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## Reconceiving *Reproduction and Its Discontents in Mexico*

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### Résumé de l'article

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## Reconceiving *Reproduction and Its Discontents in Mexico*

NORA E. JAFFARY

### *Abstract*

*In this work, Jaffary responds to various commentaries about *Reproduction and Its Discontents* produced by her co-panelists and delineates the genesis and intention of her book by discussing some of the first sources and questions that led her into her research, and some of the key conclusions she draws from the evidence she uncovered.*

### *Résumé*

*Jaffary répond ici aux divers commentaires au sujet de *Reproduction and Its Discontents in Mexico* émis par les participants à la table ronde et décrit la genèse et l'intention de son livre en discutant de quelques-unes de ses sources premières et des questions qui l'ont amenée à effectuer cette recherche, ainsi que de certaines des principales conclusions qu'elle a tirées des éléments découverts.*

At this moment in North America's political history, I am particularly grateful for the Canadian Historical Association's recognition of the importance of both Mexico's past and the history of reproduction in awarding *Reproduction and Its Discontents* the 2017 Wallace K. Ferguson prize. It is also a privilege to have the opportunity to reflect further on the book through the generous commentaries of this distinguished panel. Christina Ramos and I have never crossed paths before, so I am delighted, given her expertise in Mexico's medical history that she agreed to participate. I have long admired the scholarship of Jacqueline Holler, Luz Hernández Saénz, and William French. I first encountered both Hernández and Holler through their publications when I was a lowly doctoral candidate, and theirs were among the writings I remember wondering if I would one day be able to emulate. My personal history with Bill French is older still: it was in one of his Master's history seminars, taught decades ago at the University of British Columbia, that I first embarked upon the formal study of Latin America. So, it is a pleasure to have the opportunity to reflect upon his thoughtful reactions to my work. In the remarks that follow, I will briefly respond to some of their commentaries and will also delineate for you the genesis and intention of this book while offering some reflections about its writing.

The idea of working on a history of Mexican childbirth and contraception first occurred to me 20 years ago, when I was researching my doctoral dissertation on religious deviants in colonial Mexico. Every once in a while, when reading inquisition trials in Mexico's National Archives, I would come across an account of a woman under investigation for false mysticism, who had also allegedly procured an abortion. Several witnesses described María Marta de la Encarnación, a lay religious woman tried in 1717 for being a false mystic, practitioner of superstitions, and blasphemer, in these terms. In his appearance before the court, de la Encarnación's father, for instance, declared that a year earlier, his daughter had experienced "the detention of her menses," while also displaying a "very elevated belly." He had discussed these symptoms with his wife who arranged to have their daughter "bled from the ankle," an act both parents understood as provoking the "disappearance" of her belly.<sup>28</sup> A second witness in the trial described how de la Encarnación had once told him that she had realized she was pregnant and that she would "take something with which to abort and expel the fetus she carried (*tomaria algo con que abortase y hechase la criatura*)."<sup>29</sup>

While at the time my attention was focused on other matters within these cases, such episodes resonated with me. I noted that while various eighteenth-century witnesses testified to the Holy Office that women they knew had aborted their fetuses, the Inquisition, a body whose mandate was the policing of deviancy in colonial populations, had not been particularly concerned with these acts.<sup>30</sup> Unlike in our era, when the scrutiny of women's efforts to control reproduction occupies a central place in Christian dialogue, the Mexican Inquisition's officers did not dwell on the issue. Abortion remained marginal to their central focus on the spiritual crimes of heresy, blasphemy, and demonic possession.

The discrepancy in attitudes between our present and the colonial past was one factor compelling me to examine the history of reproduction in Mexico further. But there were others. First, as I observe in the book's opening pages, I wanted to work on a topic that mattered to women, "Mexican women, but also women outside of Mexico, women in the past, and also women today, women I know" (p. xiii). I was intrigued to discover that traces of Mexico's reproductive history existed in the archive, and it soon became apparent that the tale lacked a teller; no one since Mexico's pioneering historian-physician Nicolás León, who published his obstetrical history of Mexico in 1910, had attempted a comprehensive study of the topic.<sup>31</sup>

My initial intention was to write a book that treated the reproductive and contraceptive experiences of regular women in the colonial era and the nineteenth century. What did women use to limit childbirth? What medical procedures, private practices, and social attitudes characterized pregnancy and birth? How did these change over time? I am gratified by Bill French's characterization of my approach in this book as "relentlessly historical" in that, as he notes, my intention was to first identify and then account for change and constancy in Mexico's reproductive history across time. At the present moment, in which the usefulness of humanities disciplines is often suspect, I see attentiveness to tracking and understanding change as one of our discipline's unique contributions. As historians, one of our jobs is to challenge assumptions, particularly assumptions about gender, that things "have always" existed in particular ways. We work to identify those moments when significant change, whether positive or negative, actually occurs, recognizing that these pivotal moments, and their causes, frequently lie undetected in conventional national narratives about the past. Here again, I am pleased that Bill French, like Jacqueline Holler, perceived that I had succeeded in my effort to render as transparent as possible both the evidence upon which my conclusions about change and constancy in Mexico's reproductive history are based, and the reasoning that brought me to my arguments.

In her comments, Holler astutely observes that one form of evidence I attempt to interpret in this book is absence: the absence, for instance, of criminal records documenting abortion and infanticide in the colonial era, and the silence in the same period of public acknowledgment of quotidian childbirth; this is in contrast to both the crimes' intensive prosecution in Europe and to the contemporary Anglo-American context in which public pride in the production of offspring circulated prominently in the letters and journal entries of female members of the emergent middle class.<sup>32</sup> Holler is quite right to point out that interpreting silence and absence as I do is necessarily a tentative effort. When I construct such interpretations, I am aiming to follow the lead taken by the great Natalie Zemon Davis, who described her own approach to historical conjecture this way: "I see complexities and ambivalences everywhere; I am willing to settle, until I can get something better, for conjectural knowledge and possible truth."<sup>33</sup> But of course, conjectural knowledge and possible truth will be subject to displacement and Holler offers some compelling alternative readings for some of the absences I interpreted.

She suggests, for example, that their peers may have refrained from denouncing women for infanticide and abortion in the colonial period not because they were unconcerned with the sinfulness of such crimes, but because protective contemporary views of women's weakness meant they understood women as incapable of such violence. Holler may be quite correct here, but the interpretation she offers, I hope, may serve to enhance rather than to nullify the portrait I present of the colonial era's gendered views of women.

To return to the question of my motivation for writing this book, I will also say that as well as wanting to work on a subject that was relatable and relevant to a broad audience of people, another reason I chose to work on this theme was that having previously focused on Mexico's religious history, I sought a topic that I assumed would permit me easier imaginative access to my historical subjects. I believed it would be less difficult to mentally reconstruct women's experiences of contraception and childbirth since (unlike stigmata and levitation) I had experienced them. During the time I researched and wrote *Reproduction and Its Discontents*, I gave birth to and began raising two children. The juxtaposition between my twice-pregnant body and my recurrent research presentations on such topics as infanticide and abortion sometimes provoked nervous titters from colleagues, friends, and family who eyed titles like *Newborn Child Murder and Concealment* that populated my footnotes and bookshelves.

My assumption that the experiences of childbirth and contraception I shared with my historical subjects would render these women more accessible to me turned out to be false. If anything, my own lived understanding of contraception, childbirth, and motherhood (if not of monstrous birth) was perhaps most useful not because it allowed me to identify with my historical subjects, but because the comparison revealed the radical distinctiveness between my own experiences and those of women in the Mexican past. Because we, in the West, live in an era in which childbirth is commercially, emotionally, and medically fetishized (at least among the middle and upper class), the nonchalance of childbirth in colonial and much of nineteenth-century Mexico (at least for non-élite women) particularly struck me. Tomasa Montiel, for example, a servant in Mexico City tried for infanticide in 1880, testified that she had given birth quickly, silently, and totally alone in the kitchen of her employer's house in the middle of the night when she slipped out of the room she shared with the latter. Members of the household in which she

lived and state officials who tried her case accepted as normal Montiel's description of her experience.<sup>34</sup>

I was repeatedly struck by the ways that dissimilar conceptions of biology differently shaped colonial behaviours and attitudes. For one, colonial Mexicans did not understand conception, and hence pregnancy, as occurring when spermatozoa fertilized ova. Women became pregnant only when they acknowledged their own pregnancies. As was also the case in Early Modern Europe, in John Riddle's words, "unless a woman was demonstrably and visibly pregnant, she was not pregnant until she so declared."<sup>35</sup> For this reason, colonial society did not consider it morally reprehensible, still less criminal, for women to ingest any one of the numerous emmenagogues (menstruation-inducing medicines) that circulated widely in colonial cities and in rural communities and acted as abortifacients. A second example of the biological specificity of the Mexican past that I noted in the criminal cases I studied was that defendants and judges alike blurred the distinction between the acts of infanticide and abortion, sometimes referring to the same act by both names, or else using the terms interchangeably. Such a practice indicates a radically different view of the distinction between fetuses and infants (and of being inside and outside the uterus) that that held in our own era.

In terms of periodization, French and Holler observe that, like in the scholarship of Hernández and Sonya Lipsett-Rivera, I eschewed the conventional organization that makes a break between colonial and post-independence states in this book. Rather than bisecting my study with the revolutions of independence, I concentrated on the period during which Mexico transitioned from colony to republic because the liberalism, secularization, and discourse of individual rights associated with this period is also often associated with a notion of modernizing progress, and I wished to examine if such attributes characterized women's reproductive experiences in this era. As Christina Ramos observes, I also tried to make women's reproductive experiences the structure around which I organized the book. Here, I was influenced by a question about periodization that Joan Kelly first articulated forty years ago respecting a different historical context when she asked, "Did Women Have a Renaissance?"<sup>36</sup> Notwithstanding excellent scholarship arguing to the contrary,<sup>37</sup> enlightenment and progress for all has often meant enlightenment and progress for a small portion of 49 percent of humanity.

Much of the evidence I uncovered in my research revealed that progress was not an apt descriptor of women's reproductive lives over

this period. Crucially, I discovered that in the last three decades of the nineteenth century, three times as many neighbours, family members, employers, and municipal officials denounced women for the crimes of infanticide and abortion as had done in the preceding 220-year period. Public scrutiny and legal regulation of poor Mexican women's practices of abortion and engagement in extramarital sex dramatically intensified at the close of the nineteenth century.

William French observes that my book invited him to consider possible explanations for this change beyond those I primarily offer. He raises several interesting points: that the public's increasingly active role in denouncing crimes of abortion and infanticide may reflect a change in popular perceptions of the judicial system, and that we may also be witnessing in these trials everyday defendants' "strategic use of official rhetoric and legal language" to suit their own purposes. Finally, he observes that my analysis of the role that the gendered attitudes of the "general public" played in constructing new expectations of non-élite women's sexual practices and maternal attitudes would be enriched with a more careful consideration of the influences that mass media (news periodicals), played in helping to constitute this public. This is an idea I intend to pursue in my ongoing investigation of the localized prosecution of abortion and infanticide in state-level criminal courts.

Jacqueline Holler also makes a valuable intervention on this point, commenting that my discussion of the increased scrutiny of plebeian women's sexual practices would be enhanced by further study of nineteenth-century changes in the status of the institutional Catholic church and the culture of popular Catholicism. I certainly agree and will consider how to approach these matters in my ongoing research. I spent a short period last July perusing the Archivo Histórico del Arzobispado de Yucatán, trying to reconcile some of the evidence I gathered about nineteenth-century infanticide and abortion cases in that state's judicial archive to the contemporary religious climate in which the crimes occurred. Here again, however, I found myself in the position of having to interpret silences rather than sounds. I had been hoping when I visited the archive that one forum in which I might trace the evolution of the church's teachings about the family, gender, and sexuality would be in sermons, and so was pleased to uncover a folder entitled "R-24, "Sermones, 1887–1891,"<sup>38</sup> cataloguing sermons for this four-year period preached within Mérida's Cathedral. Within the file, I discovered what is apparently not news to anyone

who grew up listening to the calendrical cycle of the church's homilies within a given parish: the subject of the sermons did not vary from year-to-year but followed an unchanging schedule in sync with the liturgical calendar. Sermon subjects moved from the Circumcision of Christ, to the Epiphany, to the Estimation of Saint Joseph, and then to the Ascension, in a regular routine without pausing to address contemporary happenings and current concerns. It is possible that should I succeed in locating the actual texts of the sermons, I might find that musings on contemporary issues did impinge upon priests' discussions of such topics as "The Purification of the Virgin." For the sake of my research on this project going forward, I hope I make such findings.

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## Endnotes

- 1 Surveying the recent scholarship is beyond the scope of this article. For an excellent review, see Mariola Espinosa, "Globalizing the History of Disease, Medicine, and Public Health in Latin America," *Isis* 104, no. 4 (December 2013): 798–806.
- 2 For further elaboration, see Rodney G.S. Carter, "Of Things Said and Unsaid: Power, Archival Silences, and Power in Silence," *Archivaria* 61 (2006): 215–233.
- 3 Francisco Hernández, "The Antiquities of New Spain," in *Searching for the Secrets of Nature: The Life and Works of Dr. Francisco Hernandez*, ed. Simon Varey, et. al. (Stanford: Stanford University Press, 2000), 68.
- 4 Monica H. Green, *Making Women's Medicine Masculine: The Rise of Male Authority in Premodern Gynaecology* (Oxford: Oxford University Press, 2008); see also her essay, "Women's Medical Practice and Health Care in Medieval Europe," in *Sisters and Workers in the Middle Ages*, ed. Judith Bennett (Chicago: Chicago University Press, 1989).
- 5 Mary E. Fissell, *Vernacular Bodies: The Politics of Reproduction in Early Modern England* (Oxford: Oxford University Press, 2004); Lisa Forman Cody, *Birthing the Nation: Sex, Science and the Conception of Eighteenth-Century Britons* (Oxford: Oxford University Press, 2005).
- 6 Steven Palmer and Marcos Cueto, *Medicine and Public Health in Latin America: A History* (Cambridge: Cambridge University Press, 2014); Martha Few, "Medical *Mestizaje* and the Politics of Pregnancy in Colonial Guatemala, 1660–1730, in *Science in the Spanish and Portuguese Empires*, ed. Daniela Bleichmar, et. al. (Stanford: Stanford University Press, 2009).
- 7 I borrow this term from Elizabeth Mellyn, *Mad Tuscans and their Families: A History of Mental Disorder in Early Modern Italy* (Philadelphia: University of Pennsylvania Press, 2014), 130.
- 8 Nora E. Jaffary, *False Mystics: Deviant Orthodoxy in Colonial Mexico* (Lincoln: University of Nebraska Press, 2008).
- 9 See Steven Shapin, "Hyperprofessionalism and the Crisis of Readership in the History of Science," *Isis* 96 (2005): 238–243.
- 10 Ana María Carrillo, "Profesiones sanitarias y lucha de poderes en el México del siglo XIX," *Asclepio* 50.2 (1998): 149–168; Luz María Hernández Sáenz, *Carving a Niche: The Medical Profession in Mexico, 1800–1870* (Montréal: McGill-Queen's University Press, 2018), 88–99.
- 11 Archivo General de la Nación, Ramo Universidad, Libro de Claustros, 1788, vol. 26, ff.306-7v.; Archivo Histórico de la Facultad de Medicina, Protomedicato, vol.460, exp.24, Solicitud de Martín Sessé, 1792.
- 12 Dorothy Tanck de Estrada, "La Colonia" in *Las profesiones en México*, ed. Lilia Cárdenas Treviño (México: El Colegio de México, 1982), 48.

- 13 Archivo Histórico de la Ciudad de México, Ayuntamiento. Policía. Salubridad, Juntas de Sanidad, vol. 3685, exp. 38, ff. 10-15.
- 14 *Gaceta de México*, February 1734; January 18, 1785; July 12, 1785; July 10, 1787.
- 15 Manuel Payno, *Los bandidos de Río Frío*, 2 vols. (México: Promexa Editores, 1979). All quotations and references are from the English translation, see Manuel Payno, *The Bandits from Río Frío: A Naturalistic and Humorous Novel of Customs, Crimes, and Horrors*, Part I, trans. Alan Fluckey (San Francisco: Heliographica, 2005). The novel was first published in monthly installments between 1889 and 1891. All quotations and references refer to the 2005 translated version of the novel.
- 16 Payno, *Los bandidos de Río Frío*, 13.
- 17 I discuss this novel more extensively and develop some of these ideas further in *The Heart in the Glass Jar: Love, Letters, Bodies, and the Law in Mexico* (Lincoln: University of Nebraska Press, 2015), 98–114.
- 18 Here I use the spelling of this name as used in the novel.
- 19 See, for example, Sonya Lipsett-Rivera, *Gender and the Negotiation of Daily Life in Mexico, 1750–1856* (Lincoln: University of Nebraska Press, 2012); Luz María Hernández Sáenz, *Learning to Heal: The Medical Profession in Colonial Mexico, 1767–1831* (NY: Peter Lang, 1997) and *Carving a Niche: The Medical Profession in Mexico, 1800–1870* (Montréal: McGill-Queen's University Press, 2018).
- 20 Francisco A. Flores, *El himen en México: Estudio hecho con unas observaciones en la cátedra de medicina legal en la Escuela de Medicina el año de 1882* (México: Oficina Tip. de la Secretaría de Fomento, 1885).
- 21 French, *The Heart in the Glass Jar*, 189–90.
- 22 French, *The Heart in the Glass Jar*, see Section One, “The Letter of the Law.”
- 23 Payno, *Los bandidos de Río Frío*, 11.
- 24 Angel Rama, *The Lettered City*, translated by John Charles Chasteen (Durham: Duke University Press, 1996). On reading from the same page of the novel of the nation, see French, 101.
- 25 As an aside not directly related to this point, the reporting of the monstrous birth on pp. 157/158, a drawing of which a regidor found so captivating that he sent it on to the Viceroy in hopes it would be forwarded to King Charles IV, brought to mind, rather than creole patriotism, the explanatory variable that Jaffary advances, the series of paintings known as the *casta* paintings, not in their depiction of racial “types” but in their portrayal for local and metropolitan audiences of a rich classificatory system of objects, natural products, flora, and people in the Americas.
- 26 Robert M. Buffington, *A Sentimental Education for the Working Man: The Mexico City Penny Press, 1900–1919* (Durham: Duke University Press,

- 2015), see the discussion of "street talk columns"; and Pablo Piccato, "Public Sphere in Latin America: A Map of the Historiography," *Social History* 35, no. 2 (2010): 165–192. See Piccato's discussion of Lomnitz on 184.
- 27 Payno, *Los bandidos de Río Frío*, 29.
- 28 Archivo General de la Nación, México (AGNM), Inquisición, vol. 788 exp. 24, fol. 406.
- 29 Archivo General de la Nación, México (AGNM), Inquisición, vol. 788 exp. 24, fol. 503v.
- 30 Such was the case in the eighteenth-century trials of María Manuela Sanabria, who was alleged to have had three abortions of "animated fetuses" AGNM, Inquisición, vol., 1364, exp.3; Isabel Hernández, AGNM, Inquisición, vol. 561, exp. 6; and Barbara de Echagaray who confessed to having procured three abortions, AGNM, Inquisición, vol. 1231, exp. 1.
- 31 Nicolás León, *La obstetricia en México. Notas bibliográficas, étnicas, históricas, documentarias y críticas, de los orígenes históricos hasta el año 1910* (México: Tip. de la vda. de F. Díaz de León, 1910).
- 32 Susan E. Klepp, *Revolutionary Conceptions: Women, Fertility, and Family Limitation in America, 1760–1820* (Chapel Hill: University of North Carolina Press, 2009).
- 33 Natalie Zemon Davis, "On the Lane," *The American Historical Review* 93, no. 3 (June 1988), 574.
- 34 AGNM, TSJDE, 1880, caja 703, "Tomasa Montiel por conato de infanticidio," fols. 2-7v.
- 35 John M. Riddle, *Contraception and Abortion from the Ancient World to the Renaissance* (Cambridge: Harvard University Press, 1992), 27.
- 36 Joan Kelly-Gadol, "Did Women Have a Renaissance?" in *Becoming Visible: Women in European History*, edited by Renate Bridenthal and Claudia Koonz (Boston: Houghton Mifflin, 1977).
- 37 Bianco Premo argues in *The Enlightenment on Trial: Ordinary Litigants and Colonialism in the Spanish Empire* (New York: Oxford University Press, 2016) that women defending their rights within marriage in courts for themselves were important architects of the Spanish America's creation of the Enlightenment.
- 38 Archivo Histórico del Arzobispado de Yucatán, Gobierno, Serie: Mandatos, caja 257, vol. 37, 1802-1899.