

# Defining Responsibility: Printers, Politics, and the Law in Early Republican Mexico City

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*Abstract* This article explores how printers and their collaborators shaped the implementation and interpretation of freedom of the press laws in early republican Mexico City. Far from passive reproducers of texts written by elites, printers and other behind-the-scenes actors facilitated republican politics by navigating legal categories such as responsibility and authorship that were defined by liberal law yet under debate and unevenly enforced. Focusing on the production, dissemination, and fallout over a controversial 1840 pro-monarchist pamphlet written by the Yucatecan senator José María Gutiérrez Estrada, the article uncovers a trio of collaborators, especially the young “printer citizen” Ignacio Cumplido, who undermined official efforts to consolidate state authority over political speech and deployed high-minded liberal principles as political strategy. By shifting focus from the pamphlet’s well-reasoned arguments to its places of production, reception, and regulation, the article provides insight into how freedom of the press was implemented, manipulated, and debated on the ground.

Outcry erupted from Mexico’s political elite in October 1840, when the Yucatecan senator José María Gutiérrez Estrada published an incendiary pamphlet calling for the establishment of a monarchy ruled by a foreign prince.<sup>1</sup> Republicanism, the text proclaimed, had only produced discord and stalemate since its official adoption in the years after Mexico’s 1821 independence from Spain. In order to achieve progress and protect the nation’s sovereignty, Gutiérrez Estrada reasoned, Mexicans should instead establish a constitutional monarchy, recruiting an outsider to unite the factions that had emerged over the last two decades. The proposal carefully drew analogies from Gutiérrez

I am grateful to the many people who read and helped me improve this article. In particular, I wish to acknowledge the two anonymous reviewers and the editors of the *Hispanic American Historical Review* for their insightful comments. I also thank Vanessa Freije, the participants of the 2015 Latin American and Caribbean Graduate Student Workshop at Duke University, the participants of the 2017 “Paper Technologies” conference held jointly at Wesleyan University and Yale University, and Sean Mannion for their helpful suggestions and guidance. This publication was made possible by support from the Social Science Research Council’s International Dissertation Research Fellowship and a Mellon/ACLS Dissertation Completion Fellowship.

1. Gutiérrez Estrada, *Carta dirigida*.

*Hispanic American Historical Review* 98:2

DOI 10.1215/00182168-4376666 © 2018 by Duke University Press

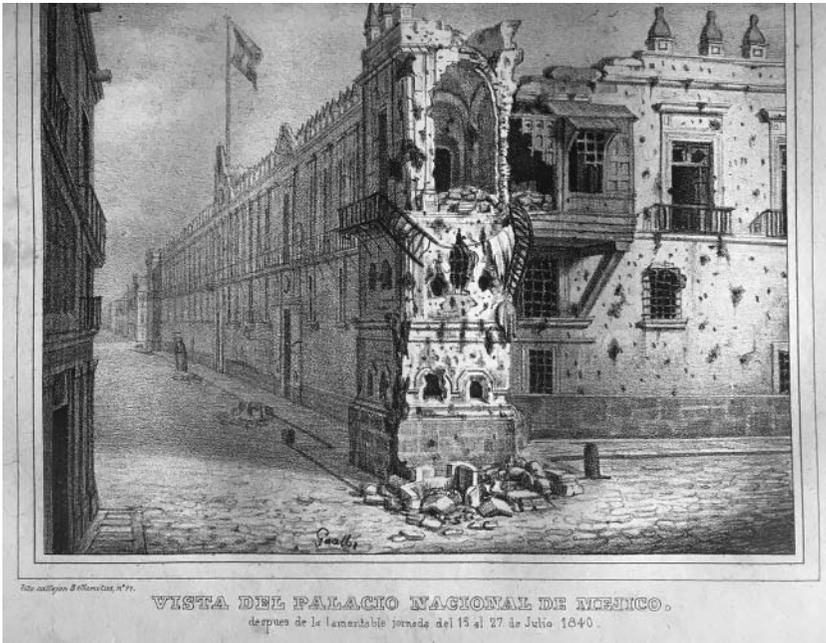


Figure 1. "Vista del Palacio Nacional de Mejico, despues de la lamentable jornada del 15 al 27 de Julio 1840." Gutiérrez Estrada, *Carta dirigida*. Library of Congress

Estrada's recent four-year tour around Europe and the Western Hemisphere to argue that like France, Mexico should implement a constitutional form of government better suited to its history. In more immediate terms, the pamphlet responded to a failed August revolt led against Mexico's centralist government by federalists, which had briefly transformed Mexico City's streets into a battlefield.<sup>2</sup> Evoking memories of the revolt, the pamphlet included a lone lithograph: in a desolate scene, the bombarded facade of Mexico's National Palace crumbles into the foreground as the nation's flag hangs limp and dejected on the ramparts (figure 1).

Playing to emotions, Gutiérrez Estrada hoped to sway a disillusioned public to his cause—to reanimate the sagging flag with a plan for national

2. Personal experiences of revolutionary unrest in Mexico also shaped his proposal. In 1840 the senator returned from his travels abroad to Campeche, only to discover the region in the throes of Santiago Imán's movement to secede from the republic. Relocated to Mexico City, he witnessed the upheaval of the 1840 attempted federalist coup led by General José Urrea, in which Gutiérrez Estrada's own father-in-law was shot. Costeloe, *Central Republic*, 161, 171.

rejuvenation to be established via a constitutional convention. His search for a sympathetic public was met instead by widespread condemnation from political leaders, military officials, and the press; observer Fanny Calderón de la Barca noted that the pamphlet “seems likely to cause a greater sensation in Mexico than the discovery of the gunpowder plot in England.”<sup>3</sup> As denunciations mounted and soldiers were dispatched to make an arrest on charges of sedition, Gutiérrez Estrada went into exile in Europe, aided by his wealthy in-laws, the family of the conde de la Cortina.<sup>4</sup> The three less fortunate individuals who had published the monarchist pamphlet—the printer Ignacio Cumplido, the former printer Martín Rivera, and the editor Francisco Berrospe—on the other hand, were immediately caught and thrown into prison, charged with breaching press laws.

In the historiography on Mexico’s political trajectory writ large, the senator’s pamphlet represents the moment when monarchism first reappeared publicly as an option within the new nation’s shifting liberal-conservative configuration. For two decades, Mexico’s political life had been characterized by spirited debate over major issues such as state centralization, the role of the Catholic Church, and the definitions of citizenship. As successive factions worked to set the parameters of a viable liberal state, political conflict drew not just elites but also urban and rural popular groups into its contentious orbit.<sup>5</sup> In his text, Gutiérrez Estrada identified what he saw as the results of all this discussion: government penury, political instability, and assured absorption by the United States. Recent events seemed to bear out his point. The governments of Mexico’s conservative-leaning centralist republic, established in 1835, had not only been beleaguered by insurgent federalist uprisings but also faced breakaway rebellions in Texas and the Yucatán as well as a recent blockade and invasion by French troops at Veracruz. Although Gutiérrez Estrada couched his proposal in liberal terms (albeit with a socially conservative bent), his

3. Calderón de la Barca, *Life in Mexico*, 282.

4. Sanders, “José María Gutiérrez Estrada,” 56; Calderón de la Barca, *Life in Mexico*, 283.

5. Recent scholarship has highlighted the participation of subaltern social sectors in nineteenth-century politics and emphasized the degree to which state formation proceeded as a negotiated process at the local level. On urban popular politics, see Arrom, “Popular Politics”; Warren, *Vagrants and Citizens*. Regionally focused studies have shed light on rural peasants’ and indigenous communities’ elaboration of “popular” and “everyday” forms of liberalism as these groups joined and shaped political conflicts and local government policy. See, for example, Thomson, “Popular Aspects”; Mallon, *Peasant and Nation*; Guardino, *Peasants*; Caplan, *Indigenous Citizens*, 12. Benjamin T. Smith examines the competing political culture of “provincial conservatism” engaged by peasants of the Mixteca Baja in Smith, *Roots of Conservatism*.

promonarchist stance would become a feature of conservative polemics and conspiracies in subsequent years.<sup>6</sup> It thus stands as a turning point in the trajectory of conservative thought and strategy that would challenge the viability of liberal republicanism in Mexico.<sup>7</sup> Edmundo O’Gorman cites the pamphlet as the initiation of a “monarchist offensive”; although the pamphlet failed to garner support at its time of publication, it would provide the blueprint for successive debates.<sup>8</sup> The pamphlet also anticipated a conservative plan that placed the Hapsburg prince Ferdinand Maximilian on the Mexican throne between 1864 and 1867 with the support of French troops. From Europe, Gutiérrez Estrada himself lobbied tirelessly for decades for monarchy and led the delegation that offered the Mexican throne to Maximilian.

Yet the Gutiérrez Estrada case, which unfolded over months after the senator went into hiding, also offers an opportunity to examine the dilemmas faced by the emerging state as it struggled to define and enforce rules governing public speech in print. While freedom of the press was affirmed in Mexico’s two early republican constitutions, the definitions of what counted as protected speech and who bore responsibility for published texts remained issues up for interpretation and debate. The senator’s 1840 pamphlet, along with the printers and collaborators who created it, was soon caught in the crosshairs of these debates. After two decades of independence, the government’s duty to uphold freedom of the press legislation coexisted with its ministers’ desire to silence political opponents by wielding the law against enemies. This tension between theory and practice, which defined liberal state formation across Latin America in the nineteenth century, played out in official efforts to regulate Mexico City’s

6. On an unsuccessful 1846 Spanish-backed conspiracy, see Soto, *La conspiración monárquica*. The monarchist debate revived in press polemics between 1848 and 1850, discussed in Palti, “Introducción.”

7. Hale, *Mexican Liberalism*, 27–29; Palti, “Introducción,” 16; Soto, *La conspiración monárquica*, 41.

8. O’Gorman, *La supervivencia política*, 28. Elías José Palti describes the moment as the initiation of a more radical phase of conservatism. Palti, “Introducción,” 16. O’Gorman’s work argued for taking monarchism seriously as a conservative political project that vied with liberalism for expression until liberals defeated conservatives definitively in 1867 on the battlefield. Although O’Gorman argues in *México: El trauma de su historia* that liberals and conservatives essentially pursued the same goals (economic prosperity for Mexico without rejecting its colonial heritage) in spite of their irreconcilable differences, his writing critiques post-1867 liberal narratives that rested on a teleological construction of liberal victory and dismissed conservatism as backward, obstructionist, and thus doomed to fail. See, in particular, O’Gorman, *México*, 23–38. For a helpful overview of liberal historiography’s treatment of monarchism, see Pani, “Monarchism and Liberalism.”

world of print production.<sup>9</sup> In response, authors, printers, and other intermediary actors developed creative schemes to issue controversial texts and denounce government persecution. Run-ins between these actors and the government revealed, however, that regulation was not a one-way street but rather an issue of contestation in which printers and their collaborators exploited situational identities and patronage relationships in addition to crafting legal arguments and public personae to challenge state actions.

This article explores how Mexico City printers and their collaborators interpreted, worked with, and challenged legal regulation and questionably legal practices that governed print production during the first half of the nineteenth century. Examining the decades before the publication of Gutiérrez Estrada's promonarchist pamphlet, I show how Mexico City printers and other behind-the-scenes actors facilitated republican politics by navigating legal categories such as responsibility and authorship that were defined by liberal law yet were under debate and unevenly enforced. Focusing on the event itself, the article uncovers backroom dealings in which principles and patronage intermingled, printing-shop collaborators undermined official efforts to consolidate state authority over political speech, and printers like the young Ignacio Cumplido—who became a fixture of Mexico City print politics in subsequent decades—deployed high-minded liberal principles and described themselves as “printer citizens” as a form of political strategy. By shifting attention from the pamphlet's well-reasoned arguments to its places of production, reception, and regulation, the article provides insight into how freedom of the press was implemented, manipulated, and debated on the ground.

A contextualization of Gutiérrez Estrada's pamphlet within this world of Mexico City print politics also contributes to broader discussions about the role of print in the emergence of a liberal public sphere in postcolonial Mexico and Latin America. Scholarship on Latin America's public sphere has identified printed newspapers, pamphlets, and broadsides (sometimes described more abstractly as the press) as key sites in the formation of public opinion after independence.<sup>10</sup> In these Habermasian or Tocquevillian accounts, the press

9. See discussions of liberalism in theory and practice in Viotti da Costa, *Brazilian Empire*; Larson, *Trials of Nation Making*; Mallon, *Peasant and Nation*.

10. Rojas, “Una maldición silenciada”; Sabato, *Many and the Few*; Posada-Carbó, “Newspapers, Politics, and Elections”; Forment, *Democracy in Latin America*; Piccato, *Tyranny of Opinion*. Other scholars date the emergence of the public sphere to the late colonial era: Guerra, *Modernidad e independencias*; Gómez Álvarez and Soto, *Transición y cultura política*; Guerra and Lempérière, *Los espacios públicos*; Suárez de la Torre, *Creación de estados de opinión*; Uribe-Uran, “Birth of a Public Sphere.” On the public sphere's conceptual utility for Mexican historiography, see Piccato, “Introducción.” For a

(along with other urban institutions like press juries, political parties, and mutualist associations) constituted a space of mediation between private individuals and emerging Latin American states that contributed to the formation of civil society or a more democratic political culture. Scholars differ on the social reach of Latin America's nineteenth-century public sphere, but their analyses stand in uneasy tension with Angel Rama's influential work *The Lettered City*, which argues that print, one of "the written word's channels," acts as a technology of power used by educated elites to "[keep] order in the universe of signs, preserving its univocal semantic fixity and social exclusivity."<sup>11</sup> Unlike historical studies of the public sphere that identify print as a component in democratizing processes independent of the state, Rama's work calls attention to the overlap between writing technologies and the exercise of official power and highlights the exclusionary aspects of writing in Latin American societies with limited literacy levels. This article proposes new ways of thinking about print's role that take into account the material, political, and social contexts surrounding print production and consumption.<sup>12</sup> I suggest that printed materials served less to constitute an expanding field of rational debate independent from the state and more as objects that connected intimate, urban communities of readers inside and outside official power during a period of political and legal uncertainty. As "one of the material sites where political discourse took place," printed items were markers of status but also chess pieces or weapons—armed in Mexico City's printing shops and deployed in its streets, courtrooms, government buildings, workshops, and private homes—in political contests over the nature of the emergent, shaky liberal state.<sup>13</sup> These contests were not limited to the elites and intellectuals who designed and discussed the parameters of public debate in print. They also revolved around the plebeians, upwardly mobile printers, and printing-shop collaborators who labored at the heart of the lettered city, pushing against its social exclusivity from within.

### Press Laws and Printers in Early Republican Mexico City

As the seat of government and site with the country's highest concentration of printers since the sixteenth century, Mexico City provides a laboratory for

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critique of the Habermasian approach, see Franco, "En espera de una burguesía"; Fraser, "Rethinking the Public Sphere."

11. Rama, *Lettered City*, 39.

12. For further discussion, see Zeltsman, "Ink under the Fingernails," 1–53.

13. Sabato, *Many and the Few*, 48. I borrow the idea of chess pieces from Burns, *Into the Archive*.

exploring how freedom of the press unfolded at the administrative center of the emerging national state. For most of the colonial era, printers (and authors wishing to publish locally) navigated a system of licensing and censorship overseen by the viceroy and the Inquisition.<sup>14</sup> A handful of printing establishments—increasingly consolidated by the end of the eighteenth century—maintained close connections to New Spain’s centralized regulatory system.<sup>15</sup> If Enlightenment-era critiques of royal power occasionally circulated in manuscript form or in books imported from Europe, Mexico City printers seem to have rarely published even the most ephemeral controversial printed items.<sup>16</sup> Familiar rules of production and censorship changed momentarily in 1812 and definitively in 1820, however, when the viceroy implemented Spanish law establishing freedom of the press.<sup>17</sup> After independence in 1821, Mexican officials ratified press laws and guaranteed the individual’s right to publish, provided that texts did not conspire against the state or its religion; incite rebellion, legal disobedience, or disturbance of public peace; violate “buenas costumbres”; or commit libel against a person’s private honor or reputation.<sup>18</sup>

After independence, Mexico City printing shops flooded the city with ephemeral printed materials, many of which engaged politics by denouncing officials with indignity or satire, offering up counterarguments, or launching rebellious plans (*pronunciamientos*). While some of the city’s shops had functioned continuously since the colonial era, more sprang up in the years just after independence: according to one scholar’s estimate, the number of presses operating in the city increased from 3 in 1819 to 22 in 1823.<sup>19</sup> Of these new presses, a number had been started with financing from wealthy politicians. Others operated under tenuous conditions with supplies acquired secondhand from more venerable shops. Given the city’s shaky postcolonial print markets and the emergence of political patronage, printers came under scrutiny not only for their partisan sympathies but also for their willingness to print for profit.

A succession of national administrations, local officials, and legislators confronted Mexico City’s shifting world of print production as they grappled with exactly how to define and regulate freedom of the press. The law set limits

14. Ward, “‘Mexico,’” 76; Zúñiga Saldaña, “Licencias para imprimir libros,” 164–65.

15. Moreno Gamboa, “La imprenta,” 34–35.

16. Torres Puga, *Opinión pública*.

17. For the timeline of press legislation at the Spanish Cortes, see Neal, “Freedom of the Press.”

18. *Colección de los decretos*, 152–53. The publication of religious material, however, remained legally under church oversight until midcentury.

19. Suárez de la Torre, “Editores para el cambio,” 48.

on what textual content was acceptable to publish. The broadness of the legal language defining unacceptable speech, however, left ample room for interpretation, and high-ranking officials across the political spectrum soon learned to wield press laws against critics and political enemies, charging texts critical of the government with sedition.<sup>20</sup> These charges would then be evaluated by a panel of appointed judges. In 1828, lawmakers attempted to prevent government officials from retaliating against critics by establishing a system of press juries, whereby citizens who met literacy and minimum income requirements would judge potential violations of press laws.<sup>21</sup> As Pablo Piccato argues, the press jury simultaneously protected the press against state attacks and afforded citizens space to constitute public opinion through their deliberations about printed texts.<sup>22</sup> After conservatives came to power and drafted a centralist constitution in 1836, however, they eliminated the press jury and reinstated judges as the arbiters of press crimes.<sup>23</sup> While judges were supposed to follow a new set of regulations to guide their deliberations, lawmakers never succeeded in passing any of their press law projects under the 1836 constitution.<sup>24</sup>

In addition to defining how press crimes would be judged, the law also addressed who would be held responsible for unacceptable printed materials in the first place. The legal category of responsible parties (*las personas responsables*, defined in Title 5 of the original press legislation) established that the author or publisher (*editor*) of a work would be legally responsible for any infractions resulting from his or her text. Although authors were permitted to publish

20. In addition to the common charge of defamation or injury used by individuals and officials, the government often lodged accusations of sedition. See, for example, "Expediente formado sobre denuncia del no. 1611 del periódico del *Sol*," Mexico City, 1827, Archivo General de la Nación, Mexico City (hereafter cited as AGN), Tribunal Superior de Justicia del Distrito Federal (hereafter cited as TSJDF), caja 25, exp. 68; "Denuncio del impreso titulado *Oiga el vice-presidente la sentencia de su muerte*," Mexico City, 1832, AGN, TSJDF, caja 72, exp. 51; "Denuncio del impreso titulado *El Fénix de la Libertad* No. 48," Mexico City, 1832, AGN, TSJDF, caja 72, exp. 52.

21. For a summary of the pendulum swings in press legislation and implementation, see Piccato, *Tyranny of Opinion*, 36–40; Piccato, "Jurados de imprenta"; Sánchez Archundia, "Legislación de imprenta"; Chávez Lomelí, *Lo público y lo privado*; Sordo Cedeño, "La libertad de prensa."

22. Piccato, *Tyranny of Opinion*, 61.

23. Carlos María de Bustamante happily noted the moment when the press jury was edited out during constitutional deliberations. Bustamante, *Diario histórico*, 9 Nov. 1835. Press juries would be reinstated and eliminated periodically across the nineteenth century before their final abolition in 1882.

24. Sordo Cedeño, "La libertad de prensa," 139. This presumably meant that judges would use the original guidelines adapted from Spanish law.

anonymous texts, they were required to sign a copy of the original work or sheet of paper, to be stored in the printing shop as evidence of authorial identity. Printers, consequently, were required to include their name, their printing shop's address, and the year on all publications so that they could be traced back to their source if necessary. In the absence of an author's signature, printers would be considered legally responsible for problematic texts.<sup>25</sup>

The legal category of responsibility became hotly contested in early republican politics. Savvy to the system, printers initially used the names of criminals already serving jail time or hospital patients to mask authorial identities, but this practice was banned in 1835, leading printers and authors to develop work-arounds that played with the legal category of the responsible party.<sup>26</sup> One tactic involved printing broadsides or pamphlets with no identifying markers, which prompted officials to call on select printers to act as typographical detectives in tracking down the offending printing shop. The experts might canvass the city's shops—visiting the storefronts of their friends and business rivals—and occasionally catch the culprit with jumbled type or incriminating ink on the press's tympan.<sup>27</sup> The most sympathetic expert witnesses could not be wholly trusted to do the job, as some stonewalled the government with technical arguments, explaining that all the city's printing shops used the same imported types, making identification impossible.<sup>28</sup>

The artisanal nature of newspaper production meant that the responsibilities of publishers, writers, editors, and printers often overlapped, a fact that challenged legislators who struggled to impose categorical definitions that could regulate the field. Printing-shop owners frequently doubled as the publishers or editors of newspapers and often commissioned writers to contribute.

25. The term *editor*, interestingly, does not seem to have been applied to printers frequently in the legal arena, although printers essentially functioned as publishers in the absence of a robust book market. See Zeltsman, "Ink under the Fingernails," 213, for a discussion of how printers negotiated these overlapping definitions when contesting imprisonment.

26. Legal declaration, 21 and 24 Mar. 1830, Archivo Histórico de Notarías, Mexico City, Tirso Rodríguez Loaria, notary no. 597; "Denuncio del impreso titulado *El Fénix de la Libertad* no. 45," Mexico City, 1832, AGN, TSJDE, caja 72, exp. 68. This practice is described in Piccato, *Tyranny of Opinion*, 37; and, for Brazil, in Braga-Pinto, "Journalists," 593.

27. "El gobierno del departamento de Puebla remitiendo dos pliegos dirigidos a D. Gabriel Rodríguez, que contienen tres ejemplares del no. 2 del *Duende*," Puebla, 1843, AGN, Gobernación, leg. 176, exp. 3, no. 16.

28. "Sobre averiguación de los que imprimieron un plan de conspiración sin poner el lugar de su impresión, ni el nombre del impresor," Mexico City, 1836, AGN, Justicia, vol. 150, exp. 34.

Printing-shop administrators managed daily operations and answered to owners or made their own decisions about whether to accept commissioned work. Compositors (called *cajistas* in Mexico)—the workers who set the individual letters of type into a physical form from which an impression would be taken by pressmen—were at least partially apprised of the textual content of the printed materials that they produced. Proofreading, furthermore, required reading aloud, allowing texts to circulate within the printing shop. Conservative governments responded directly to these practices when they tried to draft press legislation in 1836, 1839, and 1840 that expanded the definition of responsibility to cover everyone involved in print production and distribution, turning the entire printing shop into potential criminal accomplices.<sup>29</sup> Such decrees did not go uncontested, and by the time of the printing of Gutiérrez Estrada's pamphlet in late 1840 the most expansive responsibility rules had been rejected, although press law infractions were reviewed by appointed judges rather than juries.<sup>30</sup>

Regardless of the laws in place, however, printers faced jail time, harassment, and, occasionally, bodily harm for their connection to controversial printed materials or the partisan newspapers that emerged from their shops.<sup>31</sup> Officials might jail the entire printing shop—including writers, workers, and wives—temporarily or confiscate printing presses themselves.<sup>32</sup> To navigate inevitable jailings, printers who owned and operated newspapers acted at least occasionally as guarantors for their staff, helping imprisoned editors who had assumed legal responsibility get out on bail.<sup>33</sup> Such financial support could

29. "Sobre las dudas ocurridas a los jueces de letras de México a cerca del modo de conocer de los delitos de imprenta con arreglo a la parte 7a artículo 20 de la primera ley constitucional," Mexico City, 1836, AGN, Justicia, vol. 132, exp. 22; Piccato, *Tyranny of Opinion*, 38; Sordo Cedeño, "La libertad de prensa," 140.

30. In 1839, the Supreme Conservative Power (a consultative government body established under the 1836 constitution in addition to the nation's executive, legislative, and judicial institutions) accepted a Supreme Court suggestion to reject expansive responsibility rules. Costeloe, *Central Republic*, 155. An 1840 project proposed by the minister Juan de Dios Cañedo similarly failed. Sordo Cedeño, "La libertad de prensa," 140.

31. See descriptions of printing-shop violence and imprisonments in Carlos María de Bustamante's diary. Bustamante, *Diario histórico*, 14 Aug. 1828, 12 June 1833, 30 Oct. 1833, 17 Apr. 1838, 29 Oct. 1838.

32. "El gobernador del departamento de México acompaña copia del ocuroso que hizo el presbitero Alpuche . . .," Mexico City, 1838, AGN, Justicia, vol. 135, exp. 5.

33. "Expediente formado sobre denuncia de un artículo editorial inserto en el periódico del Sol," Mexico City, 1827, AGN, TSJDF, caja 25, exps. 69, 73; "Denuncio del periódico no. 394 conocido por 'El Universal,'" Mexico City, 1849, AGN, TSJDF, caja 260, exp. s/n.

ameliorate the discomforts of jail time until political fortunes had shifted and ensured that presses rarely stopped completely. Printer networks, therefore, sought to manage the risk associated with publication, while government tactics aimed not only to force printers to take more conservative stances toward their publications but also to encourage the formation of clear connections between authors and texts in an era when these relationships could be murky.

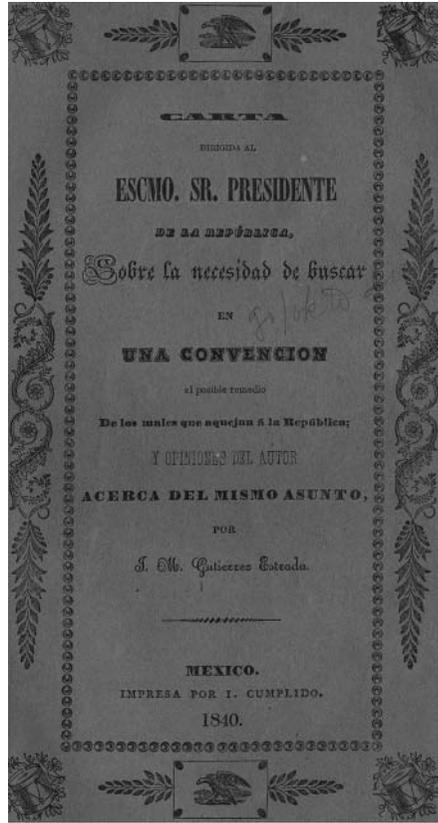
### **The Gutiérrez Estrada Pamphlet: Publishing Politically Sensitive Materials**

Printers chose from an array of strategies when they faced jail time, from mobilizing the press and patronage relationships to offering their editorial columns for government use in exchange for release.<sup>34</sup> Their responses in writing, however, shared one feature: all denied personal responsibility for their alleged crimes. Even after two decades of on-and-off debate over how to regulate press legislation, printing-shop responsibility remained a matter around which regulators and printers negotiated. Anonymity remained a central challenge confronted by those in charge of regulation, as tracking down authors sometimes proved impossible. But in the most notable episode of its kind—the Gutiérrez Estrada incident in 1840—debates over printing-shop responsibility occurred even when the identity of the offending author was ostensibly known to all.

Published on October 18 in a sizable run of 2,000 copies, Gutiérrez Estrada's pamphlet used a number of paratextual features to prepare readers for its controversial main proposal. The external title page, printed on the brightly colored paper common to pamphlets of the time, made no mention of monarchy and instead introduced the text as a "letter directed to the most excellent señor president of the republic" regarding a constitutional convention. The title page's decorative border, designed by the printing-shop staff, featured illustrations of two eagles and four military drums, alluding to the author's patriotism (figure 2). Additional illustrations scattered throughout the pamphlet underscored this sentiment; for example, a medallion on page 23 featured a depiction of liberty personified. On the inner title page, the author's name appeared clearly again, followed by an epigraph from Tacitus, the Roman historian interpreted as a shrewd analyst of power and politics. The publication

34. "Orden al gobernador del depto. para que proceda al arresto del impresor del barrio de San Sebastián," Mexico City, 1838, AGN, Justicia, vol. 135, exp. 9; "Orden al gobernador del depto. para que inmediatamente haga detener al impresor Manuel Gallo," Mexico City, 1838, AGN, Justicia, vol. 135, exp. 10.

Figure 2. Cover of Gutiérrez Estrada, *Carta dirigida*. Nettie Lee Benson Latin American Collection, University of Texas Libraries, University of Texas at Austin



information (*pie de imprenta*) identified Ignacio Cumplido as the pamphlet's printer and included the printing shop's address, following legal protocol. The text was indeed prefaced by a letter that Gutiérrez Estrada had directed in August to President Anastasio Bustamante, which called for a constitutional convention but made no mention of monarchy.<sup>35</sup> Perhaps Gutiérrez Estrada hoped to ease into his argument by reprinting the letter; he had already tested the waters by publishing additional articles in September and October in the government gazette.

The pamphlet had been promoted with large broadsides posted around the city on October 18, but the text became required reading for the city's political elite after scandal broke out days later.<sup>36</sup> After its printing, the senator himself

35. Gutiérrez Estrada, *Carta dirigida*.

36. *El Cosmopolita* (Mexico City), 24 Oct. 1840, p. 4.

collected a majority of the pamphlets, presumably to distribute to this intimate community, perhaps with the help of confidants or servants.<sup>37</sup> While the printer Cumplido sent 300 copies to two local bookstores and a smaller number to Puebla for sale, the senator seems to have exercised considerable control over the pamphlet's distribution. Perhaps he hoped to exert greater influence over readers' interpretations through face-to-face communication or to ensure that each member of congress and noteworthy government official received a copy. Political observer Carlos María de Bustamante reinforced the notion that the pamphlet linked an expanded but still proximate community when he remarked in his diary that the pamphlet "has caused a great sensation as much among those who have read it, as among those who have heard it spoken about."<sup>38</sup>

Two days after its publication, the Chamber of Deputies denounced the pamphlet, issuing a resolution calling for the Ministry of the Interior to investigate the matter immediately.<sup>39</sup> Before widespread outrage emerged in the press, the Ministry of the Interior initiated action against the pamphlet's publisher.<sup>40</sup> Following procedure, the pamphlet quickly found its way to the desk of a presidentially appointed judge, in this case the *juez de letras* José Gabriel Gómez de la Peña, who deemed it "subversive and seditious in the first degree, tending to incite disobedience against the constituted authorities."<sup>41</sup> But even before the judge issued his communiqué, officials had investigated the matter by paying a visit to Ignacio Cumplido's printing shop, where they had inquired about the identity of the party responsible for the pamphlet. Although the pamphlet seemed to have been authored by Senator Gutiérrez Estrada—a fact supported in this case by the title page—the signature on file at Cumplido's printing shop revealed a different name: Francisco Berrospe. By the morning of October 21, Berrospe had been rounded up and brought to Cumplido's printing shop, where he confirmed that the signature on file was indeed his.<sup>42</sup> By nightfall, officials returned to arrest Cumplido himself, bringing him to the Acordada Prison. That day, Berrospe and another printer, Martín Rivera, had also been placed under arrest.

The legal file accompanying the Gutiérrez Estrada affair reveals that the monarchist pamphlet came into being not through the sole actions of Gutiérrez

37. "Sumaria instruida contra los Capitanes D. Francisco Berrospe y D. Martín Rivera," Mexico City, 1840, AGN, Archivo de Guerra, vol. 766, exp. s/n, pp. 82–83.

38. Bustamante, *Diario histórico*, 21 Oct. 1840.

39. "Camara de Diputados," *Diario del Gobierno* (Mexico City), 21 Oct. 1840, p. 1.

40. "Sumaria instruida contra los Capitanes D. Francisco Berrospe y D. Martín Rivera," Mexico City, 1840, AGN, Archivo de Guerra, vol. 766, exp. s/n.

41. *Ibid.*, p. 1.

42. Cumplido, *Manifestación al público*, 3–4n.

Estrada as author but rather through his coordinated interactions with this trio of printing-world characters: Cumplido, an up-and-coming liberal printer originally from the provinces who in 1840 also enjoyed the distinction of being the government's official contract printer; Rivera, a printer who in the 1820s collaborated with conservative statesman Lucas Alamán as the publisher of the newspaper *El Sol*; and Berrospe, the editor of one of the longest-running Mexico City newspapers, the pro-centralist *El Mosquito Mexicano*. Berrospe and Rivera, two decades older than Cumplido (who was 29 at the time of the event), were veterans of early republican print politics and had collaborated previously; both had been imprisoned at least once (Berrospe in 1827, Rivera in 1833), and Rivera had been exiled internally.<sup>43</sup> When Gutiérrez Estrada judged that his standing as a senator would not help him carry on with business as usual and went into hiding, Cumplido, Berrospe, and Rivera were rounded up, jailed, and subjected to questioning about the pamphlet.

The pamphlet's principal author, meanwhile, remained at large, and early reports suggested that he had already fled to avoid capture.<sup>44</sup> Writing three diary entries in one day as the scandal unfolded, Carlos María de Bustamante expressed skepticism that Gutiérrez Estrada would ever be punished for the pamphlet, even though it represented his ideas "printed *in fraudem legis*."<sup>45</sup> He further speculated that French conspirators and powerful local conservative backers (including the senator's wealthy in-laws) must have put Gutiérrez Estrada up to the task; "otherwise he wouldn't have spent 2,500 pesos for the printing of this notebook."<sup>46</sup> In the press, speculation about the senator's actions remained more circumspect, but the fates of the jailed printers quickly came to light. Anticipating the ordeal that would befall the arrested men, *El Cosmopolita* asked, "Should the responsible party be punished as a slanderer?"<sup>47</sup> The article's questioning reference to the term "responsible party," narrowly defined as the individual who had signed the printing-shop paperwork and thus assumed legal responsibility for the published text, suggested that, beyond the specific case, consensus over the legal mechanism's validity did not exist.

43. In 1827, Berrospe had acted as the responsible party for Rivera's paper *El Sol*. "Expediente formado sobre denuncia del no. 1611 del periódico del *Sol*," Mexico City, 1827, AGN, TSJDF, caja 25, exp. 68. On Rivera's imprisonment, see Chávez Lomelí, *Lo público y lo privado*, 100.

44. *El Cosmopolita* (Mexico City), 21 Oct. 1840, p. 4.

45. Bustamante, *Diario histórico*, 21 Oct. 1840.

46. *Ibid.* Rumors of French monarchical conspiracy had also circulated during a brief invasion and occupation by French troops of Veracruz in December 1838. Costeloe, *Central Republic*, 145.

47. *El Cosmopolita* (Mexico City), 21 Oct. 1840, p. 4.

Even after a week had passed, *El Mosquito Mexicano* declared that the pamphlet remained “the sole issue of the day.”<sup>48</sup> If reports are to be believed, Mexico City audiences were not satisfied with the brief excerpts that had been reprinted in several newspapers: to buy the original item cost upward of ten pesos, and just to read someone else’s copy cost one peso, double a laborer’s daily wage.<sup>49</sup> Well-heeled city dwellers came together as they sought out the copies that had made it into circulation, either at the two city bookstores selling them or through social networks that intersected with the distribution efforts spearheaded by the pamphlet’s author. Low literacy levels and high costs made political pamphlets symbolically potent markers of distinction, but the scandal’s depth, driving up the demand for Gutiérrez Estrada’s pamphlet and generating discussion, suggests that a wider swath of the city may have come into contact with the debate, perhaps catching fragments of public readings or conversations in the streets or workshops. Interpersonal communications thus overlapped with and extended the city’s intimate circuits of print distribution.

#### **Dodging Responsibility: The Idealist, the Veteran, and the Mechanic**

As coverage of the Gutiérrez Estrada case developed in the press, the three arrested men gave testimony the day after their arrests. As army captains, both Berrospe and Rivera enjoyed the privilege of the military’s legal exemption, or *fuero*, and were placed under the jurisdiction of its courts, overseen by the *auditor* (judge advocate) José Manuel Zozaya. Being a civilian, Cumplido underwent questioning by the judge Gómez de la Peña, who had initially overseen the denunciation of the pamphlet.<sup>50</sup> The three men testified with the hope of escaping punishment, and they deployed a variety of tropes associated with print politics—selfless idealism, mercenary moneygrubbing, patronage politics, nonpartisan commerce—in different combinations. At the same time, their testimony offers a glimpse into a series of publishing practices and printer relationships that not only crossed political and generational lines but also navigated and challenged the legal mechanisms that sought to clarify print responsibility.

48. *El Mosquito Mexicano* (Mexico City), 30 Oct. 1840, p. 3. Also quoted in Hale, *Mexican Liberalism*, 27.

49. *El Mosquito Mexicano* (Mexico City), 30 Oct. 1840, p. 3. Comparatively, a subscription to the biweekly *El Mosquito Mexicano* cost one peso for an entire month.

50. Cumplido’s testimony is recorded in transcriptions added to Berrospe and Rivera’s file, a 200-plus-page document compiled with notarial case notes, official correspondence, and transcribed interrogations. On judicial notarial practices in Mexico, see Scardaville, “Los procesos judiciales.”

During questioning, editor Francisco Berrospe described his involvement with the subversive pamphlet as a matter of unhappy chance. One day, he explained, he had gone to visit his friend Martín Rivera, who told him about a “very brilliant pamphlet” being composed by Gutiérrez Estrada.<sup>51</sup> Knowing that Berrospe had lately criticized Mexico’s federalist and centralist systems in his newspaper *El Mosquito Mexicano*, Rivera had invited him to meet with the senator, presumably to discuss publishing the senator’s ideas in Berrospe’s paper. The two proceeded to Gutiérrez Estrada’s home, where the senator read passages from the manuscript and explained that he wished to avoid possible challenges to his writings—even though he enjoyed senatorial immunity—by having another individual sign his name assuming responsibility for the pamphlet. Berrospe signed for responsibility in good faith, and he and Rivera left the house, at which point the latter informed Berrospe that Gutiérrez Estrada was disposed to give him “a decent gratification” as compensation for his services.<sup>52</sup> Berrospe rejected the offer with indignity and returned alone to Gutiérrez Estrada’s house to inform him that “if he had signed, it had not been mercenarily, but rather because he believed that he did a service to his country.”<sup>53</sup> Only later did Berrospe learn the true gist of the pamphlet’s contents—the senator had omitted in his recitation the argument about inviting a foreign prince to govern Mexico—which he claimed repulsed him, violating his principles well known to the public.

Reporting that he “would rather have been killed than sign such a paper,” Berrospe presented himself as a man of ideals: as the editor of a well-known newspaper, he claimed that his personal opinions had long been publicly expressed in its pages, a consistent show of principles that ultimately left him vulnerable to exploitation by the calculating senator. In his telling, Martín Rivera broached the topic precisely because he knew that Berrospe’s politics aligned with those professed by Gutiérrez Estrada. This apparent confluence led Berrospe astray: excited to find a kindred critique of both the federalist and centralist systems in favor of political regeneration for the national good, he had been duped into supporting a monarchist cause that he loathed. Gutiérrez Estrada, on the other hand, acted dishonorably by hiding the true nature of his arguments: true, he read from the pamphlet itself, but he excerpted egregiously, using the text’s specifics to skew its general meaning. In Berrospe’s telling,

51. “Sumaria instruida contra los Capitanes D. Francisco Berrospe y D. Martín Rivera,” Mexico City, 1840, AGN, Archivo de Guerra, vol. 766, exp. s/n, p. 4.

52. *Ibid.*, p. 6.

53. *Ibid.*

Gutiérrez Estrada used his superior social standing—conveyed by the way that he summoned Berrospe to an audience in his sumptuous home—to impress and was doubly dishonest by using Rivera to offer a payoff once the deal had been sealed, as if Berrospe were a hack for hire.

Berrospe shifted responsibility onto Gutiérrez Estrada but also called Rivera's role into doubt. When questioned separately, Rivera confirmed many of the details offered by Berrospe. He had invited, or rather—he corrected himself—informed Berrospe of Gutiérrez Estrada's concurrent ideas, and the editor had expressed a wish to speak further with the senator on the matter. After the senator's recitation of a large portion of the manuscript—absent the discussion of the foreign prince—Berrospe concurred with the senator's call for a convention for the “political regeneration” of the nation.<sup>54</sup> “Taking advantage of Berrospe's good disposition,” the senator was moved to ask him to sign and take responsibility so that he might have a companion to help defend the pamphlet against naysayers.<sup>55</sup> The manuscript was already printed, Gutiérrez Estrada explained, and only needed the signature to begin distribution. Berrospe then signed, but under the impression that the paper only touched on a political convention and not a foreign prince.

The judge's questions then turned to Rivera's role in the case. Asked how he had found out about Gutiérrez Estrada's manuscript, Rivera explained that on October 13 he had been called by Ignacio Cumplido to his printing shop. When he arrived, Rivera found Cumplido in the act of reading aloud from a sheet of the printed proof—dealing with the point of the political convention—as he corrected the typesetting. Cumplido conveyed that the author, Gutiérrez Estrada, wished to find a responsible party, a capable man who could defend his pamphlet if anyone contradicted it. While Rivera himself declined because “for some time he did not wish to get mixed up in public papers and thus had abandoned even his printing shop,” he suggested Berrospe's name, as he had read similar ideas in Berrospe's *El Mosquito Mexicano*, and agreed to broach the issue himself.<sup>56</sup> The next day, when Rivera returned by appointment to Cumplido's printing shop, he encountered Gutiérrez Estrada, who repeated the printer's proposal.

Rivera's testimony crafted an image of a man who, while abreast of events, stayed on the sidelines of politics. Highlighting his retirement from printing, Rivera downplayed his own role as an active agent and his long career of

54. *Ibid.*, p. 10.

55. *Ibid.*

56. *Ibid.*, p. 11.

political involvement.<sup>57</sup> He did not deny that he had suggested Berrospe for the job of responsible party, but he had done so only because he kept up with politics by reading the city's newspapers and knew about Berrospe's perspective. Plus, Ignacio Cumplido had called him first, a fact that further displaced responsibility onto the pamphlet's printer. Called to the printing shop, Rivera discovered Cumplido in the compromising position of reading the pamphlet himself (and aloud so that all in the vicinity could hear), even if this happened in the course of normal printing-shop proofreading duties. If Rivera and Berrospe both denied having full knowledge of the pamphlet's contents, Rivera implied that Cumplido certainly had access to the full picture and had acted in cahoots with Gutiérrez Estrada from the beginning.

While Berrospe and Rivera underwent questioning, Cumplido faced the judge Gómez de la Peña—the man who had first deemed the pamphlet subversive—in a civil procedure. Unlike the defensive positions staked by Berrospe and Rivera, Cumplido took a combative stance toward his interviewer. Asked to confirm that he had printed the pamphlet, Cumplido did so, adding perhaps impudently, “because he believed that freedom of the press existed as expressed in the decrees that regulate it.”<sup>58</sup> The printer then corrected the judge's line of questioning on typographic procedure aimed at clarifying responsibility. When Gómez de la Peña asked if Cumplido had corrected the form himself, Cumplido gave a lesson in printing protocol: printing-shop workers had composed the form (the physical layout of lead characters, or *planta*), and the author had corrected the proof (the printed sheet whose impression was taken from the form, or *prueba*), as was customary in all similar cases. Cumplido denied knowledge of the pamphlet's full contents, explaining that he had read fragments of the manuscript as the senator submitted them piecemeal but had left the final revision to the printing shop's workers.<sup>59</sup> Asked to name these workers, Cumplido refused, stating that he was “disposed that any punishment they might merit should fall on his person, if, as he said before, freedom of the press does not exist.”<sup>60</sup> Pressed again, the printer stood firm, saying that he

57. In fact, Rivera seems to have retired involuntarily, having lost one of his presses after failing to pay rent. “D. Manuel de la Borda por la Sra. su madre política Da. Ma. Ignacia Palacios de Horcasitas contra el Capitan D. Martín Rivera sobre desocupación de casa,” Mexico City, 1838, AGN, TSJDE, caja 146, exp. s/n.

58. “Sumaria instruida contra los Capitanes D. Francisco Berrospe y D. Martín Rivera,” Mexico City, 1840, AGN, Archivo de Guerra, vol. 766, exp. s/n, p. 79.

59. *Ibid.*, pp. 79–80.

60. *Ibid.*, p. 80.

“[did] not wish that the injustice committed in his imprisonment should be suffered by people who in this case [were] as innocent as he.”<sup>61</sup>

The questioning then turned to issues of responsibility. Cumplido carefully delineated his role as a printer when he admitted that he had, in fact, had some knowledge of the pamphlet’s contents, which he looked on with disgust. When Gutiérrez Estrada had asked Cumplido for his opinion, “separating him from the role of mechanic,” the printer had frankly disagreed with the pamphlet’s proposed solutions.<sup>62</sup> Berrospe was, Cumplido asserted, legally responsible for the printed item (as his signature on file proved), but only the pamphlet’s author had written and edited the text. Gutiérrez Estrada, Cumplido explained, was “responsible for the moral part” of the work, a fact that he could prove with a letter, written by the senator, that exculpated Cumplido from any responsibility.<sup>63</sup> But this safeguard shouldn’t be necessary, Cumplido argued, as he had already produced the responsibility slip and thus proved the illegality of his imprisonment.

Unlike his companions, Cumplido gave remarkably principled testimony. Although he similarly deflected responsibility away from himself and onto the other parties involved, he differed dramatically by exhibiting both defiance and insolence to an authority figure, invoking the right of freedom of the press three times in a way that questioned the judge’s own willingness to adhere to the legal system. Cumplido’s testimony is virtually devoid of honor talk, a vocabulary used to claim citizenship and respectability in republican Mexico that, Pablo Piccato argues, eventually became “the center of public life” for the men who purported to represent public opinion in print.<sup>64</sup> While he mentioned his personal and nationalistic repugnance for Gutiérrez Estrada’s ideas, Cumplido carefully drew boundaries between his participation as a printer and the content of the productions that emerged from his printing shop. The printer’s role should be a disinterested one: he had opinions but only expressed them when Gutiérrez Estrada pulled him out from his role as “mechanic” to solicit them. Cumplido defined this mechanical role as the one properly assigned to the printer; opining on the productions of others went above and beyond the job description.

By correcting the judge on printing terminology, referencing his careful adherence to press legislation, and explaining the customary practices of printing-shop production, Cumplido established his expertise in his domain as

61. *Ibid.*

62. *Ibid.*

63. *Ibid.*, p. 82.

64. Piccato, *Tyranny of Opinion*, 11.

“mechanic”—where he labored under customary practices and the direction of outside patrons. Yet drawing the lines of responsibility was a tricky proposal. Cumplido could not deny that his employees were apprised of at least fragments of the textual content of the senator’s pamphlet, which they would have learned as they set its type or corrected the proofs. That the senator had given Cumplido a special letter attesting to the printer’s innocence looked suspiciously conspiratorial, and the judge was clearly interested in who possessed prior knowledge of the pamphlet’s contents; such individuals might be considered accomplices in his eyes. By highlighting the piecemeal nature of print production, Cumplido hoped to convince the judge that no one had had a clear idea of the pamphlet’s contents. Of course, type composition, proofreading, and shop gossip virtually ensured that, even if no one had had such knowledge from a linear read-through, everyone would have had an idea of the pamphlet’s gist in advance. Yet the judge dropped his questioning in the face of Cumplido’s protection of his workers’ identities; Cumplido’s printing-shop authority stood, at least regarding his workers.

#### A “Printer Citizen” Analyzes Freedom of the Press

Press debates continued for weeks and involved the full spectrum of local (and some regional) papers in the cross-referential style common in newspapers of the day. While the government gazette published the strongest denunciations, conservative papers cast the senator’s ideas as misguided rather than outright treasonous, and *El Mosquito Mexicano*, Berrospe’s paper, called for moderation.<sup>65</sup> Opposition newspapers, especially *El Cosmopolita*, used the unfolding events to critique the government’s handling of the situation, focusing on the plight of the imprisoned men and a likely violation of press laws.<sup>66</sup> While the general consensus was to disavow Gutiérrez Estrada’s monarchical ideas, none critiqued Cumplido’s role in facilitating their dissemination. *El Cosmopolita*

65. The scandal generated condemnation from President Bustamante (“Proclama del Exmo. Sr. presidente de la república, al ejército,” *El Mosquito Mexicano* [Mexico City], 27 Oct. 1840, p. 1; “El presidente de la república, al ejército,” *El Cosmopolita* [Mexico City], 28 Oct. 1840, p. 2), General Gabriel Valencia (“Ministerio de Guerra y Marina,” *El Cosmopolita* [Mexico City], 28 Oct. 1840, pp. 1–2), General José María Tornel, and others. *El Correo de Dos Mundos* (Mexico City), 24 Oct. 1840, suggested that Gutiérrez Estrada was a well-intentioned man who had been led astray. *El Mosquito Mexicano* argued that government action might be overzealous. *El Mosquito Mexicano* (Mexico City), 30 Oct. 1840, pp. 3–4; *El Mosquito Mexicano* (Mexico City), 3 Nov. 1840, pp. 3–4.

66. *El Cosmopolita* (Mexico City), 21, 24, 28 Oct. 1840, 4, 14, 18 Nov. 1840.

instead warned that his imprisonment heralded the death of press freedom.<sup>67</sup> The editors of the government gazette, however, denied accusations that the minister of the interior “had ordered the printer of the aforementioned pamphlet placed in prison,” arguing that the minister “[had] done nothing more than urge the said judge in the exact compliance with the laws concerned, without indicating any individual.”<sup>68</sup>

Ignacio Cumplido did not sit quietly as his case became a lightning rod for debate over freedom of the press. He quickly seized the opportunity to defend his role in the publication scandal and, in the process, bolster his emerging reputation. Since establishing his Mexico City printing shop in the early 1830s, Cumplido had printed dozens of pamphlets for government patrons and private individuals, often of prominent political standing.<sup>69</sup> Like other printers of the time, Cumplido produced commissioned work alongside original, ephemeral offerings designed to sell, like his portable yearly calendar, published since 1836, which listed religious holidays and prayers alongside scientific facts and curiosities. While little is known about Cumplido’s early career, scattered evidence points to an upwardly mobile individual whose connections to prominent patrons seemed to crisscross political affiliations, which in 1840 were fluid and fast changing. Apparently untouched by prior scandals or politically motivated imprisonment (unlike his two collaborators), the printer moved to clarify his role in the publication process of the controversial pamphlet. Within a day of his imprisonment, perhaps while waiting to be questioned, the printer drafted a communiqué—an “appeal to the public”—that his own shop printed in the form of a double-sided broadsheet. A week later, Cumplido weighed in on his case with the lengthy pamphlet *Statement to the Public from the Printer Citizen Ignacio Cumplido*—dated October 31 and similar in form to Gutiérrez Estrada’s monarchist pamphlet, adorned on the title page with the very same printed medallion of liberty—which expanded on his earlier broadsheet.<sup>70</sup> Days later, *El Cosmopolita* published yet another of the printer’s writings, “Defense of the

67. *El Cosmopolita* (Mexico City), 24 Oct. 1840, p. 4.

68. *Diario del Gobierno de la República Mejicana* (Mexico City), 26 Oct. 1840, p. 4.

69. Cumplido moved to Mexico City from Jalisco, where his father was a professor of medicine. Cumplido’s family relationship to Juan Nepomuceno Cumplido, who served briefly as vice-governor and governor of Jalisco, perhaps facilitated the printer’s career in Mexico City. Villaseñor y Villaseñor, *Ignacio Cumplido*, 13. Cumplido’s commissioned works in the 1830s included pamphlets by the Santanistas José María Tornel and Ignacio Sierra y Rosso, conservative president Anastasio Bustamante, and the conde de la Cortina. For a detailed reconstruction of Cumplido’s editorial activities, see Pérez Salas Cantú, “Los secretos de una empresa”; Pérez Salas Cantú, “Ignacio Cumplido.”

70. Cumplido, *Apelación*; Cumplido, *Manifestación al público*.

Printer Citizen Ignacio Cumplido,” as a special supplement to the issue, doubling its normal page count.<sup>71</sup> *El Mosquito Mexicano* immediately published this supplement in five installments across its front page, with the last fragment appearing in late November.<sup>72</sup> Deploying pamphlets, broadsides, and newspapers, Cumplido had—from his confinement—achieved a multigenre print firestorm of perhaps unprecedented scale.

Cumplido’s arguments defined his position in relation to legal status and legal texts. For one, he described himself as a “printer citizen,” a designation that highlighted his status both as a skilled artisan and as an individual who fulfilled the requirements established by the 1836 centralist constitution for full political participation. Under the constitution, which had restricted the terms of citizenship established after independence, only adult men possessing incomes of 100 pesos or more, earned through investments or “industry or personal labor that is honest and useful to society,” had the right to vote or hold public office.<sup>73</sup> By proclaiming his citizenship alongside his trade affiliation, Cumplido simultaneously asserted membership in an exclusive world of political rights and emphasized the respectable nature of the printer’s labor: citizenship itself was contingent upon possession of an “honest mode of living.”<sup>74</sup> His first publication, *Appeal to the Public*, also excerpted sections from the current press laws and publicly challenged the government on behalf of his profession: “I demand, as good faith requires, that if there is not freedom of the press, and the decrees that govern it are null, that it be made known, so that in the future those of us who have the honor to dedicate ourselves to the noble art of printing not be victims.”<sup>75</sup> As in his testimony, Cumplido mentioned his disgust for Gutiérrez Estrada’s pamphlet, which he published “because, as a printer, the laws authorize me to do so.”<sup>76</sup>

If *Appeal to the Public* argued that the government’s actions violated the law, Cumplido’s second pamphlet, *Statement to the Public from the Printer Citizen Ignacio Cumplido*, deepened and broadened the narrative. It brazenly deconstructed the judge’s actions, alleging them to be contrary to the “genuine sense”

71. “Defensa del impresor ciudadano Ignacio Cumplido, con motivo de su prisión, verificada el día 21 de octubre de 1840,” *El Cosmopolita* (Mexico City), 4 Nov. 1840.

72. Ignacio Cumplido, “Defensa del impresor ciudadano Ignacio Cumplido, con motivo de su prisión, verificada el día 21 de octubre de 1840,” *El Mosquito Mexicano* (Mexico City), 6, 10, 13, 17, 20 Nov. 1840.

73. *Recopilación de leyes*, 320.

74. *Ibid.*, 321. On the vagrancy court that targeted underemployed artisans in Mexico City between 1828 and 1850, see Pérez Toledo, *Los hijos del trabajo*, 248–57.

75. Cumplido, *Apelación*, 2.

76. *Ibid.*

of the law, and critiqued the Ministry of the Interior for unjust imprisonment (while the “true authors of evil hide under the appearance of external responsibility”).<sup>77</sup> “What could be my crime?” Cumplido asked, answering that perhaps he was imprisoned because in his previous *Appeal to the Public* he had admitted that he “understood what Gutiérrez Estrada’s writing said.”<sup>78</sup> Defending the right to think, Cumplido reasoned that “the law of press freedom does not say that the printer should be an irrational being or incapable of forming an idea of what he reads.”<sup>79</sup> Yet freedom of the press only functioned, he suggested, because printers had the intellectual capacity to withhold their personal opinions from the business of printing: “sacrificing my ideas, because in my profession *I am not a censor*, I admitted a paper for printing, basing this action on the current laws of press freedom.”<sup>80</sup> The fact that he had published Gutiérrez Estrada’s pamphlet in spite of disliking its contents, he argued, proved that he “work[ed] with absolute impartiality in the free exercise of [his] profession.”<sup>81</sup> To bolster this argument, Cumplido listed various items printed in his shop, including the government’s gazette and conservative publications. Thus, Cumplido elaborated a clear separation between the individual—who could share his private thoughts with any author who asked them—and the professional printer, who followed a strict code of impartiality.

Not only did Cumplido make the case for exoneration by describing himself as a law-abiding printer, but he also took the opportunity to state his own political platform, itself clearly shaped by the milieu that had produced the Gutiérrez Estrada pamphlet. Espousing utilitarian principles, Cumplido argued for an end to ideology in favor of a pragmatic approach to addressing Mexico’s challenges: politicians needed to address the nation’s budgetary crises, fixing their attention on income while curtailing expenses, investing in agriculture, establishing a reliable police force, and expanding primary education. Articulating a moderate view, he argued against curtailing military privileges, which had been a key reform pushed by more radical politicians. Adherence to the law, he emphasized, must trump political division in order to restore the confidence of the demoralized masses.<sup>82</sup>

In short, Cumplido’s pamphlet represented the printer citizen’s political manifesto, in which he claimed the right of the printer to think: even as he

77. Cumplido, *Manifestación al público*, 4–5.

78. *Ibid.*, 6.

79. *Ibid.*

80. *Ibid.*, 7. Emphasis in original.

81. *Ibid.*

82. *Ibid.*, 16–18.

characterized the printer's role as a disinterested one, he went on to offer informed opinions in the next breath. Although not entirely contradictory, these two positions generated a tension that did nothing to establish what role Cumplido had actually played in the affair. Was he sympathetic to Gutiérrez Estrada's proposal? His moderate political position and future trajectory suggest that the answer is no, but perhaps the vehemence of the backlash caused Cumplido to redefine his views. In any event, the details of the Gutiérrez Estrada case reveal that Cumplido actively facilitated the production of what he knew would be a controversial pamphlet—precisely the kind of behavior that legislators had recently tried to curtail by expanding the definition of responsibility. Cumplido's public staking of a political position was an uncomfortable reminder that print production was neither wholly partisan nor entirely contractual. The legal formality of the responsible party, while intended to prevent controversy by holding authors to their word, did little to clarify print-world practices that officials wished to discourage. In fact, it opened a space for insiders to circumvent the intention of the law while still invoking its letter in the wake of persecution. Rhetorically, the printer emerged not as one who flouted the law but as its very embodiment: a crusader against injustice perpetrated by perfidious ministers.

Cumplido's arguments, which eschewed the apologetic language and patron-client strategies common in printers' closed-door appeals, linked his specific case to broader debates over the definitions of legal responsibility by drawing on preexisting arguments against expanding responsibility to include the entire printing shop. When he suggested that holding him responsible for the pamphlet would set a precedent for converting printers into de facto censors, he drew on an 1836 complaint lodged by Mexico City judges against proposed tougher press laws.<sup>83</sup> Similarly, in his defense published in the press Cumplido reproduced an 1839 Supreme Court opinion that revisited the same debate. The opinion argued that printers were artisans whose free exercise of a manual trade would be threatened by a broad legal definition that treated them as somehow responsible for the contents of their printed products. After all, it explained, the question of printing was "purely mechanical," and "mere simple artisans" lacked the abilities to judge the erudite content that they produced.<sup>84</sup> "Violations are born of intelligence," it continued, "which cannot be assumed,

83. "Sobre las dudas ocurridas a los jueces de letras de México a cerca del modo de conocer de los delitos de imprenta con arreglo a la parte 7a artículo 20 de la primera ley constitucional," Mexico City, 1836, AGN, Justicia, vol. 132, exp. 22.

84. Ignacio Cumplido, "Defensa del impresor ciudadano Ignacio Cumplido con motivo de su prisión, verificado el día 21 de Octubre de 1840," *El Mosquito Mexicano* (Mexico City), 6 Nov. 1840, p. 3.

under any circumstance, in a passive instrument that puts into action the will of an extraneous person, whose operations are of a completely different order than the simple movements of a machine.”<sup>85</sup> “The art of printing has nothing to do with the art of thinking, of reflecting, of opining”; by the same token, “the printer, to aptly carry out his trade, does not need to be a man of letters [*letrado*], much less be it to the degree required to assess political doctrines, erroneous or wise opinions in complicated matters of government.”<sup>86</sup>

In spite of the insult to printers’ intellectual standing, Cumplido reprinted the opinion, as it supported his position in the Gutiérrez Estrada case. While Cumplido’s original arguments had reserved for the printer the right to think—to have opinions and withhold them in fulfillment of the law—the judicial opinion suggested that the printer could not possibly think, at least not to the degree required to be thrust into the role of a would-be censor (indeed, the opinion nearly collapses printer and press into a single mechanical object). The opinion critiqued the government’s attempt to classify printers as responsible parties and thus convert them into de facto censors not only because it impinged on free commerce but also because it was simply ridiculous to assume that a printer could possess the knowledge to judge and censor a work.

Cumplido’s multipronged defense advanced several positions, all of which contributed to both the case for his exoneration and, more broadly, the creation of the printer as a disinterested public figure. This ideal figure—created with legalistic arguments, emotional appeals, and the opinions of other experts—emerged alongside an equally idealized vision of Mexico’s liberal legal order, elaborated by challenging the government’s specific actions as well as its long-term practices toward printers, which fell short of the liberal ideal. Yet in harnessing print to construct his own place in society, Cumplido also assumed the role of a different kind of producer: a “printer citizen” or even an intellectual, who made reasoned arguments based on study, experience, and possession of full political rights. By directly attaching the plight of printers to the upholding of the law, he constructed their image as crusaders for justice. Yet he simultaneously advanced the characterization of the printer as a witless reproducer of texts, akin to a machine.

### Liberty Won, Liberty Denied

Reports from *El Cosmopolita*’s November 25 edition suggest that Cumplido’s multipronged tactic to garner support had worked: over 200 people attended his

85. Ibid.

86. Ibid.

hearing before the judges in the Tercera Sala del Tribunal Superior on November 24.<sup>87</sup> That the hearing attracted significant public attention suggests that interest in press-related infractions—perhaps galvanized by liberal indignation—remained strong even in the absence of press juries comprised of citizens. His lawyer’s defense lasted for one and a quarter hours; the lawyer “spoke very well” and was “heard with satisfaction” by the assembled crowd.<sup>88</sup> In an afternoon decision by the court, Cumplido was cleared of charges. No sooner had he retaken possession of his liberty than Cumplido issued another pamphlet, this time to settle scores. Shifting from a defensive strategy based on legal arguments, the printer brazenly challenged the judge who had presided over his arrest by suggesting that he thought himself above the law and questioning his honor.<sup>89</sup> Cloaking his quarrel under guise of the justice crusader, Cumplido vowed to expose the judge’s perfidy by printing a large quantity of this critical pamphlet and advertising it on street corners “in all the capitals, towns, and principal villages” of the provinces.<sup>90</sup> Signing off with this promise of vengeance, Cumplido made another tactical move: reprinting his own legal testimony from the previous month’s ordeal in notarized form. Conforming exactly to the transcript copied in the case file, the testimony made public the exchanges between the judge and the printer. Read in this context, Cumplido’s refusal to rat out his employees and defiant invocation of the principles of freedom of the press may have formed part of a carefully orchestrated strategy.

Cumplido indeed won justice and pursued vengeance in the Gutiérrez Estrada affair. With professional knowledge of press laws and a secondhand understanding of how government officials typically punished printers, he had avoided the regulatory spirit of the law while conforming carefully to its letter. While still in prison, he managed to use the episode to his advantage, wasting no time to create a media firestorm facilitated by his owning the means of production. Perhaps confidence that his stay in prison would be short gave Cumplido the gall to take a tough stance against government questioning. Principles, combined in equal measure with a desire for self-preservation and glory, surely motivated him as well.

Francisco Berrospe, the editor responsible for the pamphlet, did not fare as well as Cumplido and languished in prison months after the printer gained freedom. As the days of his imprisonment dragged on, newspaper articles

87. “Libertad de imprenta,” *El Cosmopolita* (Mexico City), 25 Nov. 1840, p. 4.

88. Quotes from, respectively, Bustamante, *Diario histórico*, 25 Nov. 1840; “Libertad de imprenta,” *El Cosmopolita* (Mexico City), 25 Nov. 1840, p. 4.

89. Cumplido, *Invitación que hace*, 7.

90. *Ibid.*, 13–14.

reprinted the Cumplido verdict and continued to speculate about Gutiérrez Estrada's whereabouts.<sup>91</sup> *El Mosquito Mexicano* fanned the flames, claiming that a police escort had accompanied the senator in his flight from his suburban retreat at Tacubaya to the port city of Veracruz.<sup>92</sup> Berrospe, trying to redirect press coverage, followed Cumplido's example by issuing his own serialized defense in *El Mosquito Mexicano* that ran for two months.<sup>93</sup>

Berrospe's account could not be more different than Cumplido's. While Cumplido stuck to the ideals of press freedom and cited the injustice of his experience, Berrospe had less opportunity to make a legal or noble argument. He had, after all, signed his name, and the argument that he had been duped was his only recourse. Unable to take the high road, Berrospe led readers into the maze of Mexico City's world of print politics, into accusations of corruption, collusion, and insider politics, and to accounts of his own past heroism as a crusader on issues of national importance. Perhaps his months in custody had embittered the veteran editor, or he believed that a harsh critique might galvanize support for his case. Berrospe seemed to be writing his account in installments that mirrored its publication schedule, because over the course of his two-month public letter his tone became progressively acidic and accusatory—a position that Cumplido had strategically reserved for the moment after his release from jail.

Berrospe's increasingly woeful tale worked to establish his image as an idealist unafraid to risk personal liberty in the service of his beliefs. He recounted his own activities as a veteran participant in Mexico City print politics, which had resulted in three previous (and unjust) imprisonments. While Cumplido emphasized impartiality, Berrospe focused on politics as a struggle to achieve a better world, with himself as veteran fighter—but one who had lost everything in efforts to bring about change. He recounted his own arrest as a series of bewildering humiliations, using the narrative to critique the legal system. Alleging shock at the pamphlet's contents as it appeared for sale in the Portal de Mercaderes bordering the central Plaza de Armas, Berrospe soon found himself dragged by officials to the Café de Verolí, where his judge was busy gambling. "Yes, yes, yes, yes," the judge replied, waving Berrospe's keepers away as he turned to resume his customary card game, "arrest him."<sup>94</sup> In

91. *El Cosmopolita* (Mexico City), 2 Dec. 1840, p. 4.

92. *El Mosquito Mexicano* (Mexico City), 4 Dec. 1840, p. 4.

93. See J. F. Berrospe, "Al público," *El Mosquito Mexicano* (Mexico City), 1, 5, 8, 12, 15, 19, 22, 26, 29 Jan. 1841, 2, 5, 9, 12, 23, 26 Feb. 1841.

94. J. F. Berrospe, "Al público," *El Mosquito Mexicano* (Mexico City), 5 Jan. 1841, p. 3.

subsequent issues, Berrospe took direct aim at the judge, calling him a “servile agent” of the minister of the interior—a stooge of the executive branch rather than an executor of justice—who was busy toadying up to officials in a bid to keep his job.<sup>95</sup> Disillusioned, betrayed by the system that he had tried to improve through his editorial labors, Berrospe signed off his embittered letter, “It isn’t madness to say that J. F. Berrospe is a man without a country.”<sup>96</sup>

Although he followed Cumplido’s example by publishing a public defense, Berrospe proved unable to use the rules of responsibility to his advantage. Behind the scenes, Berrospe’s case had stalled as a succession of judges recused themselves and the seemingly well-meaning but apparently incompetent judge advocate violated protocol by seeking out three separate opinions when he deemed the judges’ sentences too harsh.<sup>97</sup> Berrospe’s letter also failed to draw significant public interest, not only because his case never came before a court but also because his tale of woe was simply not convincing, given his status as a veteran of print politics. Like many others before him, the editor regained full liberty with a shift in political regimes; a year after his jailing, a change in power brokered by General Antonio López de Santa Anna offered amnesty to political prisoners.

## Conclusions

The Gutiérrez Estrada case vividly reveals the strategies deployed by printers, authors, and printing-shop collaborators to produce potentially controversial materials in early republican Mexico City. The depth of the scandal—a result of the senator’s shocking proposal—shined a light on what had become a repertoire of tactics that developed alongside evolving regulations of freedom of the press. The exact nature of the relationship between Cumplido, Berrospe, Rivera, and the senator remains opaque, but it most certainly emerged out of a coordinated strategy to displace, disperse, and diffuse responsibility. While commonsense notions of responsibility and authorship identified Gutiérrez Estrada as the culprit, the law identified Berrospe as the responsible party, and government officials cast a wide net in efforts to mete out punishment. The charge of sedition itself, significantly, never came up for debate, as the senator evaded capture, allegedly hiding at his in-laws’ estate and later at the French

95. J. F. Berrospe, “Al público,” *El Mosquito Mexicano* (Mexico City), 19 Jan. 1841, p. 3.

96. J. F. Berrospe, “Al público,” *El Mosquito Mexicano* (Mexico City), 26 Feb. 1841, p. 2.

97. “Sumaria instruida contra los Capitanes D. Francisco Berrospe y D. Martín Rivera,” Mexico City, 1840, AGN, Archivo de Guerra, vol. 766, exp. s/n.

consul's house—adding insult to injury and a whiff of foreign-backed conspiracy—before fleeing the country.

As responsibility took center stage, the debate over Gutiérrez Estrada's pamphlet shifted from a discussion of the text to an examination of the institutional apparatus surrounding freedom of the press in general. Thus, the cat-and-mouse game between officials, printers, and authors itself—rather than the question of content and its permissibility—became the subject in contests over the meanings of freedom of the press. Early conservative proposals to expand the legal definition of responsibility, which sought to end evasive practices and construct clearer rules for public debate, met resistance, most notably from the judiciary, which argued that responsibility must be defined narrowly. These contests uncovered the tensions inherent to the particular form of freedom of the press that emerged as a component of liberal state formation in early republican Mexico. Printers needed to be viewed in legal terms as simple machines reproducing the words of authors, yet their actions exposed the inseparability of ideas and politics from their contexts of material reproduction. This inseparability shaped the way that freedom of the press was enforced and debated in the early republican era and would go on to form a central point of contention in increasingly polarized struggles between liberals and conservatives that shaped Mexican politics over the next quarter century.<sup>98</sup> Ignacio Cumplido played on the tensions inherent in freedom of the press laws when he made his own case for exoneration via printed appeals, emphasizing the printer's machinelike status while simultaneously claiming the printer's right to think and represent himself as a citizen. Rather than explicitly challenging the boundaries of what counted as acceptable public speech, however, Cumplido focused his arguments on the procedural questions of responsibility, which he had followed to the letter of the law. Thus, he worked within existing, albeit contested, legal structures even as he pushed the social boundaries of the lettered city by writing publicly about his case.

While the Gutiérrez Estrada affair did not provoke immediate legal changes, it did resonate in the legal and political sphere in future years. The monarchist proposal reemerged over the 1840s and 1850s, along with counterefforts to prohibit criticism of republican forms of government through press legislation.<sup>99</sup> Outrage over the proposal in 1840 revealed an outer limit to

98. The 1853 press law enacted under the conservative final administration of Antonio López de Santa Anna, for instance, used an expansive notion of responsibility by requiring printers to deposit hefty sums against potential press infractions.

99. See the 1846 press law enacted after the monarchist polemic sustained by the newspaper *El Tiempo*, in *Colección de leyes*, 487.

official tolerance, yet Cumplido emerged largely unscathed from the incident, suggesting that his performance as a defender of freedom of the press had resonated with a wider public despite the pamphlet's unpopular content. Had the printer intentionally probed the limits of Mexico's public sphere, reprinting monarchist positions as part of a broader liberal strategy to advocate greater freedom of the press? In the coming years, liberals would have to grapple with the dilemma of advocating freedom of expression while increasingly confronted with the conservative turn toward monarchism.<sup>100</sup> Untangling printers' relationships to the texts that they published offers clues about how this process unfolded on the field of urban politics.

For Cumplido, whose ability to maneuver in 1840 may also have been backed by political patronage relationships unrecorded in the extant documentation, the Gutiérrez Estrada case was, in fact, a watershed moment that opened a brighter path forward: the following year, he won a seat in the Chamber of Deputies and pursued a platform of prison reform inspired by his own spell in the Acordada jail.<sup>101</sup> Cumplido used his predicament to launch a public career while simultaneously crafting an archetype for the printer that, disavowing partisan politics, reveled in the ambiguity of his role. Impartial artisan, faithful servant of the law, honorable employer, wronged mechanic—these characterizations sidestepped the obvious question of partisanship while establishing the printer citizen as a force to be reckoned with in the world of republican debate. Cumplido's decision to represent himself on the printed page coincided with the start of an era in which a handful of Mexico City printers self-consciously reevaluated their relationship to national politics and public opinion. Indeed, Cumplido soon founded the daily newspaper *El Siglo Diez y Nueve* and became a pillar of the emerging faction of moderate liberalism, which he shaped from behind the scenes over a career that spanned nearly half a century.

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100. On liberals' slow response to the conservative monarchist assault, see Hale, *Mexican Liberalism*, 32.

101. Pérez Salas Cantú, "Los secretos de una empresa," 165.

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