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The Origin of Contemporary Drug Contraband: A Global Interpretation From Sinaloa

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Abstract of the Dissertation

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This dissertation charts the longer history of contemporary drug contraband by focusing on the Pacific state of Sinaloa, the cradle of the Mexican drug trade. Historians working on drug trades in Latin America have now produced many accounts of the development of global drug commodity chains, and of the origins of drug prohibition regimes as well as smuggling and illicit flows. This dissertation is different in its attempt to trace the emergence of drug trafficking as a historically specific set of relationships emerging between states—above all, the United States and Mexico--and global markets, all mediated by shifting cultures of medical and social understandings of pleasure and pain.

Drug trafficking from and into the United States began in connection with Pacific World trade booms in the nineteenth century, and by definition, when United States the outlawed free trade in narcotics in 1914. Marijuana cultivation has a long history in Mexico, and poppy cultivation dates at least a century, brought to Mexico by the Spanish Crown and Chinese laborers imported to work in mines and railroads. Anti-immigrant sentiments, Pacific trade, and incipient pharmaceutical machinations —including imports of marijuana seed and other controlled substances from U.S. companies such as the Pacific Drug Company in Seattle, Langley and Michaels Co. in San Francisco and Wells Fargo— created the initial early twentieth century conditions for the Sinaloa drug trade.

By the 1920s, members of Sinaloa's economic elite and American entrepreneurs, facing constraints of the growing international trade control of pharmaceutical drugs and land redistribution after the Mexican Revolution, enlisted peasants in opium and marijuana growing. This raised production levels using the regional infrastructure recently developed for agricultural shipping to deliver marijuana, opium and heroin north. Utilizing archival materials largely off-limits to researchers until recent openings in Mexico's authoritarian regime, the thesis also documents the deep involvements of Mexican and American government officials and corporate interests in drug trafficking from its inception. This work highlights historical contradictions at the core of drug prohibition in North America.

To my enlightened trinity

Lorenzo Meyer, Paul Gootenberg, Alma Guillermoprieto

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Chapter 1.

INTRODUCTION

This is my historical interpretation of the origin of contemporary drug smuggling in Sinaloa, Mexico; the place where it is considered that drug trafficking began. Although the evidence for this story focuses on court records dating from 1920 to 1950, involving marijuana, opiate and cocaine smuggling, I decided to contextualize these cases from a wider chronological perspective, starting with the Opium Wars in mid-nineteenth century and the California Gold Rush. By doing so, my goal is to understand the first contemporary drug-smuggling cases in Sinaloa as part of a broader phenomenon: the transition from the nineteenth-century free market regime led by the British Empire under the international gold standard system, to the regime that emerged after World War I and World War II, led by the United States and the Bretton Woods system of fixed exchange rates. In the latter regime, world and drug trade were both supervised and regulated by police forces.

If I were to sum up the ideas within this text in a single sentence, it would be: Similar to the way illegal drugs alter a user's consciousness, the great transition from

gold to dollar altered idea of a healthy body, the legal definition of “Will” and the relationships between producers, smugglers, agents of state power and other players at the frontiers of global trade booms —including psychoactive substance trade— during the nineteenth and twentieth century.

However, I know that proposing to hold this huge abstract idea is an unfair gimmick. Abstraction helped me to find coherence in this text, but I did not focus on abstract ideas; instead, I concentrated on collecting stories, which illustrate how things actually happened. This history revolves around the people whose lives were touched by drugs during the aforementioned hegemonic transition. My narrative does not follow the familiar cycle of boom, decline and regulation of certain substances as commodities between the nineteenth and twentieth century, but rather it serves as a context. I go back to 1931, a turning point in history, and address how the regulatory structure produced simultaneous processes of psychosocial dislocation and re-articulation of community’s economic life under capitalism, in the midst of Pacific commercial booms —specifically in Sinaloa, my home state. The consequences of implementing the international drug control regime, between 1920 and 1931, is contextualized as part of Chinese, European and U.S. migration processes and the spread of epidemic diseases, drug knowledge and pharmaceutical capital, the presence of which influenced the Mexican state, evidenced in Sinaloa since the nineteenth century. In the conclusion, I demonstrate the potential of continuing this narrative in an effort to implement, adapt and modify the international drug control regime, still in its formative period between 1931 and 1950, and to interpret it as part of the transnational nature of United States,

and Mexican state police and military actions pursuing to obtain functional currency during import substitution in the second half of the twentieth century.

Historians, unlike wizards, are required to clarify the procedures behind our work and actions in order to avoid the disrepute brought on to us by positivistic historical views. I apologize in advance for presenting these abstract ideas. This text, in principle, is an exercise meant to be shared and discussed with other professional historians. As the readers progress, they will notice that my intention is to provide evidence on abstract ideas, as well as an interpretation of these historical transnational processes about drugs, which became foundational for their dramatic violence and corruption. Above all, this text seeks to show, through concrete events, how things happened. It is a narrative that can be easily understood and aspires to the joy of reading. If you take a look at the footnotes and lists of sources, you will find extensive and innovative research on characters and specific events. Explanations and narratives provide intimate speculation, without prejudice to falsifiable accuracy.

Before starting my research, I spent several years reading and analyzing literature on drugs and contraband in Mexico, which I have amply recorded in several articles, chapters and a book. I will not detain readers by repeating what is already published. Instead, I will explain my criticisms, disagreements and debts concerning such literature in a text that is more narrative than argumentative.

Long before Sinaloa was recognized by the international press and the apparatus of hemispheric security as the land of "Cartel," the root of drug trafficking and the

foundress of narcoculture, this state belonged to a region known as *Aztatlán.* Different groups began their pilgrimage in search of this mythical place —an island where they would find an eagle posing on a cactus devouring a snake. It was where they founded the Aztec empire. When I was a child my father used to travel the land searching for *Totorames*, or "Indian stones," in the outskirts of Juantillos, a village located at the foothills of the Sierra Madre Occidental —near the city of Mazatlan. When my father passed away, I took refuge in school and when I turned 17 I moved to Mexico City in order to enjoy the search for an intellectual project.

As a young Sinaloan in Mexico City, people identified not with the liberation values and cultish communist father's historical heritage, but with the persecutory veil of "narcoculture." At first I disowned the criminalizing perception my college classmates and several teachers had about Sinaloa and its people. But I soon realized they were right in pointing out that Sinaloa was far from being perceived as the origin of positive Mexican identity, and so I decided to transform the understanding of contemporary drug contraband —or narcotrafficking— into a project of intellectual life.

During my studies in international relations, with the guidance of Professor Lorenzo Meyer, I divided the literature on drug trafficking in Mexico. I particularly analyzed the period after 1969, the so-called War on Drugs, into three groups: 1) texts from the perspective of or about the State, which had the problem of criminalizing and exoticizing drug-supplying territories and its people; 2) economic literature that fetishized markets and contributed little to understanding drug policy consequences, and instead established a system of distributed ignorance among the actors of the different points of the commodity chain; and 3) historical and cultural literature, which

suffered from a huge disconnection from state and market-centered texts —which, in my view, emphasized on popular narcoculture, setting aside in an inadvertent complicity, transnational narcocultural expressions of the dominant classes.

In order to promote dialogue between these three groups of literature, I started the process of expanding the geographical notion that supports them. I experimented with narrative links, analyzing international drug control policies. From there I proceeded to connect the national, the criminal and the local to larger events, especially the implementation of the global drug prohibition regime. Although I partly succeeded in establishing this dialogue, I was unsatisfied with the outcome.[1] I realized that this approach from the international to the local, i.e. from top to bottom, in many ways not only gathered the knowledge contained in the literature, but also all the problems I found in the three groups of literature. At that point, I thought that the chronological and geographical extension of drug trafficking studies in Mexico had to be turned upside down. It had to be written as a local story with global connections, like numerous European and American historians were doing.

Circumstantially and perhaps influenced by fads in public and academic discussions of drug trafficking in Mexico, when I was just beginning to articulate these criticisms, I discussed with Alma Guillermoprieto about the potential and limitations of

[1] See, for example, Enciso, Froylán. 2009. Drogas, narcotráfico y políticas en México: protocolo de hipocresía (1969-2000). In *Una historia contemporánea de México. Las políticas,* edited by Ilán Bizberg and Lorenzo Meyer, México: Océano/El Colegio de México, pp. 183-246; and Enciso, Froylán. 2009. Régimen global de prohibición, actores criminalizados y la cultura del narcotráfico en México durante los 1970. *Foro internacional* 49:3.

"narcoculture" as a concept. In these long conversations, recorded in one of her articles, I implicitly criticized the lack of dialogue between the state, market, and culturist literature and addressed the potential of integrating them with the methods used by economic historians studying commodity chains:

> In the end, it's all absurd," Froylán Enciso, a friend of mine who is a historian specializing in the drug trade, remarked the other day. "The class solidarity between the troops and the growers is far greater than the soldiers' need to obey orders. They bargain: 'I need a statistic and you need to survive in this environment, so let's deal.' And the government gets its statistic, because every year they have to have a record-breaking figure for the press conference—more kilos of marijuana confiscated, more arrests made than ever before. And the cost that doesn't get factored into the figures"—how much a kilo of cocaine paste sells for at the point of manufacture versus its street value—"is the cost of the *narcocultura*. Because the logistics and the infrastructure and the narco-helicopters and narco-submarines are only a part of it. The real value of the drugs is the cost incurred by traffickers, small and large, in steeling themselves against the risks involved in delivering the drugs to the final consumer. The *narcocultura*—the mausoleums and the music and the baseball caps embroidered with marijuana leaves in Swarovski crystals—is the array of symbols they surround themselves with in order to ward off that fear.[2]

This quote shows the early reflections upon which I developed a vision of drug trafficking that revealed the political economy of this business and the actions of these criminalized organizations and their workers. Some connections were clear, as well as the need to take into account the motivations of drug producers, who know little about

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[2] Guillermoprieto, Alma. 2008. Letter From Mexico - Days of the Dead - The drug war takes its toll on the culture. *The New Yorker.* 44.

price differentials in international markets and the importance of economic analysis regarding the structure of prices. It was a start, but I knew that there was much work to be done in order to create a more elegant or synthetic expression of this intuition.

With this project in mind, I migrated to New York in 2008, in search of an interlocutor, Paul Gootenberg, whose work in progress could help guide my intellectual concerns. Through readings and conversations with Gootenberg, I was convinced that my project made sense and was able to deepen it. The idea that influenced me the most was the importance of viewing drugs as commodities that possess a special nature, and circulate around the world. That simple intellectual movement broadened the perspective of my work —from drug trafficking to the general history of drugs. At the same time, I was convinced that in taking this route, it was important not to fall into three common problems present in the literature Gootenberg suggested me: 1) To not forget the conceptual and theoretical reflection on the system or structure; 2) to synchronously incorporate the relations of production and consumption of goods into the analysis; and 3) to strengthen, with political economy arguments, cultural studies on drugs.

In order to move from criticism to proposal, I set myself the task of testing a theoretical, or at least conceptual, re-articulation of the historical problems of studying drugs in Mexico from a global perspective. To achieve this, I decided to delve into the intellectual articulation of “narcoculture,” in abstract terms, to the political economy of drug markets. In the process, extensive readings on cultural studies in Europe and the United States, under the supervision of Professor Herman Lebovics, and the notions of legal pluralism in African studies and Southeast Asia, under the direction of Eric Beverley, were instrumental.

In a nutshell, my conceptual proposal is that *narcoculture is a cultural system that works to mediate class relations instrumentally to the drug black market under late capitalism.* Although the phrasing is simple, this proposal implies the intention of revealing an unexplored attribute of the global structure as a whole, through the fluid relationships between legal systems of the states, the movement of capital and goods, and the relations of production and interchanges of meanings, which, to say the least, are difficult to communicate even in abstract terms. Therefore, as a first simplification to facilitate analyses of these complex relationships, I proposed to distinguish, within the whole, between selective (or if you prefer, high) and popular (or low) narcoculture. By way of ideal types, high narcoculture is the public expression of negotiating impunity, i.e. the space between written laws and practices, including the discussion of alternative drug-related legal regimes. Low narcoculture is the private expression or public socialization of exchanges of meanings and signifiers of power that facilitate the recruitment, organizational strengthening, ideological protection against stigma and psychological risk management related to the illegal drug market fear.[3] This hopelessly ambitious rethinking of history and drug smuggling analysis represents a great conceptual, empirical and interpretive challenge.

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[3] Enciso, Froylán. 2011. Narcocultural Dialogue with the Literature on Drugs in México. *World History Bulletin* 27:2, pp. 14-18; and 2010. Los fracasos del chantaje. Régimen de prohibición de drogas y narcotráfico en México. In *Los grandes problemas de México, vol. XV, Seguridad nacional y seguridad pública* edited by Arturo Alvarado and Mónica Serrano, México, El Colegio de México, pp. 61-104; and 2011. La prohibición: narcotráfico, hipocresía y moral. *Arenas*. *Revista sinaloense de ciencias sociales* 28, pp. 51-56.

At the conceptual level, I decided that a historical vision which includes the understanding of the functions of narcoculture for the social structure underlying international drug smuggling networks was a good start for revealing, by way of concentric spheres, the different expressions of drugs for humanity, from very large processes such as the development of capitalism to the experience of drugs itself. To some extent, the concepts behind this formulation guided my choice of sources and the interpretations I made. From the beginning, I was cautios to observe and analyze processes that were not included in my abstractions. As Clifford Geertz once said, "Both the organization of social activity, its institutional forms, as the systems of ideas which animate it must be understood, as must the nature of the relations obtaining between them."[4] Therefore, in the methodological level, instead of accommodating data to test these abstractions, as we would do with a hypothesis, I favored the use of these ideas for my analysis of archival material through a speculative heterophenomenological[5] perspective that moved from the frontiers toward the center of the global system.[6]

All these reflections were aimed at one goal: to rewrite the complicated history of drugs in Sinaloa in such a way that it would be worth rereading. By this, I mean provoking the reader's enjoyment while helping him to confront prejudices. In the end,

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[4] Geertz, Clifford. 1973. *The interpretation of cultures: selected essays*. New York: Basic Books, p. 362.

[5] This is the "interior fronteir of knowledge" of the historical subject, following Diaz, José-Luis. 2007. *La conciencia viviente*. México: Fondo de Cultura Económica, p. 18. I use the word heterophenomenology following Dennett, D. C. 1991. *Consciousness explained*. Boston: Little, Brown and Co.

[6] This is consciously, but without centering my attention on colonial differences (Mignolo, Walter. 2000. *Local histories/global designs: coloniality, subaltern knowledges, and border thinking*. Princeton, N.J.: Princeton University Press).

this represented not only a conceptual, methodological and empirical challenge but also a stylistic one. Therefore, in the process of writing about these stories and characters, I recovered elements that went beyond their Mexicanness or Sinaloaness. That is to say, I sought to introduce all the characters in this story as human beings, who stir the empathy of those who read of their experiences. The main difficulty with this style of writing, I must say as a warning, was keeping my own joy in the other, especially when I had to write about violent and corrupt historical characters.

Although I had to inquire into excruciating historical details, I sought to precede justice rather than taking the easy way out —which is done so frequently in Latin America— by blaming characters from larger empires and exempting little people in peripheral areas of the world from any responsibility. I sought justice instead of blaming corrupt and law-breaking local elites because I am convinced that the weak would have been largely criminalized anyway if members of upper classes had obeyed the law. This pleasure in justice is a formula that will allow overcoming history writings from irresponsible anti-imperialist and criminalizing legalistic dogmatic perspectives. It also helps us in the face of two most common reactions, especially in the United States, when someone reads about drugs from the perspective of imperial and state power: racist voyeurism and the glorification of violence.[7]

[7] These ideas guided the writing and edition of my book 2015. *Nuestra historia narcótica: pasajes para (re) legalizar las drogas en México.* México, Debate, 241 pp.

Most histories about drugs in Mexico and Latin America in general have been written using U.S. archives, especially from governmental drug control agencies. Although they are easier to consult —because they have a more predictable organization and greater resources—, I decided it was important for this project to focus on Mexico's local and national archives. Local and national sources showed me how ideas, events, people and processes did not enter the body of knowledge on drugs mediated by U.S. officials.

The main source of this text is the statements of producers, smugglers, and drug users contained in court records preserved by the Casa de la Cultura Jurídica de la Suprema Corte de Justicia de la Nación (House of the Legal Culture of the Supreme Court of Justice of the Nation) in Mazatlan, Sinaloa; an archive hitherto completely unexplored by drug historians. However, the work of contextualization and analysis led me to dozens of archives, libraries and repositories of digital documents in Mexico, USA and Australia. Certain Mexican repositories were fundamental to understanding the insufficiently studied role of medical knowledge in this history, especially the Archivo de la Secretaría de Salud (Archive of the Ministry of Health) and documentary collections of the Palacio de Medicina (Palace of Medicine), at the UNAM. The newspaper collections in the Archivos Económicos (Economic Archives), of the Library Miguel Lerdo de Tejada of the Ministry of Finance, the Hemeroteca Nacional (National Newspaper Archive) and the archive of the Central Library of the UNAM were central in giving me an idea about the representation drug-related issues and Sinaloa's political presence in the public sphere. Various sections of the Archivo General de la Nación (General Archive of the Nation) and the Archivo Histórico Genaro Estrada de la Secretaría de Relaciones Exteriores (Historical Archives Genaro Estrada of the Ministry

of Foreign Affairs) helped me to explain the Mexico's domestic and foreign policy concerning imperial drug regulations. I based whole passages of this text on these sources. I used many other files and the interested reader can see how I diversified sources to transnationalize historical interpretations in the footnotes.

Each chapter of this text begins with a welcome. The reader receives the keys to this house —now his house— through the introduction of a character. Before you get immersed in these stories, I want to clarify that these characters aim to illustrate larger historical processes and propose fundamental questions and working hypotheses.

Chapter 2, "The Pacific World's Drug Trade in Sinaloa" revolves around very general questions: How did contemporary drug smuggling in Mexico begin? Why do we have the idea that it all began in Sinaloa? My answer sees the beginnings of contemporary drug smuggling, later banned by Mexican Revolutionaries. I provide a background on the trade boom, of medicines in particular, that, in the nineteenth century, connected the port of Mazatlan with markets in Asia, Europe and the United States via trade with US ports, such as San Francisco and Seattle. In addition to geographically situating this study, I developed three specific ideas about the role of Chinese migration, the spread of interests and knowledge regarding US pharmaceutical businesses and drugstores, and the consequences of the first drug regulations in the early twentieth century.

First I argue that, although it has been repeated *ad nauseam* that Chinese immigrants began drug smuggling in Sinaloa, it is a fact that opium criminalization

stemmed from the idea that Chinese migrant workers and their products degenerated the Mexican race, were unhygienic, and fostered feared epidemic diseases. However, Chinese immigrants were not the major producers, traders or users in Mexico in this period. Secondly, I analyze marijuana seed smuggling cases and the dissemination of European and American pharmacological knowledge in the late nineteenth and early twentieth century. I argue that many American entrepreneurs and their local partners in Sinaloa spread barbiturates, morphine, and other substances accompanied by an ideology of European medical authority justifying their use. This intensified the transnational pharmaceutical trade and simultaneously its incipient restrictions during the 1920s. Finally I argue through the analysis of these cases, that drug trade restrictions framed and fostered their smuggling. Despite multiple attempts to stop them, drug trade flows survived and solidified.

Chapter 3, "A Pharmacological Dystopia," analyzes the deep roots of contemporary drug regulation in Mexico, based on two questions: Who created the notion that “drugs” were something to be fought at the national level, and why? By what means did the struggle against drug production, consumption and trafficking initiate and how was it justified? I argue that drug trafficking was conceived as a moral problem because its unregulated uses contravened health ideals and detonated fear towards the spread of epidemic diseases during commercial booms, epidemics which only the modern medical profession could contain. Empirically, I analyze how, in the 1930s, Mexican physicians who participated in the Revolution redefined drugs as "dirty," "disgusting", and "shameful". They proposed to combat them with institutional strategies, which used similar mechanisms to those used for "sanitary dictatorships" in

order to contend against epidemics brought to Mexico by international trade since the nineteenth century.

Chapter 4, "Homobono's Motives: Reasons and Sorrow in the Production of Drugs in Sinaloa," focuses on the question: Why did farmers and smugglers enter Sinaloa's drug markets? Focusing on the case of Homobono Vargas, the first peasant criminally prosecuted for producing marijuana in Sinaloa, I illustrate the role of poverty and the absence of state institutions when farmers entered the drug market, and the simultaneous criminalization of the poor through the post- revolutionary judiciary system. I connect the motives of the farmers who started illicit drug production in Sinaloa with local and global economic factors, including the local mining crisis after the rise in the price of silver in 1907, and the ensuing unemployment, poverty and alcoholism that meant the social dislocation of communities of former miners and peasants. In addition, I argue that these peasants took advantage of the arrival of the railroad and the economic incentives created by drug prohibition to move into global drug black markets. This process was encouraged by traders and entrepreneurs seeking to replace local production of drugs and supplies that could not be obtained through the international market.

The Mexican government limited the importation of marijuana and other illicit drugs in ports such as Mazatlan, but could not get peasants, such as Homobono, to understand that marijuana was no longer legal, and criminalized them without offering other economic or social options. The underlying reason for these processes was the lack of presence of the Mexican state during the formation and dissemination of revolutionary institutions during the early 1930s. The permanence of drug production

since those times was also related to the prohibition of certain drugs, orchestrated through the establishment of a new penal system which contributed to the criminalization of popular classes.

Finally in Chapter 5, I briefly share some conclusions.

Chapter 2.

THE PACIFIC WORLD'S DRUG TRADE IN SINALOA

Jesús Sarabia owned his own trading house and drug store in Mazatlan. From these he learned about business opportunities and the ups and downs of politics in the port. In 1926, he ordered some medicines, including 61 kilograms of marijuana seed from Langley and Michaels Co., a pharmaceutical supplier in San Francisco, California. But while he waited for the merchants of Langley and Michaels Co. to source the seed, maybe from China or India, Sarabia learned that the revolutionary government had prohibited its import: en route the seed had become illegal. Before he fell afoul of the law, Sarabia warned the customs authorities the seed would arrive in the hope of escaping sanction or punishment. It was all in vain. Sarabia had to attend absurd judicial hearings until 1936 when a federal judge dismissed the case, a decade later.

In order to fully understand the implications of this anecdote we must free our minds from those national limitations governments use to shape our drug history. This allows us to recall their early oceanic character. It forces us to reconsider the history of events concerning the intensification of Pacific trade after the Opium Wars, and the

business ties between China and the United States after the Californian Gold Rush.[8] When the United States conquered the territory of California, this led to great enthusiasm among American citizens interested in migrating westward. However, U.S. capitalists businesses made large investments in maritime transport to the west until after the discovery of gold. The gold rush opened trade routes between New York and San Francisco, via the Isthmus of Panama, and between San Francisco and China, via Honolulu and Yokohama.

Contemporary prohibitionist control over drug trafficking began in Sinaloa after the buildup of global maritime commerce propelled those nineteenth-century events. The grow of San Francisco's Pacific trade sparked Sinaloan drug trafficking – that trade allowed the arrival of the Chinese and their opium, and of U.S. pharmaceutical companies and their patent drugs.

It has often been repeated with a certain tiresome, racist tinge that Chinese immigrants brought the evils of drugs to Sinaloa, which is an extremely limited perspective. If anything, the Chinese workers who originally came to Sinaloa via San Francisco, or directly from Canton or Hong Kong were consumers of opium sold legally or illegally by European, U.S., and Chinese merchants and doctors connected through Pacific trade with the Mexican government's connivance. The Chinese were far from the original beneficiaries of the Sinaloan drug trade. Sinaloa maintained its maritime trade in medicine – used also for recreational ends, or, to sustain some medical custom – between Asia, Europe, and the United States with drug companies in San Francisco,

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[8] Bentley, Jerry H. 1999. "Sea and Ocean Basins as Frameworks of Historical Analysis". *Geographical Review.* 89 (2): 215-224.

Seattle and other ports on the western coast of the United States and Canada without special regulations until the 1920s.

The Mexican revolution interrupted the trade which nurtured these markets with nationalist health laws inspired by knowledge from traveler reports of European doctors about regulating substances like marijuana, opiates, and cocaine. This gave merchants of Chinese, U.S., or European descent the opportunity to forge ties with merchants, farmers, and former miners from Sinaloa to produce and market substances whose circulation had become difficult.

The first documented cases of the government's international persecution of Sinaloa's opium, morphine, and marijuana trade happened after the 1920s, when the disruptions of the Mexican revolution died down and the State began earnestly re-building its institutions. Those first cases centered on regulating the trade and production of opium by Chinese citizens and local trading houses that represented the interests of local, U.S., and Chinese importers. To analyze these cases means discarding the notion that Sinaloans created the illegal drug trade on their territory. They were not alone and they depended on something larger: trade throughout the Pacific Ocean.

Mazatlan's municipal police and the Federal Customs and Health Agents initiated the first cases to prosecute contraband and the consumption of drugs in Sinaloa, and as this work progresses I will address the nature of that persecution. Here I will analyze the judicial records regarding drugs in this period reflecting the formidable legacy left by

transpacific trade, and the many people criminalized by Sinaloa's economic and social development.

First, I will show how the criminalization of Chinese opium consumption originated from the idea that Chinese migrant workers would bring epidemics of highly contagious diseases that were greatly feared along the Pacific commercial hubs of the nineteenth century. Chinese integration into Sinaloa's society was accompanied by the regulation of their opium consumption, thereby silencing important facts: the production of opium for their consumption did not cause severe problems, they were not opium's only consumers, and they were not the first to benefit from the global opium trade passing through Sinaloa. Those silences mean the Chinese would be blamed for the contemporary drug trade, denying by implication that other local people or the international Pacific trade participated in the spread of drug consumption, production, and commercialization since the nineteenth century.

Then I turn to analyze how U.S. migration in this period contributed to the spread of drugs such as barbiturates and morphine – very different from opium, marked by its British imperial legacy and its Chinese wars. These drugs were accompanied by an ideology backed by European medical authorities that placed their use above commercial considerations and indigenous or Eastern ideas about health. These migrations and ideas in movement allowed for an increase in Sinaloa's transnational pharmaceutical trade, a necessary condition for various U.S. businesses like Wells Fargo, Seattle's Pacific Drug Company, San Francisco's Langley & Michaels Company and their local partners to smuggle marijuana seeds and medicinal drugs to Sinaloa as part of their expansion strategy at the outset of the twentieth century.

I will show how the mounting restrictions on the importation of patent medicines and those placed on opium for medicinal purposes, helped spread the incipient local market for drugs in Sinaloa, leading to trading networks of production and consumption made up of large traders, sailors, steam ships, politicians, and local consumers. As this story moves along, I will show the power of the commercial flow of drugs that has continued in Sinaloa since that time in spite of the innumerable attempts of the state to stem their circulation.

SINALOA: CREATED BY TRANSPACIFIC TRADE[9]

Between 1565 and 1815, Manila Galleon's travels to Acapulco, the legendary *Nao de China*, symbolized New Spain's connection to Asia's great global power. With Mexico's independence, Acapulco's best years were gone. With the growth of European interests in the Pacific and the United States' economic takeoff, Mazatlan turned into a highly competitive commercial hub,[10] thanks to its climate – far better suited than other ports like San Blas – and the ability of local politicians who tolerated smuggling to sustain low customs tariffs compared to ports on the Gulf of Mexico. [11]

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[9] The fundamental texts concerning this section's subjects are: Martínez Peña, Luis Antonio. 1994. Mazatlán: historia de su vocación comercial (1823–1910). In Olveda, Jaime, and Juan Carlos Reyes G. (eds.). *Los puertos noroccidentales de México*. Zapopan, Jalisco: Colegio de Jalisco, pp. 157-178.

[10] Mandujano López, Ruth. 2012. *Transpacific Mexico: Encounters with China and Japan in the Age of Steam (1867-1914).* Vancouver: The University of British Columbia, pp. 36-37.

During the colonial period, Mazatlan was a hamlet with barely a population of fishermen. Its bay was for local trade, although traders and pirates used it to smuggle precious metals from the colonial-era mines of the Sinaloan mountains to Europe and the U.S. without paying taxes to the Mexican government. After independence, the Mexican government decided to open the port to international trade, establishing a customs house in the 1820s. From that point on, Mazatlan began to receive capitalist migrations from France, England and especially Germany looking to invest their surplus capital away from the places they came from into businesses closer to the numerous mining[12] concerns of the mountainous region. By the mid nineteenth century, Mazatlan overtook Acapulco as the main hub of transpacific trade. The intense development of the mining industry[13] was the pivot that allowed Mazatlan to become the "most important trading point in the continent north of Ecuador." [14]

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[11] Bernecker, Walther L. 1994. *Contrabando: ilegalidad y corrupción en el México del siglo XIX*. Alvaro Obregón, D.F.: Universidad Iberoamericana, Departamento de Historia, p. 114-115; Ibarra Escobar, Guillermo. 1993. *Sinaloa, tres siglos de economía: de la minería a los servicios*. Culiacan, Mexico: Dirección de Investigación y Fomento de la Cultura Regional, p. 32.

[12] In 1845, thirteen trading houses based themselves in Mazatlan: 6 German, 3 French, one Swedish-Spaniard, one Franco-Mexican, one Anglo-Philippine, and one American (Román Alarcón, Rigoberto Arturo. 1998. *El comercio en Sinaloa, siglo XIX*. México: Dirección de Investigación y Fomento de Cultura Regional, Fondo Estatal para la Cultura y las Artes de Sinaloa, Consejo Nacional para la Cultura y las Artes, pp. 16-19; Román Alarcón, Rigoberto Arturo. 2009. *Mazatlan en el siglo XIX*. México: Universidad Autónoma de Sinaloa, Facultad de Historia, pp. 45-46; cf. Mentz, Brígida von. 1982. *Los Pioneros del imperialismo alemán en México*. México, D.F.: Centro de Investigaciones y Estudios Superiores en Antropología Social, p. 131).

[13] Romero Gil, Juan Manuel. 2001. *La minería en el noroeste de México: utopía y realidad, 1850-1910*. [Hermosillo, Sonora, México]: Universidad de Sonora.

[14] Wise, H. A. 1850. *Los gringos: or, An inside view of Mexico and California with wanderings in Peru, Chili, and Polynesia*. New York: Baker and Scribner, p. 50. Even

After British imperial forces and their US allies opened trade with China through the introduction of opium and the onset of various wars in the middle of the nineteenth century, the only thing missing was a product that could provide liquidity to transpacific trade with the United States. The California gold rush and the independence of newly created Latin American nations provided the much-needed ingots so that trade with China could focus with greater intensity not on eastern maritime routes but on connecting the Pacific. During the second half of the nineteenth century, when Alta California joined the United States, and with the effervescence brought by the gold rush, Mazatlan's commercial activity became linked to the fortune of the main port of this systemic transition: San Francisco. [15]

The Pacific Mail Steamship Company was fundamental in opening the trade route to California, thanks to the energy sparked by the discovery of gold. In 1848, the US government offered an annual grant to William H. Aspinwall, G. Howland Gardner, and Henry Chauncey, enterprising merchants of New York, to open a communication path with steamboats to the newly acquired territories of California, via the Isthmus of Panama. Given the high risks of the enterprise, many capitalist entrepreneurs declined the invitation to finance their ships. By 1849, they barely found a million dollars.

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with the lack of roads or trains from Mazatlan, people transported minerals and wood for dyes for the textile industry and imported food, all sorts of manufactured luxury goods and machines for the industry's burgeoning development (Ibarra Escobar, Guillermo. 1993. *Sinaloa, tres siglos de economía,* pp. 44-45).

[15] Delgado, James P. 2009. *Gold Rush Port: the Maritime Archaeology of San Francisco's Waterfront*. Berkeley: University of California Press.

However, everything changed when news on the discovery of placer gold: the so-called "gold rush" arrived.[16]

"Everybody was crazy to go to California, and was willing to pay any price for passage, any extra tax for accommodation," said an executive of the Pacific Mail a journalist for *Harper's Weekly*: "To have anything to do with the Pacific Mail was to have accomplished the first step towards a brown stone front house on the Avenue. To own stocks was better then the house. This was the first act of the drama."[17] In 1850, the Pacific Mail increased its capital to 2 million and, by 1853 it doubled to 4 million dollars.

The next act of the drama was fall of Pacific Mail, because of competition from other companies and transport technologies that were developed during the following two decades. While Pacific Mail accumulated capital, Cornelius Vanderbilt, a businessman from Staten Island, better known as Commodore Vanderbilt, created a shortcut via Nicaragua, which reduced the journey from New York to California by almost 1000 kilometers and saved 50 per cent of the cost of crossing by Panama. Thus, the construction of railways and the use of more modern ships added new English competition. The Pacific Mail declined in value in the stock market and by 1973 it was in

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[16] San Francisco Public Library, History Center, San Francisco Ephemera Collection, Businesses-Butterflies, Pacific Mail Steamship, Lines 1869-1892, 1960,

[17] "Pacific Mail", *Harper's Weekly,* saturday, agosto 2, 1873.

bankruptcy.[18] This was not the last act, however, for the commercial development of California or the Pacific Ocean. It was only the prelude to the development and diversification of many other businesses.

As we shall see, other pioneers of transportation in western United States, such as Wells Fargo, launched the search for gold and other businesses: the transport of pharmaceutical drugs on the coast and mountains near the Mexican Pacific, Sinaloa specifically, when mines began to exhaust in California, among them. Some adventurers such as the brothers Alfred, James and Charles Langley —enterpreneurs of the pharmaceutical company where Jesus Sarabia got his marijuana seeds— failed to find gold during the 1850s rush. Instead they opened drugstores along the west coast of the United States and commercialized patent medicines and other pharmaceutical novelties.

Sinaloa's connection to the nineteenth-century Pacific world trade is fundamental for understanding the roots of the drug trafficking that would become illegal in the twentieth century. As in the United States, the availability of opiates would depend on international trade. In the 1880s the port of San Francisco alone imported on average 20 tons of opium per year. [19] Between 1888 and 1911, Porfirian trade records show that the opium trade every year swung between 800 kilos and 12 tons. Sinaloa had been connected to this trade, at the very least since the 1870s. In 1878, the Compañía Mala Real del Pacífico in partnership with the Compañía del Ferrocarril de Panamá charged

[18] San Francisco Public Library, History Center, San Francisco Ephemera Collection, Businesses-Butterflies, Pacific Mail Steamship, Lines 1869-1892, 1960.

[19] Shah, Nayan. 2001. *Contagious Divides: Epidemics and Race in San Francisco's Chinatown.* Berkeley: University of California Press, p. 96.

a rate of $2.30 pesos to transport a cubic foot of opium from New York to Mazatlan by way of Panama. That rate – the most expensive – was at least double what they were charging for transporting luxury goods like silk, velvet, lace, ribbons, flat glass or marble.[20]

It is not strange that by 1886 botanists were including poppy among Sinaloa's local flora.[21] That inclusion occurred in the same year as the first group of Chinese workers, the so-called *coolies*, arrived at the port of Mazatlan. Opium was imported for medical purposes and as raw material for patent medicines that were then prepared in drug stores, and was, of course, sold on the black market. However, the lack of research into drug companies and US, Mexican, and Canadian trading houses has meant that historial reviews on the origins of drug trafficking center on the activities of the Chinese also partly due to Mexico's revolutionary state leaving evidence of its persecution of them.

THE ARRIVAL OF THE CHINESE

According to the Sinaloan historian Héctor R. Olea, the origin of drug trafficking in Sinaloa can be linked to American support for immigration from China, after the appropiation of half of Mexico's national territory: "In 1848 the North American

[20] María del Rosario Vidaca Montenegro. 2008. *Los circuitos comerciales en Sinaloa durante el Porfiriato.* Culiacan: Universidad Autónoma de Sinaloa, tesis de maestría, anexo 14.

[21] Astorga Almanza, Luis Alejandro. 1995. *Mitología del "narcotraficante" en México*. México, D.F.: Universidad Nacional Autónoma de México, pp. 47-48.

government, to settle the new territory, brought a thousand Asian families who established San Francisco's famous Chinatown. These Easterners, carrying their vices, brought with them the cultivation of the narcoleptic substance, the poppy, to American shores." According to Olea, since 1886, secret societies such as the Peking, Shanghai, and Hong Kong *tongs* spread Chinese evils throughout the Pacific, including Sinaloa:

> In the port of Mazatlan, on March 28th, 1886 after news spread of the arrival of the steamship "Sardonix," an angry horde waited on the dock for the immigrants to disembark. Along with the ship there was another, the "Romero Rubio," from which, and to enthusiastic cheers disembarked General Manuel Márquez de León, enemy and opponent of Porfirio Díaz. Before this failure, the throng ran through the streets of the port, crying "Death to the Chinese," stoning the house of don Jesús Escobar, agent of a transportation company bringing Chinese, and owner of the Oriental restaurant, Chau.

Olea sees heroic resistance against the government's insensitivity and writes that the Porfirian government signed a Friendship, Trade, and Navigation Treaty with China. According to Olea, Chinese mafia placed enough confidence on the treaty to continue to traffic drugs because there was no health inspector "capable of ordering the closure of opium dens and the destruction of the enormous opium poppy plantations that grew in plain sight of the public."[22]

Olea's shortsighted vision of these processes needs to be expanded: the import of Chinese workers did not happen as a result of the insensitivity of Porfirians or because of the *tongs*' diabolical activities as organizations created to defend Chinese workers from the exploitation of merchants and entrepreneurs.[23] The tactic tried to avert conflicts between local elites over the shortage of labor in order to sustain the process of agricultural mechanization, the industrial mining boom, and Pacific trade.

In the 1850s, San Francisco's consolidation as North America's entrepot for the Pacific world coincided with disputes among Sinaloa's economic elite. State authorities in Culiacan – partnering with the federal government – tried to root out smuggling in Mazatlan. Sinaloan historian Luis Antonio Martínez Peña suggests this was a primal fight between the state's south and Culiacan, with far-lasting consequences for Sinaloa's economic and political development. Since that time, two distinct models of development were established in the state. For better or worse, Mazatlan has been a commercial point where power has always been strongly tied to trade,[24] whereas the

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[22] Olea, Héctor R. 1988. Badiraguato: visión panorámica de su historia. [Badiraguato, Mexico]: H. Ayuntamiento de Badiraguato y Dirección de Investigación y Fomento de Cultura Regional, Sinaloa, p. 76.

[23] McKeown, Adam. 2001. Chinese Migrant Networks and Cultural Change: Peru, Chicago, Hawaii, 1900-1936. Chicago: University of Chicago Press, p. 183.

[24] During the 1847 - 1848 U.S. occupation of Mazatlan, Culiacan's elites dominated by the De la Vega family, mostly dedicated to agricultural production, tried without success to separate Sinaloa and Sonora from Mexico with U.S. support. Shortly thereafer, another separatist attempt occurred, but only in southern Sinaloa, led by the Spanish consul, José María Echegueren. Although none of the separatist attempts triumphed, Colonel Francisco de la Vega formed a state government in 1852 and continued confronting the merchants of Mazatlan: he attempted to place a direct tax on trade. On June 12th, de la Vega took the consuls Pedro Fort of France, José Marín Echeguren of Spain and their friends, Lino Arizqueta, Agapito Sumolleroa, Ignacio Lerdo de Tejada and Ignacio Herrera prisoners. In response, on July 11th, there was a military uprising

center and north of Sinaloa were based on mechanized agricultural development spurred on by Culiacan's elite – and, later on, by the elite from Los Mochis – thanks to power based in Mexico City and U.S. capital.[25]

At the end of the 1860s, locals thought of "Mazatlan [as] the city of business and materialism."[26] During San Francisco's heyday, Mazatlan was the first port of call and a resupply station on the route between ports in California and Panama.[27] By the end of the 1870s, Leonidas Hamilton calculated that Mazatlan already had 17,000 residents and around 500 trading houses.[28] Notwithstanding the merchants' attempts to compete along Pacific routes with maritime American and British steamship technology, traders from Mazatlan, supported by the Porfirian elite became partially peripheral guardians of

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led by Mazatlan merchants led by Captain Pedro Valdés. The uprising ended with the taking of the federal government's outpost in Mazatlan, and its government building. Francisco de la Vega bargained for his life with the merchants in exchange for the resources, arms, and political power in the state. The Mazatlan merchants obtained recognition from the federal government for Pedro Valdés's administration by agreeing to the Plan del Hospicio that brought Antonio López de Santa Anna to power for the last time (Martínez Peñas, op. cit.).

[25] Carrillo Rojas, Arturo. 1998. *Los caballos de vapor: el imperio de las máquinas durante el cañedismo*. Culiacan, Sinaloa: Colegio de Bachilleres del Estado de Sinaloa.

[26] El Pacífico, Mazatlan, Decemeber 5th, 1868.

[27] Mazatlan's location guaranteed that the port would still be a part of new transpacific routes. Even though it would no longer be central for those new routes because of the weakness of the state's tax power, population loss due to northward-bound immigration during the Gold Rush and Mexico's political instability, the country's broken diplomatic relations resulting from the French Intervention of the 1860s, and businesses' late adoption of steamship technology.

[28] Hamilton, Leonidas Le Cenci. 1882. *Border states of Mexico: Sonora, Sinaloa, Chihuahua and Durango. With a general sketch of the republic of Mexico, and Lower California, Coahuila, New Leon and Tamaulipas. A complete description of the best regions for the settler, miner and the advance guard of American civilization*. San Francisco: Bacon and Co., citado por Lerma Garay, Antonio. 2005. *Mazatlan decimonónico*. Mazatlan: A. Lerma Garay, p. 9.

U.S. Pacific trade. The British and U.S. duopoly over shipping routes meant that Sinaloa could never regain its status as an alternative trading point.

Sinaloa's merchants tried to break this duopoly but they failed for want of larger investments[29] and lack of better political ties to China. There was no way to repeat Britain's imperial dreams of the Opium Wars. The clearest attempt, subsidized by Porfirio Díaz's government, was the inauguration in 1884 of a trade route between Hong Kong and Mazatlan (with stops in Yokohama and Honolulu) to bring manual laborers from China. This attempt failed because Chinese and British authorities in Hong Kong prohibited workers leaving for Mexico since diplomatic relations did not exist between both countries.. For that reason, the first imports of Chinese manual laborers came through San Francisco trading houses serving as intermediaries.

There was some opposition in Mexico, but some saw the Chinese as a better option than Mexico's Indians for hardworking and submissive manual labor, even if they smoked opium. In a government attempt to promote Chinese immigration in 1871, it said "the Chinese distinguish themselves above all for their intelligence: … they are submissive and quiescent… apt for mechanized work because they have a special interest in railways… up until now, the greatest inconvenience with the Chinese is their love of smoking opium."[30]

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[29] Mazatlan also differed from those Mexican regions that benefited massively from public spending on trains and social projects. Along with Sinaloa as a whole, the past did not receive signficant public investment because of its weakness combating smuggling and its comparative isolation.

In 1886, various contingents of Chinese workers arrived in Mazatlan, brought by San Francisco-based Wing Wo Company. Local newspapers labeled them “the plague.” Neighbors of two houses that hosted 220 Chinese workers waiting to find jobs in other Sinaloan towns or who were waiting for their onward journey to Salina Cruz, complained about the unhealthy conditions created by the Chinese. Similar to events that transpired in Victoria, Canada and San Francisco,[31] a health commission reported overcrowding and insufficient hygiene as threats to public health, according to European standards. To carry out their removal, the local government published an ad hoc decree against people who might pose a public health threat. [32]

The reaction towards the migration of workers implied a change of attitude in Sinaloa. Since 1840, Mazatlan had welcomed without further difficulties Chinese merchants who built businesses and joined in the port’s commercial life. However, the arrival of workers shaped a new image for the Chinese: they were the source of epidemics and they became the face of the Pacific trade’s health consequences. However, although Chinese merchants did not suffer the same daily mistreatment,

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[30] *Diario Oficial.* México, 18 de octubre de 1871, quoted by Jorge Gómez Izquierdo, “La hostilidad racista de México contra el ser chino”. In Dussel Peters, Enrique. 2012. *40 años de la relación entre México y China: acuerdos, desencuentros y futuro*. México, D.F.: Universidad Nacional Autónoma de México, Facultad de Economía, Centro de Estudios China-Mexico, p. 402.

[31] Cf. Campbell, Persia Crawford. 1969. *Chinese coolie emigration to countries within the British Empire*. New York: Negro Universities Press; Shah, Nayan. 2001. *Contagious divides: epidemics and race in San Francisco's Chinatown*. Berkeley: University of California Press.

[32] Mandujano López, 2012, pp. 149-150.

yellow fever outbreaks[33] and the bubonic plague meant that all Chinese were seen as the origin of this evil.[34]

The Chinese government intensified migration to Mexico after passage of the 1882 Chinese Immigration Act prohibited their entry to the United States. The U.S. restrictions, quarantine, segregationist politics,[35] and the 1899 Treaty of Friendship, Trade, and Navigation between Mexico and China created the conditions to heighten the number of Chinese coming to Mexico as manual laborers. The United States and Great Britain criticized the Treaty for favoring China, a "barbarous" nation that consumed "dangerous substances."[36] The project of importing migrants benefited

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[33] Javier E. García de Alba García, and Ana L. Salcedo Rocha. 2006. Fiebre amarilla en Mazatlan, 1883. *Espiral, estudios sobre Estado y sociedad*, vol. 12, núm. 35. Universidad de Guadalajara, p. 136.

[34] During the bubonic fever outbreak, the Chinese were blamed for having caused it, although health authorities were not sure that the disease had come from San Francisco's Chinatown or from China directly with the goods brough on the steamer Curaçao from China via San Francisco (Eduardo Licéaga. 1905. "Informe del delegado de México" in International Union of the American Republics, and Pan American Sanitary Conference. 1906. *Transactions of the second International Sanitary Convention of the American Republics, held at the New Willard Hotel, Washington, D.C., October 9, 10, 12, 13, and 14, 1905, under the auspices of the governing board of the International Union of the American Republics*. Washington, D.C.: G.P.O., pp. 384-389).

[35] On the segregation of Chinese for health reasons in Los Angeles, see: Molina, Natalia. 2006. *Fit to be Citizens? Public health and race in Los Angeles, 1879-1939*. Berkeley: University of California Press, chap. 1. On their segregation in San Francisco, see Shah, Nayan. 2001. *Contagious divides: epidemics and race in San Francisco's Chinatown*. Berkeley: University of California Press.

[36]On December 14th 1899, Mexican diplomat Manuel Aspíroz signed a Treaty of Friendship, Business, and Navigation between Mexico and China that permitted unrestricted migration between both countries, developed business and promised the Chinese in Mexico access to the courts to defend their rights. In 1906, the president of the Ministry for Foreign Businesses and Great Britain's Foreign Secretary, winners of

Chinese authorities that saw Mexico as an alternative to the assaults suffered by their citizens in the United States and Peru.[37]

However, when the Mexican government began persecuting the Chinese in the twentieth century, it blamed them for beginning the production and trafficking of opium in Sinaloa. This was patently unfair. The first opium shipments to Sinaloa are known to have come on steamers from New York, via Panamá. But there is no evidence whatsoever to suggest that Chinese migrants began the trade. Although part of the shipments were used for consumption – as in San Francisco and other U.S. and Canadian Pacific ports—[38] this was just one part of the drug trade between Mazatlan and other ports. These interactions of commerce and consumption, even if just in passing, have been studied only in relation to U.S. drug culture.[39] Apart from the Chinese, at the end of the nineteenth century there was some sort of market for

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the Opium Wars, recommended that Mexico include restrictions on morphine and hyperdermic syringes in its treaty with China. The syringes were an innovation for injecting the drug, but seen as "injurious to the life of the population" and inasmuch it would be "humanitarian work to prohibit them." SRE, L-E-1984. Diplomat Matías Romero was especially insistent on the idea of signing a business treaty with China (Chong, Jose Luis. 2011. *Sociedades secretas chinas en América (1850-1950)*. México: Palabra de Clío). Some voices in the United States interpreted the treaty as a continent-wide threat against the Caucasian race and the Monroe Doctrine. In the wake of these criticisms, Aspíroz notified his government that Mexico could face repercussions for showing sympathy "towards that barbarian nation." (SRE, L-E-1985).

[37] Concerning the negotiations between Mexico and the Chinese government see, Mandujano López, 2012, p. 88.

[38] Nayan Shah, 2001, p. 90; Campbell, Persia Crawford. 1969. P. 34, 42; Tejapira, Kasian. 1992. "Pigtail: A Pre-History of Chineseness in Siam". Journal of Social Issues in Southeast Asia. 7 (1): p. 109; Spence, Jonathan D. 1975. Opium smoking in Ch'ing China. In Wakeman, Frederic E., and Carolyn Grant. Conflict and control in late Imperial China. Berkeley: University of California Press: p. 143.

[39] Musto, David F. 1973. The American disease: origins of narcotic control. New Haven: Yale University Press: cap. 1.

recreational opium among Mexico's urban middle classes. But we know very little about this use.[40]

In sum, the fact that the opium trade began at the same time as the Chinese arrived, as Olea asserts, does not mean that they necessarily started the trafficking and does not even mean that they were its only consumers and producers. This type of racist blame argument reflects our ignorance surrounding the origin and customs of Chinese migration's pioneers, limiting research instead of illuminating the origins of Sinaloa's drug trafficking.

THE CHINESE AND THE SEA

In 1923, the U.S. consul in Mazatlan learned about a shipment of dozens of flasks of German cocaine by Merck and of opium from Macao via the Sinaloan port headed towards Ensenada, to smuggle them to the United States via San Diego and Calexico. However, nobody tried to stop them, maybe because José S. Razura, a powerful industrialist, merchant, and customs agent who monopolized the sea and rail trades that passed through Colima, backed them.[41]

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[40] Pérez Montfort, Ricardo, Alberto del Castillo Yurrita, and Pablo Piccato. 1997. Hábitos, normas y escándalo: prensa, criminalidad y drogas durante el porfiriato tardío. México, D.F.: Ciesas: p. 171.

[41] Astorga Almanza, Luis Alejandro. 2003. *Drogas sin fronteras*. Miguel Hidalgo, México, D.F.: Grijalbo: pp. 22; Ezquerra de la Colina, José Luis. 2006. *Historia y futuro del desarrollo turístico y portuario del litoral en Manzanillo, Colima*. Tlalnepantla, México: Coedi Mex: p. 40.

In the first documented case of the prosecution of opium smuggling, officials did not record ties between the supposed smugglers and the elite that controlled Pacific trade in Sinaloa. On March 3rd 1923, federal customs agents in Mazatlan searched the bag of Chinese citizen Manuel Wong before he embarked on the steamship "Mexico" carrying exports to San Francisco, California, even though it would make stops in several Mexican ports along the way.[42] The customs agents realized that the bag had a false bottom that contained thirty-nine boxes, twenty centimeters long and five centimeters wide and three centimeters deep with four cans filled with opium. In total the shipment weighed 9.35 kilos.

Manuel Wong's intention was to sail towards Ensenada and then carry his cargo to Mexicali, home to a sizable Chinese community and a strong market for the use and smuggling of illegal drugs by U.S., Mexican, Chinese, Spanish, and French citizens.[43] Even though he supposedly did not speak Spanish, Manuel Wong stated that he came from Canton, was single, and lived in the port of Mazatlan. Wong did not know that his bag contained opium. He was carrying the bag for Ignacio León who asked him to deliver it to a Sinaloan in Mexicali. But when questioned, Ignacio León denied everything. "The only thing I did was to accompany him as he set off because he does not speak Spanish well," León said.

Manuel Wong remained silent during the search. Officials interpreted Wong's silence as evidence that he lied in his statement against León and so they threw him in

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[42] Archivo de la Casa de la Cultura Jurídica de la SCJN en Mazatlan, Fondo Penal, 1923, exp. 40.

[43] Astorga Almanza, Luis Alejandro. 2003: pp. 22, 27-28.

jail. Ignacio León signed his statement in Spanish while Wong signed with three Chinese characters, illegible to Mexican authorities. Wong only spent three days locked up. On March 5th 1923, officials informed him that he would have to pay a series of fines for having tried to board a ship with a substance of unknown origin prohibited by new health and customs laws. Manuel Wong agreed, although they jailed him for a few more days for not having money for the fine.

Revolutionary government officials reviewed Chinese maritime interactions in ridiculous detail. On November 14th, 1929, Mazatlan's customs officers fined Quong Fo Hing & Company, a Chinese firm established in Mazatlan since 1919,[44] for smuggling 19.8 kilos of cannabis seed from San Francisco. In spite of accepting the fine, Francisco Lau, the firm's agent, married and originally from Canton, had to appear before a Federal Judge on January 15th, 1930. He explained that the trading house he represented asked for birdseed from San Francisco but that he could not receive it until after it had been sieved in the customs house to remove the mix with cannabis seed. This was to his firm's detriment and delayed the receipt of the merchandise that he urgently needed, and for those reasons he rejected the charges brought against him.

The judge could prove that the marijuana seed came mixed in with the seed using customs officials' testimony from 1931. They said that Juan Machado – a respected trader of Spanish descent and the Chinese company's agent – received the merchandise. Federal health officers, Luis G. Cervantes and Pedro Arzani stated for the record that the marijuana seed was in fact marijuana seed, which is why a crime had

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[44] Román Alarcón, Rigoberto Arturo. 2006. *La economía del sur de Sinaloa, 1910-1950*. [Mazatlan]: Instituto Municipal de Cultura, Turismo y Arte de Mazatlan, p. 134.

occurred. The case remained open with further consequences for Francisco Lau and the Quong Fo Hing & Company until 1933 when the federal public prosecutor decided to end attempts to prosecute.[45]

A similar case, although with a more dramatic outcome was an accusation of smuggling marijuana seed sent from Hong Kong by the Hinson and Company trading house to the Chinese traders Ramón Kooc and Company Sucesores based in Mazatlan. A customs' agent discovered a packet with 2.32 kilos of marijuana seed and informed Juan Machado, the same representative as in the last case, and imposed a fifty-peso fine. Machado accepted the fine. However, judicial authorities called Miguel Quan to testify on 2 March since he was in charge of the trading house.

Quan, who was originally from Canton, married and 48 years old, said that he did not have the capacity as the trading house's agent, nor did members of the Hinson and Company, know that the marijuana seed sent as a product sample was illegal. For that reason they registered the trade, demonstrating they were not acting in bad faith, but in total ignorance that it was illegal.[46] As in the smuggling case of Quong Fo Hing & Co., doctors Luis G. Cervantes and Pedro Arzani, Federal Health Delegates, stated before a federal judge on September 24th 1931 that the seed was marijuana. Based on this testimony, the judge declared Miguel Quan "under process" on July 18th 1933. This ruling meant that he would have to go to jail while awaiting trial. Miguel Quan decided to

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[45] Archivo de la Casa de la Cultura Jurídica de la SCJN en Mazatlan, Fondo Penal, 1929, exp. 35.

[46] Even though the objective is to identify Sinaloa's business interactions across the Pacific, the promise of studying in detail the judicial rulings of these interactions on the other side is worth noting.

flee when he learned that he would be jailed for receiving samples from Hong Kong. He resigned from managing Ramón Kooc and Company, broke his local ties with partners and friends, and returned to China.[47]

To do business, the Chinese not only used their trans-Pacific network, cultural ties, and ability to move across the ocean to escape the state's reach, but also their ties with other traveling traders from Sinaloa. On another occasion when the Chinese Miguel Guing, Manuel Chong and Juan Fong were bailed out for having grown opium poppies, the person who posted their bond was Arthur de Cima,[48] a San Francisco investor[49] who had been U.S. consul in Mazatlan during the Porfiriato.[50] The records do not clarify what relationship he had with the Chinese opium producers, nor if he had met them in Mazatlan or San Francisco – just one of many secrets submerged in the sea of trading relationships. What is certain is that Chinese citizens were producing opium for their

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[47] Archivo de la Casa de la Cultura Jurídica de la SCJN en Mazatlan, Fondo Penal, 1929, exp. 8.

[48] Archivo de la Casa de la Cultura Jurídica de la SCJN en Mazatlan, Fondo Penal, 1925, exp. 0.

[49] Educated at Santa Clara College, Arthur de Cima then spent some time in Europe and went to Mazatlan to take care of his father's business interests. In Mazatlan he took on a variety of business projects. During the Porfiriato he established an electricity business, an ice factory and a telephone company, all in Mazatlan. ("Has Come To Spend $50,000 For Cars, A. de Cima of Mazatlan to Build an Electric Railroad", San Francisco Call, Volume 81, Number 6, 6 December 1896; Archivo Municipal de Mazatlan, "Alumbrado eléctrico, propone su instalación en este puerto el Sr. Arturo de Cima", 5/1895, anaquel 0, caja 47, exp. 3, doc. 1).

[50] He was appointed consul on 13 February 1894 (United States. 1894. *Journal of the executive proceedings of the Senate of the United States of America.* Washington: Printed by order of the Senate of the United States, vol 29, parte 1, p. 410).

own consumption in Sinaloa and to trade with other communities of the diaspora, thus becoming a part of Mazatlan's society that was constantly in touch with their connections across the Pacific.

THE CHINESE ON LAND

Chinese integration into Sinaloan society was a complex process that implied difficult to trace interactions. It is no secret that the Chinese began to seek Mexican nationality from Mazatlan since 1897[51] and participated in the grandiloquent Centennial Independence Celebrations in 1910 on a par with European migrants residing in Sinaloa.[52] They also established clubs and had a casino that never stopped paying municipal taxes, even during the upheaval of the Revolution.[53] Chinese social integration perhaps occurred because they went from being field laborers and industrial

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[51] Archivo Municipal de Mazatlan (AMM), "Copia certificada, la solicita el súbdito chino ", Ing. Sue Sang, en que hace presente sus designios de renunciar su nacionalidad para ser ciudadano mexicano", 12/1897, anaquel 0, caja 49, exp. 2, doc. 2; hay documentos similares para José S. Martínez, 10/1899, anaquel 0, c. 51, exp. 1, doc. 21; Exiquio Gunye K., 6/1902, 0, 53, 3, 10.5; Alejandro Ley, 9/1909, anaquel 0, caja 0, exp. 4, doc. 9; Antonio Hong, 9/1909, anaquel 0, caja 0, exp. 4, doc. 10.5; Miguel Ley, Juan Quí, y Gumercindo Pum Ahumada, 10/1910, anaquel 0, caja 60, exp. 3, doc. 17; Miguel Wongpec y Antonio Sam 6/1910, anaquel 0, caja 61, exp. 2, doc. 13. Francisco Cuan, 1910, anaquel 59, caja 1, exp. 10.

[52] AMM, "Obsequio de la colonia china de cuatro albortantes de hierro en la plaza República (Aurelio Yuen)", 9/1910, anaquel 0, caja 60, exp. 4, doc. 25.

[53] "Solicitud, del súbdito chino San Ley pidiendo se le admita el pago de las contribuciones para el Casino Salo según el presupuesto del año", 11/1911, anaquel 0, caja 61, exp. 5, doc. 81.

workers to becoming more involved in trade. At the same time they became more numerous than Europeans and Americans and after 1910 were present in almost all of Sinaloa's townships, although they never had comparable capital.[54] However, little is know about their everyday social interactions and their local consumption of opium.

The clearest cases concerning Chinese opium consumption are documented in two court cases from 1925 and 1927 in connection with José Kooc, from a family of Chinese traders,[55] who proudly proclaimed their transactions in the port in the *Diario del Pacífico* of Mazatlan since 1910.[56] By 1925, José Kooc lived in a common-law marriage in a small house he owned on an orchard with María Leonor Herrera, a twenty-five year old Mexican woman, opposite Mazatlan's third cemetery. In addition to the orchard, José Kooc owned a grocery story across the hill from a nearby garrison. He had many friends, and the majority of them were newly-arrived Chinese from his native Canton or from the first Mexican generation who worked in farming, as traders in the port of Mazatlan or in ranches near the mining towns that were then in crisis along the Sierra Madre mountains.

After taking care of the orchard and his trading business, in his spare time José Kooc peacefully smoked a little opium, relaxed with his friends, or sought entertainment

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[54] Román Alarcón, Rigoberto Arturo. 2010. "La inmigración extranjera en el noroeste de México, el caso de Sinaloa siglos XIX y XX". Culiacan: Facultad de Historia de la Universidad Autónoma de Sinaloa, consultado en http://www.mexicanistas.eu, el 3 de diciembre de 2013.

[55] Archivo de la Casa de la Cultura Jurídica de la SCJN en Mazatlan, Fondo Penal, 1925, exp. 19 y 1927, exp. 19.

[56] Mandujano López. 2012: p. 199.

at the Chinese Casino in Mazatlan at 422 Benito Juárez Street. In 1925, Rafael Cruz, a federal sanitation agent, decided that José Kooc's use of opium was improper. He visited Kooc's orchard and became outraged that he had been growing opium, and without a judicial order, sought its destruction. He also visited the Chinese Casino where he saw some people smoking opium. However, he could not act against José Kooc and his friends. "Other authorities have deemed my activities as illegal," was the complaint of Dr. Rafael Cruz in an informal meeting with Mazatlan's district judge.

The Judge suggested he present a formal complaint to the Public Prosecutor and that he should seek approval from the director of the health department in Mexico City. Rafael Cruz continued his plight through judicial means despitebeing convinced that the authorities' public health activities meant "they were acting like a dictator." With the Judge's support Cruz again searched the Casino Chino and the orchard. In the orchard he found a 20 by 40 meter area sown with poppies. He destroyed it and took a sample as evidence. Then he went to the Casino Chino but could not find a trace of opium.[57] His investigation put the justice system to work against José Kooc and his friends, who had to testify, secure lawyers, and go into hiding for a little more than two years to avoid jail time.

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[57] That same day he reported to his superiors in Mexico City his discovery of an opium poppy plant in José Kooc's orchard. He wrote a telegram to the General Secretary of the Health Department at a moment when regulatory uncertainty extended throughout Mexico. "Last night, assisted by the district judge, I discovered an opium poppy plant now destroyed. The Chinese fled and until now they have not been arrested." (AHSSA, Salubridad Publica, Servicio Jurídico, vol. 4, exp. 2).

During a search made by prosecutors on April 2nd, for example, the local police apprehended five of Kooc's friends in the orchard. The five men were from Canton and they denied producing, trafficking, or consuming the poppy product sown by Kooc. All testified on April 3rd, before being sent to jail. So much has been said – as in Olea's version – of the Chinese as the source of Sinaloa's poppy production that we need to put a human face on them:

The first to testify was Chale Wong, a forty-year old married man, son of Alberto Wong, whose mother's name remains unknown. He was 1.75 meters tall, dark skinned, had a broad forehead, brown hair, snub nose, brown eyes, regular mouth, not much beard and a trace of a mustache. His vocation was tending to his grocery store. He neither knew how to cultivate poppy nor how to extract opium. He was in Kooc's orchard saying hello to friends as he went for a stroll.

The second was Pancho Ley, a thirty-year old single man, son of Juan and Concha Ley. Of dark complexion, he stood 1.78 meters tall, with a broad forehead, black hair, broad nose, brown eyes, and a large mouth, without a beard or mustache and with a scar to his skull. He only said that he joined Chale Wong for a walk and that it had been a year since he had been to the orchard of his friend José Kooc, meaning that he had no idea whether there was opium or not.

Manuel Guing was the third to testify. He was the son of Ging Guing and Angela Guing, married and twenty-three years old. At 1.75 meters tall he too was dark skinned, with a regular forehead, brown hair, a regular sized mouth and clean-shaven. He said

that he had been unemployed for the last two weeks before his arrest. José Kooc let him live in the orchard. But he to knew nothing about poppies or opium.

Fourth to testify was Juan Fong, son of Ley Fong and María Fong. Also married, sixty years old, 1.50 meters tall, light complexion, a broad scarred forehead, regular mouth, and clean-shaven. He said that he had been working for three months in Jose Kooc's orchard – watering, pulling weeds, sowing lettuce, cabbage, radishes, cilantro, lilies – but he knew nothing about poppies. When they showed him one of these plants taken from the orchard, he said that it was a poppy, but that he did not know how to grow it.

Manuel Chong testified last.He did not know who his parents were. He was a forty-year old married man and measured 1.76, had a dark complexion, black-hair, small-nose, black eyes, regular mouth, no beard or moustache; there was a scar hidden behind his left ear. Manuel Chong's life reflected the commercial activities that scattered the Chinese throughout the state. He lived in the town of El Salto, a few hours by horse from la Noria, where Chong sold products he traded from Mazatlan. Chong was in Kooc's orchard because he had to pasture the mule so that it could take him back to El Salto. He said that he had seen two patches of land sown with poppies, but José Kooc told him that he wanted them for their flowers.

Judicial authorities failed to follow the Health Department's advice to free the detainees[58] and imprisoned these Chinese men until July 20th, when they finally

[58] Dr. Rafael Cruz could not continue his reports because his appointment had ended. His departure brought hope to the five Chinese prisoners. On April 3rd, Mazatlan's new

accepted that there was no proof of intent to use the poppies to produce opium. The Chinese detainees were held in jail for three months for no reason and they did not even receive an apology.

The notion that José Kooc's opium consumption was a problem lingered. In 1927, the new Health Inspector, Alfonso Parada Gay and the municipal police chiefs decided to go after him again. On June 26th, they went to his house, where he was taking care of a convenience store, to see if there was an opium den. They did not find much: a lamp, a scale, a broken opium pipe, another intact, three trays that contained traces of opium, something that resembled opium residue, and two trays. The lamp and pipe were still warm, raising suspicions that somebody had been smoking opium. Without further ado they arrested the three Chinese men that were present: José Kooc, Manuel Long, and Francisco Wong.

The investigation demonstrated that the arrest had been totally arbitrary. Although police tried to exoticize "Chinese" objects and reinforce their allegation that it was "opium" they could have held or hold, Dr. Parada could only say "one assumes it is opium." The detainees' testimonies confirm the investigation was a fiasco.

José Kooc, who said that he was 35 years old and confirmed being from Canton, explained that he had not been smoking opium and that Antonio H. Ley, another Chinese citizen who had been working for him, had left the seized objects under a bed

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interim health delegate, Alfonso Parada Gay, a military medical doctor, reported the arrests and detentions of five Chinese citizens. From Mexico City they answered that, according to Sinaloa's Penal Code, the Chinese had not committed any type of crime and requested a fine of a thousand pesos each and if they did not pay, then this could be converted into fifteen days of arrest (AHSSA, Salubridad Publica, Serviciuo Jurídico, vol. 4, exp. 2).

in his house two years ago. Manuel Long, a 23 year old from Canton, was in charge of Kooc's store. He had been working when they came to arrest him and he had never smoked opium. Last of all, 37-year old Cantonese trader named Francisco Wong, explained that, as it had been raining, he arrived ten minutes before the police to keep from getting wet and was arrested. He did not know anything about the seized objects. José Kooc and his friends stayed in jail for four days.[59]

PERSECUTING THE CHINESE

Based on the stories of Manuel Wong, the Chinese trading houses, as well asJose Kooc and his friends, it is evident that together with personal, corporate and community entrepreneurship, the Chinese traveled with an awareness of their opium consumption. Nothing should lead us to believe that such consumption might cause more problems than alcohol. In Sinaloa, as John Kramer speculates about Chinese and South-east Asian opium consumption, moderation seems to have been the frequent pattern of consumption and for psycho-physiological reasons opium did not cause greater problems than alcohol.[60] However, given the economic competition Chinese middlemen brought to Sinaloa, their culture and patterns of consumption became targets of intense health campaigns, work regulations, and of persecution by some state agents. These actions were synonymous with the populist nationalism against the Chinese during the

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[59] Archivo de la Casa de la Cultura Jurídica de la SCJN en Mazatlan, Fondo Penal, 1927/19.-

[60] John C. Kramer. 1979. Speculations on the Nature and Pattern of Opium smoking. *Journal of Drug Issues*. Vol. 9, pp. 247-255.

Mexican Revolution.[61]The persecution of the Chinese also precipitated their expulsion from Sinaloa – although a few were saved from flight. This included criminalizing their life style based on their real or imagined use of psychoactive substances, even when they were innocuous for public health and economic development. A review of the trials against the Chinese of Culiacan for alleged consumption of opium and marijuana should suffice.

During a surprise visit lacking any apparent motive to the houses of some Chinese people living in Culiacan, a group of police officers and health officials said they had found a cigarette that seemed to contain marijuana. They were also said to have found in the suit of one of the Chinese men a small quantity of opium. Consequently, they imprisoned Lucio Fon Qui, José Choi, and Jose Chon. In their testimony, the three prisoners provided a completely different history: for no obvious reason, they were taken from their houses under gunpoint between 0630 and 0700 in the morning. They had no idea when or how the marijuana and opium fell into the hands of the police and health officials. As proof of what the claim, the police and health inspectors sent a box of menthol cigarettes that contained some marijuana mixed in with the tobacco. No evidence existed of the opium mentioned by officials.

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[61] AHSSA, Salubridad P;ublica, Servicio Jurídico, exp. 4, Leg. 1; Evelyn Hu-DeHart. 2010. Indispensable Enemy or Convenient Scapegoat? A Critical Examination of Sinophobia in Latin America and the Caribbean, 1870s to 1930s. In Look Lai, Walton, and Chee-Beng Tan. 2010. *The Chinese in Latin America and the Caribbean*. Leiden, the Netherlands: Brill: p. 97.

In spite of being arbitrary and exploiting the fact that being Chinese in Culiacan attracted attention, Municipal President Guillermo Bátiz sent a letter to the federal judge to ask that Culiacan's Chinese residents be investigated for drugs. The list was long: Manuel Sio, Marcelino Cinco, Sim Tim Choi, Luis Chi, José Chang, Tomas Ley, Francisco Wong, Ramón Ley, Guin Tong, San Gam, Alejandro Ley, Carlos Wong, Martín Ley, Juan Enrique Ley, Juan Leyva, Juan Chon, Antonio Chi, Alejandro Chong, and Manuel Chong San. The judge decided that there was no evidence for federal health inspectors or the municipal president to investigate any of the aforementioned Chinese citizens and Mexico City's federal health officials agreed.[62]

Nonetheless, on January 22nd 1933 the same group of health inspectors grabbed Chinese national Ascención Ley from his house in Tepuche, a village near Culiacan. During the search they found a little packet containing coffee-colored granules and suspected that it was opium. Ascención Ley said that it was not opium but "venso," a dye for shoes used by his school-age children. Ley's judge had a similar packet in front of him when he had to testify. Ley said that it was not the same substance that he had at home and he feared police had planted it. He also said the municipal president offered to free him for 550 pesos. Ley did not pay for; he only had 50 pesos.

Manuel Félix, a 52-year old rancher who also doubled as Tepuche's police chief traveled from the village to Culiacan to support Ascención Ley. He said that Ley was a merchant and would not have known how to sell or smoke opium. When Félix

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[62] Archivo de la Casa de la Cultura Jurídica de la SCJN en Mazatlan, Fondo Penal, 1933/7.- Correspondence between Bátiz and the Federal Health Department is at the Archivo General de la Nación, Dirección General de Gobierno, vol. 2, exp. 44. Astorga Almanza, Luis Alejandro. 2003: p. 127.

accompanied the health inspectors who arrested his neighbor, he saw at the moment they found the small packet, as Ley explained that it was “venso” dye. But the officers, a large group of them, still removed Ley from his house. Ley begged them to leave the packet in the village’s police station, perhaps because he thought they would replace it with another substance. But instead the officers took him and the packet to Culiacan. The judge did not remand Ascención Ley to jail, because he remained unsure if it was opium. When the judge had at last proved that the substance in Ley’s possession, planted or not, was opium, he asked him to return to Culiacan to testify. The municipal president informed Ascención Ley and, as with the previous example of Miguel Quan in Mazatlan, he dropped everything and abandoned Culiacan and the judge suspended the trial proceedings.[63]

The criminalization of the Chinese and their opium in the Pacific world is documented in attempts by national economic interest linked to labor and international business markets, to preserve themselves without destroying the social body. In Mexico, as in the United States, Canada, New Zealand, and Australia, the prosecution of opium seems to have masked other preoccupations about the impact of the Chinese on labor markets and commercial competition in urban areas. Another way of saying this is that the racism of local elites expressed through the state and governments was a way of regulating trade competition and production processes.[64] In the 1930s, the

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[63] Archivo de la Casa de la Cultura Jurídica de la SCJN en Mazatlan, Fondo Penal, 1933/9.

[64] Persia Crawford Campbell. 2008. Chinese emigration to Canada, Australia and New Zealand. In Anthony Reid, Ed. *The Chinese diaspora in the Pacific*. Aldershot, Hampshire, England: Ashgate: pp. 177-235; Shah, Nayan. 2001: p. 96.

U.S. consul in Ensenada started to think that the anti-Chinese campaign in Sonora and Sinaloa was led by Mexicans who first learned how to produce opium from the Chinese and then, after they were expelled, took it over for themselves.[65]

State-sponsored examples of local racism did not spring from attempts by a central government authority to allow only Chinese communities to consume opium – that is, only prohibit it for Mexicans – as it occurred in Peru or Siam.[66] There wasn't sufficient economic return to convince Mexico's central government that maintaining the consumption of Chinese opium was profitable, maybe because, as I already wrote, its overall consumption was not as important as knowledge of it – or, in this case, its medical knowledge.

Luis Fon's case – Fon was a 60-year old cook apprehended by Mazatlan's police on February 23rd 1933 – reflects that the use of medicinal substances had a sufficiently ambiguous legal meaning to connect being Chinese with consuming opium. Luis Fon accepted that he not only smoked opium but took it with water under recommendation by an American doctor living in Guadalajara to combat pain caused by a groin tumor. Two doctors named as specialists by the judge determined that Luis Fon was accustomed to taking opium and that the quantity they recovered was sufficient for one person's use. For that reason, the judge decided to free him.[67]

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[65] Astorga Almanza, Luis Alejandro. 2003: pp. 22-23.

[66] McKeown, Adam. 2001: pp. 156, 160-166; Tejapira, Kasian. 1992. "Pigtail: A Pre-History of Chineseness in Siam". *Sojourn: Journal of Social Issues in Southeast Asia.* 7 (1): 95-122.

AMERICAN PHARMACEUTICALS AND THE PENETRATION OF THE PACIFIC

The presence of U.S. companies in Sinaloa is still to be explored. Since the mid nineteenth century, U.S. migration, investment and trade had begun to quicken, helped by the actions of U.S. consuls in Mazatlan. At the outset of the twentieth century, the U.S. contribution was not limited to the arrival of certain drugs, but included creating drug markets and cultures of use. During the 1920s, there were various cases of smuggled marijuana seeds that can be linked to the exportation of drugs from the United States to Sinaloa. These cases included Wells Fargo, Seattle's Pacific Drug Company, Langley & Michaels Company from San Francisco and their local partners.

During the Porfiriato (1876 – 1910), Sinaloa tried to contest San Francisco's dominance over trade in the Pacific.[68] Unexpectedly, the attempt came from the Pennsylvanian utopian, Albert Owen. Since the 1870s Owen had worked to establish a socialist colony for Americans, financed by a cooperative in the Northern Sinaloan town of Topolobambo. The idea came to him in 1871 when doctor Benjamín R. Carman told Owen that two American miners working in the Sierra Madre had revealed the existence of a perfect bay for smuggling.

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[67] Archivo de la Casa de la Cultura Jurídica de la SCJN en Mazatlan, Fondo Penal, 1933/14.

[68] After the aforementioned opening of the Hong Kong route in the 1880s, the tax incentives taken up by Sinaloa's businessmen did not amount to enough competition to challenge U.S. and British dominance of the Pacific (Mandujano López, op. cit., cap. 3 y p. 188 y s.).

Owen believed the physician, and for a good reason. Doctors were facing epidemics and deployed their knowledge of maritime commerce as the method to obtain modern substances to treat disease. Doctor Carman migrated to Mazatlan at the end of the 1840s or beginning of the 1850s, leaving his medical practice in Sacramento, California. When he met Owen, Carman was the port's most respected doctor and was U.S. consul for three decades. After their meeting, Owen developed Carman's idea of building a port in Topolobampo. In subsequent decades, Owen fully dedicated himself to opening a socialist colony to Pacific world trade. He wanted to build a railway that would connect Chihuahua to Kansas, leading directly to New York, and creating a shorter route to San Francisco, San Diego, or Portland. The colony would be a socialist paradise, a commercial hub offering an alternative to liberal capitalism.[69]

Owen's socialist dreams failed to build the railroad and his business model foundered. In order to build a sugar refinery, U.S. capitalist Benjamin Johnston corruptly took over all the resources that Owen had gathered together. The construction of the new city of Los Mochis around Johnston's refinery followed Owen's failure. By the time the Mexican Revolution erupted in 1910, Los Mochis, together with the sugar mills built by Culiacan's farm industry – the sector that sustained the state as a political powerhouse – made Sinaloa one of the country's main sugar producers.[70] Sinaloa's competition with the United States, if one should want to see it this way, stemmed

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[69] Robertson, Thomas A. 2003. *Utopía en Sinaloa*. México, D.F.: Siglo XXI, p. 42; Ortega Noriega, Sergio. 1978. *El Edén subvertido: la colonización de Topolobampo, 1886-1896*. México: Departamento de Investigaciones Históricas, Instituto Nacional de Antropología e Historia.

[70] Hart, John M. 2002. *Empire and revolution the Americans in Mexico since the Civil War*. Berkeley: University of California Press, pp. 188-189.

directly from within U.S. capitalism, and was evident in the construction of new industries and urban spaces.

It is vital to recover this utopian project's influence on the spread of U.S. pharmacological ideas. Between 1886 and 1894, at least 1,189 colonists from California, Chicago, Colorado, Arizona, Kansas, Washington, Wisconsin and Britain arrived in Topolobampo. Among their number were doctors and other professionals who brought with them technological and economic knowledge, ideas about U.S. and European medical ideas and the organization of society. They did not produce enough food to live from; malaria, smallpox, and other local or sea-borne diseases also dealt them blows. As a result, Owen recommended that the new colonists bring medicine used normally on children, that the doctors bring their medical instruments, and that the pharmacists their medicines and drugs.[71] Encountering hunger and disease, the colonists saw the trading ships with victuals and medicines as a lifesaver. Proof of this fact may be found in the ruins of their camps: remains of ointment bottles, oils, and other medicinal substances that provide later archaeologists with evidence of the material life of that utopia.[72]

Medicine and food did not alone suffice to sustain this utopia, but they left their mark: Sinaloans came to know about modern medicinal products. How did this

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[71] "Instructions to Colonists Who Go to Sinaloa During the Eight Months Beginning November, 1st 1887. Printed pamphlet," Mandeville Special Collections Library, The Register of Topolobampo Collection 1872 – 1910, MSS 0106, Caja 2, Folder 9.

[72] Velasquez Sánchez-Hidalgo, Verónica. 2012. *Lugar de maravillas: arqueología en Pacific City: sedimentos y vestigios de un sueño utópico del siglo XIX en el norte de Sinaloa*. México, D.F.: Axial.

knowledge spread? Anecdotes from the time reveal a subtly spreading knowledge, close to the ground. On December 5th 1886, for example, Joshua W. Scally, a hard working, charismatic, optimistic doctor arrived to the colony with his wife, Eliza Clementine, and their five children. Scally, sources say, was the colony's doctor, and more. Dr. Scally was a tall man, with distinctive features. His medical practice extended throughout northern Sinaloa, sought out by Mexican families neighboring the U.S. colony. For more than a quarter of a century, Scally used a two-wheel horse drawn cart. He would carry medicinal substances in a palm basket hung from the cart's seat and he offered medical consultations and prescribed these medicines in northern Sinaloa.[73]

Evidently, the spread of U.S. medical knowledge through Carman and Scally's work did not happen with ease. As patient visits increased, so did attempts to treat sicknesses with modern methods, among them patent medicines derived from opium and coca, only obtained through pharmaceutical commerce and druggists. The practice of extending this knowledge could be difficult, so I must point out its similarities to the trade politics of the U.S. government's "penetration of the Pacific."

Since 1870, the United States had expressed a desire to leave behind its aggressive territorial expansion. By the 1880s, the Secretary of State Thomas F. Bayard made it clear that the United Sates was looking for a peaceful and friendly relationship with Mexico, one that would allow capital and colonists to flow south. That is to say, he sought a politics known now as "pacific penetration," benefiting trade and investment without the damage brought by war. Owen's project was, at the root, opposed to U.S.

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[73] Robertson, Thomas A. 2003: pp. 77, 92.

capitalist expansion and kept a certain critical distance from the power of the U.S. government. Maybe that is enough to explain why Porfirio Diaz's government backed Owen. But Díaz's government also buoyed the politics of Pacific penetration, and especially the spread of pharmacological knowledge in Sinaloa.[74]

In a report sent on October 15th 1897, Consul Arthur de Cima, aware that his country did not control Mexico's international trade, recommended that U.S. merchants imitate the dominating tendencies of European techniques: "If we desire to control the foreign trade, we must first accommodate ourselves to the ways of the people, and when they have become accustomed to our merchandise and find our markets indispensable, we can gradually mold them into our manner of transacting business."[75]

U.S. dominance of Mexico's foreign trade advanced in successive and progressive waves. Even before imports, in the 1880s U.S.-bound exports grew because Mexico lacked a market for its own products. The exchange became momentarily stuck in the 1890s, but afterwards the tactics of expansion spurred waves of Americanization of Mexico's foreign trade.[76] Americans made an effort to export their culture of consumption so as to expand business in each one of their business sectors,

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[74] Ortega Noriega, 1978: cap. 1.

[75] Arthur de Cima. 1898. "Mazatlan". In United States. 1898. *Commercial relations of the United States with foreign countries During the years 1896 and 1897. In Two Volumes. Volume I*. Washington: Govt. Print. Office: p. 498.

[76] In the decade beginning in 1910 and again in the 1940s (Kuntz Ficker, Sandra. 2003. "Las oleadas de americanizacion en el comercio exterior de Mexico, 1870-1948". *Secuencia: Revista De Historia y Ciencias Sociales. México.* 57: Sep.-Dic).

including pharmaceuticals, where they had to compete with German, British, French and Italian rivals.

In 1902, the magazine *The American Druggist* commissioned an article from Louis Kaiser, the U.S. consul in Mazatlan for its section on opportunities in the export sector. In his article Kaiser insisted on the great potential of Mexico's Pacific for U.S. drug manufacturers. However, he insisted that more intensive work and bolder strategies implemented by U.S. pharmaceutical producers were the essentials to fulfill its potential. Kaiser complained about the scant quantities of drugs and chemicals imported from the U.S. to northeastern Mexico. The market was limited to ingredients needed for making soda, perfumes, rubber products and patent medicines, especially Scott's emulsion, sugar coated pills, or preparations by Wampole, Ayer, Jayne, and Bristol, simple mixtures promising to preserve health, made from fish extract.[77]

By the beginning of the twentieth century the United States was the main importer in Sinaloa, but the chemical and pharmaceutical products only represented 6% of the 1,586,880 gold pesos that Mazatlan imported during six months in 1902.[78] However, at the beginning of the twentieth century, the United States won the competition with Europe to dominate the drug business. Drug companies succeeded by

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[77] Louis Kaiser. 1902. Opportunities for Export Trade. The West Coast of Mexico. *American Druggist and Pharmaceutical Record.* New York and Chicago, June 9, 1902: p. 308-309.

[78] United States. 1903. *Commercial Relations of the United States with Foreign Countries During the Year 1902. In Two volumes. Volume I.* Washington: U.S. G.P.O., p. 526.

providing health services in Mexico that included altruistic projects[79], migration, and social movements, illustrated by the colonial utopia of U.S. socialism in Sinaloa.

THE MARIJUANA TRADE BY WELLS FARGO AND ITS PARTNERS

The train, as with Owen's other dreams, did not arrive to Mazatlan until 1909, making it the last Mexican port connected to the Porfirian railway network. This fact may be partly explained by the difficulties of connecting Sinaloa with central Mexico by crossing the ridge of the Sierra Madre. Sinaloa depended on sea travel and on the establishment of inefficient horse-and-carriage ground routes. In fact, the railway only managed to connect Sinaloa to other ports and did not cross Sonora's high desert and the Arizona frontier until well into the twentieth century.[80]

Wells Fargo began operating in Mazatlan in 1861, as part of a partnership to exploit silver from a mine in Batopilas, Chihuahua. The Pacific Mail steamship transported silver towards a San Francisco mint, while Wells Fargo Overland and the Union Pacific Railroad then transported it to New York. Despite having experienced tense relations with the Mexican government since 1884 due to smuggling minerals

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[79] Solorzano Ramos, Armando. 1997. *¿Fiebre dorada o fiebre amarilla?: la Fundación Rockefeller en México (1911-1924).* Guadalajara, México: Universidad de Guadalajara.

[80] María del Rosario Vidaca Montenegro. 2008. *Los circuitos comerciales en Sinaloa durante el Porfiriato.* Culiacan: Universidad Autónoma de Sinaloa, tesis de maestría.

towards the United States and silk towards Mexico,[81] the company continued operating until the first half of the twentieth century.[82]

Around those dates, the Mexican justice system prosecuted robberies suffered by Wells Fargo at the hands of bandits and assailants on Sinaloa's highways. Mexican justice seemed to favor the U.S. company on more than one occasion.[83] On April 2nd 1926, the Mexican steamer "Chiapas" arrived in Mazatlan laden with a cargo that included a sack of 45 kilos of marijuana seed designed for Wells Fargo & Company of Mexico S. A. The customs authorities decided to confiscate the bag and impose a fine because they considered trading marijuana seeds as smuggling.[84]

However, the complaint did not arrive to the hands of federal judge Eustaquio Arias until July 3rd 1928. The judge limited his action to ordering the Health Inspector burn the seeds, without filing charges against Wells Fargo and without investigating the

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[81] Archivo de la Casa de la Cultura Jurídica de la SCJN en Mazatlan, Fondo Civil, 1884, exp. 49; sobre el contrabando de seda Fondo Civil, 1886, exp. 3.

[82] Loomis, Noel M. 1968. *Wells Fargo*. New York: C.N. Potter; distributed by Crown Publishers, p. 159; Hart, John M. 2008. *The silver of the Sierra Madre: John Robinson, Boss Shepherd, and the people of the canyons*. Tucson: University of Arizona Press, pp. 7-11, 83, 107.

[83] There was a case of sedition and robbery of Wells Fargo brought against former General Fernando Espinoza de los Montero in 1921 (Archivo de la Casa de la Cultura Jurídica de la SCJN en Mazatlan, Fondo Penal, 1921, exp. 0).- Another for the theft of a theodolite belonging to the Geological Institute of the Ministry of Industry and Business transported by Wells Fargo (Archivo de la Casa de la Cultura Jurídica de la SCJN en Mazatlan, Fondo Penal, 1921, exp. 28). There were also two files about cases of rebellion, sedition, and robbery from Wells Fargo against General Juan Carrasco and partners (Archivo de la Casa de la Cultura Jurídica de la SCJN en Mazatlan, Fondo Penal, 1922, exps. 28, 30 y 38).

[84] Archivo de la Casa de la Cultura Jurídica de la SCJN en Mazatlan, Fondo Penal, 1928, exp. 23.

case. The judge did not request the Health Department make an expert assessment of the seed, nor did he call Wells Fargo's agents to testify or allow the Public Prosecutor to present its conclusions. The judge's actions awakened suspicions of corruption.

The Federal Attorney General rarely instituted proceedings against judges but this extreme case, became an exception. On September 20th, the Justice Department accused the judge of violating the Organic Law of the Federal Judicial Branch. His lack of due diligence, possible corruption, and abuse of office were evident. Confronted with these charges, Judge Eustaquio Arias answered with an apology, explaining that he had not intended these irregularities, just that "he had been overtaken by pain with the loss of his son, twenty-year old Eustaquio, on the first of the month." He proceeded to clarify that he had only omitted certain things and that these did not translate into abusing anybody's rights or putting them in jeopardy, and that these should not make him liable for sanction. Judge Arias's arguments led to throwing out the charges and nobody spoke further about investigating Wells Fargo for importing "drogas heroicas." Undisrupted, the trade flows continued.

In Mexican justice, given its failings, Wells Fargo found an ally to defend its interests. The obvious problems of Mexican justice did not come from Wells Fargo using institutions to defend its interests, in cases where there was no obvious violation of their responsibility to uphold the law, especially regarding contraband. Proof comes from the aforementioned criminal complaints against thieves. Wells Fargo also used Mexican institutions to pursue debtors, as in the civil proceedings begun by their managing

director in Mexico, J. J. Egan, against the Rotroularis brothers that finished in 1934.[85] Wells Fargo and many other U.S. businesses found in Mexico fertile ground for their business, during the early twentieth century, especially when the train arrived from the U.S. border in the 1920s.

The Commercial Travelers' Guide to Latin America published in Washington in 1926 informed U.S. entrepreneurs that Mazatlan had a population of 28,000 residents and was Mexico's most important Pacific port, the center of distribution for the Gulf of California and its surrounding Mexican towns. At the time, Pacific Mail or Admiral Line steamers connected the port to San Francisco. A direct train connected Nogales, Culiacan, and Guaymas. "Through this place a large export and import trade is done. There are many wholesale houses here, as well as retail firms who carry on a direct importing Business. In the vicinity are numerous rich mines. This place should be included in the itinerary of all salesmen who visit the western portion of Mexico," said the guide prepared in Washington for the Commerce Department.[86]

U.S. merchants could count on the consular support of Lloyd's and G. E. S. Watson, along with local customs agents like Cevallos & Lupio, José A. Ruelas, Manuel

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[85] Archivo de la Casa de la Cultura Jurídica de la SCJN en Mazatlan, Fondo Civil, 1934, exp. 19.

[86] Traveling merchants could find products like cereal, fruit, sugar, beans, maize, and tobacco. Additionally, there was some industrial development in mining and smelting, tanneries, soap factories, cigars and cigarettes, machine shops, brewing, electrical plants, and ice making, among other activities. There were also bankers like Lewis Bradbury, Manuel Gómez Rubio, who worked as a representative for Banco Occidental de México, Banco Nacional de México and Melchers, a German trading house. For comfort they sought out three hotels: the Central, the Francia, and the San José. (Filsinger, Ernst B. 1926. *Commercial travelers' guide to Latin America*. Washington: Govt. Print. Off., p. 87).

P. Rodríguez and Susano Enciso. Cevallos & Lupio and José A. Ruelas, two of the four local customs agents recommended to U.S. trade visitors were submitted to a judicial process for smuggling marijuana seed in partnership with U.S. businesses.

As with Wells Fargo, legal laxity continued to rule the day when, on August 4th 1925, Mr. José A. Ruelas tried to import five kilos of hemp seeds. However, marking a difference from the Wells Fargo experience, José A. Ruelas paid a fine and had to suffer a brief trial. On August 12th, customs authorities fined him 50 pesos and confiscated the cargo until the judicial authorities resolved the case. Ruelas disagreed. When the federal judge took control of the proceedings on December 20th 1928, the warehouse official said the seed was no longer in the customs house; it had been "taken to the health inspector for incineration." No follow-up investigations occurred and the judge and public prosecutor declared an end to the criminal proceedings.[87]

The agency of Cevallos y Lupio confronted a similar situation. On April 21st 1928, the U.S. steamship Columbia arrived in Mazatlan. A Seattle drug firm established in 1903,[88] the Pacific Drug Company sent 2.4 kilos of marijuana seeds, among other medicinal products. It did not identify their probably local client, but Pacific Drug did contact Cevallos and Lupio. The customs' administrator decided to confiscate the marijuana seed, opening a judicial case and sending the product for incineration by the health authorities. He also imposed a fifty-peso fine. Cevallos and Lupio, as Pacific

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[87] Archivo de la Casa de la Cultura Jurídica de la SCJN en Mazatlan, Fondo Penal, 1928/37.

[88] "Seattle Druggist Dead". *Northwestern druggist, a progressive journal for retail druggists*. Saint Paul: Bruce Pub. Co, March 1913, vol. 14, no. 3, p. 97.

Drugs' agents, opposed the fine and the confiscation because they had paid tax duties. Customs authorities limited themselves to saying that import regulations had changed. On June 20th 1928, Judge Eustaquio Arias confirmed the penalties.[89]

Given these smuggling cases, we should ask the purpose behind so many marijuana seeds. There are several possible responses, even though they are difficult to confirm. A first possibility is that they wanted them for birdseed. "Marijuana, in order to be of high quality, ought to be elastic, like gum and absolutely seed free. Cannabis seed is only good for birds," wrote journalist Fernando Ramírez de Aguilar in a 1930 memoir. Ramírez de Aguilar was best known under his penname Jacobo Dalevuelta.[90] That might explain why, perhaps, Quong Fo Hing & Company's marijuana seed came mixed with birdseed.

Another possible use could have been the extraction of oils to make soap or medicinal remedies for drugstores. Adolfo Thomalen, a German, established the first candle and soap factory in the 1860s in Mazatlan called La Estrella. After his death, his family continued making soaps. His castor oil soap became famous and won a prize in Chicago in 1891. There is no evidence, however, that La Estrella or the factories that continued operating as the twentieth century dawned, like the Compañía Jabonera la

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[89] Archivo de la Casa de la Cultura Jurídica de la SCJN en Mazatlan, Fondo Penal, 1928/19.

[90] Ramírez de Aguilar, Fernando. 1930. *Estampas de México*. Edición del autor sin lugar ni fecha: p. 158. Cf. Enciso, Froylán. 2011. "El Cannabis Club". Consultado en http://nuestraaparenterendicion.com/index.php/blogs-ok/weary-bystanders/item/784-el-canabis-club, el 10 de enero de 2014.

Unión or La Concordia, might have used either marijuana oil or seed in their preparations.[91]

Likewise we know that the first European doctor arrived in Sinaloa in 1700,[92] but the Botica Americana (American Drugstore), the first lucrative seller of medicines in Sinaloa did not open in Mazatlan until the 1840s, spurred by the U.S. pharmacist, Eduardo Beaven.[93] However, as with factory-made soap, there is no record of the use of marijuana in any of the medical preparations distributed throughout the north of Mexico.

Without denying possible industrial, medicinal, and nutritive uses of marijuana seeds, one documented use of smuggled seeds was to plant seeds to grow plants for smoking. The production from the first marijuana plantations could also have been for the purpose of make textiles. However, we know that Sinaloa's three textile factories at the turn of the twentieth century used cotton rather than hemp fiber to fulfill the local demand for blankets, towels, denim, and pinstripe cloth.[94] Thus, during the 1920s the most plausible hypothesis is that planting marijuana for recreational uses and traditional remedies came from the soldiers who participated in the Mexican revolution.

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[91] Cole Isunza, Oses. 2003. *Las viejas calles de Mazatlan*. México: s.n., pp. 103, 136-137, 223.

[92] The Jesuit medical doctor Johannes Steinhöffer, author of *Florilegio medicinal,* proves to be of great interest for the region's medical anthropology (Horst Pietschmann, Manuel Ramos Medina, Ma. Cristina Torales Pacheco, and Karl Kohut. 2005. *Alemania y México: percepciones mutuas en impresos, siglos XVI-XVIII*. México, D.F.: Cátedra Guillermo y Alejandro de Humboldt: p. 300).

[93] Cole Isunza, Oses. 2003: pp. 40-41.

[94] Vidaca Montenegro. 2008: p. 69

The first cases of persecuting Sinaloan marijuana users absolutely came from Pacific ocean trade that nurtured consumption patterns that had begun, centuries before, from contact between indigenous people and Europeans from the Atlantic. Cannabis is not native to the Americas, it was brought by Spaniards during the Conquest to produce fiber for cloth. The Spanish crown promoted its cultivation in New Spain and, along the way, various indigenous communities began syncretic ceremonial uses related to fertility and marriage, persecuted by the Inquisition for their ties to *pipiltzintzintli*, or entheogenic nature. The recreational use of marijuana did not begin until the nineteenth century when indigenous people were recruited into Liberal armies – those of Porfirio Díaz, for example – and the spread of knowledge about the plant throughout the country during the Mexican Revolution.[95]

These first attempts to prosecute the trade and consumption of marijuana in Sinaloa occurred just after the noted smuggling cases. In 1928, the Mazatlan municipal police found four packs of marijuana in the kitchen of 50-year old bachelor José María Casillas, a bread seller originally from Autlan de la Grana, Jalisco. Casillas bought the marijuana from a man who sold maize and beans and offered him the marijuana to help him out. Casillas accepted because he did not know marijuana was illegal and because selling bread meant that he only made about 80 cents per day. He promised the judge he wouldn't do it again, and asked for forgiveness. "Please understand that I have a big family and I can't do any other line of work because I have a bad left foot and can hardly walk," Casillas said as he showed an unsightly ulcer on his left leg.

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[95] Campos, Isaac. 2013: cap. 1.

The judge noted that Casillas dressed himself like "a commoner." His attorney insisted that the marijuana was not for consumption and asked the judge to pardon him "given the extremity of his ignorance." The judge seems to have been swayed, because he put him in detention for nine days and said that the month of preventative detention could be applied to the punishment."[96]

Subsequent cases revealed preoccupations about soldiers' marijuana consumption. The Lieutenant Colonel from the Eighth Batallion in Mazatlan experienced the first complaint. According to the Lieutenant, Carmen González, a twenty-three year old food seller from Santiago Ixcuintla, Nayarit, intended to sell twenty-one marijuana cigarettes to the troops. In front of the judge, González explained what had happened in detail: "I don't sell marijuana cigarettes. The only thing I do is take lunch to the soldiers. One of those soldiers, a corporal whose name I don't even know, asked me to bring him 50 cents of herbal cigarettes and I brought him ten – that's the number they gave me – and then the same corporal gave me a peso for cigarettes, so I brought twenty-one because they gave me one too many… you can see that I don't go around selling cigarettes. I've got none left. I know that you can't go around selling marijuana but I didn't know you can go to jail for doing that. I don't go around selling. I was just entrusted with it. It's not my thing. I don't make a business out of it. I haven't committed any crime." González's explanation had no obvious sway over the judge. She languished in prison waiting for her defense attorney from January 10th to March 2nd, but

[96] Archivo de la Casa de la Cultura Jurídica de la SCJN en Mazatlan, Fondo Penal, 1928/9.

he never arrived. Then she decided to jump the jail's wall. After the escape, nothing more is known about her.[97]

From that moment on it became clear that Army officials wanted to counteract the surge ushered in by Pacific trade of both the recreational consumption of marijuana and its traditional medical application. On March 10th 1930, eight days after the flight of Carmen González, proceedings began against Vidal Robles, a 19-year old blacksmith from Chapala, Jalisco who smoked marijuana to calm the pains he suffered at night to sleep. He acquired the marijuana from a cigarette seller outside the train station introduced to him by an Army soldier.[98] On March 18th, eight days after Robles' arrest, Miguel Pineda Flores, a soldier from the 8th Battalion was discovered drunk in front of the cantina, "La Batería," in possession of four marijuana cigarettes.[99]

Mexico's revolutionary institutions would not allow marijuana consumption to spread unabated. Stopping Wells Fargo's smuggling, the Pacific Drug Company and its partners were only the beginning of their actions focused on controlling the surge of Sinaloa's Pacific drug trafficking. However, consumers undeniably continued taking drugs while the institutions of the Mexican state strengthened together with the power of the elite, which grew and simultaneously aided in consolidating the revolutionary state. It was precisely the control of these movements that allowed the revolutionary elite to

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[97] Archivo de la Casa de la Cultura Jurídica de la SCJN en Mazatlan, Fondo Penal, 1930/1.

[98] Archivo de la Casa de la Cultura Jurídica de la SCJN en Mazatlan, Fondo Penal, 1930/13.

[99] Archivo de la Casa de la Cultura Jurídica de la SCJN en Mazatlan, Fondo Penal, 1930/16.

renew itself during the first decades of the twentieth century and continue its ongoing fight to control consumption by Mexico's popular classes. But these developments are only understandable; their story can only be told, when going into the details of those movements mediated by the state's actions in local spaces.

MARKET FLUCTUATIONS AND LOCAL POWER

Jesús Sarabia was a merchant and politician born in the mining city of Rosario, Sinaloa, some seventy kilometers to the south of Mazatlan in 1891. In the 1920s, he was a respected bachelor, director of his own merchant house, Jesús Sarabia and Company, and owner of a drug store in Mazatlan. He competed commercially with European and Asian traders who had been establishing themselves in the port since the nineteenth century. He was Mazatlan's municipal president on four occasions in the first half of the twentieth century.

Among other businesses, Sarabia imported medicines thanks to his contract with Langley and Michaels Co., a drug distributor located in 42 – 60 First Street, San Francisco, California.[100] In 1926 Sarabia's merchant house ordered medicines that included 61 kilos of marijuana seed.[101] At that moment, according to Sarabia, the seeds'

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[100] It could expand in the 1920s thanks to its broad catalogue of products for soda fountains. In 1939, Langley and Michaels Co. had associated in Honolulu, Hawaii, Oakland and Fresno, Californai ("Spanish Language Section", *International Trade and Shipping Diggest,* May, 1921, pp. 25-27).

[101] All of the information on the importation of marijuana seeds by Jesús Sarabia, unless otherwise noted, comes from the Archivo de la Casa de la Cultura Jurídica de la SCJN en Mazatlan, Fondo Penal, 1929/3.

import was permitted through a relatively simple procedure: on arrival, the local health inspector could toast it in an oven so that it would not germinate. Thus, the sterile marijuana seeds could be used in the aforementioned industrial and pharmaceutical processes. The order did not arrive until 10 February 1927. While the seed was en route, Sarabia learned that its import had been prohibited, so he informed maritime customs. That honest act provoked everything that fell down upon him: the weight of imposing the new health laws impelled by the Revolution.

The administrator of maritime customs imposed a fifty-peso fine and confiscated the seed until the case's judicial resolution. Sarabia protested. He could not believe that the Revolution would punish a merchant for being honest, but he paid the fine anyway. He was being treated like a common criminal and federal judge Eustaquio Arias called him to testify after instituting proceedings against him in 1929 on application from the public prosecutor R. Henríquez. Sarabia restricted himself to the truth. He also asked the customs officials to account for the hemp seed confined at the warehouse. The seed was still there.

Not satisfied, the public prosecutor requested the judge ask Sarabia to provide proof of the requests he had made in 1926. Sarabia said that he had asked an employee to find the receipt but it could not be located. He then asked Langley and Michaels, the distributors, to provide the receipt.

The following year, the public prosecutor insisted again. Sarabia had not received the documents because at that moment Langley and Michaels had changed its company name, now called M.C. Kesson Langley. He promised to ask again. "Archives

are periodically destroyed, so the receipt was disposed of, and that's the reason why it cannot be presented," Sarabia succinctly told the judge a year later.

With that statement, Sarabia had tested the limits of the justice system. There was no way for the public prosecutors and the judges to debate a fact far out of their reach: trading practices in a third of the world represented by the Pacific Ocean. National borders may also be added to the ocean's vastness. The notion that the District Judge in Mazatlan might be able to investigate the records of a U.S. pharmaceutical products distributor was amazingly complicated.

At that time, the long-established Langley & Michaels Company had existed for eighty years, being one of the oldest and most respected businesses selling drugs in San Francisco.[102] Charles Langley and his older brothers, Alfred and James, arrived from their native Staffordshire, England to San Francisco in 1849, attracted by gold fever. They did not have much luck looking for gold, but their knowledge of chemicals and management led them to establish other types of business; pharmaceutical companies.

Alfred and James migrated to Victoria, British Columbia and opened the first modern pharmacy there and became involved in local politics.[103] Charles stayed in San Francisco and also opened a pharmacy, C. & A. J. Langley, San Francisco's first, in

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[102] Steele, James G. 1909. "Pharmacy in San Francisco in the Latter Fifties". *The Pacific Pharmacist: Official Organ of the California Pharmaceutical Association* vol. 3, No. 8, Diciembre de 1909, Pp. 251-252.

[103] Humphreys, Danda. 2000. *On the street where you live: Victoria's early roads and railways*. Surrey, B.C.: Heritage House, pp. 52-54.

1850. The Langley brothers possibly benefited from his presence and knowledge in the North American Pacific and developed shared business interests.

From the outset, the Langley brothers were the only partners in the new business in San Francisco. But subsequently they brought in Dr. E. Crowell and the name changed to Langley, Crowell & Co. At the beginning of the 1870s, after Dr. Crowell retired, they asked Henry Michaels to join them. After the death of Charles Langley on 26 July 1875, the business shortened its name to Langley & Michaels.[104]

It is not strange that in the 1920s Langley & Michaels should have changed partners and its name. The public prosecutor, lacking jurisdiction, forced the health inspectors' hand. The prosecutor asked for expert analysis of the hemp seed on August 31st 1931. Dr. Luis G. Cervantes conducted the examinations with the aid of Pedro Arzani, then in charge of the Campaign Against the Bubonic Plague. The doctors confirmed to the federal judge that "for its physical characteristics, the seed is cannabis indica, commonly known as marijuana."

The fact that it could be confirmed that Sarabia had not lied made his criminal responsibility difficult to assess. It wasn't until April 25th 1936 that judge Javier Aguayo closed the criminal case. As soon as he found out, customs official Luis G. Velázquez wrote to Sinaloa's district judge in order to locate the 61 kilos of hemp seed. He never received a response. The court had lost the seed.

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[104] *Sacramento Daily Union*, Volume 1, Number 132, 27 July 1875. [California Digital Newspaper Colection].

From the outset the speed of transactions involving contemporary trafficking in illegal drugs in Sinaloa reveals the lack of public officials' preparation, foremost that of doctors and lawyers, who over the years tried to stop it through opening judicial investigations. Added to territorial jurisdictional issues was the government's rough incapacity to shorten the time the Pacific Ocean trade took went from one continent to another, one country to another, from the producer's hands to those of the merchant, one to the other until arriving at the consumer. Smugglers used inequality and limits to the conception of time – which had its expression in the slowness of reading judicial files written according to static notions of the law, – a principal recourse to power.

Jesús Sarabia shared something in common with brothers Alfred and James Michael: he used their authority as doctors and drugstore owners to involve himself in local politics. When the judge asked him to testify for the first time about the marijuana seeds, Sarabia had already served as Mazatlan's municipal president twice, in 1917 and 1920. Some months after his trial for smuggling marijuana began in 1927, he was elected municipal president for the third term and he would serve once more as mayor before the trial ended in 1937 to 1938.[105] Evidently, his forays into politics and administration shaped his understanding of how to navigate the judicial procedures of the new government.

Sarabia's political prowess, as with his success in the drug business, was deeply rooted in his scientific knowledge about health. That scientific knowledge, on more than one occasion spiced up with literary references, made drugstores meeting points for

[105] Sinaloa (Mexico: State). 1990. *Mazatlan, monografía 1990*. Sinaloa, México: Secretaría de Hacienda Pública y Tesorería: pp. 11-12.

local elites throughout many of Mexico's urban centers.[106] Mazatlan's drug stores, just as in other regions, equally patronized by writers, politicians, journalists and all kind of people from the popular classes searching for relief from pain. People also went to the port's wastrels and dilettantes in search of a good bit of gossip. To great effect, Sinaloan historian José C. Valadés wrote the story of the "Botica Central" (Main Drugtore), established by his grandfather and other relatives in 1892, and the meeting place for poets, journalists, politicians and followers of literature, including Amado Nervo, Manuel Bonilla, Esteban Flores, José Berumen, Matiniano Carvajal, Vicente González Valadés, José Ferrel, Ángel Beltrán, Manuel Manzo and Juan Sarabia.[107]

The trial against Sarabia remains an unusual form of interference in the traffic of marijuana seeds and other medicines. The way he capitalized on his managing connections in the political world allowed him to overcome the interference of the new revolutionary government. Thus, when in 1931 an alleged delinquent mentioned Sarabia in a cocaine smuggling trial against German company Merck neither his wealth, power, nor influence diminished.[108] Given his apparent juridical immunity protected by the flow of knowledge, people, and capital in the Pacific, it's necessary to ask how we might understand the nature of apparently immanent issues that attempted to mediate

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[106] A description of Querétaro's drug store meetings may be found in Prieto, Guillermo, y Boris Rosen Jélomer. 1994. *Crónicas de viaje. 1853-1855 1, 1*. Obras Completas / Guillermo Prieto. México: Consejo nacional para la cultura y las artes: pp. 220-223. Para la ciudad de México véase Prieto, Guillermo. 1906. *Memorias de mis tiempos*. Paris and Mexico: Librería de la Vda. de C. Bouret, pp. 309-314.

[107] Valadés, José C. 1985. *Memorias de un joven rebelde: mis confesiones*. México: Universidad Autónoma de Sinaloa.

[108] Suprema Corte de Justicia de la Nación, Archivo Histórico de la Casa de la Cultura Jurídica en Mazatlan, fondo Penal, 1931/16.

the influence of the revolutionary government. The response to that question, and above all the power and emotion that trading issues entail, may be told through the movement of continuous connections.

THE FLOW: STEAMSHIPS, DRUGGISTS AND MAZATLAN'S MORPHINE USERS

At the end of the 1920s and beginning of the 1930s, difficulties in procuring patent medicines, marijuana, and opium provoked spikes in smuggling among habitual users, pleasure seekers, pier walkers, and Mazatlan's merchants. Druggists and long-term users of medical products like morphine asked wastrels and pleasure seekers in the port to smuggle it on steamers and through sailors who needed to increase their earnings with small consignments of the drug.[109] Users of patent medicines, not being able to find morphine in drugstores, began to substitute it for opium supplied by the Chinese on the black market.

Mechanic Faustino B. Luna, originally from Puebla, was 33 years old when he became entangled in the port's smuggling networks in January 1930. He lived in a small space in Miguel and Jesús Guzmán's house in Mazatlan's Aquiles Serdán Street because he worked sporadically and never had enough money to rent. At different times in his life he used to inject morphine. He injected for the first time in 1914 and he continued using until 1919, relapsing for a time in 1926. He began using again for eight

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[109] García, Roel. 2013. Los romances de la hija del opio en Sinaloa. In *Blog Postales Fantáticas,* available at http://nuestraaparenterendicion.com/index.php/blogs-ok/weary-bystanders/item/1774-los-romances-de-la-hija-del-opio-en-sinaloa,consulted on10 December 2013.

months before a municipal police officer arrested him and took him to the health department for an attempted sale.

Everything began at the customs house. Luna heard the steamers and listened to the sailors comment that one in their number had a gram of morphine for six pesos. Faustino went to the wharf the next day. He found the steamer when he stopped next to the "Colombia" and he bought the morphine. His friend José Loya, shaking from withdrawal symptoms, arrived a little after and begged him to sell him some. Upon seeing his need, Faustino commiserated with him and offered to sell him half. José Loya needed all of the morphine because he was about to set sail for Culiacan. Faustino agreed and gave him a little to prove it was actually morphine and seal the deal. José Loya returned after twenty minutes and paid six pesos while at the same time, Aniseto López, a police officer, showed up to arrest Faustino Luna for smuggling.

The police had set a trap.

Faustino's criminal history did not help him at trial. One time he was arrested for vagrancy: sleeping drunk, outside the cantina "As de Oros"; another time for suspected robbery and the odd sale of a Victrola, just another piece of port news. However, the federal health inspector Abraham Quijano, who dictated health measures during the 1915 Durango typhoid epidemic[110] failed to cast Faustino as a morphine addict. And,

[110] Alvarez Amézquita, José. 1960. *Historia de la salubridad y de la asistencia en México*. Mexico: Secretaría de Salubridad y Asistencia: pp. 59, 95.

the doctors who assessed him were not even experts. The judge freed Faustino on November 7th 1930.[111]

Movement around the Pacific provoked complicated networks when cargo reached land. Upon arrival in Mazatlan in July 1931, José, a sailor on the steamer "Ecuador" belonging to the Pacific Mail Steamship Company, possibly coming from San Francisco,[112] told his friend, Alfonso Cázares, a student and former police officer, one of its sailors carried two and a half ounces of morphine. According to José, a runner on the wharf nicknamed "el Güindiri" might know who bought it. Cázares, famous in the port for selling drugs, followed the sailor fingered by el Güindiri, while he went towards the house of Luis Miranda, a Chinese man from Canton, who was going to buy it. When Cázares arrived at Miranda's house, Cázares pretended to be an undercover municipal police officer and he took the morphine while the sailor and Miranda negotiated the price. Cázares did not know that for some time the municipal police had been watching him. As he passed through the Jardín Hidalgo (the Hidalgo Gardens), two police officers stopped him, confiscated the four little packets of morphine and put him in prison.

At trial, Cázares stated that he and Luis Miranda had been selling two ounces of morphine to Luis Sotomayor, owner of the Mazatlan drug store,[113] through an

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[111] Archivo de la Casa de la Cultura Jurídica de la SCJN en Mazatlan, Fondo Penal, 1930/3.

[112] Although he would also take a trip to China with stops in the Pacific islands (Ainsworth, Carrie Gilbert. 1922. *A trip to the Orient a voyage on the steamer Ecuador, Honolulu, among islands of the Pacific, the mandate islands of Japan*. Chicago: Ainsworth & Co.) and according to the magazine *Drug and Chemical Markets*, (vol. 10, 1922: p. 338) on Central American indigo barges.

intermediary, Enrique Moreno. Two months before, Moreno had already sold smuggled morphine to the same drug store. Miranda received two checks, one for 60 and the other for 70, and 20 pesos cash in hand to total 150 pesos that Enrique Moreno took. Cázares cashed a check signed by Sotomayor in the Banco Occidental de México, Sinaloa's most important financial institution at the time.[114] Since his stint as a police officer he knew that the respected drug store owner, Luis Sotomayor, would be fined 1,000 pesos for trading smuggled medicines.

Luis Sotomayor was the real beneficiary of the smuggled goods, but it was difficult to prove. Although all those concerned confirmed that Sotomayor used the port's financial institutions to pay smugglers, nobody could extract information from the banks, in spite of attempts by prosecutors. And nobody could even remember a fine of 1,000 pesos. Cázares suggested the judge ask Enrique Celis, who was in jail at the time, but it proved useless. The investigation wound down. Cázares was in jail for a year, doing other people's time, while Sotomayor continued undisturbed with his drugstore commerce.[115]

Enrique Celis never testified about smuggling for Mazatlan's drug stores, perhaps because he needed their products to help him sleep. His friend, Luis Miranda, the Chinese man, visited him in jail to pick up messages asking Jesús Sarabia and Luis

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[113] Since the nineteenth century the Sotomayor family had devoted itself to retail sales in Mazatlan (Román Alarcón, Rigoberto Arturo. 1998: p. 22).

[114] Aguilar, Gustavo. 2001. *Banca y desarrollo regional en Sinaloa, 1910-1994*. México, D.F.: Universidad Autónoma de Sinaloa: p. 121.

[115] Archivo de la Casa de la Cultura Jurídica de la SCJN en Mazatlan, Fondo Penal, 1931/35.

Sotomayor for Veronal pills covered in chocolate – a sedating barbiturate discovered by German doctors at the beginning of the twentieth century.[116] The delivery of Celis's Veronal had to be delayed after Luis Miranda became caught up in smuggling morphine for the drug stores.

When Enrique Celis could not obtain the Veronal, Ramón Osuna, another prisoner told him that the prison authorities had prohibited the barbiturate, so he switched that out with opium from the Casino Chino. To make the substitution, Celis asked Saúl Chávez, a fixer at the jail, if he might bring him pills and sent a message saying as much to Miranda. But in vain. So for a little bit of opium he sent the jail fixer to Manuel Pang and Juan Muy at the Casino Chino. Yet Chávez, the fixer, could not get the opium to Enrique Celis's jail. Authorities nabbed it at an inspection at the jail's entrance and sent him to health inspector Luis G. Cervantes. The inspector limited himself to taking testimonies from all those involved in order to send them to the public prosecutor who began proceedings against Celis in federal court. Ultimately, Enrique Celis was not sentenced for his attempt to consume Chinese opium instead of German Veronal. He argued that he was not an addict; he just used those substances to maintain his health. Doctors could find no proof to suggest otherwise.[117]

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[116] López-Muñoz, Francisco, Ucha-Udabe, Ronaldo, y Alamo, Cecilio. 2005. The history of barbiturates a century after their clinical introduction. *Neuropsychiatr Dis Treatm.* 1(4): 329–343.

[117] Archivo de la Casa de la Cultura Jurídica de la SCJN en Mazatlan, Fondo Penal, 1932/10.

"*I have learnt something from the* people of Mazatlan," D. H. Lawrence said to Adele Seltzer, the wife of his Russian editor Thomas Seltzer, in New York: "*The vastness of Pacific time, unhistoried, undivided.*"

His letter is dated October 9th 1923 from Mazatlan's Hotel Francia. Lawrence arrived by ship from Guaymas. At the time he was fleeing the "canned" culture of the United States, where God had died.[118] In Mazatlan, however, Lawrence toyed with the notion that Mexico could be a good place to create and to think, even though the oppressive heat put an end to his plans to stay for winter on a ranch in the company of friends and some lovable Germans residing in the port, surely the owners of Melchers trading house: "There is a certain fascination also about this place," Lawrence wrote. "It's very like the South Sea Isles in quality: as remote and soft and sensuous, with an awful naked sea-front with Rocks with flying staircases and half-built houses and delapidation. –No Money here. –And Cocoa-nut palms like snakes on end. But good cocos to drink. And a queer bay with tropical huts and natives very like islanders, soft dark, some almost black, and handsome. That Pacific blue-black in their eyes and hair, fathomless, timeless. They don't know the meaning of time. – And they can't care. All the walls and nooks of our time-enclosure are down for them. Their eternity is so vast, they can't care at all. Their blue-black eyes."

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[118] Callow, Philip. 2003. *Body of truth: D.H. Lawrence, the nomadic years, 1919-1930*. Chicago: Ivan R. Dee, p. 127.

From this fragment from a text, Lawrence clearly sees them as exotic,[119] he fails to recognize the distress of people from Mazatlan in their attempt to understand and manipulate their Pacific time. But he indicated, almost without wanting, the specific difference between natives rooted in their lands and the perpetual waiting by the sea, and his friends, the German traders who were more aware of and adapt at benefitting from the movements within the Pacific Ocean.

Let me take a moment to talk about the methodological reflections about time used in this text, all the while bringing in the central ideas I want to develop. I began with the promise of showing the primary conditions necessary to understand the roots of drug trafficking in Sinaloa during the surge of trade in the Pacific Ocean in the second half of the nineteenth century. I developed that argument, principally through contextualizing the historiography of the local economy.

I decided to concentrate on this idea because quite simply it reveals Sinaloa's social geography. I aimed to avoid determinisms and local criminalizing tendencies many studies fall into when focusing on illegal drugs because they concentrate on the state and how it sees. But it is exactly that geographic interpretation the state and its legalities have always returned to, and is the first big canard this text attempts to explain. I can say that this geographic interpretation allowed me to deconstruct the myth of the "Chinese" roots of Sinaloan drug dealing, what with its racial and class overtones.

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[119] The letter can be interpreted by applying the ideas of Said, Edward W. 1979. *Orientalism*. New York: Vintage Books.

In the stories about Chinese involved in the first of Sinaloa's opium and smuggling cases, I tried to incorporate cases where the people involved used their knowledge as travelers to deal with judicial proceedings (Manuel Wong and those linked to Chinese trading houses) with cases where the people could not use the same knowledge because, for better or worse, they were already integrated into Sinaloan society (as with the case of José Kooc and his friends, and the Chinese pursued for openly racist reasons in Culiacan). This means that I highlight stories that focused not only cases that reflected on Pacific time – understood as the coming together of trade flows, travelling ideas, and networks at different points connected by the sea – that allowed for the negotiation of, or avoidance of judicial processes focusing on illegal substances.

As this work proceeds, I will maintain this methodological strategy of reading judicial proceedings as indicators of time in the Pacific Ocean, instead of using them as criminological documents, and interpreting the meeting of economic interests from the Western United States with the beginning of the drug trade in Sinaloa. Those crossings include the aims of Albert Owen's project in Topolobampo, the strategy of "peaceful penetration" by the U.S. government and the commercial and scientific interests of U.S. drug companies. At the same time, I included an ethnographic reading of negotiations over implementing Mexican laws on the part of transnational businesses and individuals in the process of learning about the prohibition of certain drugs in Sinaloa. Again, I returned to the state as mediator.

The interpretation of prohibitionist laws as negotiation and learning became possible to begining the analysis in a period in which the differences between the licit

and illicit were highly unstable. This study can be distinguished from other studies that center only on the illicit from a moral perspective or as an unchanging reality. This approach allows me to advance an idea that runs throughout my work on drugs: from the beginning of the prohibition of certain drugs an unchanging distance has existed between the letter of the law and the actions of those who live under the law's jurisdiction. Even up to the present day, illegal drugs have, in one way or another, affected that space between negotiation and learning.

From this perspective, it is not unusual that judges, police officers, druggists, sailors, users, politicians, doctors, the sick and pleasure seekers shared the ability, or at least the desire, of using regulated drugs as a source to obtain bodily relief, spiritual peace, money, social relations, political power, or all of these combined. Nor is it unusual that people like Jesús Sarabia would use their knowledge regarding changes in regulations strategically to protect the transport of pharmaceutical materials for his drugstore, the source of his local political power and the motivation of his patient administration of judicial proceedings that in the 1920s and 1930s seem (mostly) absurd.

People like Sarabia or Luis Sotomayor, owner of the Mazatlan drugstore (from the last story I presented) strategically deployed their knowledge of commercial and financial movements across the Pacific Ocean. They did so thanks to their simultaneous ability to interpret and show this knowledge with judges while other smugglers remained incapable of making this abstraction under the objective circumstance of the state's materialization. Concretely, the tremendous difference between Sarabia and Sotomayor and the wharf smuggler Faustino B. Luna or Alfonso Cázares is that the former used

their knowledge to do business and evade the court's punishments, while the latter used their knowledge to do business but failed to avoid punishment even though they knew something about those processes. Their knowledge of flows, of movements, was not sufficient for the state to work in their favor.

Nonetheless, this incapacity did not mean that the smugglers sanctioned by the state should be seen "atemporally" through blue-black eyes, as D. H. Lawrence put it. It is true that Fausto B. Luna or Alfonso Cázares failed to realize many things when they bought or sold morphine: they did not realize the quantity of time spent in cultivating the plant or extracting the sap; how much time and work went into this morphine so that it could be transported by ship and/or train, cart, carriage, mule from its place of production to Mazatlan; the relationship of morphine's price to its raw materials and its eventual sale in the port; nor did they realize the extent of the distances it transited or the regulatory differences between the countries it traveled through; a whole list of things that could go on and on. Yet the fact that they did not realize these things does not mean that they were unaware of what went on. Luna, like Cázarez must have known that skilled hands produced it that knew morphine's effects on the body, and they must have known that they could sell it for more than they had bought it, and they would have known that the money they earned from selling morphine could improve their lives. That is, they knew about the power that Pacific time held.

The importance of taking these things into account and which the subjects themselves did not realize, even though they might have been aware of them – to judge from their actions – was masterfully synthesized by Andre Gunder Frank. ""First of all, objective circumstances impact—indeed shape—subjective consciousness, especially

in the absence of the subject's conscious awareness thereof. Second, consciousness is not everything; and one set of objective circumstances also affects other objective circumstances as well as the consciousness of the subject."[120]

I ask myself why Lawrence never thought of spending more time with the people of Mazatlan, the people who inspired his poetic musings. The reasons I find, beyond that of Mazatlan's heat, is his acknowledged incomprehension of being able to describe the differences between the obsessive schedules of the Anglo-Saxon world in relation to the alien sense of time so distant from that of the European idea of history. Lawrence, like so many before and after, thought that the people of Mazatlan had an intriguing way of passing time: "They don't know the meaning of time. – And they can't care. All the walls and nooks of our time-enclosure are down for them. Their eternity is so vast, they can't care at all. Their blue-black eyes."[121]

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[120] Frank, Andre Gunder. 1998. *ReOrient global economy in the Asian Age*. Berkeley: University of California Press, p. 43.

[121] The letter is transcribed in Lawrence, David Herbert, Warren Roberts, James Thompson Boulton, and Elizabeth Mansfield. 1987. *The Letters of D.H. Lawrence. Volume IV*. London: Cambridge University Press, pp. 510-511.

Chapter 3.

A PHARMACOLOGICAL DYSTOPIA

On June 23, 1931, Dr. Luis G. Cervantes, the Federal Sanitation Delegate, reported Sinaloa's "very dirty" business of drug trafficking in a letter to Francisco Valenzuela, Director of Mexico's Health Department. Sinaloa, "shame of the nation," served as the world's "repugnant" drug trafficking center. A failure to do something about it would make U.S. authorities become aware of it:

> In the unfortunate event that a member of the U.S. police corps is appointed by its government to come to Mexico and conduct investigations, I'm certain that our country will be taken out of the competition between nations and be exposed as a people lacking of scruples in order to preserve our dignity, and for what? Indeed with the full knowledge and awareness of our political authorities, the State of Sinaloa has become one of the main centers around the world where all sorts of “heroic” drugs are trafficked with impunity; from Culiacan and Mazatlan, to towns of much less importance.[122]

[122] AHSS, Salubridad, Servicio Jurídico, caja 28 exp. 11.

Long before drug trade became a security issue, Dr. Cervantes —like most revolutionary politicians of his generation— saw the need to regulate certain drugs in order to achieve "social sanitation" and to renew Mexico's healthcare institutions after the Mexican Revolution. During his stay in Mazatlan at the beginning of the 1930s, Cervantes confirmed with evidence what many Revolutionary doctors already believe —especially those from Carranza's faction: that Mexico was turning into a drug-producing and trafficking centre, especially Sinaloa, as a result of the Mexican Revolution, World War I, the increase of drug use in the United States, the abuse of alcohol and drugs among Mexico's working class, the greed of smugglers, and corruption among politicians and public servants.

At a distance, it seems difficult to understand how these doctors concluded that they had to battle the use of opiates, cocaine, and marijuana with the same vehemence as smallpox or meningitis. The fundamental reason of this shift in medical thought is that both the battle against disease and the battle against drugs have a common origin, which is the dissemination of bacteriological and chemical knowledge applied to medicine. Since the nineteenth century, the "gospel of germs"[123] and the "cult of pharmacology"[124] gradually replaced miasm theories —which attributed the origin of diseases to dirty environments and bad air— and treatments based on lack of humor homeostasis or on communion with the Gods. The discovery of disease-causing

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[123] Name coined by the sincere historian from southern United States: Tomes, Nancy. 1998. *The gospel of germs: men, women, and the microbe in American life*. Cambridge, Mass: Harvard University Press.

[124] Name coined by creative analyst of American psychopharmacology: DeGrandpre, Richard J. 2006. *The cult of pharmacology: how America became the world's most troubled drug culture*. Durham: Duke University Press.

microorganisms fostered health ideals, including infection prevention and new hygiene-, social interaction- and urban design standards. These ideals, along with new chemicals derived from opium and coca leaves, and biological immunizations, such as vaccines, created the expectation that humans would finally overcome the epidemics and body afflictions that have plagued mankind since the beginning of time.

This chapter interprets Dr. Cervantes's early call to establish a "social sanitation" program as a mechanism of pharmacological power against drug trafficking in Sinaloa. By contextualizing Cervantes's letter, I will provide a genealogical interpretation[125] of the health laws and regulations that gave rise to our vision on the war against drugs and contemporary drug trade. The call to combat drugs used the same mechanisms as those used to implement health ideals throughout the nineteenth century. Dr. Cervantes's dreams of social cleansing were incorporated into the long process of rationalizing medicine, drugs, and the Mexican State. Drug trafficking became a moral issue because its unregulated use contradicted health ideals that triggered the fear of illness.[126]

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[125] Foucault, Michel. 1992. *Microfísica del poder*. Madrid: La Piqueta.

[126] Since my argument is contingent, historical and institutionalist, it counters the "McKeown Thesis," which considers the decline in mortality a result of economic development. McKeown, Thomas. 1976. *The modern rise of population*. New York: Academic Press. On account of this economic determinism, I prefer to widen the perspective on aspects concerning discussions on global health that take social, developmental and public health policies and factors into consideration. Szreter, Simon are good examples. 2005. *Health and wealth: studies in history and policy*. Rochester, NY: University of Rochester Press; Kunitz, Stephen J. 2007. *The health of populations general theories and particular realities*. Oxford: Oxford University Press; Riley, James C. 2001. *Rising life expectancy: a global history*. Cambridge: Rising life expectancy: a

First, this chapter demonstrates how the movement of people and products across the Pacific coast during the nineteenth century brought contagious diseases to Sinaloa. Epidemics embodied the face of death, which paradoxically was drawn by the vital energy of merchants and travelers; modern medicine, on the other hand, embodied salvation. Diseases spread quickly, but physicians contained them with the support of economic and political elites. A doctor's authority transfigured into power could combat, even despotically, the demonic face of commerce. Doctors offered a world where diseases could be cured, epidemics could be eradicated, and pain could be avoided; a world where cities and homes looked cleaner, and where working classes learned about household cleanliness and hygiene. They offered a stronger nation, a world where individuals had the possibility of choosing how to live and die. This indeed occurred in Sinaloa during the epidemic outbreaks of cholera, yellow fever, and the bubonic plague, which turned this state into a privileged space with regards to the gradual institutionalization of health ideals from the nineteenth century.[127]

Secondly, this chapter reviews how the Mexican Revolution fostered at a national level the generalization of opiate and cocaine prescriptions, the use of marijuana, and the non-medical trade of opium —the use of which was restricted to ethnic groups, such

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global history. A good synthesis of this literature in Stepan, Nancy. 2011. *Eradication: ridding the world of diseases forever?* Ithaca, NY: Cornell University Press, chap. 1.

[127] Pharmacological utopia, which in many aspects is now common sense, fostered the global deployment of applied research on chemical substances (patent medicines) or bacteriological substances (vaccines) to fight bugs made our bodies sick. It also contributed to disseminating personal hygiene standards (e.g., washing hands, covering mouth when sneezing, avoiding contact with feces and fluids) and collective hygiene standards (provision of drainage services, trash disposal, access to clean water).

as the Chinese and Indians, as per political discourse.[128] Several revolutionaries used the regulation of these drugs as a political resource[129] to obtain the support of local elites, sustain diplomatic relations with prohibitionist states, be financed, justify chauvinist ideologies, and neutralize political or military opposition, among others. Consumption abuse also triggered the creation of pathologies, such as heroinism, cocainism, morphine mania, etc. During and after the Mexican Revolution, medical studies encompassed these pathologies, together with the use of ethnic drugs, into a single disease: toxicomania, or drug addiction. According to doctors, this disease had to be attacked like any epidemic disease.

Thirdly, this chapter proposes that drug regulations, from the time they were incorporated into the Mexican Constitution of 1917, institutionalized medical authority into power in order to attack the epidemiological potential of pathologies, caused by unregulated drug use. The most evident expression of medical power, especially in Dr. Cervantes's time, was the progress of secondary regulations governing health institutions, the treatment of substance use and the establishment of "sanitation dictatorships" during epidemics. From this perspective, drug trafficking in the 1920s and

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[128] These ideas helped doctors acquire power and dignity in their trade, through arguments that fundamentally shared the limits of the liberal racial thought of the nineteenth century. In other words: the idea that a sick race had to be regenerated through medicine and drug use regulation. Campos, Isaac. 2010. "Degeneration and the Origins of Mexico's War on Drugs". *Mexican Studies/Estudios Mexicanos.* 26 (2): 379-408.

[129] To paraphrase Anthony Giddens: structures can operate simultaneously as rules and resources in the reproduction of social systems (Giddens, A. 1984. The Constitution of Society. Berkeley and Los Angeles, University of California Press, p. 377).

1930s, was interpreted as "something very dirty," or what I refer to as a "pharmacological dystopia."[130] In other words, it was the opposite of the utopian health ideal perspective. It represented the negative expression of these ideals: substance use and medical knowledge to create altered states of the body, social unrest, racial regression, illness and lack of productivity, unlawfulness and crime.

Finally, I shall focus on the repercussions of the letter in which he petitions President Pascual Ortiz Rubio to grant the Health Department faculties to prosecute drug trafficking. I interpret this as an effort to maintain the resources and power received during the sanitation dictatorship. This dictatorship, attempted by several physicians was destined to fail, partly due to their lack of expertise and knowledge in using the repressive State apparatus. Additionally, the state's use of violence to eliminate pharmaceutical drug trafficking failed because even doctors defined the latter as "dirty," "shameful" and "repugnant," i.e. something evil; the opposite side of medical development, clean bodies, and national health. Therefore, drug trafficking became an integral part of health and safety policies intended to preserve Mexico's public health as a legal and moral imperative, which is only narratable in negative dialectics.

SINALOA EPIDEMICS: THE HEALTH IDEAL

It is probable that the prohibition of certain drugs in Mexico has its history in the Prehispanic cosmologies that assigned shamanic powers to certain psychoactive

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[130] Schermer, M. 2007. "Brave New World versus Island - Utopian and Dystopian Views on Psychopharmacology". *Medicine, Health Care & Philosophy.* 10 (2): 119-128.

substances which only upper-class Indians used. Evidently, this left mind-altering substances to the lower classes.[131] Prohibition was also possibly connected to the Inquisition's prohibition of native substances, such as peyote, ever since the seventeenth century.[132] In Independent Mexico, regulations that existed during the Colonial period were transformed into legislations inspired by scientific studies concerning medicinal substances and the need to institutionalize medical work.[133]

Nonetheless, this history does not explain how imperial and national regulations on medicine and drugs, which were frequently determined in the Anahuac Valley through the incorporation of traveller knowledge, arrived to Sinaloa. Therefore, I will describe the most significant health and mortality crises that lead to the establishment of medical institutions. During the first decades of the twentieth century, these institutions saw the emergence of policies against certain drugs.

No biological contact, after Culiacan's 1851 cholera epidemic, has left a deeper scar in Sinaloa's collective memory.[134] To this day, and as a result of the epidemic,

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[131] Garza, Mercedes de la. 2012. *Sueños y éxtasis: visión chamánica de los nahuas y los mayas*. México, D.F.: Universidad Nacional Autónoma de México (UNAM), Instituto de Investigaciones Filológicas, Centro de Estudios Mayas, Coordinación de Humanidades.

[132] Olvera, Nidia. 2011. "De las yerbas que emborrachan. Un estudio diacrónico de los usos, visiones y prohibiciones de los psicodislépticos". México: Escuela Nacional de Antropología e Historia, dissertation of Bachelor in Ethohistory; and from the same author, “El edicto del peyote”, blog post “Postales fantásticas”, available at http://nuestraaparenterendicion.com/, on November 4, 2013.

[133] Campos, Isaac. 2012. *Home grown: marijuana and the origins of Mexico's war on drugs*. Chapel Hill: University of North Carolina Press.

Sinaloans repeat a popular expression when facing the most terrible and adverse situations: "There aren't enough living to bury the dead."[135]

After Mexico's Independence, Sinaloa, Sonora and part of Arizona constituted a sole administrative unit: the state of the West (Estado de Occidente). In 1930, Sonora and Sinaloa were divided. The separation of Sinaloa brought progressive development to the town of Culiacan. However, it was a long process before Culiacan, founded in 1535, became the capital of Sinaloa. During the nineteenth century, other cities such as El Fuerte or Mazatlan competed to become the center of economic and political power.[136]

The limitation of economic development to certain settlements was reflected particularly upon the living conditions of Culiacan's inhabitants, and of Sinaloa in

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[134] It is true that there had been epidemics since the arrival of the Spanish conquerors to Mexico (Alamán, Lucas. 1855. *Diccionario universal de historia y de geografía*. Mexico: Librería de Andrade, p. 747). In no way did Sinaloa escape the ecological, cultural and epidemiological consequences of Columbian exchange —term coined by environmental historian Crosby, Alfred W. in 1972— of plants, animals, people, ideas, and germs. *The Columbian exchange: biological and cultural consequences of 1492*. Westport, Conn: Greenwood Press.

[135] In Spanish: "No alcanzan los vivos para enterrar a los muertos." Valdés Aguilar, Rafael. 1991. *Epidemias en Sinaloa: una aproximación histórica*. Culiacan, Sin., México: Dirección de Investigación y Fomento de Cultura Regional del Gobierno del Estado de Sinaloa, pp. 21-27.

[136] By the end of the eighteenth century, mining in Culiacan had dropped, although the mint remained. In the nineteenth century, miners and mineral-seekers transported on the backs of mules all the gold and silver found in the Sierra Madre. This gold and silver was later minted in Culiacan (Pompa, Isidro Hernandez 2013. *Gambusinos y mineros mexicanos*. Boomington, IN: Palibrio, pp. 13-14). As I discussed in another chapter, Culiacan was outshined by the impressive commercial development brought by Mazatleca elites. A symptom of this is that until the second half of the nineteenth century, corn and bean plantations in Culiacan began producing a surplus, which was traded with nearby cities.

general. Urban life in Sinaloa by no means had today's health and hygiene standards, except for the strip of houses that belonged to Mazatlan's rich merchants. Culiacan lacked tap water, drainage, consistent trash collection; elimination of rats, cockroaches, flies and other bugs; or even medical services to combat endemic diseases, including malaria, dysentery, tuberculosis, leprosy and typhoid fever. Sinaloa's smaller cities were even worse.[137]

It remains unclear where the cholera epidemic came from in 1851. Some say it might have arrived from Asia, by sea, and through San Francisco to Mazatlan. Others believed it entered from the United States by land through El Fuerte, in northern Sinaloa. What's certain is that it spread to every corner of Sinaloa, as part of this pan-Pacific event. No city suffered as much as the capital. In Culiacan, one of the first people to die was José María Gaxiola, State Governor. Most rich families fled the city, only to die on their escape route. Out of Culiacan's 6,000 inhabitants, only 3,000 remained; 2,000 of whom died in June, only 15 days after the outbreak.

There weren't enough people alive to bury all of the dead. The bodies were piled up in carts and transported to a common grave. No coffins were used, as not a single carpenter survived.

For those who survived in this shrunken city, staying alive was a horror that could only be endured by praying in the half-built Cathedral. An even smaller group tried to use the knowledge available at the time to drive evil away. Like the ancient Greeks and

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[137] Nakayama A., Antonio. 1983. *Sinaloa: un bosquejo de su historia*. [Culiacan, Mexico]: Universidad Autónoma de Sinaloa, Instituto de Investigaciones de Ciencias y Humanidades, pp. 205-206.

most scholars around the world at the time, the most literate Sinaloans believed that the disease was caused by *miasma*, or "bad air" given off by dirty water, rotten environments and ill persons. Those who knew about miasma combined prayers with smoke fumigations using precious wood. They also placed vinegar-filled pumpkins behind doors and watered them to drive away bad airs.

Without doctors or druggists, hospitals, or drugstores, Culiacan's elite —led by Municipal President Anacleto Heraclio Núñez— was limited to burning wood on the streets and recommending the population to quarantine the ill in order to prevent further spreading of bad air.[138] A common grave was dug at the end of Rosales street, where a Huanacaxtle tree grew over the years.

According to oral tradition, a scene occurred at the foot of the tree. Today, this story is told almost like a dark humor joke:

There was a very strong Mayo Indian who worked during the epidemic carrying dead bodies. He would toss them into the pit, all piled up. Then he'd lay lime and dirt on top of them. Those who were sick with cholera drank atole, or *toli,* a Mexican corn-based beverage. On one of his trips, the Mayo Indian heard a corpse pleading from the hole in the ground:

"*Toli, toli*!"

"No *toli*!" replied the Mayo Indian, "now close your mouth; here goes the dirt!"[139]

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[138] Valdés Aguilar, Rafael. 1991, pp. 19-29.

In that terrible year of 1851, when the cholera epidemic hit Culiacan, Sinaloans learned to cling to life through survival of the fittest. That year, Mazatlan built a civilian hospital and a military hospital, perhaps after witnessing consequences of this epidemic in Culiacan. However, Mazatlan's hospitals and economic development were not enough to prevent the yellow fever from causing similar devastation in 1883. This epidemic certainly mobilized doctors and political authorities in Sinaloa. Their actions echoed national and internationally due to the death of Angela Peralta, "Mexico's Nightingale," a world-renowned opera prima donna.

Although there was information of the disasters caused by the yellow fever epidemic in the Gulf of Mexico during the Colonial period, it wasn't until 1883 that the Pacific coast actually gained knowledge about the disease. Thanks to Cuban doctor Carlos Finlay, we have known since 1881 that the germ is transmitted by the *Aedes Aegypti* [140] mosquito. Furthermore, it is said that the germ entered Mexico by means of merchant ships, particularly Panama's San Juan steamship, which arrived in August, 1883. Out of the 33 sick individuals it carried several of them disembarked and that was enough to trigger the loss of life.

However, the panic wasn't immediate.

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[139] Bátiz Ramos, Humberto, "La medicina en Sinaloa", *Revista médica de la UAS,* Num. 3, August-December, 1985, pp. 40-41.

[140] Amaro Méndez, Sergio. 1983. *Alas amarillas: la historia de Carlos J. Finlay y su descubrimiento*. Ciudad de La Habana: Editorial Científico-Técnica, p. 52; Crosby, Molly Caldwell. 2006. *The American plague: the untold story of yellow fever, the epidemic that shaped our history*. New York: Berkley Books, chap. 7.

On August 22, large crowds gathered in the port of Mazatlan to welcome Angela Peralta, former "Chamber Singer" of the Empire of Maximilian of Habsburg, and Mexican prodigy who performed in major European and American opera houses. Local authorities formed a welcoming committee and booked dates for her to perform in Rubio Theatre, the best venue in town. They decorated the dock with flowers and when she disembarked a band played the Mexican national anthem. When Angela Peralta and the welcoming committee entered the carriages, a group of admirers unhitched the horses and carried the artist all the way to Hotel Iturbide. From the balcony of her hotel room, she gracefully greeted the cheering crowd below.

The following day, Angela Peralta performed Giuseppe Verdi's "Il Trovatore." A rumor had spread that the epidemic had killed entire families in just a few hours. It was impossible to enjoy the performance because of the few people in attendance, the fear of epidemic and the heat. The following morning, Angela Peralta personally directed the rehearsal for that night's performance of Aida, since the director fell ill. That day most of her troupe also became sick. The performance was suspended. Two days later, Angela Peralta also fell ill. Her manager, Julián Montiel, took advantage of her last breaths to marry her and keep the rights to her work and money.[141]

Angela Peralta died on August 30, 1883. Four soldiers carried her coffin without commotion. "Their funerals were very modest, as can be easily understood," said Mazatlan writer, F. Gómez Flores.[142] Fear spread throughout the Mexico's Pacific coast.

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[141] García Cortés, Adrián. *Década sinaloense: Diez historias para replicar*. Culiacan: Universidad de Occidente, 2001, pp. 79-82.

News of the yellow fever in Mazatlan travelled throughout Mexico and the world. On September 9, for example, the *New York Times* published Angela Peralta's obituary, which was full of errors. It stated that she died from Tonto fever and that she was Guatemalan. He praised her voice but ended the obituary with a cruel sentence about her supposed ugliness and evident near-sightedness. "The deceased prima donna was by no means prepossessing in appearance, and her eyesight was so defective that, fearing that she might walk over the footlights and fall into the orchestra [during one of her performances in New York], she never ventured further down than the centre of the stage."[143]

The Secretariat of Promotion, Colonization, Industry and Trade requested Dr. Ramón Ponce de León to provide details on the appearance and dispersion of yellow fever. This caused the government to supervise commercial traffic with the purpose of preventing the disease from spreading. The governor of Sinaloa, Mariano M. Castro, provided money to a group of forty charity agents. They helped the poorest sick by paying them between four reals and one peso each. The Sinaloan elite began hinting that poverty and urban inequality were factors that contributed to the spread of diseases; nevertheless, they never went beyond expressing this thought.[144]

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[142] *Mazatlan literario: álbum: prosa y verso de los escritores de Mazatlan, Estado de Sinaloa, República Mexicana*. 1889. Mazatlan: Imprenta y Casa Editorial de Miguel Retes, p. 20.

[143] *New York Times*, September 9, 1883, p. 7.

[144] Valdés Aguilar, Rafael. 1991, pp. 46-50.

On September 9th, 1851, in accordance with port regulations published by the federal Higher Health Council, Mazatlan created a Health Board to locally fight the epidemic. This is because at the time, to the frustration of many doctors, health was in hands of local authorities and the federal government only intervened under severe circumstances. The Board consisted of an alliance of professions: Municipal, State and Federal authorities; and doctors, diplomats and businessmen. Their actions reflected the prevailing miasma theory (environmental sanitation and quarantine)[145] but they were able to monitor and stop the disease from spreading to other communities. They finally declared an end to the epidemic on October 27.

In Mazatlan, 2,400 people died from the epidemic between August and October. No household was exempt from the illness and every family had at least one person to mourn. However, unlike the cholera epidemic, there were more people alive than dead.[146] Containing the yellow fever epidemic was relatively effective due, in part, to the distribution of information in real time via telegraph. The weekly publication *La voz de*

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[145] According to Juan Jacobo Valadés, who was in charge of the civilian hospital in Mazatlan, the disease was miasmic in nature and per consensus it developed under the influence of "the decomposition of dead vegetables and animal detritus due to the humidity and excessive summer heat." (México, 1887. *Memoria presentada al Congreso de la Unión por el Secretario de Estado y del Despacho de Fomento, Colonización, Industria, y Comercio de la República Mexicana, General Carlos Pacheco, tomo IV.* México: Oficina Tip. De la Secretaría de Fomento, p. 393).

[146] The members of the Health Board were: Juan Soler, Port Captain; Bernardo González, City Council representative; Maclovio Castellano, Senior Revenue Chief; Cecilio Ocón, State Judge; Vicente Ferreira, Municipal President; E.G. Kelton, U.S. Consul; Mateo Magaña, Chilean Consul; Juan J. Valadez, F. Mc. Hatton, Ángel Canobbio, doctors; and Julio Barthing, Joaquín Redo and Jesús Ríos, local businessmen. Javier E. García de Alba García, and Ana L. Salcedo Rocha. 2006. Fiebre amarilla en Mazatlan, 1883. *Espiral, estudios sobre Estado y sociedad.* Vol. XII, Num. 35, pp. 121-147; Valdés Aguilar, Rafael. 1991, p. 48.

Hipócrates: destinado especialmente a defender los intereses científicos, morales y profesionales del cuerpo Médico Farmacéutico Mexicano published a series telegrams with news for the Secretariat of the Interior. These telegrams reflected how the fear of the disease led the authorities in Jalisco, Nayarit and other states to adopt measures to prevent dispersion. The government used both scientific knowledge and fear as their strategy: Yellow fever was the first epidemic alarm to be raised from Sinaloa to authorities from all over the country.[147]

The Bubonic plague arrived to Mazatlan in 1902. This disease is caused by *Yersina pestis,* a microorganism invisible to the naked eye and transmitted by the *Xenopsyle Cheopis* and *Pulex irritans* fleas frequently found in rats. Fortunately, fear of the disease had already been spread by medical organizations and pharmacological businesses dedicated to combating and eradicating specific germs. Pharmaceutical businessmen, diplomats and local politicians had been expecting the outbreak for several years. Since 1894, there had been news about the havoc wreaked in Asia due to the Bubonic plague. When the plague arrived to San Francisco in 1900, all epidemiological alarms were sounded among the medical and pharmaceutical elites of Sinaloa.

The fear of yellow fever propelled Mazatlan's pharmaceutical trade with such force that by 1897 there were eleven drugstores —in addition to the two hospitals— in a city with slightly over 14,000 inhabitants.[148] The availability of medical services in

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[147] Javier E. García de Alba García, and Ana L. Salcedo Rocha. 2006.

Mazatlan was comparable to Sinaloa at the beginning of the twenty-first century.[149] The growth of pharmaceutical businesses reflected the rapid importation of pharmacological knowledge into Mexico and its importance to local policy. In 1897, Francisco Valadés and Ignacio Sierra managed the Central Drugstore *(Botica Central)*, while Juan Jacobo Valadés (son) and Edmundo González managed the Universal Drugstore *(Botica Universal).* These establishments served as meeting points for the port's educated elite, which participated in revolutionary politics and published their reflections in the newspaper, *El Correo de la Tarde*. Alejandro Allinson opened the National Drugstore *(Botica National)* in 1894. His family earned a place in southern Baja California's history by participating in the Mexican Revolution alongside Alejandro's 8-year old son, known as "the artillery boy."[150]

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[148] Empresa de Alumbrado Eléctrico y Teléfonos de Mazatlan. 1897. *Directorio Mercantil, industrial, profesional y fabril de Mazatlan 1897*. Mazatlan: Imprenta y casa editorial de M. Retes y Cía. p. 16. I did not find information on José María Martínez, who managed the Guadalupan Drugstore *(Botica Guadalupana)* in Puerto Viejo 69; nor did I find information on the Botica del Pueblo in Recreo y Puente 299.

[149] In 2010, for example, Sinaloa had a population of 2,767,761 inhabitants, 551 hospitals and 5,591 doctors. In other words, there was 1 hospital per 5,000 inhabitants and 1 doctor per 495 inhabitants. If we consider that a drugstore normally had one doctor and one druggist, and that there were several doctors working in hospitals, it is surprising to note that the ratio between medical personnel and inhabitants was maintained for over a century; although the same can't be said about the number of hospitals per inhabitant. In 2010, there was 1 hospital per approximately every 5,000 inhabitants, which meant that there was a certain increase. (The 2010 data comes from official statistics taken from www.inegi.org.mx, consulted on March 20, 2014).

[150] Altable, María Eugenia, and Rosa Elba Rodríguez Tomp. 2003. *Historia general de Baja California Sur. 2, 2*. Mexico, D.F.: Plaza y Valdes, p. 474.

In 1897, Buenaventura Beaven managed the Mexican Drugstore *(Botica Mexicana)*. Beaven was probably a descendant of US doctor Eduardo Beaven, who established the American Drugstore *(Botica Americana)* in the 1860s. Other pharmaceutical businesses also disseminated knowledge regionally. German doctor Federico Koerdell de la Vega started the German Drugstore *(Botica Alemana)* in the 1870s. It closed after Koerdell's death, but in 1896 Adolfo Noris, a doctor who supposedly[151] graduated from the Colegio Rosales in Culiacan, reopened it taking advantage of Germany's renowned knowledge in chemical medicine. Shortly afterwards, Adolfo Noris opened the Central Pharmacy *(Farmacia Central)*, a branch of the German Drugstore, in Ensenada. When John R. Southworth visited the pharmacy, it was stocked with "the finest of drugs, chemicals, toilet articles, etc., and a specialty is made of filling physicians' prescriptions."[152]

Since 1860, Ángel, Salecio and Luis B. Canobbio owned one of the most prestigious and best equipped drugstores, the Italian Drugstore *(Botica Italiana).* They also owned the New Drugstore *(Droguería Nueva)* since 1897. The Canobbio brothers sold U.S. patent medicines and they patented their own formulas, including the "magic" cough syrup "Rimi" which probably contained opiates —like the Bayer cough syrup that

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[151] I say "supposedly" because, to my knowledge, Colegio Rosales did not offer degrees in Medicine until well into the twentieth century. (Sánchez Gastélum, Jorge Luis. El Colegio Rosales: Una institución de educación superior pública y moderna del siglo XIX. In Piñera Ramírez, David. 2001. *La educación superior en el proceso histórico de México, tomo 2*. Mexicali: Universidad Autónoma de Baja California, pp. 73-93).

[152] Southworth, John R. 1899. *El territorio de la Baja California, Mexico: su agricultura, comercio, minería e industrias, en Inglés y Español; obra publicada bajo la dirección del gobierno del territorio*. San Francisco: Hicks-Judd, p. 27.

was extremely popular at the time— or coca leaves, in imitation of Vin Mariani wine.[153] The Canobbios' also manufactured "a source of eternal youth," the digestive elixir "Dr. Carnu," as well as the "Goddess of Venus" liquor that preserved beauty; and the "Kava Sautal" capsules, which were possibly made with marijuana seed, to treat gonorrhea.[154] The Canobbio brothers earned a fortune and in the early twentieth century they expanded their business to mining and real estate.[155]

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[153] Manuel Dublán, José María Lozano, Adolfo Dublán, Adalberto A. Esteva, et. al. 1903. *Legislación mexicana, ó, Colección completa de las disposiciones legislativas expedidas desde la independencia de la República*. México, D.F.: Secretaría de Justicia, tomo 35, p. 449. Cf. Hersch Martínez, Paul. 2000. *Plantas medicinales: relato de una posibilidad confiscada: el estatuto de la flora en la biomedicina mexicana*. México, D.F.: Instituto Nacional de Antropología e Historia, pp. 223, 291; and Monsiváis, Carlos. 2004. Narcotráfico y sus legiones. In *Viento rojo: diez historias del narco en México*. México, D.F.: Plaza Janés, chp. 1; Astorga Almanza, Luis Alejandro. 2005. *El siglo de las drogas: el narcotráfico, del Porfiriato al nuevo milenio*. México, D.F.: Plaza y Janés, p. 25.

[154] Cole Isunza, Oses. 1998. *The complete guide to Mazatlan*. Mazatlan, Sinaloa, Mexico: Cruz Roja Mexicana, pp. 36-37. "Preparing orchata (a rice and milk-based beverage) with [marijuana] seeds is very common among several Mexican populations to treat gonorrhea." (Guzmán, Ignacio. 1926. *Intoxicación por marihuana, prueba escrita que para el examen general de medicina, cirugía y obstetricia*. México Facultad de Medicina, Universidad Nacional de México, dissertation, p. 47).

[155] "Los propietarios urbanos de Mazatlan: el caso de Luis B. Canobbio 1900-1911". In Jorge Verdugo Quintero, and Víctor A. Miguel Vélez, et. al. 1996. *Historia y región: memoria del X Congreso de Historia Regional de Sinaloa*. Culiacan Rosales, Sinaloa, México: Universidad Autónoma de Sinaloa, Facultad de Historia. The Cannobio brothers weren't the only ones. Another pharmacist who accumulated and diversified his capital is Manuel Gómez Rubio, from Guadalajara. He opened the Economic Drugstore in 1895 and after a few decades he became a banker and a real-estate entrepreneur. Gustavo Aguilar. 2001, p. 153; Hidalgo Villalobos, Joaquín Sánchez. 1959. *Mazatlan de Antaño (Vendolandia)*. Mazatlan: edición de autor, p. 29; Carrillo Rojas, Arturo, and Guillermo Ibarra Escobar. 1998. *Historia de Mazatlan*. Culiacan Rosales, Sinaloa: Universidad Autónoma de Sinaloa, Facultad de Historia, p. 323.

Hence, in 1900 there was large and influential group to prepare the port when news arrived about the attack of Bubonic plague in San Francisco. However, as Dr. Martiniano Carvajal from Mazatlan explained, the medical, pharmaceutical and governmental elite in Sinaloa was relaxed due to the U.S. government's ability to conceal information regarding the existence of the disease; supposedly, it remained quarantined in San Francisco's Chinatown. Dr. Carvajal expressed that, "Nobody, not even our doctors, addressed the illness again. It was considered to be extinguished in America and relegated into its Eastern lair, and here we were, calmly carrying on with our ordinary business lives amid poor hygienic conditions." [156]

Dr. Carvajal's considerations regarding the lack of preventive anti-epidemic measures implied the need of a government working closely with the medical community; the modern epidemiological ideal. They also entailed certain health and hygiene standards that, according to Dr. Carvajal, were not attainable due to the lags in commercial and industrial development, "which is the life of the community," which was not advancing at the same pace as "public health, which is the preservation of society" (p. 6).

In October 1902, Dr. Leopoldo Ortega, District Prefect and Delegate to the Higher Health Council, noticed several alarming deaths in a poor neighborhood located in front of the maritime customs office. After investigating, he concluded that there was a serious outbreak of malaria, caused by "an infected water well" and by the conditions

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[156] Carvajal, Martiniano. 1903. *La peste en Sinaloa. Informe que la junta de caridad rinde a la nacion sobre la epidemia y sus trabajos para combatirla*. Mazatlan: Imp. de Valades y cia, p. 9. From this point on, I indicate the references to this source with the text page in parentheses.

of that "real dump site." Since the deaths continued, Dr. Ortega called the most prestigious doctors in the port and held a meeting on December 12 at the civilian hospital. The best and most renowned doctors attended: Arnulfo M. Fernández, M. Gómez Sarabia, Adolfo Noris, Martiniano Carvajal, Felipe Mc. Hatton, G. Bustamante, Moya, Luis B. Canobbio and F. Lavín. The doctors were aware of 19 cases of fever with buboes, but they had unanimously decided not to sound the epidemic alarm because it was possible that it was a case of "unusual malaria."[157] Dr. Ortega reported his fears to the Municipal President, the State Governor and the Federal Higher Health Council in great detail. The Council from Mexico City asked if the symptoms were similar to those witnessed during the Bubonic plague outbreak in Ensenada. Dr. Ortega confirmed that they were indeed similar: fever lasting for days, lymph nodes swelling with pus to the size of avocados, causing them to burst. Numerous sick people who lived close to the maritime customs warehouse exhibited these symptoms, which were beginning to spread throughout the city. Through an agreement with President Porfirio Díaz, the Council asked requested the Prefect, the Municipal President, the Board of Health, and the doctors to take actions pursuant to the miasma theories of the time and using the knowledge that infected fleas spread the contagion.

Actions included isolating the sick and disinfecting their clothes and rooms; eliminating rats, mice and fleas; establishing roadblocks along all of Mazatlan's exit points; forbidding individuals to travel if they hadn't submitted to medical examination or disinfected their clothes; rigorous cleaning of all public spaces and private rooms across the city; setting up health restrictions for any ship from Mazatlan that attempted to travel

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[157] Valdés Aguilar, Rafael. 1991, p. 58.

to other ports across the Pacific; burying corpses in deep pits after embalming them in sheets, soaked in Mercury dichloride at 8 per 1000, between two layers of lime; conducting "house-by-house inspections in order to search for sick people; recommending heads of families, chiefs of workshops and school directors to report any person they knew to be sick"; and "burning houses that could not be perfectly disinfected." (p. 24).

The announcement of these actions caused as much panic as the disease. Doctors divided the city into six wards. Each one had a corps made up of two physicians, one sanitary inspector and two police officers in order to find the sick people and disinfect houses as needed:

> With the speed that can be assumed, —Dr. Carvajal noted—news of the newly adopted sanitary measures spread throughout the city, causing higher than normal alarm, as they expressed the existence of an epidemic, of terror and of panic due to isolation. Heartbreaking scenes occurred at every house that police officers visited to remove the sick. The public didn't comprehend the importance of these measures. Every person, selfish by nature, was worried more about being ripped apart from their sick loved ones that by the propagation of the disease. They hindered authorities in every possible way to oppose what they considered attacks against the people. (pp. 24-25)

In only a few days, between eight and ten thousand people abandoned the port of Mazatlan. Only the poor remained. Rumors circulated that the measures were directed towards the underprivileged classes. It was also said that hospitals and the hospice (a quarantine station, or lazaretto, especially built for this epidemics) were places of sure death at the hands of physicians. Meanwhile, physicians considered that

the disinfection actions, isolation of the sick, treatment of individuals in quarantine and the surveillance carried out by the twelve officers at their disposal were imperfect. The money sent by the Council was insufficient, despite the fact that the Valadés drugstore supplied the hospice with free medication and that many doctors worked without pay. This health disaster was also influenced by resistance, including among the medical community, to accept without a doubt that Mazatlan had fallen prey to the "Black Plague." "Nobody easily accepts the existence of an epidemic if many numerous interests are at stake," said Carvajal.

Bacteriological investigation confirmed that Mazatlan had in fact been struck by the bubonic plague; this discovery was a historical milestone. Doctor Octaviano González Fabela, Director of the Higher Health Council's bacteriology lab reached Mazatlan on December 30, 1902. Local physicians observed with wonder how he immediately headed to the hospice and dissected a corpse, from which he extracted a purulent lymph node. He inoculated several rodents with the blood of that bubo and made cultures. Four days later he confirmed the presence of Yersinia coccobacillus in patients at the hospice (p. 29). The port was completely closed-off after González Fabela announced that the epidemic was indeed the bubonic plague, and even stricter measures were put in force:

On January 5, 1903, by orders of the Secretariat of the Interior, state authorities of Sinaloa convened to form a Health Board; health officials and politicians[158] were

[158] Francisco Cañedo, State Governor; Dr. Leopoldo Ortega, District Prefect; Evaristo Valdés, maritime customs administrator; and Dr. José María Dávila, delegate of the Higher Health Council.

divided into commissions. The main result was the formation of "a sanitary police force made up of 120 inspectors to examine house by house, and locate people confirmed or suspected of being sick... and to disinfect or burn houses accordingly."[159] This meant that the two physicians of each health corps would have twenty, instead of two, health inspectors at their disposal to complete their tasks:

> The pain of the families was very understandable, and the activities of health inspectors certainly seemed like inhumane violations of both individual guarantees and fundamental laws of charity. Everyone firmly defended their own rights and protested against the rights of the community. From the beginning, there was a sharp increase in the aversion and hate directed towards authorities and physicians, precisely because sanitary measures were applied mostly to the less educated part of society, to the part that lived under the worst hygienic conditions, and therefore the part mostly swept by the epidemic...
>
> Fortunately, Mazatlan's defense was in good hands (pp. 24-25).

Mazatlan was a divided into areas with rich homes (the beachfront and foothills that overlook the sea) and poor homes (hills, estuaries and dump sites). People living in the opulent area had modern services, such as clean water, electricity, public transportation and even telephones. However, since there was no drainage in that part of town, both rich and poor people threw their waste into a channel that ran crossed the entire urban area. Health conditions in the rich area were far from optimal, but the health inspectors focused their efforts on the poor. The weekly newspaper, *Sancho Panza,* published verses about the cruelties committed by the authorities against the

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[159] Cited by Valdés Aguilar, Rafael. 1991, p. 62.

people who lived beyond the "*pedregoso,*" the narrow, filthy, sinuous streets inhabited by the poor: "The sanitary inspectors / will come once more / and with their eagle eyes / they'll peep through windows, holes and doors, / but that unliable dump /at the end of the street / That flea-infested rat's nest... / That, they'll never see."[160]

Sinaloa's economic elite participated in the political pacts to combat the plague. Instead of joining the port's Health Board, pharmaceutical and other businessmen formed a charity board. On January 5, 1903, the successors to P. Echeguren y Cía, Wohler, Bartning Sucesores, and Banco Nacional de México invited the rich people who remained in the city to meet at the residence of the owners of Melchers Sucesores trading house.[161] The next day, they informed the governor that the Charity Board would cover half the expenses to combat the epidemic. The governor accepted, of course, and stated that the first disbursement would go towards the expansion of the hospice and the construction of barracks in order to isolate the families of all the sick people.

Although the richest people in the port led the Charity Board, it conferred the power of decision to physicians, who followed the recommendations provided by the Health Council and other federal government agencies. The political and economic

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[160] Galindo Valle, Sergio. 1988. La tradición periodística de Mazatlan. *Presagio*, Núm. 37, p. 10. Cf. Valdés Aguilar, Rafael. 1991, p. 62-63. Original text: "Volverá los agentes sanitarios/ otra vez por las calles a pasar/ y a ventanas, a puertas y agujeros/ el ojo pegarán,/ pero aquel muladar que goza fueros/ y está del pedregoso al terminar/ aquel nido de ratas y de pulgas/ ése… no lo verán."

[161] The following individuals attended: Genaro García, Carlos Volquardsen, Alejandro Valdés, Roberto Henderson, Juan Escutia, Enrique Schmidt, Victoriano Siordia, Marcelino Herrerías, Marcial Iribarnegaray, Luis B. Canobbio, Andrés Avendaño, José S. Berumen, Antonio Díaz de León, Adolfo Rodríguez Illera, Isaac Madrigal, Eugenio Damy, José H. Rico, Baldomero Herrerías Adolfo Storzel, Bernardo Huthoff, Emilio Philippi, Francisco de P. Aguirre and J. G. Claussen. (*Ibid*., p. 63-64).

powers, the Health Council and the Charity Board worked synergistically against the epidemic. When the Health Board spent the federal government funds in sewage cleaning, initial cleaning and isolation activities, the Charity Board took care of all the activities.[162] Money was never short. Both the federal government and a National Commission against the epidemic collected donations from every corner of the country and even from other countries. Most of these donations were allocated to disinfection and isolation tasks. Generous compensations went to owners of burned down houses. Other expenses were designated to conducting activities more in line with modern medical knowledge, such as eradicating rats and their corpses in order to stop the disease from spreading.[163]

Out of all the measures that were consistent with the most advanced scientific knowledge, one proved to be the most effective, but it caused controversy and fear: vaccines. The Higher Health Council imported thousands of vaccines against the bubonic plague. They were developed in 1897 by Waldemar Haffkine, a Russian

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[162] The city was divided into four sectors, each supervised by one physician. Commissions were created for the various activities against the epidemic: isolating, feeding, monitoring and attending the ill, their families and other "suspects"; patrolling, cleaning and disinfecting streets and households to locate possible sources of infection in publi and private spaces; as well as activities secondary to isolation and disinfection, such as assisting the needy, organizing medical care, paying suppliers, compensating owners of houses, clothes and furniture burned for health reasons.

[163] Doctors fed the Salmonella virus to rats, but were not able to kill many of them. Therefore, they complemented their strategy by purchasing over 13,000 dead rats. Eliminating rats made sense because they transmitted infected fleas. The Charity Board ceased to encourage killing and collecting rats when they realized that collectors started getting infected with the disease.

bacteriologist, at the Pasteur Institute of Mumbai.[164] Although Mexican physicians knew little about the vaccine, they decided to vaccinate the people of Mazatlan. Dr. Carvajal explained that: "The fact that our doctors knew little about the effect and effectiveness of these vaccines, combined with most people's aversion to immunization, posed insurmountable difficulties to administer the first vaccines." (p. 52). Nevertheless, the controversy and fear was subdued. Doctors and civil authorities were vaccinated in public to show people there was nothing to fear. During the epidemic, vaccines imported from Paris inoculated over 17,000 people from Sinaloa.

Thanks to all these actions and knowledge, the epidemic ended on March 17, 1903. The Board's final activities included: closing the cemetery in which plague victims were buried, burning the hospice to the ground, and constructing new hospital facilities. A bacteriological cabinet and a health station were also created to monitor maritime traffic with the purpose of preventing and responding to new outbreaks. Local authorities established drainage and latrine-cleaning services; additionally, they asked President Porfirio Díaz to build a new sewage system in Mazatlan. Regulations were also put in place to prevent new constructions from repeating the unhealthy conditions that lead to the destruction of dozens of houses and buildings. In other words, the idea consolidated that diseases had to be fought continuously with policies that integrated architectural design, sanitary supervision mechanisms, and urban and health services into the modern sanitation ideals (pp. 57-59).

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[164] Echenberg, Myron J. 2002. "Pestis Redux: The Initial Years of the Third Bubonic Plague Pandemic, 1894-1901". *Journal of World History.* 13 (2): 429-449.

These efforts turned Mazatlan's fight against the bubonic plague into a health policy model for the entire country. According to Dr. Carvajal, the main lesson was the need to teach poor people, especially women, to be clean because "every individual safeguards his health if he strictly adheres to hygiene recommendations, which can be summarized into one word: cleanliness" (p. 47). In other words, government actions were not enough; health ideals required a behavioral change, especially among the lower classes.

People also learned how to manage commercial activity losses brought on both by epidemics and by anti-epidemic measures. Losses had to be managed in order to prevent price rises and basic necessity shortages. In fact, the bubonic plague caused health and hygiene measures to be instituted as defense mechanisms for Mexico's commerce and health. "The Federal Government must be interested in Mazatlan's sanitation, not only because this port is an important part of the national territory nor because of its population and advanced commercial trade, but because an epidemic implies a hazard to Mexico's health" (p. 52).

Trading in Sinaloa during the nineteenth century Pacific world had its lethal side. Medical science was the antidote economic and political elites used to resist it. Somewhere along the way, a few physicians were able to transform the authority of their science into political power and social influence. They transfigured the laws of life and death into: alliances among classes, methods of indoctrination, lifestyles pursuant to the health ideal, and availability of modern drugs —the object of our history. Years later, with the Mexican Revolution, epidemics and pharmaceutical trade were factors that made doctors institutionalize modern health ideals during the creation of the new

regime. Drug regulations were part of a more abstract purpose that people's health. The nation was preparing to "regenerate the Mexican race," to defend public health from abusive drug use.

DRUGS AS DISEASE

The link between anti-epidemic institutions in the nineteenth century and anti-epidemic institutions at the start of the twentieth century is reflected in Dr. Cervantes's letter of 1931, where he addresses his concern over specific drugs. Thanks to the friendships he maintained with police officers and local authorities, Dr. Cervantes realized that opium was being produced in Culiacan and its surrounding areas. Chinese casinos were a source of vice and large-scale opiate trafficking into the Unites States. On the other hand, cocaine and morphine, patent medicines against pain and sickness, were traded for other purposes: "I know —Dr. Cervantes wrote, stressing on the evidence— that small cans which contain opium, grown in several nearby towns, are sold almost publicly in Culiacan. It is through local police officials and policemen that I know how trading is done on the ships that arrive to this port to introduce and unlimited supply of cocaine and morphine. It is also through them that I know how the famous Chinese casinos are organized, who conducts this illicit business on a larger scale, and the channels used to transport drugs into the United States, where they yield large returns."[165]

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[165] AHSS, Salubridad, Servicio Jurídico, caja 28 exp. 11.

It's strange that Dr. Cervantes didn't mention marijuana production, traffic or use. This silence is due to the fact that different drugs represented different relationships between social classes during and after the Mexican Revolution. According to his biography, Dr. Cervantes observed how marijuana use was nationalized during the movement of Porfirian troops and revolutionaries, who were mainly indigenous people and low class mestizos. This resulted in criminalizing the use of marijuana by upper classes social. He also observed how many revolutionary factions found a meeting point in anti-Chinese chauvinism and opium criminalization. Finally, during the armed movement he observed that physicians prescribed opiates and cocaine to the sick and injured, forming individuals so habituated to medication —out of need or pleasure— that they developed a pathological drug use pattern with "therapeutic" or "passionate" origins. By the end of the Revolution, and as a result of Dr. Cervantes's life and observations, physicians strategically began attributing these pathologies to drug use, represented by the figure of "the drug addict:" a sick individual engendered by "perverse" smugglers whose evil ways had reached epidemic proportions.

CLASSIST NATIONALIZATION OF MARIJUANA USE

Dr. Cervantes was a short revolutionary man with a youthful attitude and sharp features. He was born around 1875 in Tepic, Nayarit; on the Pacific coast south of Sinaloa. After studying medicine, he set up home in Monclova, Coahuila around the year 1900. He befriended northern Mexico's elite. Bernardo Reyes, Army General and Governor of Nuevo Leon, introduced and recommended him to Venustiano Carranza, a cattle-

rancher from Coahuila; before they both joined arms against the Porfirio Díaz's dictatorship.

By 1904, when Carranza was Senator, Dr. Cervantes had become most of his family's physician. "As you know," Cervantes told Carranza one day, "I am very close to several of [your family members]; I am *compadre* to your sister, María, who is the wife of my *compadre*, Pepe Salinas, since I was invited by them to be the godfather of their son, Leopoldo."[166]

Carranza used to spend time with Cervantes the day before leaving to the Senate in Mexico City. They would have lunch and dinner together, and engage in constant conversations about national politics. Cervantes used to accompany Carranza to take the train. In 1909, Carranza was the obvious successor to the state government of Coahuila, but Porfirio Díaz didn't support him; perhaps because Carranza didn't follow Cervantes's advice to run a political campaign. Cervantes's revolutionary work started in Coahuila, where he served as a surgeon to Francisco I. Madero's armed forces. During the Maderismo, Cervantes became Municipal President of Monclova. After Madero's fall, he enlisted as a physician in Carranza's Constitutionalist Army.[167]

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[166] González, Pablo. 1971. *El centinela fiel del constitucionalismo*. Saltillo, Coahuila: Textos de Cultura Historiográfica, pp. 468-469.

[167] Suárez Sánchez, José María, 2004. *Mi primer diccionario histórico de Coahuila y de las bellas artes; Diccionario de la lengua española para uso escolar*. Monclova, Coahuila: Editorial del Valle de Cándamo, *s. v.;* Martínez Sánchez, Lucas. 2005. *Monclova en la Revolución: hechos y personajes, 1910-1920*. Monclova, Coahuila, México: Colegio de Investigaciones Históricas del Centro de Coahuila.

During the revolutionary years, Dr. Cervantes voiced the changes in society's perception of marijuana, a popular drug among the troops who travelled the country. Marijuana use grew and even upper class figures used it. The nationalization of marijuana use was best expressed by the social "capillarity", i.e. upward mobility into upper classes, of cannabic fantasies. During the Mexican Revolution, the cockroach couldn't walk without marijuana to smoke, as the folk *corrido "La Cucaracha"* rightly says. According to José Vasconcelos, the cockroach "was an allusion to *Victoriano Huerta's* army, which would stop fighting while their commander smoked American hashish" in 1913.[168] Although some people state that there is no evidence to think that Huerta was in fact the first Mexican President to smoke marijuana,[169] Madre Conchita —a nun who later became famous for her participation in Álvaro Obregón's murder— said she met a woman who supplied Huerta with *yerbita* (weed), "as they call it," with Presidential authorization.[170]

Some research had been conducted since the nineteenth century to determine marijuana's therapeutic value and history, and its physiological and toxic effects, although the main concern continued to be "the legal medical matters and insanity caused to the Indigenous class and the army due to the abuse of this plant."[171] In 1926,

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[168] Vasconcelos, José. 1957. *Obras completas, vol. 1*. Mexíco: Libreros Mexicanos Unidos, p. 828.

[169] Campos, *op. cit.,* p. 278, n18. Campos made a good analysis of the rumors about Huerta's use of cannabis pp. 161-163.

[170] Acevedo y de la Llata, Concepción, and Armando de María y Campos. 1957. *Obregón; memorias inéditas de la Madre Conchita*. México: Libro-Mex, p. 55.

Dr. Ignacio Guzmán argued that certain social characteristics made individuals more prone to the vicious habit of marijuana use, such as being a lower class male between the ages of 20 and 40. Women, children under the age of 14 and the elderly rarely acquired this vice: "The use of weed is almost exclusive to the lower class; individuals who belong to an upper social class rarely fall into this vice." Out of one hundred habitual users in Mexico's penitentiary, there was an average of 20 soldiers, 16 loaders, 12 drivers, 6 construction workers, 6 bakers, 6 prostitutes, 6 carpenters, 4 merchants, 3 sweepers, and the rest were divided between other working class trades of the capital.[172] If Huerta had had a liking for a more "scientific" drug, such as laudanum — which Antonio López de Santa Anna, eleven times President, had the habit of using— then his drug use wouldn't have been held in such derision. Huerta was a strange, upper-class marijuana user.

Unlike *La Cucaracha's* critique of Huerta, revolutionary doctors like Dr. Cervantes had a much more condescending attitude towards soldiers and working classes. They shared the nineteenth-century liberal idea that Indians were a semi-wild race that, albeit

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[171] Pérez, Genaro. 1886. *La marihuana. Breve estudio sobre esta planta*. México: Facultad de Medicina de México, dissertation, p. 11.

[172] Guzmán, Ignacio. 1926. *Intoxicación por marihuana, prueba escrita que para el examen general de medicina, cirugía y obstetricia*. México Facultad de Medicina, Universidad Nacional de México, dissertation, p. 17. The argument continues like this: "There are other causes worth mentioning, in addition to the aforestated: Unemployment and idleness awaken the idea of occupying time through vices, such as smoking marijuana. Weed smokers are true propagandists because they deal the drug. Those who have acquired the habit of getting intoxified with morphine, heroin, cocaine, alcohol (especially this drug) easily start using marijuana. In prisons and barracks it is rare to encounter someone who does not know of this drug. Licensed brothels, particularly in poor neighborhoods, and saloons and *pulquerías* belonging to the same weed smokers."

impossible to isolate in the United States, had to be educated.[173] There was a similar attitude towards marijuana smokers. Francisco Urquizo, General during the Revolution, portrayed this attitude best in his novel *Tropa Vieja*, where he disguised in fiction memories from that time which were not allowed to be publicly discussed, let alone printed:[174] marijuana use among drafted soldiers and chiefs during the armed struggle in northeast Mexico, near Dr. Cervantes.[175] The main character is Juan,[176] an unruly laborer at an *hacienda* located close to San Pedro de las Colonias, Coahuila. During a night on the town with his *compadre* Celedonio, Juan rebelled against landlords and

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[173] Lorenzo Zavala proposed to move them into reserves. Mariano Otero stated they were barely a part of Mexican society, and José María Luis Mora considered them vile people (Basave Benítez, Agustín F. 1992. *México mestizo: análisis del nacionalismo mexicano en torno a la mestizofilia de Andrés Molina Enríquez*. México: Fondo de Cultura Económica, chap. 1).

[174] A discussion on literature as a memory is found in Polit Duenas, Gabriela. 2013. *Narrating Narcos: Culiacan and Medellin*. [S.l.]: Univ of Pittsburgh Press.

[175] The similarity between Urquizo's and Cervantes's biographies make one wonder that they must have known each other because they fought with the same leaders in the same places within Coahuila. Much like Cervantes, Urquizo joined the Mexican Revolution in 1911 alongside Emilio Madero in his native Coahuila, not as a physician but as a very experienced soldier. In fact, he fought during the Ten Tragic Days *(Decena Trágica)* and witnessed Francisco. I Madero's death in 1913. He also fought against Huerta's usurpation of power next to Venustiano Carranza, whom he was with when he died in Tlaxcalantongo in 1920. Urquizo wasn't as lucky as Dr. Cervantes; he wasn't able to escape unpunished. After Carranza's death he spent some time in the Santiago Tlatelolco prison and was later exiled to Europe. He wrote dozens of novels and compilations of chronicles on the Revolution. (Urquizo, Francisco L. 1971. *Memorias de campaña; de subteniente a general*. México: Fondo de Cultura Económica).

[176] The following paragraphs are a short version of Enciso, Froylán. 2012. "La falta de marihuana en la revolución". México: Nuestra Aparente Rendición, blog Postales Fantáticas, January 26 2012, available at http://nuestraaparenterendicion.com, November, 2013. I based this text on this edition: Urquizo, Francisco L. 1943. *Tropa vieja*. México: Talleres gráficos del Departamento de publicidad y propaganda de la Sría. de educación pública.

Spaniards, landing him in jail, where shortly thereafter he was drafted into the Porfirian Army.

Juan told Juan Carmona about all his tricks to survive: marijuana and mezcal provided shelter against the depression of being apart from his family as a newly recruited soldier who had to learn the rules of military life the hard way. Juan Carmona asked him how they snuck marijuana into the quarters. One popular technique was using children and *soldaderas* (women in the military); another was getting it from the war band.

"*Compañeros*, it smells like burned tortilla in here!"

It was Juan's friend, Otamendi. Juan didn't resist his curiosity and asked:

"What's this about a burned tortilla?"

"I got three good cigarettes from the boys of the band, and if tomorrow you give me your two reals I'll give each of you one cigarette.

That's how they endured those five years of forced military service. They went through ordeals to sneak marijuana into their quarters, and received floggings if they were caught on their trips; but they didn't care. Nor did they care about the injuries suffered in battle. Nothing mattered as long as there was weed to forget the pain, even if it was just for a little while.

"What are you going to give me?" asked an agonizing soldier on a train.

"A marijuana cigarette for you to smoke. Let's see if it'll reduce your pain so you can resist the trip." Juan's wife answered. The relationship between marijuana and

revolutionary chiefs and soldiers from Coahuila is very different from the ideas that Mexican physicians had during the nineteenth century and the Porfiriato. They stated that this plant lead to violence and madness.[177]

Urquizo recognized this prejudice.

"What the fuck is going on?"

"A pothead killed someone and he's running around with a knife trying to kill others." Answered a guard from the prison where Juan, like the author of the novel, ended up.

Marijuana was already regulated by laws and repressive practices that prohibited and criminalized its use, even though they were loosely supervised during the Revolutionary struggle. Marijuana use had become normal among revolutionaries in Coahuila because of its therapeutic purposes, because soothed life's pains and pressures, and because of its supposed criminal and violent effects. That's why it comes to no surprise Dr. Cervantes wasn't very concerned about marijuana, in spite of

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[177] The best study on this aspect is Campos*, op. cit.* In the library Biblioteca Dr. Nicolás León del Departamento de Historia y Filosofía de la Medicina, located in Palacio de Medicina I was able to find several theses that illustrate this subject: Pérez, Genaro. 1886. "La marihuana. Breve estudio sobre esta planta, Tesis que para obtener su examen profesional". México: Facultad de Medicina de México; Guzmán, *op. cit*.; Álvarez Tostado, Ezequiel. 1935. "Estudio breve del cannabis indica. Clasificación botánica y descripción, historia, origen, composición química, acción sobre el organismo, usos y dosis". México: Facultad de Medicina, Universidad Nacional Autónoma de México, Editorial Cultura.

the fact that Sinaloa used this drug far more than “heroic” drugs. After all, marijuana wasn’t yet popular with Mexico’s upper classes.

OPIUM PROHIBITION AS A POLITICAL RESOURCE

From early on, Dr. Cervantes must have known that substance regulation and the exceptions in its enforcement were flexible and manipulable. In September of 1912, Venustiano Carranza, Governor of Coahuila, sent a private correspondence to Dr. Cervantes —who was Mayor of Monclova at the time— communicating an action that would benefit the rich partners of Monclova’s casino: “I know that you are trying to understand what will happen with the bar in that city’s casino, specifically regarding the prohibition in force, which forbids bars to be open on Sundays. Bearing in mind that prohibition only applies to bars that are open to the public, hope the bar of that casino will remain open...”[178]

Carranza was asking Cervantes for political sensibility in applying alcohol regulations: the restrictions that forbid drinking alcohol in bars on Sundays only applied to common citizens. The Revolution needed the support of the economic elite. Carranza, however, was not as lax with other substances. On April 7, 1914, Pablo González, General of the Constitutionalist Army of Northeast Mexico, requested that Cervantes step down from his position as Mayor of Monclova and then named him President of the Agrarian Committee of Tamaulipas. Cervantes also acted as Treasurer

[178] Martínez Sánchez, *op. cit.,* p. 57.

of Tamaulipas before heading to Mexico City, where he served as the first Constitutional Municipal President of the capital.

Cervantes probably found out that on December 20, 1915, President Carranza ordered the Secretariat of Finance to require customs houses to ban the importation of opium and its extracts into Mexico as of January 1, 1916. Importation would only be allowed with a special permit issued by the Secretariat of Finance. This measure emerged due to the "immoderate importation" of opium for "non-medical use. This seriously affects the interests of society."[179] Several analysts reference this provision as the first drug prohibition in Mexico, or at least in Mexico's Revolutionary governments. The medical use of opium was already regulated at the time, although it's also true that opium hadn't inspired the creation of special legislations. Racism against the Chinese surely contributed to the prohibition of opium's multiple uses.

The Torreon Massacre of May 13, 1911, marked the start of the anti-Chinese movement during the Mexican Revolution.[180] Benjamín Argumedo ordered an attack on Wah Yick bank. On the way, Madero's revolutionary forces killed 303 Chinese. Only 278 residents of Torreon survived. The Chinese Empire complained through diplomatic channels and Venustiano Carranza answered with orders to provide them with legal safeguards. It was an official statement.[181] Regardless, murders and injustices against

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[179] *El Constitucionalista, Diario Oficial del Gobierno Constitucionalista de México*, num. 52, México, Friday, January 7, 1916, Tome III, tercera época.
[180] Gómez Izquierdo, José Jorge. 1992. *El movimiento antichino en México (1871-1934): problemas del racismo y del nacionalismo durante la Revolución Mexicana*. México, D.F.: Instituto Nacional de Antropología e Historia., p. 10

the Chinese increased day by day, and opium prohibition added to their criminalization.[182]

The Chinese's economic prosperity didn't lessen the racial stigma of their Coolie past and their opium use. The upper classes[183] and revolutionaries found a space for dialogue in the hatred towards foreigners. The prohibition of opium trade made it possible for different participants in the Mexican Revolution, other than Carranza, to use it as a political resource in order to gain foreign recognition, bureaucratic preeminence, public budgets, criminalization of political adversaries, or as a response to British and U.S. prohibitionist pressures.[184]

After the Opium War, China was left with users and an unstable political situation; guilt-ridden, the United States and Great Britain encouraged a meeting to address this situation. In 1909, delegates from thirteen countries met in Shanghai to hold the first opium prohibition conference. This meeting is traditionally identified as the start of numerous international trade restrictions and the criminalization of certain drugs in order to compensate for the consequences brought on by imperialism. Mexico first

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[181] Puig, Juan. 1993. *Entre el río Perla y el Nazas: la China decimonónica y sus braceros emigrantes, la colonia china de Torreón y la matanza de 1911*. México, D.F.: Consejo Nacional para la Cultura y las Artes, pp. 157-204.

[182] In Sonora between 1910 and 1916, several revolutionaries murdered around 100 Chinese. (Hu-DeHart, Evelyn. 2002. "Los chinos del norte de México, 1875-1930: la formación de una pequeña burguesía regional". In Centro Cultural Tijuana. *China en las californias*. México: Consejo Nacional para la Cultura y las Artes, p. 24).

[183] Schell, William. 2001. *Integral outsiders: the American colony in Mexico City, 1876-1911*. Wilmington: SR Books, pp. 24-25.

[184] Including Enciso, Froylán. 2010. "Los fracasos del chantaje régimen de prohibición de drogas y narcotráfico". In Alvarado, Arturo, and Mónica Serrano (coords.).*Seguridad nacional y seguridad interior.* México, D.F.: El Colegio de México, pp. 61-104.

attended these international conventions 1912, when President Francisco I. Madero sent writer Federico Gamboa to sign the Convention.[185] In 1912, Charles H. Brent, Hamilton Wright and Henry Ford, American delegates to the Second International Opium Prohibition Conference, reported to the U.S. Senate that Canada had already prohibited opium production, trade and exportation, while American regulations on the matter[186] allowed opium to be imported into the United States only if it was to be immediately exported. The original text states that "Mexico has no law on the subject. The result is that the great mass of Macanise opium is brought to San Francisco and immediately transshipped by sea to western Mexican ports, from whence it, added to the direct Mexican import, is mostly smuggled into the United States across the Mexican border."[187]

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[185] The Mexican Senate didn't approve it and the Presidency didn't ratify it until well into de 1920s —primarily because it was advised by the heads of the first health offices in the revolutionary government. AGN, Fondo Calles-Obregón. Carta del Jefe del Departamento de Salubridad al Presidente de México, November 27, 1922. Mexican legislation confirmed the ratification in the Opium Convention via an official letter sent to Mr. Luis Rubalcava in La Haya on April 16, 1925. The Decree of the International Opium Convention was finally issued on February 25, 1927 by President Plutarco Elias Calles. An official letter from the Diplomatic Department to the Head of the Health Department reports that the Decree of the International Opium Convention was published on March 18, 1927 in the Official Gazette. The letter arrived to the Health Department on March 18, 1933 (SRE, Topográfica III-502-6, ff., 82-83,138-157,162). Cf. Astorga, Luis. 2005. *El siglo de las drogas. El narcotráfico del Porfiriato al nuevo milenio*. México: Plaza y Janés, p. 28.

[186] Opium-Exclusion Act, February 9, 1909.

The alleged de facto legality of these substances in Mexico challenged the United States and fostered business opportunities for traffickers. These ideas were discussed by the Mexican President and several State Secretariats, particularly the Secretariats of Foreign Trade, Health, and Finance, as well as by police forces. In sum, the attitude of the United States boosted profits from smuggling opium into that country; consequently, Mexico was positioned as an international trafficking route to the United States.[188]

Towards the end of 1915, A.J. Peters, Assistant Secretary to the Treasury Department urged Secretary of State, Robert Lansing, to inquire if Mexico prohibited the importation of opium. Peters was unaware that Mexico did, in fact, have regulations in place and that it wasn't violating the Opium Convention of 1912. Peters' urgency was based on the rumor that someone had overheard a German smuggler boast about how much he earned from trading opium in Tijuana and San Diego via a boat which travelled from San Francisco to Panama during World War I. When the plaintive question

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[187] USG (United States Government). 1919. *Papers Relating to the Foreign Relations of the United States. With the Annual Message of the President Transmitted to Congress December 3, 1912*. Washington, Department of State, Government Printing Office, p. 214. The original text: "A recently enacted Canadian statute not only forbids the importation of this form of the drug, but its manufacture, transshipment, or exportation. The Attorney General has held that under our opium-exclusion act of February 9, 1909, prepared opium may be imported into the United States for immediate transshipment by sea. Mexico has no law on the subject. The result in that the great mass of Macanise opium is brought to San Francisco and immediately transshipped by sea to western Mexican ports, from whence it, added to the direct Mexican import, is mostly smuggled into the United States across the Mexican border.Therefore, Portugal, at her colony Macau, is the only country to-day which permits the export of this vicious form of opium, while the ports of all those countries parties to the convention are closed to it."

[188]Enciso, 2010, op. cit.

reached Mexico, it caused extensive correspondence between politicians and public servants.[189]

It is possible, of course, that Carranza banned the importation of opium in reaction to the desire of the United States and Britain.[190] Nevertheless, for Carranza combating opium wasn't just a foreign policy tool. He was deeply convinced that, out of all the pernicious foreign influences, it was the Chinese who were debilitating the Mexican race. This allowed him to use opium prohibition as an ideological resource.[191] Additionally, by banning opium importation, Carranza controlled the power of several independent politicians from northern Mexico who acted as revolutionary capitalists as a result of this business. The prototypical example was Esteban Cantú, who took control of Baja California and proclaimed himself governor in 1911. During his term of office, no one was able to face him due to the difficulty of transporting the military to the isolated cities of Tijuana and Mexicali.[192] He never completely separated from Carranza, but he was independent to the point of making separatist calls to other northern governors in 1917.

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[189] SRE, Leg 501.10/17.

[190] Pérez Montfort, Ricardo, Alberto del Castillo Yurrita, and Pablo Piccato. 1997. *Hábitos, normas y escándalo: prensa, criminalidad y drogas durante el porfiriato tardío*. México, D.F.: Ciesas, p. 179.

[191] For information on his deep aversion towards Spaniards, see Gamboa Ojeda, Leticia. 1999. "De "indios" y "gachupines". Las fobias en las fábricas textiles de Puebla". *Tiempos de América: revista de historia, cultura y territorio*, Num 3-4, p. 94.

[192] Werne, Joseph Richard. 1980. "Esteban Cantú y la soberanía mexicana en Baja California". *Historia Mexicana.* 30 (1): 1-32.

Cantú collected taxes to cover up the illegal drug trade among the Chinese, Mexicans and Europeans who used the inviolability of correspondence to smuggle opiates into the United States. Cantú's political independence can only be explained by the economic power he gained by supplying the United States the vices it banned. In addition to drugs, Baja California became a popular destination for those seeking alcohol, prostitutes and gambling. When United States established alcohol prohibition in 1919, Cantú offered the U.S. Consul in Mexicali to extend the prohibition zones twenty miles south of the border for two years if the United States promised to pay him 400,000 dollars, out of the half a million a year he received from alcohol sales.[193] Cantú was the perfect revolutionary capitalist; the Prohibition and Temperance Movements during and after World War I created opportunities for Cantú, thanks to which he purchased weapons from the United States and paid his army in dollars[194] —at least until 1920; Cantú lost his alliances with the federal government after Carranza's murder and the rise of men from Sonora aiming for the presidency.[195]

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[193] Sandos, James A. 1984. "Northern Separatism during the Mexican Revolution: An Inquiry into the Role of Drug Trafficking, 1910-1920". *The Americas.* 41 (2): 191-214.

[194] In 1915, for example, Esteban Cantú was accused of smuggling sea lions but went unpunished. In 1919 he requested a license to import weapons and federal authorities granted it to him. However, in 1920 there are reports stating he was conducting activities against the government. The weapon shipments carried out with the government's full knowledge and approval were later described as contraband. This reflected the deterioration of Cantu's relationship with federal authorities and of his control over commercial activities at the border. (ARSERE, *AUMEUA*, Leg. 538(II).44/47; Leg. 475.4/5; Leg. 498.10/15; Leg. 503(I).1/13; Leg. 630.18/34; Leg. 480.8/8; Leg. 623.5/5; Leg. 458.1/18; Leg. 537(II). 36/68; Leg. 573(I).6/79). Cf. Recio, Gabriela. 2002. "Drugs and alcohol: US prohibition and the origins of the drug trade in Mexico, 1910-1930". *Journal of Latin American Studies,* pp. 21-42.

Esteban Cantú is the extreme example of a revolutionary man exploiting power in Mexico to control, for personal purposes, the traffic of drugs, particularly "Chinese" opium, and other illicit activities. Carranza's opium import prohibition served to control American complaints without causing a rupture that would bring about the separation of Baja California.[196] From early on, revolutionary politicians and doctors, particularly *Carrancistas* and northerners, learned that drug regulation had national and international ideological and political functions. It was unlikely that Dr. Cervantes disengaged from these events.

MEDICINAL DRUGS AS EPIDEMIC: THE PHARMACOLOGICAL DYSTOPIA

Given his low political profile and administrative experience, Carranza appointed Dr. Cervantes as the governor of Puebla. Cervantes took office on May 4, 1915. The year he governed was enough for him to gain the elite's disapproval due to his liberal

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[195] Velasco, Max Calvillo. 2010. "Indicios para descifrar la trayectoria política de Esteban Cantú". *Historia Mexicana.* 59 (3): 981-1040.

[196] Eliseo Arredondo, Ambassador to Mexico in Washington, and Teodoro Freizieres, consul in San Diego, quoted the ban on opium import when answering frequent complaints presented by State Department authorities or US police officers regarding the presence of Chinese, German, Mexican or French dealers who received Cantu's protection in exchange for a fee. Refer to AHSRE, Leg. 494.5/18 for complaints made by the Chief of Federal Detectives in Los Angeles regarding Cantu's immorality. Refer to AHSRE, Leg 501.10/17 for cases where Carranza's ban on opium importation served to answer to the departments of state and several customs authorities in San Diego that the Mexican government did not support Cantú's activities.

modernization reforms.[197] Dr. Cervantes published central government edicts and decrees which he believed answered to the needs of the Puebla's citizens and which also encoded practices that the Constitutionalists were already carrying out.[198] Although it's true that Cervantes repressed his opponents, he also raised taxes on the wealthy, recognized labor unions, established an Agrarian Commission and legalized divorce.[199]

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[197] From a conservative perspective they exhibited socialist ideas on the State and the class struggle as a driver of change. Aguilar Mora, Jorge. 1990. *Una muerte sencilla, justa, eterna: cultura y guerra durante la Revolución Mexicana*. México, D.F.: Ediciones Era, pp. 228-229; LaFrance, David G. 2003. *Revolution in Mexico's heartland: politics, war, and state building in Puebla, 1913-1920*. Wilmington, Del: SR Books, pp. 95-98. In the United States, the Consitutionalist Army's propaganda authority announced that bullfights had been banned during Cervantes's term in office. *The Mexican Review. A Journal Devoted to the Enlightenment of the American People in Respect to the Hopes, Ambitions, Beneficent Intentions and Accomplishment of the Constitutionalist Government of the Republic of Mexico*, (vol. 1, Num. 3, Washington D.F., December 1916, p. 16)

[198] Estado de Puebla. 1916. *Decretos expedidos por el gobernador del estado, Cnel. Dr. Luis G. Cervantes*. Puebla: Imprenta del Hospicio y Escuela de artes y oficios del estado, 132 pp.

[199] He established a Purification Committee that eliminated all remains of Huertismo in the state. Then he took economic actions that leaned towards socialism to raise taxes on the wealthy, as opposed to the small and medium land and business owners. He also set up a Technical Labor Office that recognized unions and tried to improve working conditions. There are authors who consider these labor policies as a revolution within the Revolution because they reached the point of requiring the formation of labor unions within different industries, such as the textile industry. (Bortz, Jeff. 2008. *Revolution within the revolution: cotton textile workers and the Mexican labor regime, 1910-1923*. Stanford, Calif: Stanford University Press, pp. 121-122. Cf. Richmond, Douglas W. 1983. *Venustiano Carranza's nationalist struggle, 1893-1920*. Lincoln: University of Nebraska Press, p. 145; Ruiz, Ramón Eduardo. 1976. *Labor and the ambivalent revolutionaries: Mexico, 1911-1923*. Baltimore: Johns Hopkins University Press, p. 63). Cervantes also started a local Agrarian Commission like the one he belonged to in Tamaulipas, and he regulated the price of basic commodities. With respect to civil rights, he limited the power of the Church; he issued a Civil Code that

In addition, he established a Higher Health Council to monitor public health and hygiene standards promoted by the new government.

According to Cervantes, health matters were not limited to providing care to sick people or to those who were injured in the Revolution. Puebla's Health Council institutionalized health ideals, promoted hygiene measures to prevent intestinal problems brought on by contaminated food and water, and "sanitary dictatorships" throughout epidemic outbreaks, like the Typhus epidemic that took 2,000 lives in Puebla between 1915 and 1916. Police forces were created during sanitary dictatorships to remove the sick and unclean from their homes, forcing them to bathe and cut their hair. These police forces even destroyed and burned down houses, as in Mazatlan during the bubonic plague epidemic.[200]

The health ideal promoted by Cervantes, however, was not concerned in soldiers who used marijuana or Chinese who used opium; and it was even less concerned with providing treatment to users of morphine, cocaine or other patent drugs —which were increasingly common during the war. Due to the lack of resources in combat zones, physicians prescribed these modern imported drugs to injured soldiers, but when they

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legalized divorce; he fought to eliminate illiteracy and promote culture; and he published a new Organic Law of the Judicial Branch that managed to bring back town courts. (Estado de Puebla. 1915. *Código de procedimientos civiles del Estado L.y S. de Puebla*. Puebla de Zaragoza: s.n.; Morales Moreno, Humberto. 2002. *Historia del poder judicial de Puebla, 1826-2001*. Puebla, Mexico: Honorable Tribunal Superior de Justicia del Estado Libre y Soberano de Puebla, p. 86.)

[200] LaFrance, *op. cit.*, p. 131

healed, soldiers exhibited drug dependence; just as happened to hundreds of thousands of soldiers in the United States during the Civil War.

Like Cervantes, Ira J. Bush also served as a physician in Francisco I. Madero's insurrectionist army. In his memoir, he describes these drug-prescribing practices in El Paso, Texas, during the battle of Ciudad Juarez from May 8-10, 1911. For instance, one time a Mexican woman carried her daughter to see him. The girl's intestines had been torn apart by a stray bullet. Since Dr. Bush didn't have any surgical equipment available, he prescribed opium "narcotic tablets," probably morphine, to paralyze her intestines in the hope that those dozens of puncture wounds would heal without surgery.[201] Over the course of time, Bush wasn't the only doctor to practice medicine with this controversial method.

En 1804, Friedrich Sertürner synthesized the first alkaloid in history: Morphine. For the next decade he marketed it commercially in his drugstore located in Germany. In 1827, the Merck drugstore started the commercial production of morphine. Merck later became a global enterprise, especially after 1857, when the hypodermic syringe was invented. The syringe made intravenous morphine infusion for analgesia widely popular. In 1876, physician Edward Levinstein suggested to the German Medical Association in Berlin, the existence of a new disease, "morphine mania" or "morphinism" (morphiumsucht). Levinstein described the symptomatology and the abrupt withdrawal treatment. In 1883, Mexican physicians studied Dr. Levinstein's ideas in order to cure

[201] Bush, Ira Jefferson. 1939. *Gringo doctor*. Caldwell, Id: Caxton Printers, pp. 206-210.

the disease, which, according to Francisco I. Sánchez, affected the upper classes more than the working classes.[202]

Mexican physicians discussed French, German and American literature on "morphine mania." In 1898, Dr. Antenor Lescano made a distinction between "therapeutic" and "passionate" morphine addiction: "A distinction must be made between individuals who acquire morphine addiction as a result of therapeutic treatment for painful chronic diseases, and individuals who seek the alkaloid simply to attain the state of cerebral excitement it provides." Dr. Lescano recognized the responsibility held by medical personnel and requested punishments to be enforced on pharmacists and druggists who sold morphine and encouraged "passionate" morphine addiction: "Physicians, on their part, had best moderate their morphine prescriptions."[203]

New alkaloids, such as cocaine[204] and heroin, were being invented for medical purposes; and the reflections of Mexican physicians included these substances, as well as the diseases related to their pathological use. After the Revolution, numerous physicians recognized they had a responsibility in spreading the therapeutic and passionate use of morphine, heroin, and —to a lesser extent— cocaine.[205] "The

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[202] Sánchez, Francisco I. 1883. Apuntes sobre la morfiomanía. México: Facultad de Medicina de México, dissertation, pp. 9-15.

[203] Lescano, Antenor. 1898. Contribución al estudio de la morfinomanía. México: Escuela Nacional de Medicina, dissertation, pp. 7-14, 51.

[204] Enciso, Froylán. 2011. Primeras noticias sobre la coca y la cocaína en México. México: Nuestra Aparente Rendición, blog Postales Fantásticas, accessed on May 1, 2014 in http://nuestraaparenterendicion.com/index.php/weary-bystanders/item/777-primera-noticias-sobre-la-coca-y-la-coca%C3%ADna-en-m%C3%A9xico.

significant and guilty part played by physicians in spreading these pleasures is a universally admitted fact," expressed Dr. Carlos Alatorre in his dissertation on heroin use in 1924.[206]

During the 1920s, specialized hospitals and medical equipment were developed specifically to treat the pathological consumption of medicinal substances. For instance, a group of physicians in Mexico City's Penitentiary Center, dedicated themselves to treating patients suffering from *"toxicomanía"* (drug addiction). This new disease included morphine, cocaine, and heroin addictions because their symptoms and diagnosis were similar. "Toxicomania" was a flexible term, which is perhaps why it also included opium addiction —a disease that was not caused by patent medicine, but using Chinese opium.

Between 1920 and 1924, medical student Manuel Renero worked as an intern with this group of physicians. He expressed his observations in his dissertation; "I am extremely impressed by the terrible effect "heroic" drugs have had on our country, especially on Mexico City. He explained that he did not consider drug addicts as "libertines," but as sick people. Toxicomania, or drug addiction, "is an individual's passion to use specific toxic substances as stimulants in order to reach the pathological state induced by the abuse of such substances."

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[205] James Sandos, pp. 195-203.

[206] Alatorre, Carlos. 1924. *Contribución al estudio del heroinismo: Tesis que para su examen profesional de medicina, cirugía y obstetricia*. México: Escuela Nacional de Medicina de la Universidad de México México, Compañía editorial Latinoamericana, 21.

According to Renero, psychic depression and glandular hypofunction were the two mechanisms modern medicine used to explain drug addiction. Drug addicts experienced periods of initiation and dependency, and exhibited terrifying withdrawal symptoms when deprived of their substance, no matter which substance it was. In Mexico, abrupt withdrawal and gradual withdrawal were the European methods used to treat addiction.

Renero conducted the first epidemiological analysis of toxicomania in Mexico City. From March 1, 1920 to March 31, 1924, he observed 539 confirmed cases of addiction in the capital's penitentiary. Every year, the number of drug addicts grew until reaching its peak in 1923. Most of the sick people were single (462), young (375 between 21 and 30 years old) men (approx. 500) with a profession (462). The predominant drug was heroin (422 cases), followed by older cocaine (43), morphine (39) and opium (38). Based on this epidemiological knowledge, Renero called on the medical trade to provide further knowledge and on the Mexican people to obey sanitary provisions "in order to effectively achieve one of the most precious ideals, which all civilized peoples should strive for: PUBLIC HEALTH".

"Heroic" drug abuse was starting to be interpreted according to the same criteria used to interpret diseases. Health laws were the instruments through which wise doctors and obedient people would achieve the health ideal. The drug legislation had to start by considering the nature of drugs. It had to take into account that drugs were invented and produced in other countries, and brought into Mexico. Drugs had to be fought from their production points with the support of the Mexican government. "Proper international legislation on the matter will lead to an efficient prophylaxis. Any other

measure would be futile without official international control over “heroic” drug production centers,” Renero expressed.

When “heroic” drugs arrived to Mexico, national laws had to prevent them from falling into “propagandistic” hands: “A proper local legislation must be added, one where drug vendors and smugglers are vigorously punished. At present, the punishments for these delinquents are derisory.” Finally, if smugglers evaded the laws drafted by wise doctors and obedient people, physicians had to be prepared to isolate and cure drug addicts, just as they would cure and isolate sick people in the event of an epidemic outbreak. “Users of these drugs are a danger to society, and since it is unfair to punish them, they must be forcefully committed for a convenient period of time in order to ensure their full recovery.”[207]

Drug trades had to be criminalized in order to prevent the health ideal from valorizing drug pathology. This idea persisted from the 1917 Constitution up until the 1940s, when initial discussions were held regarding laws to regulate drug production, commerce and use. It is not strange that the historic interpretations of the time also noted these ideas, partly because they eluded medical and pharmaceutical responsibility in the spread of drug abuse. In the 1930s, Dr. Jesús Siordia Gómez wrote that “it is observed most frequently that morphine mania is acquired by those who were

[207] Renero, Manuel. 1925. Ligeros apuntes sobre la toxicomanía de las drogas heroicas en la capital de la República. México: Universidad Nacional, Facultad de Medicina.

injured with weapons during the armed revolutionary movements, when military physicians had no resource at hand except morphine to heal and alleviate suffering."[208]

However, most physicians —especially politically-savvy ones like Dr. Cervantes— rarely acknowledged their responsibility when explaining the dependency of former patients to patent medicines, even when they had indiscriminately prescribed morphine and other opiates during the Mexican Revolution. Siordia wrote, "In Germany, therapeutic prescription is regarded as the predominant cause of morphine addiction, and it is said that in most cases the physician is guilty due to not knowing how to administer morphine... In Mexico, this factor and many others cannot be adduced on a large scale... people rarely visit doctors due our culture's poor general and medical culture; therefore, the number people who might acquire a habit in this manner is very limited.[209]

Among the preferred alternative explanations for abuse provided by doctors were: the increase of drug use in the United States during World War I; U.S. incursions into Mexico and other countries, border-crossing from alcohol and drugs bans in the United States; and the perversion of other foreigners, especially the Chinese, who fostered drug use. Physicians took the utmost care to preserve the health ideals and to

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[208] Siordia Gómez, Jesús. 1933. *Toxicomanías. Ensayo de interpretación. Tesis que para su examen profesional de médico-cirujano*. México: Facultad de Medicina, Universidad de México, p. 33-34.

[209] Siordia Gómez, Jesús. 1933: p. 33.

keep their part in everything spotless in order for the post-revolutionary regime to institutionalize them, enabling them to maintain and improve their status.

The creation of a pathology of "abusive" pharmaceutical drug use allowed treatment to take place via the same institutional arrangements that were used to combat epidemics. As we shall see, due to political reasons patent medicines were not the only drugs included in the discussions on health laws and regulations; ethnic drugs, such as opium and marijuana were also incorporated. This is partly explained by the fact that the diagnosis of drug addiction, or toxicomania, was given regardless of the substance that produced it. Diagnosing toxicomania and incorporating it into health laws and regulations was possible —especially when it came to marijuana— without any real scientific consensus regarding the effects of these toxic substances on a person's health.

DRUGS AND REVOLUTIONARY INSTITUTIONS

The vision of the world of doctors like Dr. Cervantes possibly started during the Colonial period. In the seventeenth century, doctors complained they received little recognition in New Spain. They competed with indigenous healers and barbers to care for sick people.[210] The perceived lack of respect towards doctors continued until the first half of

[210] In 1618, Dr. Diego Cisneros put it in these terms: "Although the most knowledgeable doctor is healing the patient, the Indian woman arrives with her remedy, and the herbalist, and the barber. In sum, there is not a single person who refrains from providing an opinion or a remedy which must be applied; and so, three-quarters of the sick and poorly healed die." (Martha Elena Venier, "Edición crítica del tratado *Sitio, naturaleza y propiedades de la Ciudad de México…* de Diego Cisneros, 1618", México,

the nineteenth century. As chronicler Guillermo Prieto expressed, “It would be quite a curious and rich lesson to have a complete panel adopt medical science and practice it on the common people; especially in a time when old women, healers and miraculous saints entered into serious competitions where science, morality, good conduct and even religion winded up bruised and battered.” Only a couple of drugstores in Mexico had chemical laboratories. Guillermo Prieto remembers that they served as meeting points for “fickle students and little devils,” and for “popular and unoccupied physicians.” In general, they were “dirty and fetid” places.[211]

Medical dignity was achieved through scientific drug regulations and health institutions; and through the creation of councils, pharmacopeias and laws.[212] Towards the end of the nineteenth century, the successful battle against epidemics helped physicians and druggists gain respect, social influence and to take pride in their occupation; as seen in the epidemic outbreaks in Mazatlan. In those days, a certain medical nationalism emerged in universities and hospitals. Doctors were ready to demand space to the Nation. “Legislation is the basis from which we must build upon to continue this struggle and raise our profession from the dip it is in”. Amado F. Rangel stated in 1896.

El Colegio de México, 2003, PhD dissertation, p. 481). Cf. Enciso, Froylán. 2007. “La ciudad de México en el siglo XVII según Venier”. In Luis Fernando Lara, Reynaldo Yunuen Ortega Ortiz, and Martha Lilia Tenorio, (eds.). *De amicitia et doctrina: homenaje a Martha Elena Venier*. México, D.F.: El Colegio de México, Centro de Estudios Lingüìsticos y Literarios, pp. 483-504.

[211] Prieto, Guillermo. 1906. *Memorias de mis tiempos*. Paris and Mexico: Librería de la Vda. de C. Bouret, pp. 309-314

[212] The historian Isaac Campos (2012) has studied them in Mexico.

Rangel argued that appropriate Health Code documentation had to convince pharmacists and physicians to prescribe Mexican formulas and prevent foreign companies from manipulating through advertising.[213] European pharmaceutical companies advertised their “patent medicines” of unknown formula and quality among Mexican physicians, druggists and pharmacists. These medicines contained substances that were unknown to medical professionals in Mexico, even though they come from America or Asia, like the coca leaf and opium.

When the Revolution broke out, there were laws that institutionalized the health ideal which physicians had envisioned with all their work, especially during epidemics. The use of foreign substances, such as cocaine, opium and opium derivatives, was also regulated for medical purposes. However, regulations did include alcohol and marijuana like doctors would have liked them to.[214] When the revolutionary struggle subsided,

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[213] “The advertisements of recent times have taken on a very powerful nature; at their mercy, we see fortunes being built and businesses being consolidated. Advertisement is the secret of evil providing us with “patent medicine.” Year after year, drugstores receive countless notebooks that the pharmacist distributes profusely. Day after day, we are attacked at every hour and in every corner by pretentious panaceas. In the newspaper, on the street, on the train, everywhere we are hounded by advertisements promising us health and a long life. They are in their right, but the pharmacist should not help them by giving away *cromitos*, *tiras*, etc. if it is considered that many illnesses are produced under their influence.” (Rangel, Amado F. 1896. “Algunas consideraciones sobre legislación farmacéutica. Prueba escrita para el examen general de farmacia teórico-práctica”. México: Escuela Nacional de Medicina de México, 23 pp.).

[214] See the Pablo Piccato’s contribution in Pérez Montfort, Ricardo, Alberto del Castillo Yurrita, and Pablo Piccato. 1997. *Hábitos, normas y escándalo: prensa, criminalidad y drogas durante el porfiriato tardío*. México, D.F.: Ciesas. Piccato, Pablo. 1995. ""El Paso de Venus por el disco del sol": Criminality and Alcoholism in the Late Porfiriato". *Mexican Studies/Estudios Mexicanos.* 11 (2): 203-241. I believe there is still much to

these laws entered a period of renovation. Nonetheless, drugs became important until after the Mexican Constitution of 1917 established standards to achieve the health ideal. This process of rationalizing government medical institutions integrated the fight against diseases and epidemics induced by "heroic" and ethnic drug abuse.

THE HEALTH IDEAL IN THE CONSTITUTION

When Dr. Cervantes arrived to Mazatlan, he did not argue against the laws that emerged from the Revolution because Carranza's revolutionary forces provided the ideas behind the first laws that regulated public health and, secondarily, drugs. The contribution of Carrancismo to the seed of drug prohibition in Mexico was clear to the Congress of Queretaro, which produced the Constitution of 1917.

Congress member José María C. Rodríguez, like Dr. Cervantes, started his revolutionary career with Madero, as Carranza's physician. On January 18, 1917, he read a long speech in front of the Congress's exhausted deputies. It was extensively documented with statistics and references regarding medical and hygiene standards in the United States and Europe:[215]

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analyze regarding Indigenous people's marijuana use in syncretic ceremonies carried out during and after the Colonial period, albeit some progress has been made by anthropologists who have studied the Santa Rosa parties. (Iversen, Leslie L. 2000. *The science of marijuana*. Oxford: Oxford University Press, pp. 237-238).

[215] Estados Unidos Mexicanos, *Diario de los Debates del Congreso Constituyente*, Tomo II, num. 62, Querétaro, January 18, 1917, pp. 447 y ss.

> In Mexico, Gentlemen, the lack of hygiene is clearly visible from almost every corner of the country, with the exception of one or two places. With simply visiting the towns on other side of the Bravo [Rio Grande] one is able to see, disheartened, the pitiful state we live in compared to our neighbors across the river. Congress members, it breaks one's heart to see the miserable living conditions of Mexicans on Mexican soil, and it stands out how the habits of our people change just beyond the US border. Government actions to unify hygiene are imposed, gentlemen, by the need to regenerate our sick race.

According to Rodríguez, Mexico's lack of hygiene, its alcoholism, "intoxicating" drugs[216] and poverty had caused illness, weakening the nation: "This is why from today onward the nation needs the current government to intervene, even despotically, into individual and collective hygiene." He wanted to convince them to make health in the newly formed nation to depend on a Federal General Health Department. That is, to make federal health policies enforceable in all states, have executive power, their own budget and answer only to the President. According to Rodríguez, a central authority could combat epidemic diseases more effectively, as it had happened during the bubonic plague outbreak in Mazatlan:

> When the bubonic plague invaded our territory, absolutely nothing was achieved by the sanitary services of that time. For two months, the disease held Mazatlan captive. Control was gained until all state political authorities

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[216] At the turn of the twentieth century, "heroic" drugs did not include marijuana, but rather imported drugs, such as opium and its derivatives, morphine, heroine, and to a lesser extent, cocaine. Opium derivatives and drugs prepared with opium, which had to undergo chemical processes, were related to European and US pharmaceuticals and formulas. Little was known about cocaine and it was difficult to obtain, even in Mexico City.

> relinquished health campaign management to Mexico's Health Council, and enforcement to physicians, medical assistants and disinfection personnel sent directly by the Council.

The basis of Rodríguez's reasoning was nationalism and economy, and sensitivity to federalism and local efforts. He followed the ideas of French hygienist Jules Courmont. In his 1914 work titled *Précis d'hygiène*, Courmont proposed that the strength of a nation "in the battles of war or industry," was measurable by the quality of the hygiene and health of its population. To care for one's body was not a personal matter but a social one. For this reason, local health authorities had to submit to federal health authorities.

Rodríguez's style of argument was racist towards Indians and he was genuinely concerned by the high rates of mortality and criminality supposedly caused by alcohol: "Our primitive race is already degenerate and the mestizos are not far behind," Congressman Rodríguez bemoaned.

According to his questionable statistics, Mexico City was deadlier than Paris, Vienna, and Berlin combined because of crimes committed by "our habitual drunks and our commoners."[217] Alcoholism had made the Mexican people vulnerable to microbial diseases and had increasingly raised the country's rates of mortality until they became the highest around the world.

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[217] Listening to Rodríguez was what every deputy needed to be convinced about the deadliness of *pulque*: "There you have it, gentlemen. Children weaned on pulque grow up poor and become habitual drunks, they then become alcoholic parents, producing degenerate children of inferior intellect, indifferent to social and political concerns, conditioned to criminality and fertile territory for the growth of whatever microorganism provided by Nature."

The next day, congressman Rodríguez read his proposal amending sub-section XVI of Article 73. He included the idea that the regulations suggested by the Health Committee, against alcoholism and "the sale of substances that poison the race," should be obligatory. Furthermore, he proposed that Congress could sanction them, but only if necessary. He mentioned that lowering mortality rates was essential so that Mexico could "participate in the general competition between nations" by addressing individual and collective health; "in other words, enhancing human nature to the highest level." In order to deter "racial degeneration," Rodríguez insisted on combating both alcohol and the poisoning caused by "medicinal" substances —specifically opium, morphine, ether, cocaine and, strangely, marijuana. He proposed to do so by limiting "commercial freedom of all these products."[218]

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[218] It was suggested to be written as follows: "1. The General Health Council shall respond directly to the President, without any intervention of State Secretaries and its general provisions shall be mandatory in the entire country. 2. In the event of serious or dangerous epidemics invading the country with exotic diseases, the Health Department shall have the obligation of immediately dictating the indispensable measures to follow, which may later be sanctioned by the Executive power. 3. The health authority shall be executive and its provisions shall be observed by the country's administrative authorities. 4. The measures issued by the Health Department and used by the Congress in the campaign against alcoholism and sales of substances which poison individuals and degenerate the race, shall afterwards be revised by the Union Congress."

Original text in Spanish: "1ª. El Consejo de Salubridad General dependerá directamente del presidente de la República, sin intervención de ninguna Secretaría de Estado y sus disposiciones generales serán de observancia obligatoria en el país. 2ª. En caso de epidemias de carácter grave o peligroso de invasión al país de enfermedades exóticas , el Departamento de Salubridad tendrá la obligación de dictar inmediatamente las medidas indispensables a reserva de ser sancionadas después por el Ejecutivo. 3ª. La autoridad sanitaria será ejecutiva y sus disposiciones serán obedecidas por las autoridades administrativas del país. 4ª Las medidas que el Departamento de Salubridad haya puesto en vigor en la campaña contra el alcoholismo y la venta de sustancias que envenenan al individuo y degeneran la raza y que sean del resorte del Congreso serán después revisadas por el Congreso de la Unión."

David Pastrana Jaime, a deputy who was originally from Guerrero but represented Puebla, was the only one who spoke against the initiative. He argued that "because of the broad powers it bestows, the initiative can always violate state sovereignty." The argument was reasonable, but Rodríguez sidestepped him with a taunt.

"Where is this congressman from?"

"From Guerrero, where there are no doctors!" The Congress answered in unison.

"To me that explains why a congressman from Guerrero, where medicine is barely known, should protest against health initiatives.

The subject, according to Rodríguez, was not to affect state sovereignty but to avoid racial destruction and degeneration. Pastrana looked at his discolored skin caused by pinta [in Spanish: *pinto*] disease and answered timidly and as best as he could.

"I am obviously a *pinto* from Guerrero. We don't have any doctors there and the people die. Why should't we object to being sent veterinarians? We aren't horses.

The Congress erupted into uproarious laughter. Deputy Eliseo L. Céspedes, representative from Veracruz, tried to pursue Pastrana's pertinent remark. The Congress vociferously interrupted him.

"Let's vote! Let's vote!"

(Estados Unidos Mexicanos, *Diario de los Debates del Congreso Constituyente*, Tomo II, num. 63, Querétaro, January 19, 1917, pp. 465 y ss.)

Congressman Rubén Martí, from the State of Mexico, spoke in favor of the initiative. He said that the fight against alcoholism was more necessary than land redistribution. Why should they give land to vice-ridden degenerate farmers?

With two speakers in favor and two against, the Secretary of Congress called for a vote, but Congressman José Álvarez angrily interrupted him.

"I want to take the floor so that I can correct a fact."

"Whose?" Asked the President of Congress.

"I want only to say that I willingly cast my vote in favor of this proposal. We are convinced that if Moses's laws were written in stone, then the Mexican Constitution should be written on two pieces of soap." (Laughter)

Rodríguez's proposal was accepted with 143 votes in favor and only three against. However, since its administrative departments did not win approval, Congress established a General Health Council that would depend on the Health Department. Dr. Cervantes remained in this Council until Carranza's death.[219]

INSTITUTIONALIZED PHARMACOLOGICAL DYSTOPIA

Cervantes remained loyal to Carranza, even after falling from the favor of Puebla. He didn't hold any important political position and devoted himself to his medical practice.

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[219] Marván Laborde, Ignacio. 2005. *Nueva edición del diario de debates del Congreso Constituyente de 1916-1917*. México: Suprema Corte de Justicia de la Nación, pp. 1909-1910.

In 1920, General Pablo González, Presidential candidate next to Álvaro Obregón and Ignacio Bonillas, proposed that if he wasn't chosen for the Presidency, then Carranza should support Cervantes instead of Bonilla, a mediocre diplomat with no military merits. Cervantes later met with Carranza:

"You're wrong, Mr. Bonillas is my dear friend and he's proven it to me many times."

"I don't doubt it," answered Cervantes, "but that doesn't mean or prove that Mr. Bonillas is a greater friend to you than I am. I don't remember a single moment or circumstance in which we've had Mr. Bonillas on our side."

Carranza took a deep breath and calmly only said the following:

"Well I'm telling you, doctor, that whoever is not with Mr. Bonilla at this time is not with me."[220]

At that point, with his previous political work still weighing on him, Cervantes wasn't interested in the institutionalization of the health ideal. He was dedicated to broader political discussions among Revolutionary factions. However, other doctors did address the issue. The Constitution of 1917 established the Health Council and Health Departments' federal power, under the leadership of doctors Gabriel Malda and Alfonso Pruneda (1920-1924). During those years, the priorities were to cooperate in Rockefeller Foundation's yellow fever campaigns, professionalize doctors and promote

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[220] González, Pablo. 1971. *El centinela fiel del constitucionalismo*. Saltillo, Coahuila: Textos de Cultura Historiográfica, pp. 468-469.

health education. However, drug regulations in force at the time became a starting point for moralizing perspectives.

In 1920, Carranza promulgated a decree banning "'enervating' drug"[221] importation; it listed controlled substances and, without many arguments, prohibited marijuana trade and production.[222] The Health Department received many complaints, information about offenders, and individual offers to support the prosecution of smugglers and errant doctors. Those who defended the health ideal split the world into good and bad, clean Mexicans and dirty Mexicans, honest druggists and deceptive smugglers, medicine users and "enervating" drug addicts. Health institutions in the new regime went after drug use that exceeded the limits of medical authority. The only thing that was missing was for the medical and scientific authorities to have enough power to prosecute offenders.

Doctors didn't receive such power from Carranza. He repressed Obregón and González's followers in order to impose Bonillas into office. In response, revolutionaries

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[221] The term started to be used when marijuana was included. Later on, this change was more consistent.

[222] The Health Department granted permits to businesses that had a "legally certified, responsible pharmacist" to import opium, morphine, heroin and cocaine, in addition to other mixtures that could provoke mania. These businesses could only trade their foreign drugs with pharmacies, drugstores and authorized physicians through prescriptions which were recorded into a ledger. New permits were not granted without the ledger. Drug production was also possible with a permit, except in the case of marijuana, the production of which was strictly forbidden. All violations to this regulation were punished with fines and drug confiscation. (*Diario Oficial,* Núm. 63, 15 de marzo de 1920; AHSS, Fondo Salubridad Pública, Serie Servicios Júridicos, Caja 2, Expediente 3).

supporting Obregón under the command of Plutarco Elías Calles and Adolfo de la Huerta published the Plan of Agua Prieta in Sonora and rose in revolt against Carranza. He was killed on May 21, 1920. Adolfo de la Huerta was appointed as provisional president. Obregón finally won the elections and took office on December 1, 1920. Pablo González's followers were persecuted and forced to flee Mexico City.

According to General Rodolfo León Osorio, one of the first people to go into hiding was doctor Luis G. Cervantes, "an authentic revolutionary and an honorable man in every respect."[223] In his hideaway, he gave medical consultations to his friends and learned about regulatory breakthroughs regarding health ideals. In 1920 when revolutionaries arrived from Sonora, doctors supported secondary regulations in Health and Penal Codes. These included the obligations undertaken by Mexico under International Conventions, but they opposed regulations that escaped their authority.

On June 1, 1923, President Álvaro Obregón issued an Agreement expressing that all those who reported illicit drug trade and trafficking would be rewarded with 50 per cent of the fines and confiscations.[224] The Health Department in charge of the campaign against drugs realized that the regulation could be used to blackmail or to bear false testimonies against political or commercial adversaries, and even against the Health Department itself for other political motives. Therefore, they reported their

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[223] León Ossorio y Agüero, Adolfo. 1981. *Balance de la revolución, 1910-1981: memorias*. México: s.n., p. 65.

[224] The Secretariat of Finance auctioned off seized drugs among legal importers in order to get resources. In case they couldn't obtain the amounts due through fines and confiscations, the accusers received a reward ranging between 5 and 50 pesos. (AHSS, Fondo Salubridad Pública, Serie Servicios Júridicos, Caja 2, Expediente 3).

concerns.[225] On July 23, 1926, Álvaro Obregón strictly banned individuals from importing drugs into Mexico, and he did so without consulting doctors. Only the government, via the Health Department, would be able to import drugs exclusively for medicinal use. The decree reduced the amount of work for customs houses overseen by the Secretariat of Finance and Public Credit led by Adolfo de la Huerta; but increased it for the Health Department.[226] Adolfo Pruneda, Secretary of the Health Department, opposed the decree and requested its repeal.

Measures were necessary to prevent corruption among customs brokers, "without coming to a prohibitionist system at all."[227]

When Plutarco Elías Calles became President after a Catholic fanatic assassinated Obregón in 1924, he started a regulatory boom of the health ideal. Calles

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[225] "There is a fever of reporting against establishments where "heroic" drugs are sold. The Executive provisions promising a percentage for every denunciation has given rise to blackmail", *El Demócrata*, July 25, 1923, p. 1.

[226] President Obregón, surely following De la Huerta's advice, ensured that all faculties conferred under Section XI of Article 11 in the General Customs Ordinance prohibited drug importation to individuals. Therefore, giving the government the opportunity to establish a monopoly for importing opium and opium extract; cocaine and its salts and derivatives; and morphine, its salts and derivatives, in accordance with subsections 133, 535-a, 547 y 549-a of the "Tarifa de derechos de importación" (*Diario Oficial*, num. 75, July 28, 1923; AHSS, Fondo Salubridad Pública, Serie Servicios Júridicos, Caja 2, Expediente 3).

[227] He also criticized the President for not consulting with the Health Council, not including opium poppy and marijuana into the prohibition, and especially for not providing any financial or administrative support to the Health Department in order to make substantial imports. (AHSS, Fondo Salubridad Pública, Servicios Jurídicos, Caja 2, Expediente 2).

appointed physician Bernardo J. Gastélum from Sinaloa as Head of the Health Department. During Gastélum's term in office, from 1925 to 1929, decrees and accords that defended health ideals multiplying.[228] Calles's term marked a regulatory tendency

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[228] In the AHSS (Fondo Salubridad Pública, Servicios Jurídicos, Caja 3, Expediente 5) copies of the following remained: "Decreto fijando las bases bajo las cuales se permitirá la importación de opio y morfina." January15, 1925, folio 276; "Acuerdo determinando que cualquier institución del Gobierno Federal que necesite importar o adquirir narcóticos para usos medicinales deberá recabar el permiso correspondiente." March 9, 1925, folio 1270; "Acuerdo fijando las bases conforme a las cuales se precederá al remate de los narcóticos que provengan de un comercio ilícito," March 9, 1925, folio 1271; "Acuerdo determinando que compete al Departamento de Salubridad Pública Impedir el comercio de drogas heroicas," March 10, 1925, folio 1288; "Decreto reformando el artículo 12 del 8 de enero de 1925, que determina los requisitos para importar al país opio, morfina, cocaína, etc.," August 13, 1925, folio 914; "Decreto promulgando la convención celebrada en los Estados Unidos de América sobre importación ilegal de mercancías, narcóticos, migración ilegal de extranjeros y pesca." April 10, 1926, Folio 761; "Aviso concediendo un plazo a los médicos y propietarios de expendios y medicinas en la República, para que en cumplimiento de lo dispuesto por la ley de la materia, hagan entrega de las drogas enervantes que tengan en su poder," August 17, 1926, folio 10; "Aviso por el cual se previene que solamente el C. Jefe del Departamento de Salubridad Pública podrá conceder permiso para el comercio de drogas enervantes," October 22, 1926, Folio 6; "Decreto por el cual se promulgo la Convención Internacional del Opio y el Protocolo respectivo, celebrado entre varias naciones en la Haya el 23 de enero de 1912," March 10, 1927, folio 1 sec. 2; "Decreto que modifica y establece distintas fracciones de la Tarifa de los derechos de exportación (nueces, chiles, cápsulas de adormidera, cocaína, heroína, etc.)," December 7, 1927, folio 1; "Decreto que modifica y establece distintas fracciones de la tarifa de los derechos de importación (manufactura de pieles, cápsulas de adormidera, opio, barriles, etc.)," January 5, 1928, folio 1; "Aclaración a la publicación del Decreto que modifica y establece distintas fracciones de la tarifa de los derechos de exportación (nueces, chiles, capsulas de adormidera, cocaína, heroína, etc.)," January 25, 1928, folio 5.

that continued until the 1940s not only within the Health Department, but also across the the Secretariats of Government, National Defense, Finance and Foreign Affairs.[229]

Doctor Gastélum was born in Culiacan on August 4, 1884, while Sinaloa was recovering from the devastation caused by the yellow fever epidemic.[230] He got his baccalaureate at the Colegio Rosales in 1909 and dedicated the first years of his professional life to forging academic institutions, including the Autonomous University of Sinaloa.[231] He studied medicine and then served as a diplomat in Uruguay, Paraguay, Italy and Hungary. In 1923, José Vasconcelos appointed him undersecretary of Public

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[229] After the provisions mentioned above and up until 1948, the Health Department published drug regulations in the Official Gazette on the following dates: October 27, 1931; November 7, 1931 (ordered the creation of the Hospital for Addicts [*Hospital de Toxicomanía*]), July 20, 1934, August 31, 1934, August 25, 1934, August 25, 1937, November 23, 1937, February 17, 1940, July 2, 1940, August 3, 1940. On the other hand, the Secretariat of Government published drug regulations on August 14, 1931; Octber 24, 1931; August 23, 1934; December 3, 1935; May 12, 1938 and May 12, 1945. The Secretariat of National Defense published a regulation on June 28, 1935. Additionally, the Secretariat of Finance and Public Credit published provisions on December 2, 1929; September 5, 1934; October 1, 1934; and April 6, 1937. Finally, the Secretariat of Foreign Affairs published provisions on February 2, 1926; April 10, 1926; March 18, 1927; January 23, 1933; November 30, 1937; and June 2, 1938. There is still much to be discussed about these regulations. However, significant progress has been achieved through the works of Martínez Carpinteyro, Ignacio. 1948. *Aspectos jurídicos, administrativos y sociales emanados de la campaña contra los enervantes*. México: UNAM, tesis de licenciatura; Gutiérrez Ramos, Axayácatl. 1996. *La prohibición de las drogas en México: La construcción del discurso jurídico, 1917-1931*. México: Instituto de Investigaciones Mora, Master's Thesis.

[230] Universidad Nacional Autónoma de México. 1988. *Diccionario de escritores mexicanos, siglo XX: desde las generaciones del Ateneo y novelistas de la Revolución hasta nuestros días*. México: Universidad Nacional Autónoma de México, Instituto de Investigaciones Filológicas, Centro de Estudios Literarios, *s. v.*

[231] Berrelleza Fonseca, Marco Antonio y Dina Beltrán López. 2001. De Liceo Rosales a Universidad Autónoma de Sinaloa (1872-1972). In Piñera Ramírez, David (coordinator). *La educación superior en el proceso histórico de México, tomo IV: semblanza de instituciones*. Mexicali: Universidad Autónoma de Baja California. p. 173.

Education. When Vasconcelos stepped down from office to file his candidacy for the presidency, opposite Calles, Gastélum took his place. Calles later named him head of the Health Department.

There, not only did Gastélum promote drug regulation, but for the first time, 12 million people were required to get vaccines against smallpox in order to prevent epidemic outbreaks. Gastélum's medical ideas included the influence of emotions and social conventions on health:[232] he created the Institute of Hygiene, he started conducting food and beverage inspections, he fiercely promoted sexual education and he made prenuptial medical certificates obligatory. The latter was a strategy to combat syphilis, which, in his opinion, constituted Mexico's main health problem due to the Catholic stigma associated with sex.[233]

"Undoubtedly this is a memorable period in Mexico's public health history," stated physician Francisco P. Miranda during a speech in 1930. "The principles recorded in the Constitution of 1917 had not been carried out, primarily due to the lack of funds required to carry out the Health Department's campaigns across the country. President Calles provided all his support to the health program across all branches of Public Administration; this program, dedicated to preserving the species is fundamental."[234]

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[232] López Ramos, Sergio. 2009. *Bernardo J. Gastélum, los contemporáneos y la psicología: historia de la psicología en Sinaloa*. Ecatepec, México: Centro de Estudios y Atención Psicológica.

[233] Bliss, Katherine Elaine. 2001. *Compromised positions: prostitution, public health, and gender politics in revolutionary Mexico City*. University Park: Pennsylvania State University Press, chap. 3. También volvió obligatoria ciertas vacunas.

In addition, Gastélum was Dr. Luis Cervantes's friend and didn't hesitate to incorporate him into the public life. President Calles accepted Dr. Cervantes into the Health Department in 1925 as part of a higher strategy. He appointed Cervantes to act as "sanitary dictator" in several states in order to "despotically" fight against epidemics. Calles supported Gastélum's sanitary plans with a budget large enough to make these appointments and send federal health delegates and bacteriologists to every state of the Republic. Cervantes benefitted from these reforms. That year, the renowned —yet disgraced— Carrancista physician enforced the sanitary dictatorship in Veracruz to combat the smallpox epidemic. Shortly afterwards, due to his favorable results and expertise, he ran the campaign against meningitis in Morelos and Guerrero.

These dictatorships prepared Dr. Cervantes to seek, through the letter he sent from Mazatlan, the President's support to fight against the narcotic drug epidemic. Comparing drugs to smallpox in Sinaloa was certainly unusual, but it came about from the process of pathologizing the use of specific drugs. Moreover, the drug regulation promoted Cervantes's chief and friend, Bernardo Gastélum, also prepared him to support criminalizing the production, commerce and use of drugs that cause addiction.

The Health Code published by Gastélum in 1926 was more explicit than the three former Health Codes with regards to drugs and health ideals:[235] it banned the

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[234] Miranda, Francisco de P. 1991. Evolución de la sanidad en México. *Salud Pública de México.* Vol. 33(5):554-559

[235] Older Health Codes, published on August 1, 1891, September 10, 1894 and December 30, 1902, regulated the use of dangerous, poisonous or injurious substances, but limited to establishing fines and minor arrests for trading them without permission. However, Title Seven, "delitos contra la salud pública" ["*crimes against public health"*], of the 1871 Criminal Code of Mexico City —in force across the nation—

importation, exportation, preparation, possession, use and consumption of "heroic" drugs in all their forms. The importation and exportation of opium, morphine, cocaine, heroin, poppy, coca leaves and marijuana in all their presentations was only possible if used for medical purposes and with a permit. Smugglers submitted to the General Customs Ordinance and, as applicable, to judicial authorities in order to establish their liability according to the Criminal Code and Mexico's international commitments.[236]

At the same time, Gástelum —with Calles's support— negotiated a bilateral Cooperation Agreement with the United States to counter illicit product contraband, including "narcotics," firearms and alcohol; and illegal border crossings and sanitary border control.[237] The agreement was effective for no more than a year because it was

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established "major arrests" and a second class fine to traders of substances that are "injurious to health." The chapter on crimes against public health inspired Title Five of the Spanish Criminal Code in effect at the time. Campos, *op. cit.,* chp. 8.

[236] In his law dissertation, Ignacio Martínez Carpinteyro —who later became a famous newscaster and resembled president López Mateos—, stated that Mexico, "under its international commitments" incorporated more explicit regulations into the Health Codes of 1926 and 1934, and into the Criminal Code of 1931. These international commitments were limited, however, to the Opium Convention of 1912, which was the only one signed and ratified by the Senate and published by the President of Mexico (Martínez Carpinteyro, *op. cit.*, p. 47-49).

[237] On March 25, 1927, the General Secretary of the public Department of Health's legal service reported the following to delegates in Nogales and Agua Prieta, Sonora; Ciudad Juarez, Chihuahua; Piedras Negras, Coahuila; Nuevo Laredo, Matamoros; Reynosa, Ciudad Camargo and Ciudad Guerrero, Tamaulipas; and Mexicali, Zaragoza and Santa Rosalia, Baja California the following: "The Mexican government has ratified the convention entered into with the United States of America concerning the importation of illicit products, narcotics and other drugs, illegal immigration and fishing, and it has been issued in the Official Gazette, num. 33, tome XXXV, dated April 10, 1926. The section regarding Health stipulates: I. The obligation undertaken by the United States and Mexico to prevent any and all smuggling of banned products and to authorize restricted

impossible for both Mexico and the United States to prevent alcohol contraband into the North and weapon contraband into the South.[238] However, it served as a precedent to the Mexico's new Criminal Code.[239]

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product as set forth by the contracting parties under the understanding that narcotic drug importation into Mexico is banned with the exceptions provided for in its Health Law. II.- The United States and Mexican governments shall reciprocally monitor the emergence and development of contagious diseases within their respective countries. The Department hereby informs you this for your knowledge and so that as from the 29th day of this month and year you and your respective delegations cooperate with customs officials in order to prevent "enervating" drugs from entering the country, as established by the Health Code and other legal provisions on the matter."

Original text in Spanish: "En virtud de haber sido denunciada la convención celebrada con los Estados Unidos de América sobre importación ilegal de mercancías, narcóticos y otros productos, migración ilegal de extranjeros y pesca, ratificada ya por el gobierno de México y publicada en el número 33 tomo XXXV del Diario Oficial, correspondiente al 10 de abril de 1926, y que en la parte conducente a Salubridad establece: I.- La obligación de parte de los Estados Unidos y México de impedir todo contrabando de mercancías prohibidas o autorizar las restringidas de acuerdo con lo establecido por ambas partes contratantes quedando comprendidos es esta prohibición los narcóticos que no podrán ser importados a México sino en las condiciones que previene nuestra Ley Sanitaria; II.- La obligación de parte de los gobierno de los Estados Unidos y México de darse cuenta recíproca de la aparición y desarrollo de enfermedades transmisibles en cada uno de los países. Este Departamento comunica a usted lo anterior para su conocimiento y a efecto de que a partir del día 29 de los corrientes coopere esa delegación a su cargo activamente con los funcionarios de aduanas para evitar todo paso de drogas enervantes en contravención con lo establecido en nuestro código sanitario y demás disposiciones legales sobre la materia" (AHSS, Salubridad Pública, Servicio Jurídico, caja 8, exp. 5).

[238] Cf. Enciso, "Los fracasos del chantaje…", p. 55.

[239] Among other things, they collected notes from literature written by French and Spanish physicians on how to treat drug addiction. (AHSS, Fondo Salubridad Pública, Sección Servicio Jurídico, Caja 5, exp. 12). These notes included works by French physician Vibert, Charles. 1896. [*Précis de médecine légale. Précédé d'une introduction par P. Brouardel*. Paris: J.B. Baillière & fils] and by Spanish physician Juarros, César. 1920. *Tratamiento de la morfinomanía*. Madrid: Editorial "Saturnino calleja".

On May 10, 1927, the Health Department's prosecutor mentioned a Criminal Code project prepared by the Secretariat of Government. Regarding Title Seven, "Crimes against health," he proposed to separate crimes of a criminal nature from crimes that were already administratively punishable under the Health Code. He argued that the attempt to export "enervating" drugs did not concern the Criminal Code, but drug contraband did. He was more eloquent with regard to the production of "enervating" drugs:

> In order for this act to by punishable, it is necessary for planting or sowing to be done with criminal purposes or to exploit the vice; but such is not always the case. Sap containing opium is extracted from the plant commonly known as poppy, or marijuana. It is planted in gardens as like a decorative flower and florists harmlessly plant them in fields. Marijuana grows spontaneously and people may unknowingly have it growing in their properties. For this reason, legislation must clarify this in the sense that when poppy is used to exploit a vice or for criminal purposes, it should be sanctioned accordingly. Without the aforementioned intentions, it should be punished as an offense under the terms stipulated in the Health Code.

He proposed to stop using the term "heroic" drugs and use "enervating" drugs in instead (opium and all of its derivatives, marijuana, coca leaves, morphine, poppy and cocaine). The reason for this linguistic change is "enervating" drugs was the term used in the Health Code, and it included marijuana: "Everything designated by the term 'heroic drug' must be changed to the term established in the Health Code: 'enervating' drug. This must be done when imposing sanctions regarding infractions of the law, regulations or provisions of the Health Department in order to prevent statements that these sanctions are not applicable due to terminology inconsistency." He clarified that in

Chapter II, "Inebriation and drug addiction," drug users should be referred to as *toxicómanos*, or drug addicts, rather than *toxicomaníacos* to make the language of the Criminal Code equivalent to the Health Code. He also recommended prosecuting according to the scientific knowledge of that period; that is, a physician had to intervene in diagnosing possible alcoholism or drug addiction.[240]

The new Criminal Code, published in 1929, included procedures to deal with "enervating" drug and alcohol users: "They shall be committed into the hospital for addicts." However, when the code was in force, there weren't any public hospitals exclusively for addicts; therefore, addicts were taken to Belem prison, and when it shut down they were committed into prisons in Mexico City and other states.[241] A hospital for drug addicts was needed but, more importantly, there wasn't an agreement as to what drugs should be persecuted —aside from those listed by law— and adding marijuana to the list was unsuccessfully refuted by several physicians.[242]

Thanks to doctor Gastélum's capacity to implement these changes, the health ideal became an integral part of national institutions. In 1930, a commission set out to

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[240] The scientific reasons to include marijuana as a source of drug addiction were never discussed. (Fondo Salubridad Pública, Servicios Jurídicos, Caja 8, Expediente 3).

[241] "For your information, the first hospital for drug addicts was founded in Mexico as a result of a private initiative in the year 1909. It was founded in the neighboring town of Tlalpam as a sanatorium belonging to a doctor Lavista." (Martínez Carpinteyro, *op. cit.,* pp. 51-56).

[242] For example, Salazar Viniegra, Leopoldo. El mito de la marihuana (Trabajo de Turno a la Academia Nacional de Medicina). *Criminalia*, Year V, 1938, December, pp.: 206-237; Ceniceros, José Ángel. La popular Doña Juanita. El calumniado y hermoso arbusto de la marihuana. *Criminalia*, Año X, 1944, February, no.6, pp.: 326-328.

extend the amount of controlled “enervating” drugs and plants, include maximum dosages for their medical use and ban them in certain cases pursuant to the Narcotics Regulation that supplemented the Health and Criminal Codes.[243] These regulatory plans came into force in the 1930s and 1940s. The legislative discussions regarding drugs included arguments by physicians, customs officials, police officers and judges. They enable us to put into perspective the ideas and actions carried out by Dr. Cervantes and other public officials, who fought against illicit drugs in Sinaloa until the end of the 1940s. Due to these ideas and actions, the subject of drugs stopped being a matter of health and entered into its first stage as a police and criminal matter in the 1940s.

A SANITARY DICTATORSHIP AGAINST DRUG TRAFFICKING

Dr. Cervantes was not the only Health official who was outraged by the traffic of “enervating” drugs within his jurisdiction and the corruption it resulted in. Health officials in Coahuila and Ciudad Juarez informed to the press and to their superiors that “coyotes [...] poisoned society” via trafficking. They also stated that coyotes had

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[243] Banned and unbanned substances were both included in their discussions. For example, coca, coca leaf dust, prepared coca, pharmaceutical preparations, raw cocaine, cocaine, its salts and preparations, isomeric products, marijuana, opium poppy, amanita, peyote and ilex cassine holly. (AHSS, Fondo Salubridad Pública, Servicios Júridicos, Caja 3, Expediente 5)

corrupted local politicians, whose names would be provided to health authorities and to President Pascual Ortiz Rubio.[244]

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[244] The article that appeared in El Universal stated the following: "A scandal in narcotic contraband: July 16, 1931.- Several agents from the Health Department travelled to Ciudad Juarez yesterday from the capital of the Republic, with the sole purpose of ending the investigation concerning the contraband of "heroic" drugs which was recently discovered in several parts of the country, including its perfectly organized branch in Torreon, Gomez Palacios and Lerdo. This confirms the news regarding the collusion of several public officials in the poisoning of society; they have been relieved from their positions insomuch as their involvement is proven. With regard to La Laguna, the agents declared to our reporters that they possess the necessary documentation and will present it in good time, but first they will directly report it to the Head of the Health Department, who will then inform the President of the Republic, Pascual Ortiz Orozco in order to make the necessary apprehensions. The agents insist that a group of well-known politicians and *coyotes* will be among the apprehended individuals. The health agents will return to Mexico City next Friday. The correspondent." (AHSS, Salubridad Pública, Servicio Jurídico, caja 26, exp. 10).

The original article written in Spanish: "Un escándalo con el contrabando de narcóticos. Únicamente para el Universal: Torreon, julio 16 de 1931.- Para ciudad Juárez pasaron ayer varios agentes del Departamento de Salubridad de la capital de la República con el exclusivo objeto de terminar la investigación en el gran contrabando de drogas heroicas descubierto recientemente en varias partes del país, con su sucursal perfectamente organizada en Torreón, Gómez Palacios y Lerdo, confirmando en todas sus partes la noticia sobre la complicidad de varios funcionarios públicos que están siendo destituidos a medida que se les va probando su participación en el envenenamiento de la sociedad. Respecto a la parte que se refiere a la Laguna , los agentes de referencia manifestaron a nuestros reporteros que tiene en sus manos la documentación necesaria para presentarla en su oportunidad, esperando antes informar directamente al Jefe del Departamento de Salubridad, quien a su vez pondrá todo en conocimiento del presidente de la República, ingeniero Pascual Ortiz Rubio, para luego efectuarse más aprehensiones necesarias, insistiendo en que irán en "bola" varios conocidos políticos y "coyotes". El viernes próximo regresarán a México los agentes de salubridad. El corresponsal."

Simultaneous reports added to the epidemiological panic caused by toxicomania. However, none of the reports from other parts of the country exhibited Dr. Cervantes's political capacity to describe its epidemic nature.

Before writing his letter from Mazatlan, Dr. Cervantes contacted the local police force, earned their trust and gained all the information possible before suggesting that President Pascual Ortiz Rubio should provide physicians with the power to clean Sinaloa from drugs, just like in epidemics cases. Cervantes lobbied with the governor[245] and took advantage of the good relationship his superiors from Mexico City had with the Municipal President, Don Guillermo B. Gomez, so that he might help Cervantes. In his letter he did not mention Americans as traffickers and potential drug traffickers, in spite of their presence in several judicial cases. However, he sought to scandalize action with the idea that the "U.S. police" might investigate the shameful traffic that took place in Sinaloa. The predominant idea at the time was that degeneration, just like diseases, was imported into Mexico from other countries. However, Cervantes was horrified not only by drug trade, but by the fact that drugs were being produced in Sinaloa to be used and exported to the United States; in other words, our nation's decadence was being exported like a disease.

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[245] Along with other pressing health issues such as drainage, water purification, the sanitary conditions of Tellerias lake, the terrible food and beverage service, the cases of Leprosy, among others. The letter is in AHSS, Fondo Salubridad, Serie Servicio Jurídico, caja 28 exp. 11.

During the months in which Cervantes he settled into Mazatlan, the United States government requested greater diplomatic cooperation between health authorities in Mexico and Harry J. Anslinger, the United States' new chief of narcotic control. At the time, the Secretariat of Foreign Affairs was directed by Genaro Estrada, an intellectual from Mazatlan. On August, 1930, Chancellor Estrada sent a translated letter written by the Ambassador of the United States, Dwight W. Morrow, to the Health Department. The United States had ordered Morrow to ask if it was possible to establish closer and "stricter" coordination to prevent the traffic of illicit "narcotic" drugs —the primitive precedent to our *narco*. The cooperation would be similar to international epidemiological supervision; it would include the direct and swift exchange of information about drug dealers and suspected drug transfers. This exchange would be between Anslinger in the US Treasury Department, and Mexico's Health Department; as well as between police agencies. Morrow ended his letter as follows: "The formal project arrangement that I describe hereinabove has been accepted by the governments of seventeen countries. If the arrangement deserves the approval of Your Excellence, I would be grateful if you provide the name of the employee in Mexico with whom Mr. Anslinger could communicate."[246] The request created the need of a Mexican official with faculties comparable to Mr. Anslinger's. Cervantes was not alone; he had been right on the mark by asking the President for powers to conduct a social sanitation campaign against illicit drugs.

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[246] AHSS, Salubridad Pública, Servicio Jurídico, caja 19, exp. 1.

A few weeks later, Cervantes's request became a reality, when President Pascual Ortiz Rubio published a new Criminal Code and a Federal Drug Addiction Regulation after years of discussions. This coincided with the creation of the National Revolutionary Party (PNR), seed to one of the oldest authoritarian regimes in Mexico's modern history.[247] The 1931 Criminal Code repealed the 1929 Criminal Code and remained effective with countless amendments until the twenty-first century. For the first time in Mexican history, "enervating" drug smugglers were subject to corporal punishment. Article 194 stipulated that "A term between six months and seven years, and a fine of five thousand pesos shall be imposed on" any person who "trades, produces, possesses, purchases, sells, supplies free of charge, or in general proves any act of purchase, supply or traffic of "enervating" drugs," including seeds or plants of that nature, such as opium.[248]

Additionally, the 1931 Criminal Code stipulated that drug addicts were special delinquents; that is, they were also sick individuals who fell under the Health Department's jurisdiction to receive treatment.[249] The press interpreted this as drug addicts being exempt from prosecution by federal police forces. The Criminal Code's editing commission made the following clarification:

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[247] Garrido, Luis Javier. 1986. *El Partido de la Revolución Institucionalizada: medio siglo de poder político en México : la formación del nuevo Estado, 1928-1945*. México, D.F.: Secretaría de Educación Pública. Dirección General de Publicaciones.

[248] Martínez Carpinteyro, *op. cit.,* pp. 56-57.

[249] *El Universal*, September 23, 1931.

> It should be noted that no one is considering the possibility of decriminalizing "enervating" drugs; quite the contrary, it is persecuted and prevented in a stricter and more efficient manner. There is an attempt to cause confusion with regard to the legal term and the usual signification of words with regards to drug addicts, whether to take advantage of the change in criminal laws in order to benefit several criminals, or to cover up mistakes of precipitated orders and determinations. The Editing Commission wrote the in Criminal Code the part concerning health offenses in accordance with the Health Department because it recognizes the need of health authority intervention in the fight against drug addiction. Addicts under the influence of drugs are not sick individuals in the same generic and doctrinal sense as all criminals, but rather they are sick individuals in need of medical care and special treatment. This is why their lockup and recovery must take place in special facilities supervised and controlled by the Health Department.[250]

Furthermore, the Attorney General's Office in Mexico City urged the Public Prosecutor Offices around the country to distribute the news that crimes against public health undeniably constituted federal crimes punishable by district courts, rather than local administrative courts dedicated to sanitation issues. Consequently, federal judges

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[250] Original text in Spanish: "Debe notarse que ya nadie discute ni siquiera la posibilidad de que el tráfico de enervantes haya dejado de ser un delito, sino que al contrario, se reprime y se previene con más severidad y eficacia. Por lo que se refiere a los toxicómanos, se trata de provocar una confusión con los términos jurídicos y la significación usual de las palabras, ya sea por aprovecharse del cambio de legislación penal en beneficio de algunos delincuentes, o para disimular el error de órdenes y determinaciones precipitadas. La Comisión Revisora redactó el articulado del Código Penal en la parte relativa a delitos contra la salud de acuerdo con el Departamento de Salubridad, porque se ha reconocido la necesidad de intervención de las autoridades sanitarias en la lucha contra la toxicomanía. Los viciosos que sufren la influencia de las drogas, no son enfermos como todos los delincuentes, en sentido genérico y doctrinal, sino propiamente enfermos necesitados de atención médica y de tratamiento especial. Por eso su reclusión y curación debe hacerse en locales especiales y bajo el control y vigilancia del Departamento de Salubridad." AHSS, Salubridad Pública, Servicio Jurídico, caja 29, exp. 7.

had to order drug addicts to be “cured”, even if the treatment was to be administered by Health Department physicians.[251]

That same year, the Health Department created a new commission to study a particular regulation on drug traffic in order carry out all treatments ordered by federal authorities. Most of the conducted by this commission was based on the idea that Mexico had to harmonize its legislation with international drug-related conventions and treaties. It reviewed several resolutions of the League of Nations and advised the Secretariat of Foreign Affairs to exchange information with other countries regarding illicit trade and to cooperate with drug enforcement agencies from around the world. In other words, Anslinger would finally have counterparts within the Health Department.[252]

On September 22, 1931, after much discussion, Health Department physicians managed to have President Ortiz Rubio sign a regulation on drug addiction [“Reglamento Federal de Toxicomanía”], in accordance with Subsection XVI, Article 73 of the Constitution and Articles 197 and 206 of the Health Code. Article I of the new regulation completed the answer that doctor Cervantes was expecting: “The Public Health Department shall undertake a special and permanent campaign to treat individuals who have acquired the vice of “enervating” drug use.”

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[251] AHSS, Salubridad Pública, Servicio Jurídico, caja 29, exp. 7.

[252] AHSS, Fondo Salubridad Pública, Servicios Jurídicos, Caja 4, Expediente 12. There is more written correspondance from the Health Department to Anslinger in AHSS, Salubridad Pública, Servicio Jurídico, caja 10, exp. 5; Caja 39 Expediente 20.

The regulation established a bureaucratic structure to coordinate this permanent campaign, as well as hospitals for addicts all across the country. Physicians and hospitals would assist by reporting all addicts under penalty of fines. Similar to the case of the bubonic plague in Mazatlan, the regulation stipulated that cases of drug addiction had to be reported by "hospital directors, schools, factories, workshops and asylums; heads of offices, commercial establishments or any type other establishment, and by any individual in general who under ordinary or extraordinary circumstances gains knowledge of a case of addiction."[253]

Dr. Cervantes had sufficient reasons to launch the campaign against illicit drugs. The Revolution had equipped Dr. Cervantes with the secondary regulations regarding the Constitution's health ideal in order to cleanse Sinaloa from the shameful drug traffic, production and use. The Sanitary and Criminal Codes, together with the drug addiction regulation transformed the concern over foreign and ethnic drug-induced diseases into an internal issue. Drug smugglers and producers needed to be imprisoned and drug addicts had to be isolated and treated; otherwise, disease propagation would be inevitable.

Dr. Cervantes wasn't exaggerating when he referred to local drug production in Sinaloa as "something very dirty." Formerly foreign and marginal drugs were now within Mexican territory. Stopping them was imperative to prevent them from destroying the health ideals of the Revolution. The other side of the ideal, that ugly and negative side was no longer something that was brought into Mexico from exotic far-away lands; it

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[253] AHSS, Salubridad Pública, Servicio Jurídico, caja 29, exp. 7.

was real and close to home. Instead of producing health, drugs produced social unrest, racial degeneration, disease, unproductiveness, unlawfulness, and a pharmacological dystopia. However, the power of Cervantes and the medical trade in general exhibited limited capacity in Sinaloa. The attempt to attain a sanitary dictatorship against drugs had failed.

Cervantes's stay in Sinaloa had a long-lasting effect: the consolidation of the idea that the revolutionary government prosecuted traffickers as a moral imperative. Illicit drug use didn't stop, neither did production nor trafficking. In Sinaloa there wasn't a single physician who reported drug addicts and no specialized hospitals for addicts were built to treat them. Reports usually came from police officers or local politicians, even from users and traffickers themselves whenever they were in trouble. Drug trafficking prosecution and production increased during the first part of the 1930s until Cervantes's term in office concluded. Prosecution of drug traffickers in Sinaloa boomed once more toward the end of the 1930s —as we shall see further on— when army battalions, police corps, and Treasury Department agents crossed the border to prosecute Sinaloan drug producers. National press broadcasted the news that "narcotics, especially marijuana, have been a fabulous business for several individuals who possess a long chain of it throughout the west coast. They it to the port of Mazatlan in packages, all ready to be sold under the counter with much resourcefulness."[254] This was the start of a war.

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[254] "Correspondencia de Mazatlan, Sinaloa", *El Informador*, December 4, 1939.

FINAL RECAP

“Are you tired of the Revolution?” asked Dr. Luis Cervantes shyly.

“Disappointed? Maybe. The Revolution is a hurricane and any man who surrenders to it ceases to be a man, becoming a miserable dry leaf swept away by the storm.” Answered Alberto Solís in a long-winded, intellectual speech.

This brief dialogue is a reflection of Mariano Azuela’s vision of revolutionary intellectuals portrayed in his classic novel, *Los de abajo*. In one of those clear moments during my research process I realized that one of Azuela’s characters is named Luis Cervantes, just like the man I’ve been writing about herein. This coincidence brought me to reflect upon the continuation of racial anxieties and sanitary phobias dealing with positivist beliefs during the Porfiriato, and the creation of revolutionary health institutions. Rather than paying exclusive attention to the Mexican Revolution’s underdogs (or ‘the ones below’) and the pacts entered into by the favored part of society, the continuity of health ideals forces us to observe the persisting ideas of mediocre physicians and intellectuals —who resourcefully integrated positivist beliefs into them. In *Los de abajo*, it is clear that the Revolution was carried out by the popular classes. The main character, Demetrio Macías, is a peasant who becomes the enemy of a local cacique (leader), don Mónico. He forms an armed group and enlists in battle. Dr. Luis Cervantes and Alberto Solís are “intellectuals” who support Demetrio; they belong to the group of those who listen to the ones below. They belong to the middle group. “You know, partner... the men on the other side-they get shiny new silver coins

while we get only lousy paper money printed in that murderer's factory" complained a talkative soldier who drank habitually and smoked the marijuana weed.[255]

The ones in the middle shared their knowledge with the ones below: "Well, there's a funny sort of a trick. Oh, stop fooling me ... the idea: little animals alive in the water unless you boil it! Ugh! Well, I can't see nothing in it myself," Exclaimed Camila, an endlessly curious peasant, as Luis Cervantes explained the bacteriological origin of diseases.

The middle class deliberately helped the leaders of the underdogs to reach the top through abstract arguments and verbosity. Luis Cervantes convinced Macías to climb the ranks for the benefit of his family, implying he should do so even if it meant acting unscrupulously:

> Is it fair to deprive your wife and kids of a fortune which God himself places within reach of your hand? [...] You are a modest man without ambitions, you do not wish to realize the exceedingly important role you are destined to play in the revolution. It is not true that you took up arms simply because of Senor Monico. You are under arms to protest against the evils of all the caciques who are overrunning the whole nation. We are the tools Destiny makes use of to reclaim the sacred rights of the people. [...] What moves us is what men call ideals; our action is what men call fighting for a principle.

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[255] Macías paid his troop with bills issued by the dictator Victoriano Huerta, not with silver coins. Azuela, Mariano. 1980. *Los de abajo*. Madrid: Ediciones Catedra, [edición de Marta Portal], pp. 96, 100-101, 116, 134-135.

Thus, Azuela's doctor Cervantes reminds us that the Revolution was made by men and not by ideals. His doctor Cervantes has a lot in common with our doctor Cervantes, even though Azuela said that "he is an imaginary character formed by another imaginary character and by fragments of reality."[256] They were both Carrancistas. They both used their knowledge to navigate through revolutionary politics. They both exhibit the limits of reason in order to fight for the dispossessed, for their integrity, for their kindness. They remind us that the dialectics between knowing and acting frequently leaves loose ends which, as Theodor Adorno said, are an attempt against tradition and constitute unresolved issues in History.[257] In this case, the unresolved issues are the adoption of pharmacological and bacteriological knowledge, positivism, racial anxieties and the desire to be a part of European and U.S. modernism.

I started this chapter promising to discuss how Dr. Cervantes's call to drive drug-trafficking out of Sinaloa was an artifact of the power of the state, the commercial elite and of modern pharmacology. In order to do this I started with the unusual resource of demonstrating how epidemics, bacteriology, patent medicine trade and political organization concerning the contemporary health ideal arrived to Sinaloa. The same

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[256] This is how he explained it: "The enemies of Francisco M. Delgado, private secretary to governor Medina [in his hometown Jalisco], formed a very dense environment around him and turned him into a depressing legend. Some did this out of envy; others did it because they held old grudges against him. They fabricated actions he didn't commit and defects he didn't have; he was slandered *sotto voce*, making him famous for being someone he wasn't. Delgado formerly had been distinguished by his education, intelligence, culture and in campaign he had been known for his bravery...Thus, the missing element in my novel was not the real Delgado, but the Delgado created out of misrepresentation; he was my novel's brash character." (Azuela, Mariano. 1974. *Páginas autobiográficas*. México: Fondo de Cultura Económica, p. 129).

[257] Adorno, Theodor W. 1975. *Dialéctica negativa*. Madrid: Taurus, cap. 1.

means that carried booming commercial trade to the Pacific also carried diseases resulting in a massive death toll.

People from Sinaloa put all of their faith into human and suprahuman powers in order to fight against the 1851 cholera epidemic and defend their lives at all costs. When yellow fever arrived in 1883, Sinaloa already had hospitals, drugstores and the media to spread their fight against the epidemic. Angela Peralta's death and telegraph technology informed Sinaloa and other corners of the world about the disease. Medical, bacteriological, microbial and drug knowledge continued flowing into Sinaloa. The creation of local institutions to combat disease boomed once more thanks to epidemiological propaganda and state intervention. During the bubonic plague epidemic in 1902-1903, a group formed by members of the local economic elite participated in combating the disease by setting up the Charity Board, an institution similar to governmental institutions. State and capital successfully worked together: the efficient fight against epidemics had become a reality thanks to the health ideal. Politicians, physicians, public officers, pharmacists, local and federal capitalists worked closely with each other via modern strategies.

Nevertheless, the synthesis produced between elite member interests and actions was not perfect because they elicited fear of both the disease and the procedures and cures. The sense of fear and injustice brought on by the health ideal hindered its implementation for many reasons: sanitary measures were perceived as "inhumane" because sanitary inspectors criminalized sick people and their families; the classist and racist implementation of isolation policies, and personal and social hygiene policies had certain logic, according to available knowledge regarding the bubonic plague, even if

they had not reason to be, according to other scientific knowledge of the time and even if this was not known to Sinaloa; the increasing sense that sick people, their families and people suspected of being sick were criminally prosecuted; the fear of commerce coming in from Mazatlan, which was recreated by the media as a source of illness; and the secularization of Christian charity in the form of hygienic capital. All of these had a reason to be, in spite of the fact that they responded to “diverse” rationalities.

In Mexico, flaws in state, commercial and medical rationalizations became evident with the invention of diseases produced by unregulated drug use. International migration, troop mobilization and war wounds spread drugs which were used for a variety of purposes. Marijuana use increased, causing it to be criminalized by Revolutionary leaders and other members of the upper classes. This was just another expression of the veiled racism and classism —started by the Catholic Church since the Colonial era, when it prohibited using peyote for spiritual reasons— against this ethnic drug. However, this didn’t stop marijuana from being nationalized. Even the upper classes started using it during the Revolution.

The revolutionary movement ideally defended the wellbeing of underprivileged classes, including marijuana users, but it ended up institutionalizing the persecution of drug use. Something similar happened with the revolutionary chauvinism against the Chinese, except early opium prohibition soon revealed its political nature. Opium prohibition had openly racist motives. According to public discourse, opium prohibition laws guaranteed to compensate social damages caused by the drug; however, they actually served as resources to maintain the financial and political earnings of certain groups.

The rationalization that painting abusive medicinal drug use —such as heroin, morphine and cocaine— as a disease proved to be an effective synthesis, although only in the articulation of the ideal. Due to its conceptual flexibility, drug addiction *(toxicomanía)* included ethnic drugs and, through scientific rationality, it also covered political opportunism, racism and implicit classism present in the institutionalization of the fight against the toxicomania disease. This also made it possible to selectively assign responsibility regarding the origin of the disease. That is partly why legal regulation left loose ends similar to those left in combating germ-induced diseases. The health ideal, pharmacological dystopia and revolutionary drug-related legislation did not establish a system of thought, but rather a series of rationalization models, the junctures and inherent contradictions, which have systematically eluded history.

In this chapter, we noted that early drug regulations were far from being a priority to the revolutionaries. However, they appeared in political and sanitary discussions carried out by Carrancistas in the Constituent Congress of Queretaro in 1917. Drug regulations constituted an instrument to settle internal rivalries and criminalize political opponents or Indigenous, Chinese, European and American populations that threatened the mestizo race and the hygienic measures inspired by French, American and German physicians. In the 1920s, revolutionaries from Sonora resumed the Carrancista drug regulations by creating secondary laws, also inspired by European and US ideas on hygiene, health and race-based diseases caused by certain substances. These regulations caused drug criminalization not only under the Health Code, but also under the Criminal Code. Drug addiction and its source were transformed into a crime. Just as it happened with epidemics during nineteenth century, it was the possibility of the health

ideal —not the reality of it— that allowed for it to be mythologized in the form of legal persecution of drug addiction —or, pharmacological dystopia.

In hindsight, drug criminalization was the way in which the actors in this story magnified the frustration arising from the health ideal's failure to eliminate the "abusive" use of drugs —once considered miraculous in treating sickness and pain. These ideas and regulations guided Cervantes's actions. He witnessed the health ideal's triumph over germs; that is, the transmutation of racial and classist sanitary anxieties into epidemic fear and epidemiological power. His actions were the synthesis of Carrancista and Sonora revolutionaries into the creation of new health institutions during the global spread of anti-Chinese racism and the international campaign to ban drugs, headed by the United States and Great Britain. The actions carried out by Cervantes and other health officials in Sinaloa had a pedagogic effect on federal and local government institutions and on society in general through the prosecution of medicinal and illicit substance contraband and the centralization of sanitary power. The final effect was that in the 1940s, drugs stopped being a health issue and started to become a police issue instead. That is to say, drug matters were out of the hands of modern medical science —or so it appeared.

Hence, Dr. Cervantes's letter had its reasons, although taking into account current knowledge it cannot be regarded as rational. According to the letter's revolutionary context, I can't say that the underlying success of anti-bacteriological campaigns and the working class's reactions resulted from transnational companies manipulating drug users through overly simplified regulations and bans in order to satisfy their own

corporate interests.[258] If anything, that was a consequence. The physician's context reveals many gray areas.[259]

It is easy to overlook gray areas in history and in its consequences when one focuses solely on the form of individual drug use as a byproduct of the cult of pharmacology and pharmacological dystopia. Producer cultures are ignored.[260] Production and contraband resources served not only capitalist corporations, the medical trade and the state, but they also played a part in facing the social fragmentation of capitalist development in peripheries and semi-peripheries. As noted herein, Sinaloa is a good space to access this knowledge.

The analysis of Cervantes's letter can only be complete if we also consider the consequences of the letter even after Cervantes left Sinaloa. In 1938, Cervantes helped to establish an anti-communist veteran organization that sympathized with Fascism. He died shortly after.[261] Dr. Luis Cervantes, character in *Los de abajo*, on the other hand, abandoned the revolutionary struggle, moved to El Paso, Texas and dedicated his life to massing up a fortune through his practice and other businesses. He left Demetrio

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[258] DeGrandpre, Richard. 2006.

[259] Spillane, Joseph F. 2007. "Book Review: THE CULT OF PHARMACOLOGY: HOW AMERICA BECAME THE WORLD'S MOST TROUBLED DRUG CULTURE". *Jurimetrics.* 47 (4): 485-493.

[260] These limitations are represented extremely well in the research conducted by Alexander, Bruce K. in the case of Vancouver. Alexander, Bruce K. 2008. *The globalisation of addiction: a study in poverty of the spirit*. Oxford: Oxford University Press.

[261] Contreras, Ariel José. 1977. *México 1940: industrialización y crisis política : Estado y sociedad civil en las elecciones presidenciales*. México: Siglo Veintiuno Editores, pp. 19-20.

Macías all alone. Evidently, however, the Revolution and its aftermath didn't cease at that point.

In the novel, before Demetrio Macías dies in the final battle he returns to Juchipila, his hometown between the mountains. The war had left it in ruins, his fellow townspeople were nothing but skin and bones, and the only counterpoint to all the sadness was the women singing in the church choir. Demetrio's wife ran out to greet him, bursting with joy.

"Demetrio, please, don't go away! You're going to stay with us this time, right?"

Silence.

Demetrio's face grew dark as he suppressed a sigh.

A black cloud drifted overhead, causing a heavy downpour.

"Don't go away."

Sobs.

"Why do you keep on fighting, Demetrio?"

The man who started the Revolution frowned deeply. Picking up a stone absent-mindedly, he threw it to the bottom of the canyon that witnessed his birth.

"Look at that stone; how it doesn't stop...."

Chapter 4.

HOMOBONO'S MOTIVES:

REASONS AND SORROW IN THE PRODUCTION OF DRUGS IN SINALOA

[8] The Lord is merciful and gracious,
slow to anger, and plenteous in mercy.
[12] As far as the east is from the west,
so far hath he removed our transgressions from us

Psalm, 103

64 kilometers south of Mazatlan, in a saloon located in El Rosario, a Mazatlec merchant suggested that Homobono Vargas, a poor and alcoholic peasant, plant marijuana in order to substitute the recently prohibited import for local production. The merchant never went back to El Rosario and Homobono became the first peasant who was arrested for producing drugs in Sinaloa. During the trial, Homobono made it clear that

he planted marijuana simply in order to survive. Despite ignoring that marijuana was illegal, he recognized his guilt, through his fault, through his own grievous fault. And that was how he declared it, as if he were confessing to a priest, in order to protect the two women he lived with and his numerous children, but he found no pardon.

Just as the commercial peak of the Pacific world in the nineteenth century brought with it the dispersal of disease and the reification of pharmaceutical drugs as a disease, Sinaloa's connection, as an agricultural frontier of Mexican Post revolutionary capitalist development and American territorial expansion, led to the growth of a blooming economy based on illegal drug smuggling. These large processes revealed themselves in struggles and profound affliction for many people and communities. These are the people we will be talking about, their problems and their sorrow.

The main question behind this text is, why did farmers and smugglers from Sinaloa enter the drug market? My main argument is that these were poverty-stricken people who were also psychosocially dislocated due to their connection with free-market capitalism. The argument is not new. In a seminal article that analyzed the history of drugs in Sinaloa, sociologists Sandra López and Yolanda Pratts argued that considering the international drug market and migrations is fundamental to understanding the causes behind drug production, trafficking and their problematic use in Sinaloa: "The most immediate [causes] that seem obvious are: among others [such as the economic crises suffered by farmers], misery, hunger, marginalization,

unemployment, family disintegration, social injustice, corruption, and the violation of human rights."[262]

That the ports and train stations became an epicenter of drug smuggling towards the United States and local markets, and that the communities in the south of Sinaloa began producing illegal drugs in response to the initiative of merchants from Mazatlan and other travelers, seems hardly coincident. Nor was it a coincidence that communities in the center and north of the state, which still today are the global actors in the production of opiates, were impoverished towns with the decline in mining after the price of silver fell in 1907. These towns also received Chinese, American, and European migrants, active participants in the Revolution, and lost in the division of resources (especially land and water), during the post-revolutionary 1920s and 1930s. The connection of these great processes with people, however, may only be understood when one glimpses the intimacy of their decisions.[263]

The case of Homobono Vargas, the first farmer who was criminally prosecuted for producing marijuana in Sinaloa, will illustrate how diverse processes related to capitalist development since the beginning of the twentieth century led to a particular

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[262] Original quote: “Las [causas] más inmediatas que saltan a la vista son: entre otras [como la crisis de las economías campesinas], la miseria, el hambre, la marginación, el desempleo, la desintegración familiar, la injusticia social, la corrupción y la violación a los derechos humanos.” López, Sandra, and Yolanda Pratts, México: la actual subcultura del narcotráfico. In Gálvez Cancino, Alejandro, and Gabriel Edgardo Aguilera Peralta. 1991. *Drogas, sociedades adictas y economías subterráneas*. México, D.F.: Críticas de la Economía Política.

[263] Regarding this idea view Kiaer, Christina, and Eric Naiman. 2006. *Everyday life in early Soviet Russia: taking the Revolution inside*. Bloomington: Indiana University Press.

susceptibility among ex-miners and farmers to begin producing illegal drugs. The case of Homobono illustrates how the mining crisis, unemployment, poverty, and alcoholism, caused social dislocations within communities. The timely arrival of the railroad and the economic incentives created by drug prohibition then pushed them into the black market.

Homobono himself probably did not know that marijuana was illegal, as a consequence of the Mexican state's weak presence up to the beginning of the 1930s. I will show this through a quantitative analysis of drug-related criminal cases during the first half of the century. This context helps us to understand how prohibiting drugs was another element that came with the transition of a criminal system based on the Christian concept of 'free will' towards a system that gave priority to social defense. The new criminal system not only criminalized the poor urban classes, [264] it also criminalized rural livelihoods even from its spiritual substrate.

POVERTY, ALCOHOL, AND MARIJUANA IN HOMOBONO'S LIFE

Homobono Vargas was a 45-year-old farmer from the mining municipality of El Rosario in the south of Sinaloa. He had been drunk for 25 days when the police found him with 21.4 kilograms of marijuana with his friend Anastasio Manzano.

Homobono knew that his alcoholism hurt his family tremendously. They were extremely poor and the land he worked did not feed his wife, his legitimate children, his

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[264] Piccato, Pablo. 2001. *City of suspects crime in Mexico City, 1900-1931*. Durham, NC: Duke University Press.

concubine, and his four children out of wedlock. Additionally, his brothers were facing legal issues regarding a murder they hadn't committed. These were also the reasons he decided to detail on how he began to grow marijuana. He did not want to have an innocent person mixed up in the matter, much less someone in his family, due to his mistakes. It had been his fault.[265]

Everything began as he drank mezcal, as usual, in the saloon La Magueyera with a visitor from Mazatlan who he had only just met around September 1929. He was a short tan man, and as he drank, Homobono, began to open up to the visitor. He explained that he was extremely poor and had no money to maintain his family: "I understand perfectly," answered the visitor. "Look, I've got a business that could earn you some good money."

Homobono was immediately interested and asked for more details. The visitor explained that Homobono had to plant marijuana and he would buy it from him at five pesos the kilo: "Don't worry about the seed, I'll send it to you when I get to Mazatlan."

Poverty is often given as the main explanation or motivation for planting marijuana and entering the business of illegal drugs. In the case of Homobono, just as in the case of many other farmers from Sinaloa, poverty could be explained beyond its obviousness. The mining crisis at the beginning of the twentieth century was the chief cause of poverty amongst people who lived around the Sinaloan mines and their related businesses.

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[265] Unless indicated otherwise, the data relating to this case comes from the Archivo de la Casa de la Cultura Jurídica de la SCJN in Mazatlán, Fondo Penal, 1931, exp. 5.-

It isn't strange that Homobono became an agriculturalist at around 1910 because the economy of El Rosario depended on American mining investment and its links to international commerce, which were affected during the Mexican Revolution.[266] In his declaration, Homobono said that he had been practicing subsistence agriculture for twenty years. Both his families lived off of corn and legumes he sowed in a plot of land in front of his wife's house. He barely had an extra to buy mezcal.

The territory that now makes up the state of Sinaloa was linked to mining activity since the Conquest. Since the sixteenth century, gold and silver deposits were discovered in the whole highland area, and stimulated colonization. The greatest deposit found in the south of Sinaloa was discovered in 1655, precisely in El Rosario, although those in Cosalá, in the highland municipality of Concordia, were also important. El Rosario became *Real de Minas* (the royal mines) and maintained its productive prestige during the whole colony.[267]

The modernizing Bourbon reforms, which came at the end of the eighteenth century brought great mining and commercial growth to El Rosario. It attracted migrants from neighboring states and exported qualified manual laborers for the mining industry during the colonization of San Diego and Los Angeles, California, in 1770. Its prosperity declined at the beginning of the nineteenth century and then recovered with the arrival

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[266] Romero Gil, Juan Manuel. 2001. *La minería en el noroeste de México: utopía y realidad, 1850-1910*. Hermosillo: Universidad de Sonora.

[267] Ramírez Meza, Benito. 1993. *Economía y sociedad en Sinaloa, 1591-1900*. Culiacán: Dirección de Investigación y Fomento de Cultura Regional, Universidad Autónoma de Sinaloa, p. 26 and ss.

of mostly American, Spanish, English, and French capital, during Mazatlan's commercial boom.[268]

The fall of the Porfiriato and the Mexican Revolution brought a relative reduction in mining activity in favor of agro-industrial development, linked to the international crisis in the price of silver in 1907. The Mining Company of El Tajo, the main source of employment in El Rosario, fired 40 per cent of its workers.[269] This plummeted El Rosario into a profound economic crisis, and a large portion of the population was left unemployed, among them Homobono Vargas.

During the following years, economic stress became harsher due to a decrease in productivity and the impossibility of improving it with new technology, due to revolutionary attacks against foreign investment.[270] It was precisely in these years that Homobono began to practice subsistence agriculture in order to survive.

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[268] Martínez Peña, Luis Antonio. Crónica minera del sur de Sinaloa", unedited manuscript. I recommended the author publish it during a conversation in 2014. Aguilar Alvarado, Modesto. 1997. *Las reformas borbónicas y la minería en Sinaloa, 1750-1800*. Culiacán Rosales, Sinaloa: Colegio de Bachilleres del Estado de Sinaloa. Romero Gil, Juan Manuel. 1991. *Minería y sociedad en el noroeste porfirista*. Culiacán: Dirección de Investigación y Fomento de Cultura Regional del Gobierno del Estado de Sinaloa, pp. 16-32. Cf. Lizárraga Hernández, Arturo. *Nos llevó la Ventolera--: el proceso de la emigración rural al extranjero en Sinaloa : los casos de Cosalá, San Ignacio y El Verde*. Culiacán de Rosales, México: Universidad Autónoma de Sinaloa, 2004, pp. 115-119.

[269] Other companies around El Rosario also fired between 40 and 50% of their workers, among them the San Vicente Mining Company in San Ignacio, and the Panuco Mining Company in Concordia (Osuna Félix, Francisco Javier. 2014. *Crecimiento y crisis de la minería en Sinaloa*. Culiacan: Universidad Autónoma de Sinaloa-Facultad de Historia, tesis de maestría, pp. 37-38).

The unemployed miners and other inhabitants who provided the mines with food and commodities interacted in saloons, markets, and transport stations looking for commercial and labor opportunities, while they played cards, and other games of chance, drinking mezcal-based liquor that is locally referred to with a general *"vino"* ("wine").

During Homobono's ministerial statements, they asked how he would use the money he got for selling marijuana. Without hesitation, he answered:

"For my family, we're so poor ... and to have a few drinks of that *vino* I like so much."

"How often do you drink mezcal?"

"Well, pretty often," he answered.

Mezcal, which was initially traded by the Jesuits, in the words of Sinaloan historian Samuel Octavio Ojeda Gastélum, "had a palliative and soothing effect after suffering the bloody work rhythms that were imposed in the area" since the colony.[271] In the nineteenth century, the haciendas that produced mezcal spearheaded the agro-industrial development in the whole state, especially in the South, as well as in

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[270] Ibarra Escobar, Guillermo. 1993. *Sinaloa, tres siglos de economía: de la minería a los servicios*. Culiacan: Dirección de Investigación y Fomento de la Cultura Regional, p. 47.

[271] Original quote: “servía de paliativo y relax tras padecer los cruentos ritmos de trabajo que se imponían en la zona.” Ojeda Gastélum, Samuel Octavio. 2006. *El mezcal en Sinaloa: una fuente de riqueza durante el Porfiriato*. Culiacan: Colegio de Sinaloa, p. 43.

municipalities towards the mountain range, in the center, such as Mocorito. Years later these areas would also host the highest marijuana and opium production.

The taxation of the mezcal enterprises became crucial for the local treasury, which provoked a black market of mezcal in order to avoid taxes. Many landowning and capitalist families from Sinaloa made a fortune producing and developing a regional market for their mezcal. The iconic Tirado family made up of landowners, politicians, and mezcal producers still recall with pride that they "have the place of honor for being the first agro-industry in the state of Sinaloa that was registered under the Public Registry of Property and Commerce." The 4th of July, 1888, they registered the Fábrica de Mezcal La Palma (La Palma Mezcal Factory), owned by Carlos Tirado, in the town of Palma Sola.[272]

Historians from Sinaloa have studied this industry and its evident success as an example of "the degree of progress and penetration capitalist relations at the heart of these *haciendas.*"[273] The analysis of labor relations within mezcal-producing-*haciendas*, however, has not extended to understanding their role in accumulating capital that then fueled the armed resistance of mezcal-producing landowners to the agrarian reforms of the 1930s and 1940s. This violence was soon mixed with that of the markets of illegal drugs. And there have been even less analyses of the use of mezcal as a means to control work in other industries, such as the mining industry:

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[272] Tirado Canizalez, Guadalupe Candelario. 2010. *La vinata.* Mazatlan: edited by the author, p. 9

[273] Original quote: “el grado de avance y penetración de las relaciones capitalistas al seno de este tipo de haciendas.” Ojeda Gastélum, Samuel Octavio. 2006, p. 27.

"In the case of the mine's owners, use was stimulated amongst laborers as a means to mitigate their fatigue during work," wrote the Sinaloan intellectual José Gaxiola López[274].

The commercialization of mezcal must have been extremely successful, because its consumption became so frequent that Sinaloan Mezcal companies could not produce enough for the local market. Additional mezcal had to be imported from Tequila, Jalisco. Since 1905, the press in Mexico City published scandalous notes on the proliferation of saloons, alcohol dispensaries and other "vice-inducing centers" in Sinaloa.[275] This does not mean that alcoholism was necessarily a problem for all drinkers. A moderate consumption of alcohol was considered healthy until the late twentieth century. Some doctors and druggists in the region regularly used it in their medications.

"Even though some writings speak derogatorily of the ethylic [i.e. alcoholic] character of the general population," wrote Gaxiola López, "it is not completely true, they were not all victims of this bad habit. The existence of a great number of supplies[276] and sale points may or may not indicate otherwise."[277]

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[274] Original quote: "En el caso de los dueños de minas, se estimuló su consumo entre los peones como forma de mitigar la fatiga en el trabajo,"

[275] "El alcoholismo", *El País*, 13 May 1905.

[276] Clandestine alcohol selling centers

[277] Original quote: "Aunque en algunos escritos se habla despectivamente del carácter etílico del grueso de la población, no es del todo cierto, ésta no fue víctima de este vicio. La existencia de un gran número de aguajes y expendios pueden o no indicar lo

It was probably not the alcohol itself, but a mixture of factors that provoked Homobono's problem with alcoholism. The unemployment rate, the town's economic crisis, the need that pushed him towards a subsistence agriculture without enough land or resources, his family's pressure, and the subsequent social marginalization all made his use of alcohol reach pathological levels. This series of factors also pushed Homobono to become part of a large group of former miners and poor farmers who moved onto illicit business after the Mexican Revolution.

DRUG PRODUCTION FROM THE OCEAN TO THE RAILROAD

Homobono's case was not an isolated one. Since the 1930s, for reasons to analyze further on, the production of opium became frequent around the former mining towns along the mountain range, with particular strength in the center of the state. In the south, around Mazatlan, illegal drugs also began to be cultivated. Unlike the center, marijuana became the most frequent crop there, even though there was also some poppy production in the towns higher up in San Marcos along the mountains and hills of El Rosario.

When the agrarian reform arrived at the end of the 1930s, the struggle for land, which was used by the landowners to produce mezcal and other products, was embroiled in the conflicts over producing and distributing illegal drugs.[278] Homobono's

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contrario." Gaxiola López, José. Prologue. In Ojeda Gastélum, Samuel Octavio. 2006: p. 12.

[278] Lazcano Ochoa, Manuel. 1992. *Una vida en la vida sinaloense*. Culiacan: s.n., p. 210.

disgrace and his motives illustrate how the production of marijuana progressed in the south of Sinaloa.

Homobono was illiterate, just like his wife, his mistress, his children, and most Mexicans at that time.[279] He knew that there was an authority, he saw police officers patrolling his town, and revolutionary politicians ranting against the Catholic Church and giving speeches on the old and new institutions of the Mexican government, but he didn't necessarily understand how these forms of power worked. Marijuana prohibition was a regulation that was far removed from his life. Homobono didn't even know that it was banned and perhaps that was why he did not hide his cultivated land.

The restrictions implemented on trafficking marijuana in all its forms encouraged merchants in Mazatlan to substitute their imports. We don't know where that person from Mazatlan who recruited Homobono obtained the seed; perhaps it was part of one of those last shipments that arrived from China or India via San Francisco. What we do know is that the merchant from Mazatlan left it with the Magueyera's saloon tender two weeks later.

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[279] At the end of the Mexican Revolution, around 85% of the population was iliterate. This percentage diminished with the literacy campaigns the central government implemented, especially José Vasconcelos and Jaime Torres Bodet when they were Secretaries of Public Education. (Fell, Claude. 1989. *José Vasconcelos: los años del águila, 1920-1925 : educación, cultura e iberoamericanismo en el México postrevolucionario*. México, D.F.: Universidad Nacional Autónoma de México; González Casanova, Pablo. 1967. *La democracia en México*. Mexico: Ediciones ERA, pp. 95-97). However, illiteracy did not diminish in absolute figures in the twentieth century (Narro Robles, José y David Moctezuma Navarro. 2012. Analfabetimsmo en México: Una deuda social. *Realidad, datos y espacio. Revista Internacional de estadísticia y geografía* (3:3), septiembre-diciembre, p. 9.)

Homobono, busy with his drinking and work in the field, did not pick up the seed until December, when he decided to sow it in a lot on the ravine La Burgueña, where his wife, Paula Burgueño, had her house. Next to the corn he threw a little more than a dozen seeds in the furrows. His wife, a bastion of family morals, constantly reprimanded him for his alcoholism, and so, like many farmers he had a mistress. He had a second house on 42 Jolla Street where his blind mistress of eleven years, Luisa Sánchez, lived with her four children, fathered by him. Homobono sought refuge in this house in order to escape his wife's haggling and to rest.

In May 1930, Homobono harvested around 18 kilograms of marijuana. He expected to earn at least 90 pesos. He stored it in two sacks in the attic in his wife's house, expecting the merchant from Mazatlan to come by. The merchant from Mazatlan never arrived, but he grew again the next year. Gossip about what Homobono was growing got around the town until the police heard about it. But they didn't do anything because they never caught him *in fraganti* and perhaps because sowing marijuana was such a new felony that even the judges weren't sure how they were supposed to prosecute it.

Police apprehended Homobono until the end of February 1931 when by a stroke of bad luck he was helping his friend Anastasio Manzano sell some kilograms of marijuana that he had not even grown. Anastasio had found it lying on the ground close to the train station. The fact that they arrested Homobono for a mishap related to the railroad and not for trafficking the seed, possibly traded by sea from the port of Mazatlan, is symptomatic of the changes brought on by the late modernization of land communications and their effects on Sinaloan capitalism.

I would like to take a moment to reflect on the late arrival of the railroad to Sinaloa. When Anastasio found his marijuana close to El Rosario's railroad, trains were a novelty in the state, unlike other regions in Mexico, which is why the usual tensions surrounding their normal introduction also arrived late[280]. The South-Pacific Railway, informally referred to as "from the West", did not fully operate along Sinaloa to connect Guadalajara with the American border in Nogales, Sonora, until 1927. Other projects such as Albert Owen's dream of laying railways from Topolobampo to Nueva York crossing through Kansas or projects of track building that crossed the Sierra Madre from Mazatlan or Culiacan were never fully implemented due to the difficulties of the hilly geography.

The efforts to complete the connection from the center of Mexico to the north with the South-Pacific Railway began since 1877, when the Secretariat of Promotion gave an English company license for the construction. The English only had enough energy and resources to connect Hermosillo with Nogales in 1882. However, the commercial possibilities of this Northern region in Mexico awoke the interest of Southern Pacific, an American company, and they leased the license in 1887.[281] In 1909, preparations were made to inaugurate the section that crossed Sinaloa, but the Porfirian governor, Francisco Cañedo, died. With the death of the governor, the track's technical problems became evident and the trains were always delayed. A number of bridges collapsed

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[280] Coatsworth, John H. 1981. *Growth Against Development: the Economic Impact of Railroads in Porfirian Mexico*. DeKalb, Ill: Northern Illinois University Press.

[281] Signor, John R., and John A. Kirchner. 1987. *The Southern Pacific of Mexico and the West Coast route*. San Marino, Calif: Golden West Books.

when the Sinaloan rivers overflowed and in the steep mountains of Nayarit. To top it off, the Mexican Revolution delayed necessary repairs.[282]

In 1917, the Tamazula and Humaya rivers that come down from the Sinaloan mountains overflowed and destroyed the iconic Black Bridge in Culiacan. The American engineers did not solve the issues that flowed from the mining zone along the mountain range, which by then was in full revolutionary revolt, until the late 1920s. After repairs in 1927, at last, the "steel tip" arrived to Guadalajara and all the necessary adaptations were made along the roads.[283]

Train stations were established in Sinaloa exactly when certain drugs were prohibited and this was part of the reason behind Anastasio Manzano's discovery of marijuana, probably dropped by some smuggler who had been using modern means of transportation to escape. During these dates, there were apprehensions related to marijuana in other places in southern and northern Sinaloa. However, none of them were due to production, all of them were due to trafficking, sale, and use. These arrests indicated that the internal market of marijuana was growing in the north of the state and that prohibition was in a stage of institutional learning.

On May 23rd, 1930, for example Nicasio Quintero was arrested in Mazatlan as a suspected marijuana trafficker through Guaymas. The evidence against him was a letter

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[282] Sinagawa Montoya, Herberto. 1986. *Sinaloa: historia y destino*. Culiacan: Editorial Cahita, "Ferrocarril Chihuahua al Pacífico", "Ferrocarril Durango-Mazatlán", "Ferrocarril Occidental de Mexico", "Ferrocarril del Pacífico", *s.v.*

[283] López Alanís, Gilberto. 1992. *Culiacán: confluencia de ríos y hombres*. Culiacan: Proyecto Tres Ríos, p. 1853; Sandoval Bojórquez, Martín. 2002. *Luis F. Molina y la arquitectura porfirista en la ciudad de Culiacán*. Culiacan: Crónica de Culiacán, p. 152.

in which he offered to send Mr. Pedro Rodríguez from Guaymas between 10 and 15 kilograms in the next train, if he received the money for a previous delivery. Quintero was given bail because the letter was not undeniable proof of the crime. It became clear that the arrival of the railroad provided smuggling opportunities.[284]

A few hours north on the railroad tracks, Encarnación Zambrano, a 28-year-old farmer from El Rosario got a job as police officer in Culiacan, the state capital. It was there that another farmer originally from El Rosario came up to him with the gossip that there was a man called Miguel who smoked marijuana close to the train station. His name was Miguel Rodríguez Valdivia, a short man with a dark and pockmarked face, dark straight hair, brown eyes, a small and straight nose, and a regular mouth with very thin lips. He was 32 years old and had migrated from Guanajuato to Culiacan looking for opportunities to overcome his economic deprivation.

Zambrano apprehended Miguel with two packages of marijuana and a stub in his pockets. He could not do heavy work because his right arm was paralyzed. He made a living based on street trade on the street of Escobado de Culiacan next to the railroad tracks of the South-Pacific Railway.

“I’ve been smoking marijuana for three years and I haven’t been able to stop, as hard as I’ve tried,” he confessed.

Miguel’s life revolved around the train station. He sold and bought what he could and got marijuana from travelers who came from the south. Marijuana was his vice. The judged dropped the trafficking charge because there wasn’t sufficient evidence.

[284] Casa de la Cultura Jurídica de la SCJN en Mazatlán, Fondo Penal, 1930, exp. 28.

However, since he was an "admitted libertine" he turned him over to the Health delegate. The Department of Health solved the case until May 31st, 1932, a year later: "Not being able to admit the libertine in the Hospital for Addicts (toxicomanos), as sentenced in the Decree in force as of October 27th of the past year by virtue of not having this service yet available due to the urgency and to having only just established the Hospital of Addicts for Mexico City this current year … having considered the foregoing Mr. Rodríguez' admittance in the civil hospital must be coordinated."[285]

By that date, the case had been closed and Rodríguez was free and back to business, which was why he was never hospitalized.[286] Chauffeurs from Culiacan who offered their taxi service from the train station to other points in the city distributed marijuana. It was bought and sold in bakeries and convenience stores. It was being smuggled for prisoners in jails, among soldiers, and people who used it for medicinal uses such as treating asthma and pain.[287] Marijuana was also used as an alternative business for thieves, users without money, and other unemployed social outcasts.[288]

The movement of people, products, and ideas through the different train stations in Sinaloa broadened knowledge on how commerce and travelers were flowing towards

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[285] Original quote: "No pudiendo internarse al vicioso en el Hospital de Toxicómanos a que se refiere el Decreto de 27 de octubre del año próximo pasado en virtud de no estar aún organizado este servicio por la premura del tiempo y haberse logrado únicamente hasta esta fecha el establecimiento del hospital de toxicómanos de esta ciudad de México… gestiónese la internación del Sr. Rodríguez al hospital civil."

[286] Casa de la Cultura Jurídica de la SCJN en Mazatlán, Fondo Penal, 1931, exp. 14.

[287] Casa de la Cultura Jurídica de la SCJN en Mazatlán, Fondo Penal, 1932, exp. 53, 39; 1933, exp. 44

[288] Casa de la Cultura Jurídica de la SCJN en Mazatlán, Fondo Penal, 1932, exp. 48.

other populations, when it had been previously focused on ports. This dissemination followed the train's railway, thus, it did not take long for the cultivation and smuggling of marijuana to reach Navolato, Badiraguato, Mocorito, and Los Mochis. It was sold in saloons, barbershops, and among army troops. Apparently, word got around among farmers and marijuana consumers themselves regarding this high demand. In particular, soldiers and traveling merchants disseminated the seed towards the north.[289]

This dissemination process of local production and marijuana smuggling, which was parallel to its prohibition, frames the circumstances surrounding Anastasio Manzano's discovery of marijuana close to his home. Anastasio was a 42 year-old single farmer who lived close to the train station in El Rosario. Like many farmers in his condition, he could not live solely of agriculture. That was why he sometimes went looking for wild agaves to obtain ixtle fibers from its leaf-stalk. The fibers, just as those coming from hemp, were used to make rope, sacks, and clothes. It could be sold well to traveling merchants who arrived by train from Guadalajara, Jalisco and went on to Mazatlan and other cities in the north.[290]

At the end of February 1931, Anastasio was cutting agave leaf-stalks, a plant that also produced the mezcal he so enjoyed, when he found two sacks with three or four kilos of marijuana hidden amongst the shrubbery. Anastasio didn't know how much money he could make out of selling the sacks, but he stored a sample of the herb in a

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[289] Casa de la Cultura Jurídica de la SCJN en Mazatlán, Fondo Penal, 1935, exp. 7; y 1936, exp. 24.

[290] Ojeda Gastélum, Samuel Octavio. 2006. *El mezcal en Sinaloa: una fuente de riqueza durante el Porfiriato*. Culiacan: Colegio de Sinaloa, chap. 3.

handkerchief. Afterwards, he carried them to Homobono's mistress' house. Luisa Sánchez only heard Homobono yell: "I'm leaving these sacks here, don't open them," and then leave. Since he felt like drinking, Anastasio invited him to La Magueyera and they got drunk, as usual.

A few days later, when he was walking home from the train station, Anastasio met Felipe Valenzuela, a merchant from Guadalajara, and they started talking. Just as in the ports during the nineteenth century, the train stations had become meeting points for entrepreneurs, since that was where they found business news and opportunities. Felipe Valenzuela was expecting a load of slate from Guadalajara in order to sell it in El Rosario. He would then buy products there and sell them in the north of the country. Anastasio went with him to ask the head of the station if his load had arrived and on the way he showed him the sample of marijuana. Felipe Valenzuela was interested in buying it at four pesos the kilo, with the money from the slate, leaving Anastasio feeling content.

In the afternoon, Anastasio went to Homobono's mistress' home in order to buy him some mezcales. Homobono, like every afternoon, had taken refuge there from his wife's pressures. He complained a bit with his friend about the problems of maintaining two families. His wife had gotten angry because he began to drink early and at that point he no longer had any money. Anastasio, in order to calm him told Homobono that he would probably sell the sacks he had left there and offered to loan him two pesos. Feeling happier, they went to drink, and since they were celebrating, they decided to go to the Muralla, the town brothel.

In the Muralla, they saw Felipe Valenzuela, who was celebrating his earnings, they joined him and he bought them more and more drinks. Homobono was very drunk when Felipe Valenzuela and Anastasio began talking of the marijuana business.

“So, are you going to buy the sacks of marijuana?” Anastasio shamelessly asked.

Felipe Valenzuela saw that a man next to them was listening attentively to the conversation. He was the 37-year-old municipal police officer Refugio Osuna.

“Of course I’m going to buy it, let’s go pick it up and I’ll pay you there,” answered Felipe loudly so that the policeman might hear him.

Anastasio told Homobono, completely drunk in a corner, that they should go to his mistress’ house to pick up the marijuana. Meanwhile, Felipe Valenzuela discretely asked the policeman to follow them. Refugio Osuna understood that Valenzuela wanted to help him find the marijuana and apprehend the farmers.

The police officer left La Muralla after the three men and followed them at a distance. Homobono, Anastasio, and Felipe Valenzuela went into Luisa Sánchez’ home. Homobono brought out the sacks and gave them to Anastasio, who was stumbling around drunk. Seeing how drunk they were, Valenzuela took advantage of the situation to report them to the police. The police officer Refugio Osuna found Homobono at the entrance carrying the two sacks.

“They’re not mine, they’re Tacho’s,” he managed to say.

Anastasio did not react or answer any questions. As Refugio Osuna searched him, he found the sample of 250 grams of marijuana. He drove them to the police station and there Felipe Valenzuela said that the farmers tried to sell him marijuana. He had played along in order to apprehend them because he knew that commercializing marijuana was prohibited and liked helping justice in these cases. He had seen a woman in Homobono's house, maybe she would also collaborate with the justice system.

Since it was dark and Luisa Sánchez was blind, she did not realize Homobono had been apprehended. The next week the police informed Luisa Sánchez that Homobono was arrested. From the moment they told her Luisa wouldn't stop crying. She ran to the Mayor to beg for them to release him, to have pity on him and his large family. The Mayor ignored her. After all, Homobono's destiny was no longer in his hands, it had been passed on to the judicial power and depended on these new laws that nobody fully understood.

Luisa visited Homobono in jail and went to declare two weeks later. In the middle of her tears, she verified that the two sacks of marijuana belonged to her husband's friend.

"Since when does your husband sell this weed?"

"I don't know, he lives on the ravine with another women named Paula."

"Did you help him store the marijuana to sell it, are you his accomplice?"

“This is the first time he brings it to my house…I have nothing to do with this…he’s the one in charge at home.”

The first week of March 1931, the municipal police sent a group of officers to search the Burgueña Ravine. They found a plot of land with corn and 14 furrows mixed with marijuana. Then they entered the house, with Paula Burgueño’s permission, Homobono’s wife. They found four boxes there with 18 kilograms of marijuana. It was the first harvest that was already dry from waiting for the Mazatlan merchant. In front of Paula, a neighbor told a police officer that everybody knew they had been selling it at seven pesos the kilogram for a while.

“Don’t be deceitful. He sells it at two pesos,” Paula curtly corrected.

Perhaps marijuana being sold at seven pesos a kilo was simply gossip, or two pesos a kilogram might have been the price in the local market, or maybe Homobono simply didn’t want his wife to realize how much money he would be making. One wonders if these anecdotes on price allow us to evaluate the black market of illegal drugs in this initial period. What is clear and quite surprising is that nobody in the government thought of processing Homobono’s wife. Everyone was sure that women could not be responsible of their husband’s crime. Men were in charge and suffered the consequences under the eyes of the communities, society, and the state.

HOMOBONO FACING THE STATE

There are at least four types of answers to questions that arise from Homobono's case. Homobono's declarations showed, first of all, his common sense motives to produce marijuana: he was poor and had a large family. Secondly, he sketched a new narrative: an unknown person had induced him to produce marijuana with the promise of buying it in order to substitute imports with local production. These common sense explanations and narratives were true, but they keep us from normative codes or a broader historical context.[291]

Hence, let us dive into the normative dimension of his motives, including a broader view of available sources throughout this chapter. The formal preparations for Homobono and Anastasio's trial began until March 13th, 1931, after a little over two weeks in jail. The fact that Homobono did not know that marijuana was illegal also reflected a larger fact: drug regulation and the institutions of the new revolutionary State were expanding.[292] In the municipality of El Rosario, for example, there still wasn't a Public Prosecutor who might organize the statements in order to remand the farmers to a judge.

Was it true that Homobono didn't know that marijuana was illegal? As we saw earlier, contemporary laws regarding drugs in Mexico created ideas that travelled

[291] Tilly, Charles. 2006. *Why?* Princeton: Princeton University Press.

[292] Cf. Alan Knight. "Narco-Violence and the State in Modern Mexico". In Pansters, W. G. (Ed.). *Violence, coercion, and state-making in twentieth-century Mexico the other half of the centaur*. Stanford, Calif: Stanford University Press, pp. 115-134. Gootenberg, Paul. 2005. "Scholars on Drugs: Some Qualitative Trends". *Qualitative Sociology.* 28 (4): 479-491; y 2008. "More and More Scholars on Drugs". *Qualitative Sociology.* 31 (4): 425-436.

nationally regarding hygiene, health, as well as the racialized regulation of medicine and drugs by the Carrancista and Sonoran revolutionaries who institutionalized the power that doctors have accumulated since the nineteenth century stemming from the combat of epidemics brought on by the Pacific commercial boom. After the Revolution, legislation and institutions extended their reach to both spheres. As part of a global phenomenon, drugs became regulated by ever more binding laws and there were medical authorities, politicians, diplomats, as well as members of the police and military who pushed for their persecution. This implied a federal judicial process regarding the persecution of drug addicts and drug trafficking through the publication of the 1929 Criminal Code.

In the specific case of Sinaloa, before 1929 there weren't many cases of drug persecution. When a user or smuggler became a problem, the matter was resolved by the community itself or by municipal police.[293] The smuggling cases were absolved by lack of proof or solved, mostly, as administrative faults even when they arrived to federal criminal courts. In most of the criminal cases during the 1920s, customs agents from Mazatlan constantly informed the federal justice system of the smuggling of marijuana or opiate seeds trafficked by European, Chinese, Mexican or American citizens but in none of those cases did these processes end in the definitive apprehension of some smuggler, even during 1929 with the approval of the Criminal Code. Bodily punishments came afterwards.[294]

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[293] An early case of illegal trade of marijuana in the Archivo de la Casa de la Cultura Jurídica de Mazatlán, SCJN, Serie Penal, file 1928/9.

The presence of unpunished crimes was accentuated by the lack of support from federal health officials in Mexico City towards local authorities in Sinaloa, because they wanted to be the ones, as federal officials, to persecute the misuse of medicinal substances. The doctors from the Health Department had their doubts as to having the criminal justice system regulate drugs that might have medicinal use.[295] However, they were obliged to collaborate with local and federal police authorities while they negotiated the authority of the health inspectors designated under their care.

The Sinaloan population was not aware of these discussions among the elite leaders of the revolution. In the first decades of the twentieth century, the number of federal trials against smugglers, producers, and users, especially marijuana and opiates slowly grew. These trials were the main means of indoctrinating the population in the new health and hygiene rules under the Revolution until the late 1930s, when, as we shall see, institutions were created for educating the popular classes in hygiene.

In order to know whether an illiterate farmer such as Homobono knew that planting marijuana was illegal, as he declared to his legal representative or not, we must contextualize what he said in the history of advancing drug persecution by health and police authorities. With this purpose I was able to locate 412 cases of drug use and trafficking between 1923 and 1950 that were taken from Sinaloa to the Federal Courts

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[294] Some cases of trafficking marijuana and opiate seeds reported by the Customs of Mazatlan in Archivo de la Casa de la Cultura Jurídica de Mazatlán, SCJN, Serie Penal, file 1923/40, 1928/37, 1928/19, 1928/23, 1929/3, 1929/8, 1929/35.

[295] AHSSA, Salubridad Pública, Servicio Jurídico, vol. 4, exp. 2.

in the local archive of the Supreme Court of Justice of the Nation (see Table 1). During 1930, 1937, and 1944 there were spikes in drug persecution. Additionally, during 1930 and 1937 the trials against smugglers and users, particularly for marijuana, increased in over 350 per cent. The increase in persecution seen in 1944 implied a spike of 250 per cent in the number of cases, including a significant increase in the production of opiates.

Table 1. Cases involving drugs in Federal Courts from Sinaloa (1923-1951)

YEAR	Marijuana	Opiates	Cocaine	Undetermined	Total
1923	0	1	0	0	1
1924	0	0	0	0	0
1925	0	2	0	0	2
1926	0	0	0	0	0
1927	0	1	0	0	1
1928	5	0	0	0	5
1929	3	0	0	0	3
1930	15	2	0	0	17
1931	12	3	1	0	16
1932	14	3	0	0	17
1933	18	4	0	0	22
1934	6	0	0	0	6
1935	7	0	0	0	7
1936	6	1	0	0	7
1937	23	1	0	0	24

1938	19	0	0	0	19
1939	26	0	0	1	27
1940	11	2	0	0	13
1941	13	3	0	1	17
1942	11	2	0	0	13
1943	11	4	0	1	16
1944	16	11	0	2	29
1945	18	9	0	0	27
1946	11	3	0	1	15
1947	19	17	0	0	36
1948	16	32	0	1	49
1949	7	3	0	0	10
1950	9	3	0	1	13

SOURCE: Elaborated personally based on the catalogue found in the Archive of the Casa de la Cultura Jurídica en Mazatlán, from the Supreme Court of Justice of the Nation.

NOTE: The chronological limits were determined by the availability of sources from this archive. Opiates here are understood as poppies, raw or cooked opium, and morphine (there were no cases regarding heroine or other drugs derived from the poppy during this period). Marijuana includes its seeds, plants, and smoking presentations, especially cigarettes.

This simple quantitative review of cases related to the regulation of drugs in Sinaloa provides much information for analysis. At this point, for our current purpose, I would like to emphasize that in 1931, the regulation of drugs was barely implemented. Homobono was the first farmer to be processed for growing marijuana in Sinaloa, due previous cases related to prohibited imports and other forms of illicit trade. Homobono's

case was also the first one related to forbidden drugs that was processed in El Rosario, where there wasn't much representation of the Federal Government and the health authorities didn't arrive until years later.

Even in places where there were health representatives, the processes showed that the regulatory capacity of the state was in an initial period of its expansion process. For example, the only case related to cocaine during this period, exactly at the same time as Homobono was apprehended, did not reach the courts through initiative of the state. Luis Cervantes, health delegate in Mazatlan, found out about the case after the smuggler himself insisted multiple times on reporting to the municipal police that a local public official had stolen 100 grams of German Merck cocaine provided by a train that was travelling to the United States. The alleged smuggler and the thieving official were not punished because Cervantes was not able to make a forensic analysis of the cocaine.[296]

Homobono's ignorance of the law is highly plausible. On March 12th, 1931, municipal authorities from El Rosario remanded Homobono and Anastasio's apprehension to Vicente Mac-Gregor, Federal Public Prosecutor in Mazatlan. Possibly via mail, Mac-Gregor asked the District Judge to open the trial and local authorities to have a representative of the Federal government register proof and declarations in order to judge them. The representative of the Secretary of Finance and Public Credit was one of the few representatives of the Federal Government in El Rosario and was elected as Public Persecutor two days later. He called all the police, partners, and

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[296] "El extraño caso de la cocaína robada". In Enciso, Froylán. 2015. *Nuestra historia narcótica: pasajes para (re) legalizar las drogas en México.* Mexico: Debate.

neighbors of the accused to testify, with Homobono and Anastasio also testifying, of course.

FARMERS' SORROWS

In his ministerial declaration, Homobono Vargas emphasized that his brothers Candelario and Florencio Vargas were fugitives of justice because the authorities had charged them with a homicide that they had not committed. Homobono knew that something like that might happen; if he didn't clarify what had happened, they could even incriminate his family for a mistake that only he was responsible for.[297] That was why, as if it were a confession with a Catholic priest, he made a long and detailed ministerial declaration that allowed me to reconstruct his life.

Maybe Homobono thought that, as in a Catholic ritual, his confession would be the door to forgiveness, but that was not the case. Until the 1929 Criminal Code, the forgiveness Homobono was looking for was possible, because of the way human will and legal responsibility was understood. The 1871 Criminal Code was regulated by a dual system where the legal responsibility came from a dual understanding of will. At that point the human species was considered as having both intelligence and free will. Thus, human beings were considered – based on the legal abstraction we ourselves created – as biological specimens that were conscious of their acts and, at the same time, had the free will to perform them. These acts were evaluated based on spiritual

[297] Archive from the Casa de la Cultura Jurídica de Mazatlán, SCJN, Serie Penal, file 1931/5.

principles that went back to Saint Augustine with a Manichean and Gnostic nature, as well as Saint Thomas in his synthesis of natural law as a love for one's neighbor.

From these classic considerations in the Christian world came a criminal law with the objective of distributing good and evil equally throughout humanity. Under this principle of justice whoever acted badly had to suffer proportional affliction or pain. The administration of this pain also had a double use: having an exemplary punishment that would deter the dissemination of evil due to fear and it would allow for the regeneration of the criminal through the experience of pain caused by the punishment. The Manichean compression of crime extended into a Gnostic redemption during criminal punishment and was part of the attempt to expand a love for humanity from a position of intelligence and liberty. This was based on the personal decisions following the premise that acts are subject to natural law, which positive law merely safeguards. The jurist José Diego Fernández explained that the 1871 Criminal Code "based on capitalist ideas, encloses the progress of Science, the constant idea of regenerating society and the criminal; he with punishment, she [society] with time."[298]

This system of thought had the implicit idea that judicial responsibility could not exist when acting under the influence of some physical or moral force that nullifies the freedom to act. Thus, in the 1871 Criminal Code *liberae in causa* actions were included,

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[298] Original quote: "considerado en sus ideas capitales, encierra los progresos de la ciencia, la idea constante de regenerar á la sociedad y al delincuente; á éste con el castigo, á aquella con el ejemplo." Fernández, José Diego. Estudio sobre el Código Penal. In *El Foro, Periódico de Jurisprudencia y de Legislación*, volume 6, num. 50, Thursday March 16, 1876, p. 197, quoted in Cruz Barney, Oscar. 2011. Influencia del Código Penal de Martínez de Castro en la codificación penal mexicana. *Reforma Judicial, Revista Mexicana de Justicia,* num. 17, Jan. - June 2011, p. 105.

that is to say the exclusion of responsibility and the subsequent pardon if there was a lack of cognitive development, mental health, or when the subject was ignorant or when, for reasons beyond their control, the person was under the effect of some substance that limited their ability to understand.[299]

It is difficult to imagine a scene in which an illiterate farmer could understand the subtleties behind the reasoning of those literate in judicial science. I believe that Homobono's insistence on his guilt, together with his inability to be responsible due to his alcoholism, ignorance and poverty, was mostly due to the elective affinities behind the naturalist theory of judicial accountability added to an idea of Catholic pardon through confession and regret. Thus, the way he presented his ministerial declaration was in his world-view a confession that would lead to repentance and forgiveness.

The authorities argued that Homobono was a criminal for having sowed marijuana plants, which in his eyes was an exaggeration, because he did not even use it or sell it and because marijuana, according to him, was not the threat authorities argued. At the basis of Homobono's reasoning was a great sense of arbitrariness and greivance for the anti-farmer practices of the new revolutionary institutions. However, most importantly, the punishment he received was a shock, because it broke with the spiritual principle that punishment came from evil-doing, and that free will pre-supposed the capacity to decide. He was not guilty, because of ignorance, alcoholism, and poverty. However, this argument did not proceed and he was punished. The injustice of

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[299] Garcia Ramirez, Sergio. 1981. *La imputabilidad en el derecho penal mexicano: introducción y análisis comparativo*. Mexico: Universidad Nacional Autónoma de México, Chap. 2.

the punishment must have been from this perspective painful since Homobono had recognized his actions, had confessed, and declared his remorse.[300]

Homobono clung to the ideas of Catholic justice filtered by the judicial truth in a moment when both were, if not in frank decadence, at least in transition. This change in the hierarchy of knowledge that determined "truth," imposed by the power of the Church and State, was reflected in every part of the life of El Rosario.[301] I have the impression that Homobono and his mistress did not go to Church, unlike his wife, Paula Burgueño, who had moralistic stances towards alcoholism, cohabitation, and crime. At that precise moment, going to church was a fearless act, because El Rosario's church, with an exquisite façade and golden altarpiece, was literally falling to pieces on top of the believers.

In 1930, a few months before Homobono's apprehension, in the church of El Rosario, a wooden platform was built, which rested on the ledge surrounding the church, so that the pieces of ceiling and quarry that fell wouldn't hurt the churchgoers. On November 27th, 1931, while Homobono purged his sentence, the Mayor of El Rosario decided to close the church "due to the state of decay and ruin" it was in and to "avoid the personal tragedies that could be triggered through its collapse."

Since 1900, the structural issues of the church were known to be caused by the humidity provoked by the mining exploitation perpetrated by the Company El Tajo just

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[300] Archivo de la Casa de la Cultura Jurídica de Mazatlán, SCJN, Serie Penal, file 1931/5.

[301] Foucault, Michel. 1968. *Las palabras y las cosas: una arqueología de las ciencias humanas*. Mexico: Siglo Veintiuno Editores.

below the building. Despite the evident destruction, the Company El Tajo made only partial repairs that did not keep the church from continuing to fall apart. The reason behind this was a gold vein "very rich, but narrow" that ran below, according to what the superintendent of El Tajo said in 1909. Before ending its exploitation, the company preferred to pay the damages "only through kindness, not because we believe that we are obliged to do so." The problem was that a church was different from other buildings in El Rosario, which the company had sunk during the Porfiriato in the last few years. When they sunk something, the administrators of the Company paid the owners compensation, in order to buy the property from them later when it was devalued. The Church of Our Lady of El Rosario, however, did not have a price for the believers and the preservation of Viceroyal art.[302]

During the decay of mining and the Porfiriato, the women from El Rosario clung to their faith. While the men dealt with major dislocation, the women prayed between the rubble and spread the Christian mores that filtered into the way Homobono faced the laws of man. The underlying issue was that the law of men was changing through the exploitation of the positivist vein, also narrow, yet rich.

Until 1931, many Federal judges around the country did not recognize their own jurisdiction and refused to process crimes against health, as defined in the 1929 Criminal Code because it was a matter that, according to the Health Code, should be tended to by the doctors of the General Public Health Council. On October 1st, 1931, the

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[302] Zazueta M., José Carlos. 1995. Historia de un monumento que se negó a morir: la Iglesia de Nuestra Señora del Rosario, El Rosario, Sinaloa. *Anales de Instituto de Investigaciones Estéticas*, Numbers. 74-75, pp. 257-269.

Attorney General's Office published a bulletin arguing that this interpretation coming from public prosecutors was mistaken. The bulletin included a copy of a clarifying judicial study formulated by the lawyer Manuel Rivera Vázquez, an assistant for the Attorney General's Office.

"Must the Public Prosecutor formulate an accusatorial request against someone who being in a state of madness, mental weakness or any other anomaly of this type performs an act that is sanctioned by Criminal Law?" asked Mr. Rivera rhetorically. After launching into an elegant argument he concluded with a categorical yes: "the madmen, idiots, imbeciles, weak minded, psychopaths, habitual drunks, addicts, etc., are frightening individuals; and as such they should receive a sanction: said sanction may only come after the Public Prosecutor requests it; and the implementation of the sanction for each and every delinquent must be in such a way that it re-educates, adapts, or cures to the degree demanded by social defense."[303]

Since the Porfiriato, positivist law continuously and gradually mined the principles of Natural Law that was based on the classical school since Saint Augustine and Saint Thomas, and which were used in the 1871 Criminal Code. The positivist school

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[303] Original quote: "¿Debe el Ministerio Público formular pedimento acusatorio contra quien encontrándose en estado de locura, debilidad mental o cualquiera otra anomalía de esta índole ejecuta un hecho sancionado por la Ley Penal? […] "los locos, idiotas, imbéciles, débiles mentales, psicopatológicos, ebrios habituales, toxicómanos, etc., son individuos temibles; que como tales debe aplicárseles una sanción; que tal sanción sólo puede venir después de que el Ministerio Público la solicite; y que la aplicación de la sanción para cada uno de esos delincuentes debe ser en tal forma que reeduque, adapte, o cure y en la cuantía que la defensa social exige."AHSS, Salubridad Pública, Servicio Jurídico, Box 29, exp. 7.

superseded the criminal as legal abstraction. In its place, the jurists moved towards a search for biological and social factors that explained delinquent activities, the causes of the crime, and a notion of responsibility that was not based on the idea of free will as essential in order to establish guilt.

The popularity of the positivist school of law in Mexico came from the arrival of various European books and ideas during the Porfiriato. Of the activities and studies that arose one stood out. It was a study on the mental and anatomical characteristics of criminals in prisons in Puebla, Monterrey, and Mexico City, following the pseudo-scientific ideas of Alphonse Bertillon, Cesare Lambroso, Gaetano Filangieri, and Gabriel Tarde.[304] Afterwards came ideas from Fascist criminologists such as Raffaele Garofalo and Enrico Ferri. The foundations of the classical school's principles were so far removed that during the discussions surrounding the 1929 Criminal Code, the end of punishment was "social defense." It did not matter that these ideas criminalized the culture of the working classes or crazy, degenerate, or ignorant delinquents. All that mattered was proving whether the person was socially "feared" or dangerous for social order:[305] "society must defend itself from the mad, the abnormal, the alcoholics, the addicts, and the minor criminals. From the point of view of social defense, these

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[304] Claro Álvarez, Belem, and Elia Marta Rodríguez de la Concha. 1999. Antropología criminal en el Porfiriato: las escuelas de Alphonse Bertillon y de Cesare Lambroso en México. In *Estudios de Antropología Biológica*, Vol. 9, pgs. 105-118.

[305] Piccato, Pablo. 2001. *City of suspects crime in Mexico City, 1900-1931*. Durham, NC: Duke University Press, Chap. 3.

individuals are just as abnormal as those who are normal, and perhaps it is based on them that the defense is most indicated," expressed the grounds for the 1929 Code[306].

The crimes in this Code were classified as intentional or as punishable recklessness. The intension behind a crime was no longer an element that that was specific to the crime, as was clarified in Article 32: "Every individual who is found in a dangerous state will be faced with the sanctions established in this code for social defense… A dangerous state is considered as all those that, without a legal justification, commit an act that is admonished with a sanction from Book III, even when it has been executed due to recklessness and not consciously or deliberately."[307]

The death of free will became a requirement for guilt. Or as Enrique Ferri said in *Criminal Sociology* written under Fascist Italy and extremely popular in Mexico, "Every man is always responsible for any unlawful action he performs, only by the premise, and because, he lives in society".[308] Thus, the purpose of sanctions foreseen under the law, according to Article 68 of the Code, was "to prevent crime, re-use criminals and

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[306] Original quote: "la sociedad tiene que defenderse de los locos, de los anormales, de los alcohólicos, de los toxicómanos y de los menores delincuentes. Desde el punto de vista de la defensa social, tan anormales son estos individuos como los normales, y tal vez en ellos esté más indicada la defensa," Garcia Ramirez, Sergio. 1981, Chap. 4, N1.

[307] Original quote: "A todo individuo que se encuentre en estado peligroso, se le aplicará una de las sanciones establecidas en este código para la defensa social… Se considera en estado peligroso a todo aquel que sin justificación legal comete un acto de los conminados con una sanción en el Libro III, aun cuando haya sido ejecutado por imprudencia, y no consciente o deliberadamente."

[308] Original quote: "todo hombre es siempre responsable de cualquier acción antijurídica realizada por él, únicamente porque y en tanto vive en sociedad" Ferri, Enrico,. 1908. *Sociología criminal*. Madrid: Góngora, traducción y edición de Antonio Soto y Hernández, y Primitivo González del Alba, volume 2, p. 94, quoted by Garcia Ramirez, Sergio. 1981, p. 13.

eliminate the irreparables, applying the processes of education, adaptation, or **curing** criminals according to what their state and social defense require".[309] Additionally, since there cannot be a sanction without responsibility, it is evident that the mentally sick and abnormal that should be cured were as responsible as any others. Thus, Chapter X, Title II, Book I, indicated sanctions for criminals with mental weakness or anomalies, "people who are crazy, idiots, mentally week, sick, and in general psychopathic individuals of all types, habitual drunks, and drug addicts."[310]

The only extenuating circumstance of these sentences, which was kept in the Code for 1929, were ignorance and extreme superstition that would deprive the offender from discerning the seriousness of their offense (art. 59, VI). By the end of April 1931, the public defender was able to get the court to grant Homobono bail, and protect Anastasio with this argument. However, a year later, on April 30th, 1932, the Public Prosecutor, M. Castañón insisted in declaring them guilty. By this time, the 1931 Criminal Code was already in force, which was valid until the twenty-first century with multiple modifications.

The positivist reading regarding responsibility was radicalized under the Code of 1931, "with a deficient technique." It included guilt and even a deceitful voluntary unconsciousness, which referred to if a person decided to claim ignorance of the

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[309] Original quote: "Prevenir los delitos, reutilizar a los delincuentes y eliminar a los incorregibles, aplicando a cada tipo criminal los procedimientos de educación, adaptación o curación que su estado y la defensa social exija."

[310] Original quote: "locos, idiotas, débiles mentales, enfermos y en general individuos psicopatológicos de toda especie, ebrios habituales y toxicómanos." The underlined and bold text are from the original (AHSS, Salubridad Pública, Servicio Jurídico, Box 29, exp. 7).

consequences of a deed: “if the accused anticipated or could anticipate this consequence because it is the ordinary effect of the fact or omission and is reachable by common people”[311] (art.9, II). Under these concepts, a lack of foresight was charged as guilty and willful misconduct was determined when the person could have anticipated, and nonetheless, had not.[312] In conclusion, Homobono and his defense could not argue in favor of his pardon based on ignorance or alcoholism under the new Criminal Code.

In response to the Public Prosecutor’s request, on July 8th, 1932, the District Judge for the State condemned Homobono to six months of prison and a fine of 100 pesos, and 50 pesos for Anastasio that were commutable for 60 and 30 days of extra arrest. Apparently, Homobono’s production was valued by the judge as a slightly more severe crime than Anastasio’s possession with intent to sell. Without money to pay for the fines, they both went to jail to purge their full sentence.

While Homobono purged his sentence, the town of El Rosario, under the leadership of the priest, began an unthinkable task: they dismantled the church to reassemble it, as if it were a puzzle, on a plot of land donated by the company El Tajo in the Northeast outskirts of town. The reconstruction of El Rosario’s church, amazing and

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[311] Original quote: “si el imputado previó o pudo prever esa consecuencia por ser efecto ordinario del hecho u omisión y estar al alcance del común de las gentes.”

[312] Garcia Ramirez, Sergio. 1981, Chp. 5.

unique, continued even after the company went bankrupt in 1939, and finished thirty years later.[313]

THE DISTRIBUTION OF IGNORANCE

"The extraordinary and exceptional aspect of the Toltecs' art, as in the case of all pre-Hispanic Mexican artists, particularly sculptors, was that they made their creations under the influence of *cannabis indica*, that is to say, marijuana,"[314] said Diego Rivera, during a meeting of the Union for Technical Workers, Painters, and Sculptors of Mexico precisely during the time he worked on his first mural in San Ildefonso between 1923 and 1924. David Alfaro Siqueiros mentioned in his autobiography, the only register of this event, that next to him were the founders of Mexican muralism: José Clemente Orozco, Jean Charlot, Emilio García Cabero, Xavier Guerrero, Fernando Lea, and Fermín Revueltas. As members of this union formed under the leadership of Siqueiros at the end of 1923, they heard Rivera's enlightened presentations and immediately accepted, through a vote, his proposal of "officially" smoking marijuana.[315]

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[313] Zazueta M., José Carlos. 1995.

[314] Original quote: "Lo extraordinario, lo excepcional del arte de los toltecas, como de todos los artistas prehispánicos de México, particularmente de los escultores, se debe a que realizan sus creaciones bajo los efectos de la cannabis indica, o sea de la mariguana."

[315] His story spoke of the Greeks, the Egyptians, the Middle Ages, the "primitive" Chinese, the Incas, and other American civilizations in order to strengthen the affirmation that marijuana was "superior to the opium of the Chinese, Egyptian drugs, disruptive incese, during those times when Catholics were ture Christians, with all the saints of the Middle Ages, including even Saint Thomas Aquinas and Sait Theresa of

Evidently, Rivera was ignorant of the fact that marijuana was a plant that had been brought by the *conquistadores*, conquerors, and disseminated across New Spain by the Crown for industrial means and not spiritual ones. Diego Rivera sensed a certain connection between indigenous people and marijuana, but he did not know where it came from. Among the Mexican union members, ignorance was rampant regarding the incorporation of marijuana in syncretic rites during and after the colony. Perhaps it was also irrelevant. For his purposes it was enough to use indigenous knowledge of marijuana for the indigenist culture of revolutionary nationalism.[316]

Homobono's knowledge and ignorance of marijuana, as well as that of the farmers throughout Mexico that were beginning to produce it, had similarities and differences with that of the muralist users. Both the producers and users of marijuana knew that it had a history. For Homobono this story began with the offer of a merchant to buy his product and thus help him obtain money. Marijuana entered his life as an innovative tool of capitalist exchange. For the muralists marijuana had a millenary history, it was central to the origin of civilization in America, restricted by Spanish imperialism and the injustice of Mexican government. For Homobono, marijuana was a strange and unfamiliar plant that had recently arrived. For the muralists it was a perennial plant that opened the doors to creative knowledge, obscured by contrivances by the government and modernity ideals imposed from abroad. While Homobono

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Avila, he spoke od the wonderful acquisition of munks from Mexico, of a miracle leaf that they must have used to get closer to and see the flesh of the Lord" (Siqueiros, David Alfaro. 1977. *Me llamaban el Coronelazo: memorias*. Mexico: Grijalbo, pp. 204-205).

[316] Sheridan, Guillermo. 1999. *México en 1932: la polémica nacionalista*. Mexico: Fondo de Cultura Económica.

detailed his consumption of alcohol and recognized that he ignored the illegality of marijuana in front of public prosecutors and judges, the members of the union recognized their ignorance about their planned use to redeem indigenous past;

“Wouldn’t it be convenient if a person who is experienced in marijuana instructed us?” asked one of the artists.

“Naturally,” answered Rivera, boastfully adding, “and I already have the perfect candidate.”

His name was Chema, he was a strong man with a flushed face and blond hair, originally from Jalisco, who dressed in white and wore a straw hat even in winter. He took a suitcase full of marijuana the next day and added a series of vague references to the mythology surrounding the power this miracle plant had on Mexican art. It was the secret behind the Mayan and Aztec’s incomparable art. Chema assured that in his suitcase of marijuana “there is science, art, politics, everything we need not only to build your gigantic art, but also to safeguard our country.” Afterwards he explained that they could not only smoke marijuana but also make infusions or sprinkle it over buttered bread. But he emphasized they should never use it as an aphrodisiac or let gluttony make their use a vice. In case of “intoxication,” they should drink a glass of cool water. He also warned that the proper use of marijuana is not mixed with alcohol, because the plant “takes its revenge making the user into a criminal and little by little drives him to the Dark Palace of Lecumberri.” The artists then paid Chema and hid the marijuana in the organ at the Amphitheater Simon Bolívar in San Ildefonso.

Nobody asked themselves where Chema had gotten this marijuana. Siqueiros only pointed out that, according to Rivera, he was from the "small country of José Clemente Orozco," which meant Jalisco, the same state Felipe Valenzuela came from, the slate trader that turned Homobono and Anastasio to the policeman in El Rosario. It was highly improbable that, at that time, the muralists might know that their marijuana could have been produced by a humble farmer such as Homobono and transported by merchants such as Felipe Valenzuela by train.

As the anthropologist, Arjun Appadurai, explains, "Commodities represent very complex social forms and distributions of knowledge." One may classify this knowledge simply into two categories: the technical, social, and aesthetic knowledge of good necessary for their production, and those necessary for their use. "Of course," adds Appadurai, "these two readings will diverge proportionally as the social, spatial, and temporal distance between producers and consumers increases. As we shall see, it may not be accurate to regard knowledge at the production locus of a commodity as exclusively technical or empirical and knowledge at the consumption end as exclusively evaluative or ideological. Knowledge at both poles has technical, mythological, and evaluative components, and the two pole are susceptible to mutual and dialectical interaction."[317]

Unlike us, the Mexican muralists could not have known that Homobono Vargas would be the first farmer to be criminally secured for producing marijuana in Sinaloa, nor that this fact related to capitalist development processes that created "reserve armies"

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[317] Appadurai, Arjun. 1986. *The Social Llife of Things: Commodities in Cultural Perspective*. Cambridge: Cambridge University Press, p. 41.

of workers[318] from former miners and farmers susceptible to producing illegal drugs for use by, among many others, Mexican artists and intellectuals. Unlike the Mexican muralists, the distance in time allows us to detail how the mining crisis, unemployment, poverty, and alcoholism caused social dislocations among communities that used train and economic incentives of the black market to enter into illegal drugs. Despite lacking this perspective, Mexican muralists were able to articulate critical thinking about drugs.

While Chema instructed them in the rituals of Doña Juanita, the only one who realized the injustice of marijuana's illegality was Fermín Revueltas. He used the information he had to propose "emergency" actions against prohibition. These actions were of course based on the indigenist mythology of marijuana: "I propose," rallied Revueltas, trembling with contained emotion, "that we immediately send a letter of protest to the president of the Republic and all our authorities to ask them to intervene in issues related to the corresponding order, for having considered the use of marijuana as a felony. And also demand a decree establishing the use of marijuana as healthy for the brain capacity of our country's men. In that same document they should state that the prohibition of marijuana dictated by the *conquistadores* and later reaffirmed by the viceroys was aimed at provoking decadence among the people of America in order to subjugate them more easily."[319]

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[318] Marx, Karl. 1975. *El Capital: crítica de la economía política, libro 1, tomo 3*. Madrid: Siglo XXI, pp. 91 y ss.

[319] Original quote: "Propongo que enviemos inmediatamente una protesta al presidente de la República y todas la autoridades que intervengan en problemas del orden correspondiente, por haber venido considerando que el uso de la marihuana constituye un delito. Y exigiendo, a la vez que por decreto se establezca el uso de marihuana

According to Siqueiros, they wrote telegrams with this content and sent them to their authorities with a copy to newspapers in Mexico City. There is no evidence that anyone took them seriously nor that they included any information on the prohibition of sinful entheogens during the colony, of pharmacological or ethnic substances of their time. Least of all, they did not see the difficulties faced by the producers of the marijuana destined to their own use. The Mexican muralists did not realize the fact that Homobono's ignorance, and that of many producers of the substances they consumed, regarding the prohibition of drugs was part of a transition towards a criminal system that penalized the farmers' way of life.

Unlike us, they could not have known that the tragedy they sensed would be maintained by more than a century, since the distribution of knowledge regarding illegal merchandise would also reinforce the distribution of mutual alienation between those of us who live different parts of the productive and commercial process of illegal drugs. They also ignored that this separation went beyond a simple means of increasing artists' creative power; that its long term legacy would lead to violence and injustice.

Little by little, the Mexican muralists eliminated their use of marijuana and stopped thinking about it. "The thing is that the amount of marijuana we smoked already gave us everything we needed," explained Diego Rivera. Siqueiros, on the other hand, thought that they had never really needed it because they were "marijuana users by

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como saludable par la capacidad cerebral de los hombres de nuestro país. Que en ese mismo documento se haga constar que la prohibición de la marihuana dictada por los conquistadores y más tarde reafirmada por los virreyes, tenía por objeto precisamente provocar la decadencia de los pueblos de América para poderlos sojuzgar mejor."

nature"; "the use of the plant broke the sack of our natural imaginative richness, it led us to a loss of proportion".

He told of one occasion when, accompanied by his assistant Roberto Reyes Pérez, he began to work on a mural in San Ildefonso with a couple of hits of marijuana: "I don't know why precisely when our imagination was most lucid, out inventiveness richer, the light suddenly went out and Reyes Pérez, thinking that it was due to a temporal disconnection we had fixed a few moments earlier, touched the cables directly and was hit by a strong discharge. He grabbed me, I pushed the beam we were standing on and, gratefully, fell on a heap of sand that was six and a half or seven meters below us. The fall did not cause a mortal accident, thanks to the sand, but we were bed-ridden for a month because of the fall, despite our youth at the time."[320] At that time Siqueiros was working on his mural 'Fallen Gods,' which was later known as 'The Fallen Myths': it depicted icons identified as democracy and monarchy, Christ and Satan, this last one represented by a disturbingly muscular worker with an aura.[321]

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[320] Original quote: "no sé por qué misteriosa razón cuando nuestra imaginación era más lúcida, nuestra inventiva más rica, se apagó repentinamente la luz eléctrica y Reyes Pérez, pensando que aquello se debía sólo a una desconexión parcial que habíamos arreglado momentos antes, tocó los alambres pelones, con lo cual recibió una descarga, se agarró de mí, yo empujé la viga a donde estábamos parados y fuimos a dar, felizmente, a un montón de arena, que estaba 6 y medio o siete metros más abajo. La caída no fue causa de un accidente mortal, por gracia de la arena, pero sí nos dejó más de un mes en cama, a causa del costalazo y no obstante nuestra extrema juventud entonces." Siqueiros, David Alfaro. 1977, p. 206-208.

[321] Guadarrama Peña, Guillermina U. 2010. *La ruta de Siqueiros: etapas en su obra mural*. México, D.F.: Centro Nacional de Investigación, Documentación e Información de Artes Plásticas, pgs. 30-31.

Chapter 5.

Conclusion

In this dissertation, I showed how the origin of contemporary drug contraband in Sinaloa was connected with Pacific World trade booms in the nineteenth century. My goal here was to place the history of drugs into a larger process of nineteenth-century political economy. In order to achieve this goal, I provided a background on the trade boom, especially of medicines, that connected the port of Mazatlan with markets in Asia, Europe and the United States via trade with US ports, such as San Francisco and Seattle, in the nineteenth century. I developed specific ideas about the role of Chinese migration, the spread of interests and knowledge regarding US pharmaceutical businesses and drug stores, and the consequences of the first drug regulations in the early twentieth century, based on local archival materials.

I argued that opium criminalization stemmed from the racist ideas that Chinese migrant workers and their products degenerated the Mexican race, were unhygienic, and attracted terrifying epidemic diseases. Nevertheless, as I showed, Chinese immigrants were not the major drug producers and traders in Mexico in this period. Surprisingly, I showed how many American entrepreneurs and their local partners in

Sinaloa, simultaneously to its incipient restrictions in the 1920s, spread barbiturates, morphine and other substances accompanied by an ideology of European medical authority justifying its use, and intensifying the transnational pharmaceutical trade. This dissertation showed how drug trade restrictions sparked drug smuggling, since the first years of contemporary prohibition of drugs in Mexico.

To analyze the deep roots of this contemporary drug regulation in Mexico, this dissertation argued that drug trafficking emerged as a political problem because its unregulated uses contravened health ideals and detonated fear about the spread of epidemic diseases during the same commercial booms that brought new supplies for the modern medical profession. In the 1930s, Mexican Revolutionary physicians redefined drugs as "dirty," pathological, and criminal. They proposed to combat them with institutional strategies, which used mechanisms already used for "sanitary dictatorships" during epidemics brought by international trade since the nineteenth century.

These sanitary, commercial, and criminal restrictions to certain drugs created the incentive for local merchants to search for local production in order to substitute the prior international market supply. This dissertation showed the reasons behind the decision of the first Sinaloan peasants, who actually started this local production of marihuana. The case of Homobono Vargas, first peasant criminally prosecuted for producing marijuana in Sinaloa, illustrates how poverty and the absence of state institutions were fundamental for the entrance of these peasants to the illicit drug market. Simultaneously, it shows the criminalization of the poor through the post-revolutionary judiciary system and the connection of their decisions with local and global

economic factors, such as the consequences of the mining crisis after the fall in the price of silver in 1907, including unemployment, alcoholism, and other social dislocations.

From a broader perspective, all these processes in a frontier of global capitalism, such as Sinaloa, are part of the transition from the nineteenth-century free market regime led by the British Empire under the international gold standard system, to the regime that emerged after World War I and World War II, led by the United States and the Bretton Woods system of fixed exchange rates. At the beginning of this dissertation I proposed that similar to the way illegal drugs alter a user's consciousness, the great transition from gold to dollar altered the idea of a healthy body, the legal definition of "will" and the relationships between producers, smugglers, agents of state power and other players at the frontiers of global trade booms —including psychoactive substance trade— during the nineteenth and twentieth century. In order to actually demonstrate the validity of these ideas, I am aware of the need to expand the chronological scope of this study, at least to the 1950s, because during those years, there was a great effort to implement, adapt, and modify the international drug control regime, still in its formative period. In the future, I expect to deepen my analysis of the period between 1931 and 1950 to interpret it as part of the transnational nature of U.S. and Mexican state police and military actions, and the efforts of the Mexican state to obtain functional currency during the import substitution development model in the second half of the twentieth century. Given that I have already done a lot of research on the period, I want to finish this work with some preliminary ideas for further writing.

A fundamental question for this period that sparks my interest is how mafiosi state relations were built during these formative years of the contemporary regime of drug prohibition. A case that I would like to analyze is the unofficial visit of the former smuggler and US Custom Agent Al Scharff to Sinaloa in 1936. I speculate that his mission of unofficially baiting Mexican authorities to prosecute poppy producers illustrates that drug prohibition thrives in murky relations between states, markets, societies and communities, since the beginning of this global regime. Taking up this exemplary case, I would like to analyze the progress of proscribed drugs with certain regulations in a transnational perspective. The quantitative and qualitative study of local archival sources, could help to examine the transition between the period when drugs were considered a source of disease to the period when drugs started to be considered a crime, i.e. when revolutionary health institutions gave powers to police, military and politicians to regulate certain drugs.

The mafiosi relations between states, especially Mexico and the United States, based on my preliminary reading of sources, consolidated in Sinaloa in the period 1930-1950. Archives and court records do not record the entire state policies regarding drugs and traffic networks from the source. In future studies, this opacity (institutional silences, unofficial missions, unwritten rules, informality) can be seen a defining characteristic of state policies that can be also conceptualized as mafiosi relations. Also, I would characterize the emergence of violence as a method of ordering the actions of the Mexican and the United States. Their governments acted as a kind of transnational mafia: its agents sold state “protection” to the highest bidder and used intransparency, i.e. the selectivity of public information on their actions, as a mechanism to hide the

logic of their actions, the sources and scale of their incomes, and to ensure the relative normality of what years later was call the "narco."

Another question worth pondering is why several historians and journalists have fostered the idea that a secret pact existed between Mexico and the United States to produce morphine in Sinaloa during World War II. I have the impression that behind the (even without any documental evidence) widespread idea of a conspiracy to produce morphine, it is a fact that peasants in Sinaloa were excited by finding U.S. citizens seeking opium in their communities with the same urgency they sought gold during the rush in California. This excitement led peasants, especially from Badiraguato, Sinaloa, to describe the benefits of opium production, as “the discovery of a gold mine." These anecdotes help analyze the incentives created by the economy of World War II from the United States, when its government needed to guarantee the supply of opium for war medicines and elicited a rush among public officers, peasants, and smugglers in Sinaloa and beyond.

To develop this narrative, we need stories that join persons in different points of the commodity chain of Sinaloan opium during II World War: former miners and peasants from Badiraguato, a municipality of Sinaloa, who undertook the production and marketing of opium gum (after being excluded from the benefits of the revolution for which they fought); border entrepreneurs who conducted illegal and legal businesses with partners on both sides of the fronteir to amass wealth with impunity; and some American smugglers, who represent the stereotype of the “narcotics” trafficker in their country and were pursued by both states in the mid-twentieth century.

In the future, I intend to develop these ideas through narratives that include the whole commodity chain, from production to consumption markets, to engage the political economy literature about price differentials and structures. The literature on drug prices is invaluable to rationalize the motivations of transnational actors, but falls short, if we want to understand the motivations of actors who lack access to information because their geographical location in a very specific point of the chain. This issue might shed light on larger hegemonic transitions alluded to here, and their impact on Mexican national development projects. These approaches suggest other intellectual interventions, such as the idea that while the British empire used opium to open markets in China, the American Empire used processed medicines/drugs to heal, regulate, and discipline its own society during its imperial consolidation.

Beyond this, I want to develop a hypothesis about the cultural expressions connected to the waves of drug-related corruption and violence in Mexico, after the 1950s, but most obviously in the 1970s. After police and military operations in 1947, various groups of Sinaloan smugglers organized themselves in more sophisticated ways. They benefited from new cultural expressions that glorified their exploits in their confrontations with the state, and from the creation of international and local pacts with other drug trafficking organizations. This eventually formed what in the 1980s various security organizations and experts in Mexico and the United States called the Sinaloa Cartel.

In the process, the Sinaloan smugglers stirred community pride around the production and smuggling of drugs, and thus strengthened their criminalized organization in an ideological (or systemic cultural) level. These cultural productions

helped protect against the social stigma imposed on certain drugs and on the violent methods used in their production, trade and consumption. The so-called "narcocultura" prepared drug trade participants to tackle the high risks of this particular market, even for little monetary reward. This is why I am interested in how, the cultural expressions, called narcocultura today, interacted with the market and political structure of illicit drugs.

REFERENCE MATERIAL

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California Digital Newspaper Colection

Mandeville Library (UCSD)

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San Francisco Public Library

History Center

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Wells Fargo History Museum in San Francisco

Historical Services

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Garlank Roark Collection

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Utah State Archives*
Series 328, Board of Pardons
Death Certificates

AUSTRALIA

State Library of South Australia*

Australian War Memorial

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