

THE MEXICAN CONSTITUTION OF 1917

Article 27

Ownership of the lands and waters within the boundaries of the national territory is vested originally in the Nation, which has had, and has, the right to transmit title thereof to private persons, thereby constituting private property. Private property shall not be expropriated except for reasons of public use and subject to payment of indemnity. The Nation shall at all times have the right to impose on private property such limitations as the public interest may demand, as well as the right to regulate the utilization of natural resources which are susceptible of appropriation, in order to conserve them and to ensure a more equitable distribution of public wealth. With this end in view, necessary measures shall be taken to divide up large landed estates; to develop small landed holdings in operation; to create new agricultural centers, with necessary lands and waters; to encourage agriculture in general and to prevent the destruction of natural resources, and to protect property from damage to the detriment of society. Centers of population which at present either have no lands or water or which do not possess them in sufficient quantities for the needs of their inhabitants, shall be entitled to grants thereof, which shall be taken from adjacent properties, the rights of small landed holdings in operation being respected at all times.

In the Nation is vested the direct ownership of all natural resources of the continental shelf and the submarine shelf of the islands; of all minerals or substances, which in veins, ledges, masses or ore pockets, form deposits of a nature distinct from the components of the earth itself, such as the minerals from which industrial metals and metalloids are extracted; deposits of precious stones, rock-salt and the deposits of salt formed by sea water; products derived from the decomposition of rocks, when subterranean works are required for their extraction; mineral or organic deposits of materials susceptible of utilization as fertilizers; solid mineral fuels; petroleum and all solid, liquid, and gaseous hydrocarbons; and the space above the national territory to the extent and within the terms fixed by international law.

Legal capacity to acquire ownership of lands and waters of the Nation shall be governed by the following provisions:

I. Only Mexicans by birth or naturalization and Mexican companies have the right to acquire ownership of lands, waters, and their appurtenances, or to obtain concessions for the exploitation of mines or of waters. The State may grant the same right to foreigners, provided they agree before the Ministry of Foreign Relations to consider themselves as nationals in respect to such property, and bind themselves not to invoke the protection of their governments in matters relating thereto; under penalty, in case of noncompliance with this agreement, of forfeiture of the property acquired to the Nation . . .

II. Religious institutions known as churches, regardless of creed, may in no case acquire, hold, or administer real property or hold mortgages thereon; such property held at present either directly or through an intermediary shall revert to the Nation, any person

whosoever being authorized to denounce any property so held. Presumptive evidence shall be sufficient to declare the denunciation well founded. Places of public worship are the property of the Nation . . .

XVIII. All contracts and concessions made by former Governments since the year 1876, which have resulted in the monopolization of lands, waters, and natural resources of the Nation, by a single person or company, are declared subject to revision, and the Executive of the Union is empowered to declare them void whenever they involve serious prejudice to the public interest.

Taken from “The Constitution of 1917: Articles 27 and 123,” in *The Mexico Reader: History, Culture, Politics*, eds. Gilbert M. Joseph and Timothy J. Henderson (Durham: Duke University Press, 2002), 398–401.

JERÓNIMO DE MENDIETA (1525–1604)
HISTORIA ECLESIASTICA INDIANA (1571–1596)

Although on the one hand these servants of God were heartily content at seeing how the people attended their sermons and listened to their doctrine, on the other hand they suspected that the Indians might be attending church merely to comply superficially with the orders given them by their nobles in order to deceive the friars, and that this might not be a sincere movement by the people to seek the remedy for their souls by renouncing the worship of the idols. And the friars persuaded themselves that this was indeed the case, for they were told that, while in public the Indians no longer made their old sacrifices, which usually involved the killing of men, in the secret spaces of the hills and in fearful, remote places, and at night in the temples of the demons which were still standing, they continued to make their sacrifices, and in the temples they performed their old ceremonies, chants, and drunken celebrations. Seeing this, the friars wrote to the governor Don Fernando Cortés, who at that time had left for Las Higueras, asking him to give rigorous orders that the sacrifices and services of the demons be stopped, because as long as they went on, the preaching of the ministers of the church would be in vain. The governor very swiftly did as they asked. But the secular Spaniards, who had to execute the punishments and search out the delinquents, and who were occupied in building their houses and in taking their tribute from the Indians, were satisfied as long as no one committed a public homicide before their eyes; as to the rest, they cared nothing about it. So business went on as usual, and the idolatry continued; and yet the friars saw that time was being lost and work being done in vain so long as the temples of the idols were standing. Because it was clear that the ministers of the demons had to go there to exercise their offices, and to convoke and preach to the people, and to make their accustomed ceremonies. And attentive to this, the friars agreed to begin destroying the temples, and not to stop until they were all burned to the ground, and the idols likewise destroyed and eradicated, even though in doing this they would place themselves in mortal danger. They carried out their plan, beginning in Texcuco, where there were very beautiful temples with fine towers, and this was in the year 1525, the first day of the year. And then they destroyed the temples of Mexico, Tlaxcala, and Guexozingo. The friars took with them the children and young men they had raised and instructed, the sons of the Indian lords and nobles . . . and they also received help from the common people who were already converted and wanted to prove that they were confirmed in the faith. And this they ordered done at a time when those who might have opposed them were distracted by other things. And since in most cases they used fire, which burned rapidly, there could be no resistance. And so fell the walls of Jericho, with voices of praise and shouts of joy from the faithful children, while those who remained outside the faith were frightened and stupefied, and the wings of their hearts (as they say) were broken at seeing their temples and gods brought down. Regarding their heroic exploit, some wished to argue with the friars by saying, first, that it was a rash deed, for it might anger and incite the Indians who might kill them; and second, that they could not in good conscience do such damage to the buildings they destroyed . . . that now burned and were lost.

Taken from Jerónimo de Mendieta, "The Spiritual Conquest," in *The Mexico Reader: History, Culture, Politics*, eds. Gilbert M. Joseph and Timothy J. Henderson (Durham: Duke University Press, 2002), 117–118.