlos Pacheco, Mexico, August 1867, in Carreño, ed., *Archivo del general Porfi rio Díaz*, vol. IV, 232. "In virtue of the difficulties that the *convocatoria* has made for us," he wrote to another friend, referring to his desire to leave the Army, "it is probable that I will postpone my separation" (note from Porfirio Díaz to José Esperón, Mexico, August 1867, vol. IV, 245).

[31] Note from Porfirio Díaz to Vicente Jiménez, México, August 1867, in Carreño, ed., *Archivo del general Porfi rio Díaz*, vol. IV, 169–70.

[32] José Fuentes Mares, "La convocatoria de 1867," *Historia de México*, 14, no. 3 (January 1965): 440.

[33] Daniel Cosío Villegas, *Historia moderna de México: la República Restaurada, la vida política* (Buenos Aires: Editorial Hermes, 1959), 172.

popularity that his victory gave him so that the people, moved by that impulse, would endorse the reforms proposed in the call for elections, regardless of the procedures laid down in the Constitution. He believed that all of them would be approved in the heat of victory when his prestige was high. The change he sought was not only necessary, but urgent, and the way of putting it to the nation, he reasoned, was legitimate. Don Benito, for all that, was surprised by the reaction against him, which put an end to the unity of the Liberal Party in Mexico. "I frankly do not understand," he confided to a friend, "how the call could have produced such a bad effect, because it is enough, in my opinion, to read that document and the explanatory circular accompanying it without prejudices, to see that the government has acted in the greatest good faith and with the best will, by simply indicating the reforms which, in its opinion, it would be advisable for Congress to introduce in the text of the Constitution."[34]

## Discord in the Liberal Party

In August 1867, Félix Díaz (Chato), Porfirio's brother, denounced in the press what appeared to be an act of treason in the Juárez government. The president asked him to clarify the name of the cabinet official to whom he alluded. "It is General Ignacio Mejía, the current Minister of War," he immediately replied.[35] Félix accused Mejía of having given, during the war, safe conduct to a muleteer who fled with four hundred and seventy mules full of supplies for the French, thus depriving the Mexicans of transport, that made it necessary to abandon war material belonging to the Army of the East. The letter caused a scandal, as Chato's denunciation also pitted his brother Porfirio against the group surrounding President Juárez.

General Ignacio Mejía was one of the most powerful ministers in the government of the Republic. He was in charge of demobilization, which made him vulnerable to attacks from army chiefs. On 24 August, he responded to the accusations made against him. The facts would be clarified by the muleteer in question, José María Gómez. Señor Gómez informed the justice system that years before in the Spring of 1862, during the war of Intervention, when his mules were seized he had been granted safe-conduct by General Ignacio Zaragoza so that he could recover them; after recovering his animals he was

[34] Letter from Benito Juárez to Matías Romero, Mexico, 28 August 1867, in Tamayo, ed., *Benito Juárez*, vol. XII, 426.

[35] Letter from Félix Díaz to José María Iglesias, Mexico, 21 August 1867, in Tamayo, ed., *Benito Juárez*, vol. XII, 379.

captured by Félix, who sent him to Porfirio, who in turn sent him to General Mejía, to whom Gómez showed Zaragoza's safe-conduct. Having cleared up the confusion, Mejía then signed, he said, "a little piece of paper for the citizen General Porfirio Díaz, telling him to let him go, when he was sure that there had been no escape."[36] The safe-conduct signed by Zaragoza was published in the *Diario Oficial*, but the damage had already been done.

It was in this atmosphere of recriminations that the banquet at the Tivoli del Eliseo took place, where General Díaz's relations with President Juárez came to a crisis. The general was about to leave for Tehuacán, the headquarters of the 2nd Division, and so there were many farewell meetings in Mexico City. On that day in August, he offered a meal at the Tivoli del Eliseo as a gift to the President of the Republic. Generals Manuel González, Jerónimo Treviño, Francisco Carreón, and Félix Díaz, heroes of the war against the Empire, were there, as were the chiefs of the 2nd Division. There were all the members of the cabinet, headed by Sebastián Lerdo de Tejada and José María Iglesias. The banquet began at two o'clock in the afternoon. Juárez and Díaz spoke standing at the time of the toasts. What did they say? It is impossible to know with certainty. "The former toasted to the liberty and independence of Mexico, to progress and reform," according to the *Diario Oficial*. "Don Porfirio replied to this toast by saying that he, a soldier of the people, would always defend their freedom, the reforms that he had won with so many sacrifices, and those that he had yet to win for their greatness and prosperity. That his sword will always be the firmest support of the Supreme Government of the Republic."[37]

The next day, a chronicle of the meal appeared on the fourth page of the *Diario Oficial*. The chronicler misrepresented the facts with statements such as: "The greatest confidence and the most enthusiastic animation reigned at the banquet".[38] He was lying in suggesting that Díaz endorsed the terms in which Juárez's convocation was conceived. Díaz later wrote a letter to the newspaper's editors. "I have much to thank you for the kind words with which you honour me," he said, "but with reference to the meeting of the 25th, the words of personal friendship with which I expressed my gratitude, replying to the toasts of some friends, have been adulterated in such a way that I cannot

[36] Testimony of José María Gómez, Mexico, 31 August 1867, in Archivo Histórico de la Secretaría de la Defensa Nacional, *Expediente de Ignacio Mejía*, vol. I, 72. General Zaragoza's safe conduct read as follows: "I grant passport to the citizen José María Gómez, with a team of 300 mules and their corresponding muleteers. Therefore, the civil and military transit authorities will not put any obstacle in his way" (safe-conduct from Ignacio Zaragoza to José María Gómez, Xalapa, 12 March 1862, Ibid.).

[37] National Newspaper Archives of Mexico, *Diario Oficial*, 26 August 1867.

[38] Ibid.

recognise, either in the sense or in the phrases, the one attributed to me. It is to be believed that there has been a healthy intention on the part of the chronicler, and if your publication did not have the character of *official* I would avoid, for that consideration, the trouble of occupying the public with my person; however, not being able to consent to suppose that I have not said what I have not said, I beg you and I hope from your kindness, to give place in your esteemed columns to this manifestation."[39] A day later, what he actually said during the toast was published in an unsigned gazette in which his words, however, appeared in inverted commas. The gazette read: "The action of our arms is very weak and becomes null and void, in proportion as it deviates from the conscience of those who wield them; it is up to the government to ensure that there is no divergence between our conscience and its precepts."[40] Cosío Villegas states that Díaz gave his words the sense of expressing the feeling of all soldiers in *Historia moderna de México: la República Restaurada, la vida política.*[41] The liberals were divided into two groups regarding Juárez's re-election: those in favour and those against, and the latter, looking for a candidate to represent them, began to see him in General Díaz.

## The *government's candidate* and the *people's candidate*

By September 1867, most of the forces forming the 2nd Division were already in Tehuacán. On the 10th, Díaz left the capital for Apizaco. The press reported all his movements. On the 12th he arrived in Tlaxcala, where he was received with triumphal bows, and on the 15th he arrived in Puebla, to celebrate his birthday at the banquet to which he was invited by the government of Juan N. Méndez. The theme of all the toasts was the reprobation of Juárez's convocation. Díaz spoke ambiguously about the author of the convocation, without accepting the candidacy offered to him by his supporters, but without showing any signs of resistance either. "Some of those present reprimanded the president, and the general demanded respect for that illustrious citizen, commending his merits, and adding that we should deplore the political error in which he had unfortunately incurred, without being ungrateful to a person to whom the country owes great benefits," reported a Mexican newspaper. "He then said that he belonged to the people, that he is the son of an artisan

[39] National Newspaper Archives of Mexico, Letter from Porfirio Díaz to the editors of the *Diario Oficial,* Mexico, 27 August 1867, *Diario Oficial*, 28 August 1867.

[40] National Newspaper Archive of Mexico, quoted in *El Monitor Republicano*, 28 August 1867.

[41] Villegas, *Historia moderna de México*, 1959, 176.

whose honesty he can proudly proclaim, and that this condition is enough for him to always present himself to his fellow citizens as the born defender of the people's cause."[42]

Juárez was the government's candidate: he sought re-election. And Díaz was the people's candidate: he sought to be elected. That was the way he and his followers thought, and that was also the way those who knew him thought. "General Porfirio Díaz represented the popular element in that struggle," wrote Vicente Riva Palacio.[43] "The young general had a great following among the popular classes throughout the country," added Francisco Cosmes.[44] "He was in contact with the popular classes during his adolescence in ordinary life, and during his youth in the wars for freedom and for the Republic," elaborated Emilio Rabasa. "He knew the people and the people knew him, considering him as one of their own."[45]

The press reported the news of the country's Day of Independence in Mexico City. Juárez delivered the words of occasion at the National Theatre, which ended with *vivas* for independence and liberty, and for the priest Miguel Hidalgo. "Someone present there concluded those *vivas* by adding: *Long live the Constitution!*" revealed *El Correo de México*. "His shout was greeted with tumultuous applause."[46] The mood of the country was dominated with the certainty that the Constitution had to be defended. Ignacio Manuel Altamirano, editor of El Correo de México, published in those days all the provincial editorials against the *convocatoria* ("a daring and disloyal attack on the sacred institutions of the Republic," in his words) to show that his proposed reforms were repudiated everywhere, not just by the press in the Mexican capital.[47]

On 16 September 1867, the convention of the Progressive Party took place in Mexico City. The convention brought together about ninety delegates. There were *Juaristas* and *Lerdistas*, even independents, but above all *Porfiristas*, including Manuel María de Zamacona, Ignacio Ramírez, Justo Benítez,

[42] National Newspaper Archive of Mexico, *El Globo*, 19 September 1867.

[43] Vicente Riva Palacio, *Historia de la administración de don Sebastián Lerdo de Tejada* (Mexico: Imprenta y Litografía del Padre Cobos, 1875), 28–29.

[44] Francisco Cosmes, *Historia general de México*, vol. XIX (Mexico: Ramón de S. N. Araluce, 1901–1902), 91.

[45] Emilio Rabasa, *La evolución histórica de México* (Mexico City: Porrúa-UNAM, 1986), 158. Rabasa added the following: "Even Juárez, of humbler birth, was not equal to him in this, because his profession as a lawyer led him to public cabinet posts and his character was less communicative and accessible" (Ibid.).

[46] National Newspaper Archives of Mexico, *El Correo de México*, 16 September 1867.

[47] Ignacio M. Altamirano, "Candidatura presidencial," *Obras completas*, vol. XVIII, (Mexico: SEP-Conaculta, 1986–2005), 64.

Guillermo Prieto, Ignacio Manuel Altamirano and Vicente Riva Palacio. They said they sought to work for their country with the means sanctioned by law – the vote, the tribune, the press – in favour of the Constitution. The convention was oriented against the *convocatoria*.

On 18 September, *El Globo* published an editorial by its editor-in-chief, Manuel María de Zamacona, who had just expressed his hostility to Juárez's re-election. "The current head of the Republic is, let there be no doubt about it, a man of resistance and trial, but not a man of administration," Zamacona reflected, then went on to evoke the merits of the Oriente campaign, its order and organisation, and to conclude that all this made him, he said, "sympathise, when it comes to the election for the Presidency, with those who proclaim the citizen General Porfirio Díaz".[48] Ignacio Manuel Altamirano also made his support public in *El Correo de México*. "We do not believe it is good and convenient for the institutions and freedom of the Republic that Señor Juárez should continue in power," he said. "What this poor country needs is the ardour and integrity of youth that knows how to march and can march, and not the trembling weakness of old age."[49] The support continued and grew, including leading figures of the Reform, such as Joaquín Ruiz and José María Mata. Díaz himself unequivocally assumed his candidacy from that moment on. Months earlier, after the triumph of the Republic, he had declared his support for Juárez's re-election in talks with several prominent generals, such as Ramón Corona and Vicente Riva Palacio. That was his position, it seems, up to the time of the president's call. "It is clear that if it had not been published, he would have been elected by acclamation and I myself would have worked for him," he confided privately to a friend.[50] But everything had changed. He announced to Juárez's right-hand man in Oaxaca, Don Miguel Castro: "My candidate, for whom I was so enthusiastic, has soiled his titles."[51] Writing to Castro with such frankness was a way of notifying Don Benito as well.

[48] National Newspaper Archive of Mexico, Manuel María de Zamacona, "El movimiento electoral," *El Globo*, 18 September 1867.

[49] National Newspaper Archive of Mexico, Ignacio M. Altamirano, "Candidatura presidencial," *El Correo de México*, 30 September 1867. Altamirano did not hide his admiration for Díaz, and, on the other hand, disliked Juárez, whom he viewed, according to a friend, "with veneration and interest, but without sympathy (he never had any for him)." See Justo Sierra, *Juárez: su obra y su tiempo* (Mexico City: UNAM, 2006), 14.

[50] Note Porfirio Díaz to Justo Benítez, Tehuacán, October 1867, in Carreño, ed., *Archivo del general Porfi rio Díaz*, vol. V, 278.

[51] Note from Porfirio Díaz to Miguel Castro, Tehuacán, September 1867, in Carreño, ed., *Archivo del general Porfi rio Díaz*, vol. V, 11. This is the reply to Castro's letter of 4 September 1867.

Among the anti-re-electionist liberals' reasons for opting for Díaz, three stood out: his popularity, his influence, and his experience of government. The popularity of Díaz, an honest and courageous general, legendary for his prison escapes and victories against the imperialists, was second only to that of Juárez. Díaz's influence, given to him by the political bosses and military commanders appointed by him on the *Línea de Oriente*, essential to winning an election, was likewise only slightly inferior to that of Juárez. His experience of government, finally, was exemplary, as an editorial in *El Globo* summarising the history of those months from Porfirio's point of view emphasized. "The re-election of President Juárez had previously seemed a sure thing," it reflected, alluding to the *convocatoria*. "Seeing him dismiss the respect which he had previously flaunted for the Constitution, seeing him cling to the plan of revolutionary reform, seeing him in favour of the political rehabilitation of the clergy, of the veto and of other illiberal reforms, the Constitutionalist Party, which in Mexico is very numerous, and in which all men of principle are affiliated, sought another candidate for the Presidency, and found him in General Díaz. This chief had attracted attention, and drawn public sympathy to himself, by his conduct in what was called the campaign of the East. Having begun it by escaping from his prison in Puebla, with only a couple of servants and a couple of guns, he had in eight months raised an army with which he had defeated the Austro-Mexican army in several encounters, and had taken Oaxaca, Puebla, and Mexico. But more than triumphs, what had made General Díaz remarkable were his administrative skills, highlighted in the line entrusted to his command. In the midst of the difficulties of war, he succeeded in establishing a regular and moralised administration in all the states extending from the capital of the Republic to the Gulf of Mexico."[52]

This editorial in *El Globo* was not signed, but the hand of Manuel María de Zamacona was clear. In the light of what was said by Zamacona, an intellectual whom he admired, it is possible to observe Daniel Cosío Villegas's error when he said that in 1867 General Díaz was no more than "a simple military man (a *militarote*)."[53] Cosío Villegas studied the life of Porfirio Díaz in depth. But having begun his study in 1867, and not before, he overlooked Díaz's experience of government during the Intervention since the Reform, when he was responsible for the territory of Tehuantepec, which he governed with the broadest powers, given its isolation from the rest of Oaxaca. Later,

[52] National Newspaper Archive of Mexico, *El Globo*, 15 October 1867. The editorial is not signed, although the hand of Manuel María de Zamacona is evident.

[53] Daniel Cosío Villegas, *Porfirio Díaz en la revuelta de La Noria* (Buenos Aires: Editorial Hermes, 1953), 7.

at the end of the war against the Empire, during the siege of Mexico, General Díaz punctually paid the salaries of his soldiers, as well as the expenses of the territory where he was in command, with the revenues of the states that formed part of the *Línea de Oriente*, among them Veracruz, where the Customs Office was located. Every day, the general attended to matters related to contributions, arrears, disbursements, stocks, and commissariat services. The transparency with which he managed the resources surprised everyone when he handed them over, the day after receiving President Juárez in the capital of Mexico. "On resigning again today as General-in-Chief of the Army and Line of the East, together with the broad powers with which the Supreme Government had invested me, I have the honour to inform you that the sum of 104,000 pesos remains at your disposal in the General Commissariat of the Army," he wrote to Juárez's Finance Minister on 13 July 1867.[54] No other army chief in the Republic had ever handed over his accounts with such neatness, so the news – because of the impression of order and honesty it gave – provoked a feeling of respect in Mexico.

## Conclusion

In the Summer of 1867, with the triumph of the Republic, the liberals seized power in Mexico. Their enemies, the Conservatives, were relegated from government: they would henceforth be essentially devoted to their business, never again to participate seriously in their country's politics. At the moment of triumph, however, the liberals themselves were consumed by the discord triggered by the publication of the convocation. They arrived at the autumn elections divided over the re-election of President Juárez. Some were for Juárez; others against Juárez. Those against him ran the candidacy of Díaz, the most popular general in the Army of the Republic. This event marked the beginning of a period in the country's history that pitted liberals against each other for a decade, first *Juaristas* and *Porfiristas*, then *Porfiristas* and *Lerdistas*, even *Iglesistas*, and which was to end with the reconciliation of all of them under the hegemony of Díaz, who thus established his authority in Mexico.

Why was Díaz the candidate of choice for the liberals who were opposed to Juárez's re-election? The general had been estranged from the president since the end of the war, without being at odds with him (one of the reasons for this

[54] Letter from Porfirio Díaz to the Ministry of Finances, Mexico, 13 July 1867, in Díaz, *Memorias*, vol. II, 190). In fact, there were 115,701 pesos: 104,000 from the commissariat of the Army of the East, plus 3,517 from the Revenue Administration, plus 8,184 from the Tax Office.

estrangement was the unheeded presidential order to apprehend Alphonse Dano, the French minister plenipotentiary at Maximilian's court). He had differences with him on some issues (such as demobilization and amnesty) when the Republic was restored. But he continued to stand by his side. His estrangement began, in fact, after the publication of the convocation, which caused the liberals to break away. Circumstances, rather than his wishes, brought Porfirio Díaz face to face with the man who was, until then, his boss and his friend: Benito Juárez. For it was not Díaz who organised the opposition to Juárez, but the opposition to Juárez that built Díaz's candidacy.

## List of characters

**Altamirano, Ignacio Manuel:** born in Tixtla, educated in the state of Mexico, colonel of the Republic, essayist and novelist, supporter of Porfirio Díaz in his confrontation with Benito Juárez.

**Baz, Juan José:** native of Jalisco, former seminarian, liberal with a reputation of Jacobin, legislator, numerous times governor of the Federal District, supporter of Juárez, secretary of the Interior with Lerdo, worked in his later life with Díaz.

**Benítez, Justo:** childhood friend of Porfirio Díaz, renowned lawyer in Oaxaca, several times deputy to Congress, ideologist of the rebellions of La Noria and Tuxtepec, secretary of Finance in the first government of Díaz.

**Castro, Miguel:** Oaxacan from the Sierra Norte, dedicated to mining, trusted friend of Benito Juárez, collaborator like many other liberals of Maximilian's Empire, governor of Oaxaca on several occasions.

**Comonfort, Ignacio:** native of Puebla, ally of general Juan Alvarez during the rebellion against Santa Anna, president of the Republic when the Constitution of 1857 was proclaimed, reconciled with Juárez at the beginning of the French Intervention.

**Díaz, Félix:** younger brother of Porfirio, educated at the Military College, conservative and then liberal during the war of Reform, present on the battle of May 5 in Puebla, general of the Republic.

**Díaz, Porfirio:** leader of the liberals in Oaxaca during the war of Reform, general of the main Republican Army during the war of Intervention, candidate of the liberal party that was opposed to the reelection of Juárez.

**Escobedo, Mariano:** originally from Nuevo León, fought against the invasion of the United States and against the dictatorship of Santa Anna, general of the Army of the North, with which he occupied Querétaro, close to president Lerdo.

**González, Manuel:** originally from Tamaulipas, a conservative during the war of Reform and a republican during the war of Intervention, hero of the battle of Tecoac with which Lerdo was overthrown, president of Mexico after the first government of Díaz.

**Habsburg, Maximilian:** Archduke of Austria, brother of Emperor Francis Joseph, a man of liberal ideas to whom the conservatives of Mexico offered the crown of the country, executed at the end of the Empire.

**Juárez, Benito:** Indian from the Sierra Norte, seminarian, lawyer, governor of Oaxaca, head of the Supreme Court of Justice under president Comonfort, leader of the liberal party, president of Mexico during the Reform and Intervention.

**Lerdo de Tejada, Sebastián:** from Veracruz, outstanding orator, three times president of Congress, minister of Government with president Juárez during the war against the Empire, later president of the Republic, overthrown by Díaz, died in exile in New York.

**Mejía, Ignacio:** native of Oaxaca, lawyer, general during the war of Reform, minister of War of president Juárez during the Intervention, dedicated to his business after the triumph of Díaz.

**Méndez, Juan Nepomuceno:** teacher from the Sierra de Puebla, present on May 5th in the victory against the French, very close to Díaz, governor of his state, president of the Republic for a few months after the triumph of the Plan de Tuxtepec.

**Mier y Terán, Luis:** orphan since childhood, friend of Porfirio, close to Juárez during the Reform, general in the army of the Republic, promoter of the rebellions of La Noria and Tuxtepec, governor of Veracruz and Oaxaca.

**O'Horan, Tomás:** raised in Yucatán, he fought against the French in Veracruz and the Americans who invaded Mexico, followed later the cause of the Reform and, then, that of the Empire, for which he was shot by order of Juárez.

**Riva Palacio, Vicente:** writer, legislator, military man and politician, follower of Porfirio Díaz against Juárez, grandson of general Vicente Guerrero, future ambassador of Mexico in Spain.


## Abstract

The work reconstructs the history of the breakdown of the relationship between president Benito Juárez and general Porfirio Díaz in the Summer of 1867, after the victory of the Mexican Republic against the French Intervention and the Empire of Maximilian. At that time, the members of the liberal party divided themselves into two groups: those who were in favour of the re-election of Juárez and those who were against it, and the latter decided that their candidate would be Díaz, partly because he was the most popular general of the Republic, partly because he had shown to be an able administrator of the states under his command in the most populous part of Mexico. The methodology makes exhaustive use of primary sources, on the basis of academic literature published on the subject.

**Keywords:** Mexican history; Benito Juárez; Porfirio Díaz; Liberal party; Elections 1867; *convocatoria*

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