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“Because That’s What His Consul Had Ordered”: The Chilean Consulate as a Labor Institution in Mendoza, Argentina (1859-1869)[✉]

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Abstract. Objective/Context: This article examines the place of the Chilean consulate in conflicts related to control over labor in western Argentina during the 1860s, a decade of national consolidation and economic expansion. It explores how changes in the laboring classes’ experiences and interests in the mid-nineteenth century expressed themselves through the Chilean consulate and the meaning of being Chilean. **Methodology:** Using consular records, foreign relations records, and criminal records, it analyzes how Chilean laborers—and Argentines claiming to be Chilean—petitioned the consulate to protect them from military conscription and labor abuses. **Originality:** While transnational labor migrations feature more prominently in histories of the late-nineteenth and early twentieth centuries than in those on the post-independence period, this article adds to understandings of the end of the post-independence period through such migrations and the institutions that supported them. **Conclusions:** By focusing on the interaction of laborers and the Chilean consulate, this article makes the case for a correlation between non-European transnational labor migrations and the development of a sense of political belonging distinct from republicanism, patriotism, or civic participation, and one that sought exclusion from the obligations of society and one decidedly more oriented towards notions of class and nationality.

Keywords: Argentina, Chile, class, consulate, nineteenth century, transnational.

“Porque así se lo había ordenado su cónsul”: el consulado chileno como institución laboral en Mendoza, Argentina (1859-1869)

Resumen. Objetivo/Contexto: este artículo examina el rol que jugó el consulado chileno en los conflictos surgidos sobre el control laboral en el oeste de Argentina durante la década de los años sesenta, una década de consolidación nacional y crecimiento económico. El texto explora cómo los cambios en las experiencias e intereses de las clases trabajadoras y en el significado de ser chileno, hacia mediados del siglo XIX, fueron

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expresados a través del consulado chileno. **Metodología:** se usaron fuentes consulares, fuentes de política exterior y fuentes de causas criminales en Mendoza para analizar cómo peones chilenos —y argentinos que pretendían ser chilenos— reclamaron al consulado ser protegidos contra la prestación del servicio militar y abusos laborales. **Originalidad:** aunque es la historiografía sobre finales del siglo XIX y comienzos del XX la que presta mayor atención a las migraciones laborales transnacionales, este trabajo muestra la importancia de estas migraciones en el período posterior a la Independencia y, por lo tanto, contribuye a una mejor comprensión del fin de ese período. **Conclusiones:** el enfoque de este artículo en la interacción entre peones y el consulado chileno permite mostrar que existió una correlación entre migraciones laborales transnacionales no europeas y el desarrollo de un sentido de pertenencia política distinto al republicanismo, al patriotismo o a la participación cívica, el cual surgió por el deseo de evitar las demandas sociales y se orientó hacia nociones de clase y nacionalidad.

Palabras clave: Argentina, Chile, clase, consulado, siglo XIX, transnacional.

"Porque assim seu cônsul ordenou": o consulado chileno como instituição trabalhista em Mendoza, Argentina (1859-1869)

Resumo. Objetivo/Contexto: neste artigo, é examinado o papel que o consulado chileno desempenhou nos conflitos surgidos sobre o controle do trabalho no oeste da Argentina durante a década de 1860, uma década de consolidação nacional e de crescimento econômico. No texto, é explorado como as mudanças nas experiências e nos interesses das classes trabalhadoras e no significado de ser chileno, a meados do século XIX, foram expressas por meio do consulado chileno. **Metodologia:** foram usadas fontes consulares, fontes de política exterior e fontes de causas criminais em Mendoza para analisar como trabalhadores chilenos — e argentinos que pretendiam ser chilenos — reivindicaram ao consulado sua proteção contra a prestação do serviço militar e os abusos trabalhistas. **Originalidade:** embora a historiografia sobre finais do século XIX e começos do século XX seja a que presta mais atenção nas migrações trabalhistas transnacionais, neste trabalho, é mostrada a importância dessas migrações no período posterior à Independência e, portanto, ele contribui para compreender melhor o fim desse período. **Conclusões:** o enfoque deste artigo na interação entre trabalhadores e consulado chileno permite mostrar que existiu uma correlação entre as migrações trabalhistas transnacionais não europeias e o desenvolvimento de um sentido de pertencimento político diferente do republicanismo, do patriotismo ou da participação cívica, o qual surgiu pelo desejo de evitar as demandas sociais e foi orientado a noções de classe e nacionalidade.

Palavras-chave: Argentina, Chile, classe, consulado, século XIX, transnacional.

Introduction

The young Andrés Lescano, faced with the prospect of military service to fight in South America's deadliest nineteenth-century war, the War of the Triple Alliance, told the Argentine officer that "he didn't obey anyone because that's what his consul had ordered."¹ His consul, so he claimed, was that of the Chilean consulate, an institution that had gained a reputation among laborers for protecting people against military service in the Argentine province of Mendoza. Lescano

1 Comandancia del 2° Batallón de Guardias Nacionales to Ministro de Estado, 7 April 1868, Villa de San Vicente, Archivo Histórico de Mendoza (AHM) (Mendoza-Argentina), Época Independiente (EI), Sección Judicial Criminal (SJC), Letra L, Carpeta 2, Documento 6 (format hereafter L2/6), f. 2: "que él no obedecía a nadie, porque así se lo había ordenado su Cónsul."

was well aware of that reputation when he claimed to be Chilean to avoid military service in 1868, a claim that Argentine officials would challenge, arguing that he was Argentine and thus obligated to serve.² It was not the first time that officials in Mendoza refused to believe someone's claim about being Chilean and it was not the first time that the Chilean consulate defended these claimants. Indeed, over the course of the 1860s, the Chilean consulate seemed to devote enormous attention to handling the claims and cases of Chilean laborers looking for protection against military service and labor abuses, rather than the property claims and commercial issues traditionally handled by consulates.

The reason for this somewhat unique focus on the concerns of laborers by the Chilean consulate, as this article will argue, was that the consulate—and indeed the very notion of being Chilean for laborers in Mendoza—came to be seen by them as the institution most closely representative of their experiences in the province at the time. This disconnect between traditional ideas and institutions of labor and those experiences of migrants was itself part of a broader struggle over labor in Latin America. Revolution and independence in the early part of the century represented the destabilization of many finely-tuned systems of labor control, leading to decades of struggle over those systems.³ Across the world, too, labor regimes were rapidly changing by the mid-nineteenth century: emancipation in the Americas, enslavement of Pacific Islanders, white settler colonialism, and proletarianization comprised parts of a wide range of attempts to adapt labor to emerging economic systems and then still inchoate means of control.⁴

Struggles over labor in the mid-nineteenth century coincided not only with an emerging global and industrial capitalist order, but also with the meaningfulness and ultimate legacy of the political changes brought about by the Age of Revolutions. In Latin America, the political openness and uncertainty of the decades after independence culminated around mid-century in a struggle over the meaning and stakes of post-independence society and governance in many countries. While traditionally viewed through the lens of national elite political factions, scholars have now understood those struggles with much greater attention to the wide range of participation and experimentation in this period, from popular political imaginaries and the varieties of liberalism

2 Comandancia del 2º Batallón de Guardias Nacionales to Ministro de Estado, 7 April 1868, Villa de San Vicente, AHM, EI, SJC, L2/6, f. 2.

3 John Tutino, *Making a New World: Founding Capitalism in the Bajío and Spanish North America* (Durham: Duke University Press, 2011), 490-491; Peter Blanchard, *Under the Flag of Freedom: Slave Soldiers and the Wars of Independence in Spanish South America* (Pittsburgh: University of Pittsburgh Press, 2006); María Angélica Illanes O., *Chile Des-centrado. Formación socio-cultural republicana y transición capitalista. Chile, 1810-1910* (Santiago: LOM Ediciones, 2003), 15-25.

4 Zach Sell, "Asian Indentured Labor in the Age of African American Emancipation," *International Labor and Working-Class History*, n.º 91 (2017): 8-27, doi: <https://doi.org/10.1017/S0147547916000375>; Matt Matsuda, "Migrations, Plantations, and the People Trade," in *Pacific Worlds: A History of Seas, People, and Cultures* (New York: Cambridge University Press, 2012), 216-232; James Belich, "Exploding Wests: Boom and Bust in Nineteenth-Century Settler Societies," in *Natural Experiments in History*, edited by James A. Robinson and Jared M. Diamond (Cambridge: Belknap, 2011), 53-87; Marina Carter and Crispin Bates, "Empire and Locality: A Global Dimension to the 1857 Indian Uprising," *Journal of Global History*, n.º 5 (2010): 51-73, doi: <https://doi.org/10.1017/S1740022809990337>

to the place of an armed citizenry in civic life and invention of colonial legacies.⁵ By the 1870s and 1880s, however, those struggles gave way to a system characterized by export-oriented economies, limitations on popular participation in politics, and a kind of conservative liberalism that sought to reconcile the competing factions of intra-elite conflicts so prominent in the decades after independence.⁶ As a result, in place of the "civic rhetoric" and "republican terms" that had previously proliferated in political mobilizations, society witnessed the rise of "[t]he language of class, interest, and race."⁷ Within this transition, transnational labor migrations (more often than not from Europe and to a lesser extent Asia rather than within Latin America) and the institutions surrounding them were important to the development of nationalism, labor movements, and transnational revolutionary activity in the final decades of the nineteenth century and the beginning of the twentieth century.⁸ While important for understanding the character of this latter period, labor migrations and their interactions with migratory institutions, such as consulates, have been less appreciated for understanding the post-independence period and the decline of popular republicanism.⁹ This article helps explain this decline by illustrating how institutions of migration, namely the consulate, opened spaces for the growth of class and (trans)national identification among laborers through nationality and the special rights of foreign nationals, as well as the breaking apart of institutions that had supported popular republicanism, such as the citizenry in arms.¹⁰

In particular, this article focuses on the western Argentine province of Mendoza in the 1860s and Chilean migrations to that province at that time. For Argentina, the 1860s represented the beginning of the consolidation of the national state and the decline of the institutions that

5 Diego Escolar, "La república perdida de Santos Guayama. Demandas indígenas y rebeliones montoneras en Argentina, siglo XIX," *Estudios Atacameños. Arqueología y Antropología Surandinas*, n.º 57 (2018), 141-160, doi: <http://dx.doi.org/10.4067/S0718-10432018005000702>; Hilda Sabato, *Republics of the New World: The Revolutionary Political Experiment in Nineteenth-Century Latin America* (Princeton: Princeton University Press, 2018); Lina del Castillo, *Crafting a Republic for the World: Scientific, Geographic, and Historiographic Inventions of Colombia* (Lincoln: University of Nebraska Press, 2018); James E. Sanders, *The Vanguard of the Atlantic World: Creating Modernity, Nation, and Democracy in Nineteenth-Century Latin America* (Durham: Duke University Press, 2014); Flavia Macías, *Armas y política en la Argentina. Tucumán, siglo XIX* (Madrid: Consejo Superior de Investigaciones Científicas, 2014); James A. Wood, *The Society of Equality: Popular Republicanism and Democracy in Santiago de Chile, 1818-1851* (Albuquerque: University of New Mexico Press, 2011); Ariel de la Fuente, *Children of Facundo: Caudillo and Gaucho Insurgency during the Argentine State-Formation Process (La Rioja, 1853-1870)* (Durham: Duke University Press, 2000).

6 Sandra Kuntz-Ficker, ed., *The First Export Era Revisited: Reassessing its Contribution to Latin American Economies* (Cham: Palgrave Macmillan, 2017); Charles Hale, *The Transformation of Liberalism in Late Nineteenth-Century Mexico* (Princeton: Princeton University Press, 1990).

7 Sabato, *Republics of the New World*, 199.

8 For example, Samuel L. Bailey and Eduardo José Míguez, eds., *Mass Migration to Modern Latin America* (Wilmington, DE: Scholarly Resources, 2003). For labor migrations in the Americas broadly, see Leon Fink, ed., *Workers across the Americas: The Transnational Turn in Labor History* (New York: Oxford University Press, 2011).

9 For transnational migrations before the era of mass migration, see Edward Blumenthal, *Exile and Nation Formation in Argentina and Chile, 1810-1862* (Cham: Palgrave Macmillan, 2019); Ernesto Bassi, "The 'Franklins of Colombia': Immigration Schemes and Hemispheric Solidarity in the Making of a Civilised Colombian Nation," *Journal of Latin American Studies* 50, n.º 3 (2018): 673-701, doi: <https://doi.org/10.1017/S0022216X17001213>

10 For work on how transnational migrations have intersected with practices of class solidarity, see Joshua Savala, "Ports of Transnational Labor Organizing: Anarchism along the Peruvian-Chilean Littoral, 1916-1928," *Hispanic American Historical Review* 99, n.º 3 (2019): 501-531, doi: <https://doi.org/10.1215/00182168-7573529>

had defined popular republicanism, such as militias, which since the 1853 constitution were undergoing substantial changes.¹¹ At the same time, as the first section will discuss, western Argentina became increasingly connected to Chilean markets, namely through the cattle trade and Chilean migrations to Mendoza.¹² While Mendoza would eventually see substantial European immigration by the end of the century, mirroring the familiar Argentine narrative, this moment in time was different insofar as Mendoza's main immigrant population was from another Latin American country, not Europe.¹³ Central to those migrations was the Chilean consulate, an institution that, as the second section will demonstrate, was still developing its sense of purpose in the province. This institutional openness, the third section argues, gave Chilean migrants and Argentines claiming to be Chilean an opportunity to shape the consulate's meaning and focus, in part through claiming exemption from the military service required of nationals, a requirement most felt by laborers.¹⁴ Finally, as the last section shows, the Chilean consulate's institutional openness and its emerging reputation for protecting laborers from military service also helped shape the institution as one devoted to the concerns of laborers. The place of the consulate in the eyes of laborers helped to reinscribe the political and social meaningfulness not of just the consulate, but also of being Chilean, drawing together, at least for that brief moment in time, class and foreign national identities. Ultimately, this article makes the case for a correlation between transnational labor migrations and the development of a sense of political belonging distinct from republicanism, patriotism, or civic participation, and one that sought *exclusion* from the obligations of the political order and one decidedly more oriented towards notions of class and nationality.

1. Chilean Migrations and Being “Chilean”

Beginning in the middle of the nineteenth century, in the context of increased transandean commerce between Chile and western Argentina, the lifting of protectionist transandean trade policies, changes in land tenure relationships in Chile, and emerging opportunities in the south

11 For the struggles over military institutions in Argentina at this time, see Flavia Macías and Hilda Sabato, “Estado, política y uso de la fuerza en la Argentina de la segunda mitad del siglo XIX,” *PolHis* 6, n.º 11 (2013): 70-81. For state formation and consolidation in Argentina in this period, see Beatriz Bragoni and Eduardo Míguez, eds., *Un nuevo orden político: Provincias y Estado Nacional, 1852-1880* (Buenos Aires: Biblos, 2010). For the preceding period, see Alejandro Martín Rabinovich, *La société guerrière: Partiques, discours et valeurs militaires dans le Rio de la Plata, 1806-1852* (Rennes: Presses Universitaires de Rennes, 2013).

12 Rodolfo Richard-Jorba, *Poder, economía y espacio en Mendoza, 1850-1900: Del comercio ganadero a la agroindustria vitivinícola* (Mendoza, Argentina: Universidad Nacional de Cuyo, Facultad de Filosofía y Letras, 1998).

13 For immigration to Argentina, see Pilar González Bernaldo de Quirós, “Enjeux des politiques de nationalité dans le contexte de migrations post-impériales: le cas de l'Argentine, 1853-1931,” *Revue d'Histoire du XIX^e Siècle*, n.º 51 (2015): 71-87; Tulio Halperin Donghi, “¿Para qué la inmigración? Ideología y política inmigratoria en la Argentina (1810-1914),” in *El espejo de la historia. Problemas argentinos y perspectivas latinoamericanas* (Buenos Aires: Siglo Veintiuno Editores, 2019), 189-238; José Moya, *Cousins and Strangers: Spanish Immigrants in Buenos Aires, 1850-1930* (Berkeley: University of California Press, 1998).

14 For foreign soldiers, see Mario Etchechury-Barrera, “Legionarios, enganchados y cautivos. Apuntes para una investigación sobre las formas de reclutamiento transnacional durante la Guerra del Paraguay (1864-1870),” in *A 150 años de la Guerra de la Triple Alianza contra el Paraguay*, edited by Juan Carlos Garavaglia and Raúl Osvaldo Fradkin (Buenos Aires: Prometeo Libros, 2016), 133-160; Edward Blumenthal, “Milicias y ciudadanía de residencia: La revolución chilena de 1851 en perspectiva transnacional,” *Illes i Imperis*, n.º 17 (2015): 99-103.

of Mendoza province, Chileans migrated in greater and greater numbers across the mountains to western Argentina, and particularly to Mendoza.¹⁵ Early attempts in Mendoza in the 1840s to account for the Chilean population put the approximate number at 400, although the actual number was likely much higher.¹⁶ By 1869, that number grew to 5,774 Chileans in the province, representing almost 9% of the population there and over half (53%) of the Chilean population in Argentina.¹⁷ Within the context of a province that relied on *peón* labor more than most other provinces, *peones* in parts of the province were disproportionately Chilean. In the department of San Carlos, for example, where Chileans comprised nearly a quarter (24%) of the population, they made up 42.5% of the *peones*.¹⁸ It is likely, therefore, that Chileans were disproportionately visible as *peones*, which may have created a connection between the idea of being Chilean and that of being a laborer. For example, as early as 1849, one traveler, Isaac Strain, noted the extent to which laboring and being "Chilean" were connected when he remarked, "[s]o numerous are the Chilians [*sic*] at Mendoza and its vicinity, that any laborer is called Chilenoe [*sic*] whether he be a native of that country or not."¹⁹

The increasingly close association between Chileans and laborers came at a time when the norms and institutions surrounding labor were undergoing important changes. Firstly, one prominent institution of labor control in the post-independence period, *la papeleta de conchabo*, notoriously difficult to enforce, was facing serious challenges, and in 1867 the provincial government

15 For the social, political, and economic conditions, as well as the historical antecedents surrounding these transandean connections, see Geraldine Davies Lenoble, "La resistencia de la ganadería: Los pehuenches en la economía regional de Cuyo y la cordillera (1840–1870)," *Historia* 2, n.º 52 (2019): 341–372; Manuel Llorca-Jaña, Claudio Robles Ortiz, Juan Navarrete-Montalvo, and Roberto Araya Valenzuela, "La agricultura y la élite agraria chilena a través de los catastros agrícolas, c. 1830–1855," *Historia* 50, n.º 2 (2017): 597–639; José Bengoa, *Historia rural de Chile central*. Tomo I: *La construcción del Valle Central de Chile* (Santiago: LOM Ediciones, 2015); Hernán Bransboin, *Mendoza federal: Entre la autonomía provincial y el poder de Juan Manuel de Rosas* (Buenos Aires: Prometeo Libros, 2014); Rodolfo Richard-Jorba, *Empresarios ricos, trabajadores pobres: Vitivinicultura y desarrollo capitalista en Mendoza (1850–1918)* (Rosario: Prohistoria Ediciones, 2010); Diego Escolar, *Los dones étnicos de la nación: identidades huarpe y modos de producción de soberanía en la Argentina* (Buenos Aires: Prometeo, 2007), 110–151; Pablo Lacoste, "Viticultura y política internacional: El intento de reincorporar a Mendoza y San Juan a Chile (1820–1835)," *Historia* 39, n.º 1 (2005): 155–176; Bengoa, *Historia del pueblo mapuche*, 153–183; Gabriel Salazar, *Labradores, peones y proletarios* (Santiago: LOM Ediciones, 2000), 177–222; Beatriz Bragoni, *Los hijos de la revolución: Familia, negocios y poder en Mendoza en el siglo XIX* (Buenos Aires: Taurus, 1999); Mario Guillermo Saraví, "Consideraciones acerca del tratado entre Mendoza y Chile (1835)," *Cuarto congreso nacional y regional de historia argentina*, tomo 1 (Buenos Aires: Academia Nacional de la Historia, 1979); Carlos S. A. Segreti, "El comercio con Chile y la renuncia del gobernador Pedro Pascual Segura," *Investigaciones y Ensayos*, n.º 27 (1979): 125–161; Arnold J. Bauer, *Chilean Rural Society from the Spanish Conquest to 1930* (Cambridge: Cambridge University Press, 1975).

16 Bransboin, *Mendoza federal*, 175.

17 República Argentina, Comisión Directiva del Censo, *Primer Censo de la República Argentina, verificado en los días 15, 16 y 17 de Setiembre de 1869* (Buenos Aires: Imprenta de Porvenir, 1872), 44, 112, 152, 196, 240, 276, 312, 350, 388, 424, 462, 500, 542, 578.

18 Based on the author's analysis of census data from 1869 for San Carlos department: "Argentina, censo nacional, 1869," database with images, *FamilySearch*, accessed 21 September 2020. <https://familysearch.org/ark:/61903/3:1:S3HY-6QP9-WTD?cc=1462401&wc=QCXK-HZ3%3A42632101%2C43130501%2C43130502> (Mendoza > San Carlos > San Carlos; Archivo General de la Nación, Buenos Aires; last modified 13 April 2016).

19 Isaac G. Strain, *Cordillera and Pampa, Mountain and Plain: Sketches of a Journey in Chili, and the Argentine Provinces, in 1849* (New York: Horace H. Moore, 1853), 115.

attempted to abolish it altogether.²⁰ While the reasons for this institution's failures were many, one is that it did not match some of the changes brought about by transandean commerce, such as the increase in the physical mobility of labor. For example, in one instantiation of the *papeleta* laws in 1855, the provincial government alluded to the problem of transport *peones*, stating, "[h]aving to be employed as soon as they arrive from a trip, *peones* of troops, carriages, and wagons will be considered vagrants, those who do not have the *papeleta* that verifies being employed in the present."²¹ By singling out the problem of transportation labor, the provincial government acknowledged how particular aspects of transport labor—such as the transient nature of employment—challenged this institution of labor control and how economic activities connected to Chile were at the center of changing labor relationships.

Secondly, the rise of nation-states and transnational labor migrations revealed a contradiction between traditional conceptualizations of the place of laborers in society and the growing need for a mobile labor force. This contradiction was born out of the status of transients (*transeúntes*), particularly foreigners, in the community and how that status's ambiguity intersected with community obligations that defined being a resident, such as military service.²² For "permanent" residents of a community, one important institution was the militia.²³ Transients or migrants could be exempted from that obligation, as long as they had work papers and were only seasonal or temporary laborers in the area.²⁴ However, such exemptions could run afoul with notions of the tight connection between laborers and soldiers in places where laborers were overwhelmingly foreigners. As one local official in northern Chile noted, foreigners had to serve in the military "because the workers that inhabit this department are, in their greater part, Argentines."²⁵ Conversely, for those defending the exemption of foreigners from military service (often national representatives, such as consuls), the underlying point was to disconnect the relationship between civic obligation and laborers by referring to their transient status.²⁶ In effect, transiency was being

20 Ricardo D. Salvatore, "Labor Control and Discrimination: The Contratista System in Mendoza, Argentina, 1880-1920," *Agricultural History* 60, n.º 3 (1986): 65; Arturo Andrés Roig, *El concepto de trabajo en Mendoza durante la segunda mitad del siglo XIX* (Mendoza: Imprenta Oficial, 1970).

21 Provincia de Mendoza, Article 6, "Decreto gubernativo sobre servicio de peones, adicional al Reglamento de Policía" (16 August 1855), in Manuel de Ahumada, *Código de las leyes, decretos y acuerdos que sobre administracion de justicia se ha dictado la provincia de Mendoza* (Mendoza: Imprenta de "El Constitucional," 1860), 302: "Debiendo los peones de tropas de arrea, carros ó carretas, ocuparse en trabajar tan luego como llegan de viaje, serán considerados como vagos, los que no tengan la papeleta en que conste hallarse ocupados en la actualidad."

22 For the history of these categories and forms of community from the colonial period, see Tamar Herzog, *Defining Nations: Immigrants and Citizens in Early Modern Spain and Spanish America* (New Haven: Yale University Press, 2003).

23 Macías and Sabato, "Estado, política y uso de la fuerza en la Argentina de la segunda mitad del siglo XIX;" Flavia Macías, "Violencia y política facciosa en el norte argentino. Tucumán en la década de 1860," *Boletín Americanista* 57, n.º 57 (2007): 15-34; Sabato, *Republics of the New World*, 194-196.

24 Ricardo D. Salvatore, *Wandering Paysanos: State Order and Subaltern Experience in Buenos Aires during the Rosas Era* (Durham: Duke University Press, 2003), 97.

25 Intendente [?] to Minister of Foreign Relations, 27 June 1855, Copiapó, Archivo Nacional de Chile (ANC) (Santiago-Chile), Ministerio de Relaciones Exteriores (MREL), Vol. 37, Doc. 794: "porque los trabajadores que pueblan este departamento son en su mayor parte Argentinos."

26 Blumenthal, "Milicias y ciudadanía de residencia"; Bransboin, *Mendoza federal*, 171-183.

constructed as a semi-permanent status, conferred by birth.²⁷ For some, a Chilean in Mendoza or an Argentine in Copiapó should be considered "always" exempt from military service (almost implying permanent transiency). Obviously, in places like Mendoza, this had the potential to create serious problems, as a significant portion of its laboring classes was Chilean.

Clearly, the middle decades of the nineteenth century contained a struggle over the place of labor in society. As the rest of this article will argue, being "Chilean" became a way for laborers to gain control over their own labor due to their ability to command the power of the consulate through that term. It was a way to resist the state's attempts to control and condition their labor, and it was not the only time that the term "Chilean" would be used in that way. For example, according to Diego Escolar, the term "Chilean"—and later claims of indigeneity—informed collective identity construction in the intermontane region of Calingasta in San Juan where state-formation processes found resistance from locals in the middle of the twentieth century when the Argentine national state embarked on a project of national incorporation of these border areas.²⁸ In some ways, the term "Chilean" in the 1860s can be thought of as a counter-state project, one in which laborers in Mendoza—Chileans and Argentines—attempted to construct a state institution reflective of their experiences with the changing economy.

2. The Chilean Consulate

By the 1860s in Mendoza, laborers began to embroil the Chilean consulate there in a counter-state project. The consulate's ability to partake in this project relied, as this section will argue, on both its power to challenge the provincial government's authority and its uncertain mandate in *mendocino* society, which allowed laborers to shape it. In the region broadly, there was a sense that the consulate would function as a commercial institution, charged with protecting and promoting the commerce of its mother nation in foreign territories. As Andrés Bello articulated in the 1830s, "[t]he consuls are agents that were sent to friendly nations with the task of protecting the rights and commercial interests of their homeland, and supporting their merchant compatriots in the difficulties that they encounter."²⁹ For Bello, one of the principle ways of accomplishing these tasks was through "observing if treaties are obeyed and upheld, or in what way they are broken or eschewed."³⁰ One of the implications of Bello's conceptualization of the consulate was that if it was the consulate's responsibility to ensure that international documents, like treaties, were to be respected, they were in a position to challenge the authority of local and provincial governments by asserting the supremacy of treaties as the law of the land. In Mendoza, this became a problem.

27 It should be noted that people of African descent in the colonial period had been constructed as foreigners as a permanent status, Herzog, *Defining Nations*, 159-162.

28 Diego Escolar, "Subjetividad y estatalidad: usos del pasado y pertenencias indígenas en Calingasta," in *Cruzando la cordillera... La frontera argentino-chilena como espacio social*, coordinated by Susana Bandieri (Neuquén: CEHIR/Universidad del Comahue, 2001), 147-148.

29 Andrés Bello, *Derecho internacional I: Principios de derecho internacional y escritos complementarios* (Caracas: Ediciones del Ministerio de Educación, 1954), 141: "Los cónsules son agentes que se envían a las naciones amigas con el encargo de proteger los derechos e intereses comerciales de su patria, y favorecer a sus compatriotas comerciantes en las dificultades que les ocurran."

30 Andrés Bello, *Derecho internacional I*, 141: "observar si se cumplen y guardan los tratados, o de qué manera se infringen o eluden."

In 1859, a small crisis emerged between the Chilean consulate in Mendoza and the provincial government. In the wake of a failed rebellion in Chile early that year, Chilean rebels fled the country, some going to Mendoza.³¹ Once there, Chilean exiles began to criticize the Chilean government and in one instance the official newspaper of the government published an article against the Chilean President, Manuel Montt.³² Seeing the accusations in the article as “very reckless and vulgar slander,” the consul immediately wrote the government to express outrage.³³ The indignation expressed by the Chilean consul set off an intense debate over the nature of the consulate’s role in the province and the extent of its power. The provincial government responded, claiming “it is not in a position to receive complaints from you [the Consul] [...] because you... only have been recognized as a simple commercial agent.”³⁴ The question of the extent of the consulate’s role as a “public official” with the right to petition, according to the government, came from Bello’s description of the consul’s role. “According to the publicist Bello in his *Derecho de Gentes*,” the provincial government reminded him, “the Consuls do not have a greater duty than that of protecting *the commercial rights and interests* of his *patria*.”³⁵ If the government in Mendoza was working to keep this institution’s power at bay, the consulate was going to fight to maintain relevancy.

The consul responded to the provincial government’s refutation of its power by correcting its understanding of Bello and the norms governing international relations. In a lengthy reply, the consul cited a litany of authorities on international relations, demonstrating along the way that he had the power of a foreign representative (that is to say, public official) and that, as Bello argued, “[a]s responsible for safeguarding the observance of commercial treaties, it is incumbent upon the Consul to protest against all of their infractions, addressing the authorities of the district in which they reside.”³⁶ To bolster his position, the consul called on national officials in both Chile and Argentina.³⁷ Ultimately, the Minister of Foreign Relations of the Argentine Confederation reprimanded the provincial government and reminded it of the necessary role that Mendoza had in maintaining good relations with Chile.³⁸ If the power of the Chilean consulate was saved

31 Miguel de los Santos to Minister of Foreign Relations, 30 March 1859, ANC, MREL, Vol. 105, Doc. 24, f. 203.

32 While I do not have a copy of the article in question, its existence was not in question according to the correspondences exchanged at the time. The article was published on 29 March 1860 in *El Constitucional*, n.º 2169. Miguel de los Santos to Nicasio Marín, 29 March 1860, Mendoza, in Confederación Argentina, *Memoria presentada por el Ministro Secretario de Estado en el Departamento de Relaciones Exteriores al Congreso Legislativo Federal* (Buenos Aires: [no publisher information], 1860), 103. See also Blumenthal, *Exile and Nation Formation*, 195.

33 Miguel de los Santos to Nicasio Marín, 29 March 1860, Mendoza, in Confederación Argentina, *Memoria*, 104: “tan temerarias y soeces.”

34 Miguel de los Santos to Nicasio Marín, 29 March 1860, Mendoza, in Confederación Argentina, *Memoria*, 105: “mi Gobierno no se halla en el caso de admitir protestas de V.S. [...] porque [...] solo ha sido reconocido como simple agente comercial.”

35 Miguel de los Santos to Nicasio Marín, 29 March 1860, Mendoza, in Confederación Argentina, *Memoria*, 91-92: “según el publicista Bello en su *Derecho de Gentes*, ‘los Cónsules no tienen mas encargo que el de proteger los derechos é intereses comerciales de su patria.’”

36 Miguel de los Santos to Nicasio Marín, 29 March 1860, Mendoza, in Confederación Argentina, *Memoria*, 92: “Como encargados de velar sobre la observancia de los tratados de comercio, toca á los Cónsules *reclamar contra sus infracciones*, dirigiéndose á las autoridades del distrito en que residen.”

37 Miguel de los Santos to Nicasio Marín, 29 March 1860, Mendoza, in Confederación Argentina, *Memoria*, 97-99.

38 Miguel de los Santos to Nicasio Marín, 29 March 1860, Mendoza, in Confederación Argentina, *Memoria*, 111-112: “el profundo desagrado.”

for the moment, its specific role as a representative of the Chilean government was not much clearer than before.

Even by the mid-1860s, consular norms had not been established well enough to provide new consuls with a definite sense of their role as representatives not only of the national government, but also of Chileans in the province. One of those consuls, José de la Cruz Zenteno, embodied the institutional flexibility of the consulate and the role that the consul had in shaping its direction. After the liberal rebellion of 1851, many of Zenteno's fellow participants went into exile, some to Lima, others to Guayaquil, still others even to California, and some, like Zenteno, went to Mendoza.³⁹ In Mendoza, he served different roles in the increasingly regularized judicial system, including as a state defender in criminal cases.⁴⁰ His tenure as Chilean consul in Mendoza began in late 1864, a post in which he would remain until late 1867.⁴¹ Early on, it was not in the realm of punishing slander against the Chilean government or making commercial claims that attracted Zenteno, instead he found himself most acutely concerned with impoverished and laboring Chileans in the province. A precise understanding of Chilean national policy toward emigrants abroad is still needed, particularly as countries such as France were developing their own protective policies for emigrants at this same time.⁴² It is worth pointing out, however, the role that poor and laboring Chileans had in pushing for greater protection and assistance from the Consulate, especially considering that Chilean representatives in other places had uneven and inconsistent responses to the demands from and conflicts involving Chilean laborers abroad.⁴³ In one of his first letters to the Chilean Minister of Foreign Relations, Zenteno wrote,

Since I arrived in this city I have seen on a daily basis so many poor and helpless Chileans knocking on the doors of this Consulate in search of assistance and alms for survival that my heart weeps. [...] To remedy these misfortunes I think it my duty to point out to you that it would be quite advisable to direct to these wretches all or part of the funds that are deposited in the coffers coming from alms distributed on behalf of Chileans for the unfortunate people of Mendoza.⁴⁴

39 Blumenthal, *Exile and Nation Formation*, 175-178. For Zenteno in the rebellion of 1851, see Hugo Castro Valdebenito, "Aconcagüinos en la historia de Chile: carta de Pedro Antonio Ramírez a Benjamín Vicuña Mackenna sobre el motín popular de San Felipe del 14 de octubre de 1851," *Historia y Sociedad*, n.º 36 (2019): 271-286, doi: <http://dx.doi.org/10.15446/hys.n36.66664>

40 "El Fiscal acusa," 24 January 1853, Mendoza, AHM, EI, SJC, B3/1, Mendoza, ff. 9v-10. For an example of his work as a state defender, see AHM, EI, SJC, M3/16. Note: these folios are stuck in between the pages of the case, out of order.

41 For José de la Cruz Zenteno's first and last correspondences, see José de la Cruz Zenteno to Minister of Foreign Relations, 23 December 1864, Mendoza, ANC, MREL, Vol. 120, ff. 165-165v. José de la Cruz Zenteno to Minister of Government, 22 October 1867, Mendoza, AHM, EI, SE, 708/60, f. 29.

42 For policies developed in France at the time, see François Weil, "The French State and Transoceanic Emigration," in *Citizenship and Those Who Leave: The Politics of Emigration and Expatriation*, edited by Nancy L. Green and François Weil (Champaign, IL: University of Illinois Press, 2007), 114-132.

43 For consular reactions elsewhere, see Julio Pinto Vallejos, *Trabajos y rebeldías en la pampa salitrera* (Santiago de Chile: Editorial de la Universidad de Santiago de Chile, 1998), 64-80.

44 José de la Cruz Zenteno to Minister of Foreign Relations, 23 December 1864, Mendoza, ANC, MREL, Vol. 120, ff. 165-165v: "Desde que llegué a esta ciudad he visto golpear diariamente las puertas de este Consulado a tantos chilenos pobres i desvalidos en solicitud de socorros i limosnas para vivir, que lastima el corazón [...] Para remediar estos males creo de mi deber indicar a VS que sería mui conveniente destinar para estos infelices el todo o parte de los fondos que tubiesen despositados en arcas fiscales precedentes de las limosnas erogadas por los chilenos a favor de los desgraciados de Mendoza."

The funds to which Zenteno referred in his letter were for a major earthquake that had occurred in 1861, and it appears that people were still suffering greatly from it in 1864. His proclivity toward helping “these wretches” was not limited to a single event. For example, only a few months after this letter, Zenteno asked for clarification on the extent to which he was allowed to represent “poor Chileans” in provincial courts. It was not necessarily out of his own desire, however, but rather the constant requests made by “poor Chileans” themselves to have him “represent them or defend them... in their judicial proceedings.”⁴⁵ He was advised against this, being told that he should help them understand the law, but not go as far as representing them in court.⁴⁶ In effect, the openness of the consulate’s role in provincial society left open the question what kind of institution it would be, a question increasingly answered by the demands of laborers against social obligations that no longer made sense for their changing context.

3. Military Service and the Chilean Consulate

It was March 1865 when military authorities accused Juan Gonzales of lying about being Chilean to get out of military service. The government’s witnesses all said the same thing: Juan Gonzales was from Argentina, which “[was] known to the whole neighborhood.”⁴⁷ While he had lived in Argentina most of his life, he was, at least according to his parents, born in Chile. They had moved from Chile when he was only three-months old and once old enough he, like his father (also Chilean), ended up serving in the *Guardia Nacional*.⁴⁸ Whatever benefits they may have garnered from service, after the arrival of the Chilean consul Juan Godoy in the province, “they each got a Chilean certificate,” which seems to have been a recently developed form of identification.⁴⁹ One of the first 800 to be registered as a Chilean national with the consulate, Juan registered in July 1861 with witnesses to testify to the fact that he was Chilean.⁵⁰ Throughout the 1860s, the connection between Chileanness and military exemption grew, as did the institutional mechanisms to give Chileanness its power, such as the consular registry that Juan Gonzales used to claim Chilean nationality and thus exemption from military service.

45 José de la Cruz Zenteno to Ministro Plenipotenciario de Chile cerca del Gobierno de la Confederación Argentina, 3 March 1865, Mendoza, ANC, MREL, Vol. 130, ff. 63-64: “los chilenos pobres” / “los represente o defienda [...] en sus gestiones judiciales.”

46 José Victorino Lastarrias to José de la Cruz Zenteno, 18 March 1865, Buenos Aires, ANC, MREL, Vol. 130, f. 69.

47 “Declaración de José Francisco Castillo,” 15 March 1865, Mendoza; “Declaración de Guillermo Morales,” 15 March 1865, Mendoza; “Declaración de Felipe Pescara,” 16 March 1865, Mendoza, AHM, EI, SCM, 451/10, ff. 8-9.

48 “Declaración de Pedro Gonzales,” 10 March 1865, Mendoza, AHM, EI, Sección Sumarios Civiles y Militares (SCM), Carpeta 451/Doc. 10, f. 7v.

49 “Declaración de Pedro Gonzales,” 10 March 1865, Mendoza, AHM, EI, SCM/451/10, f. 7v. Juan Godoy accepted the position of “Canciller de Consulado” in Mendoza in 1858; see Juan Godoy to Minister of Foreign Relations in Chile, 9 April 1858, Mendoza, ANC, MREL, Vol. 92, f. 125. For lack of national identification in prior decades, see Blumenthal, “Milicias y ciudadanía de residencia,” 102.

50 José de la Cruz Zenteno to Minister of Government, 6 March 1865, Mendoza, AHM, EI, SE, 708/32, Doc. 20, f. 5. Juan Gonzales is listed as number 768, registered on 20 July 1861; “Declaración de Pedro Gonzales,” 10 March 1865, Mendoza, AHM, EI, SCM, 451/10, f. 7v.

As the consul, Zenteno, solicited the government in Chile to find Juan's birth records, he defended the superiority of the registry over any claim the provincial government brought.⁵¹ If taken too seriously, the rumors of Gonzales's Argentine nationality could risk delegitimizing the consulate's registry.⁵² The stakes of defending the registry's trustworthiness, therefore, were high. Zenteno brought these to the fore when he reminded the provincial government that the military did not have the power to arbitrarily question someone's nationality, as "[t]he sole fact of an individual's registration in the Consular Registry means that his nationality has been verified with full knowledge. [...] The Chilean who obtains his respective certificate through these procedures, should be respected for his nationality, *as long as the contrary is not justified with a greater proof*."⁵³ Zenteno understood that for the consular registry to function, it needed to be respected in the face of spurious claims.⁵⁴ The registry itself proved nationality, and therefore mere rumors were not enough to force the Consulate to prove nationality again. For Zenteno, the stakes went beyond the registry and to the heart of international norms, as illustrated when he argued, "[a]nd if the government does not promptly enforce these rules, we will advanced nothing in this matter with the consular registries nor with the existence of treaties."⁵⁵ Connecting the registry to the international treaties that sustained relations between "friendly nations," Zenteno put the consulate at the apex of the hierarchy of institutions in the province, as the preserver of the new *international* order.

Struggles between the provincial government and the Chilean consulate put the registry at the center of questions about state power. In Mendoza, as well as neighboring San Juan, consuls understood that the registry was useless without the consulates' ability to register beyond the confines of their offices in the provincial capitals. Most Chileans lived outside the capital cities of Mendoza and San Juan, in places like San Carlos, San Rafael, San José de Jáchal, and Calingasta, far from the consulates, likely limiting their access to the registry.⁵⁶ The consul in San Juan was particularly concerned by the increase in the number of Chileans being forced into military service, arguing to the Minister that the problem was "due to the suppression of registration rights." To that end, he thought, "it would be convenient to establish consular agents in the villages of

51 Consulate's request for his birth certificate: José de la Cruz Zenteno to Minister of Foreign Relations, 7 March 1865, Mendoza, ANC, MREL, Vol. 130, Doc. 21, ff. 66-66v.

52 For the result of the province's case, Franklin Villanueva, 27 March 1865, Mendoza, AHM, EI, SCM, 451/10, ff. 10-10v.

53 José de la Cruz Zenteno to the Secretary of Government of Mendoza, 23 March 1865, Mendoza, AHM, EI, SE, 708/32, f. 10: "El hecho solo de la inscripcion de un individuo en el Registro Consular, supone que se ha verificado con pleno conocimiento de su nacionalidad [...] El chileno que por estos trámites obtiene su respectiva papeleta debe respectársele por ella su nacionalidad, mientras no se justifique lo contrario con una prueba mayor" (emphasis added).

54 For a broad history of identification, see Jane Caplan and John Torpey, eds., *Documenting Individual Identity: The Development of State Practices in the Modern World* (Princeton: Princeton University Press, 2001).

55 José de la Cruz Zenteno to the Secretary of Government of Mendoza, 23 March 1865, Mendoza, AHM, EI, SE, 708/32, f. 10: "I si el Exmo Gobierno no hace que esta reglas sean observadas puntualmente, nada habremos avanzado en esta parte con los registros consulares ni con la existencia de los tratados."

56 For statistics on the Chilean populations in different places in Mendoza and San Juan provinces, see República Argentina, Comisión Directiva del Censo, *Primer censo* (1869), 350-351; 388-389. In total, 12% of "Chileans" lived in the provincial capitals of San Juan and Mendoza.

Jáchal, Valle Fértil, and in some mining areas so that they could register Chileans.”⁵⁷ By 1865, both consulates had ended up appointing representatives outside of the provincial capitals.⁵⁸ From their respective posts, both representatives were able to register Chileans and issue nationality papers. In that sense, registering people and issuing them nationality papers were parts of a process of bringing the registry to distant areas of the province and allowing “Chilean” as an institutional category to become as mobile as the people claiming that status.⁵⁹

In May 1865, the Argentine Republic, Uruguay, and Brazil formed the so-called Triple Alliance to wage war against Paraguay, a war that would last until 1870, leave well over half of the Paraguayan population dead, and become enormously unpopular, particularly in provinces, like Mendoza, where a foreign war directed by the new national government in Buenos Aires not only threatened people’s already precarious situations, but also intersected with ongoing factional tensions in Argentina.⁶⁰ At the outset, far from the front in Mendoza in the patriotic fever of a national war against Paraguay, *cuerpos de línea* were organized and people were rounded up against their will and incorporated into the military. For Chileans, the threat of conscription was particularly acute. In Mendoza, the Chilean consul reported in the early days of the war, “armed parties have given rise to taking any Chilean whom they find without papers from their Consul,” papers that protected them from being forced into service.⁶¹ The early days of the war in that sense were characterized by a patriotic zeal that left laborers susceptible to conscription.⁶² Sensing that the military already had conscripted a significant number of Chileans because they lacked the proper identification to prove their citizenship, the consulate began registering and issuing new nationality papers to Chileans to help get them released from service.⁶³

Compared with earlier periods, rates of registration at the consulate reached a crescendo with the onset of the war in 1865, indicating the association that people had between Chileanness and

57 Antero Barriga to Minister of Foreign Relations Chile, 31 July 1863, San Juan, ANC, MREL, Vol. 117, ff. 287-289: “es debido a la supresion de los derechos de matrícula” / “sería conveniente establecer agentes consulares en las Villas de Jáchal, Valle Fértil e en algunos minerales para que inscribiesen a los chilenos.”

58 José de la Cruz Zenteno to Ministro de Relaciones Exteriores, 31 March 1865, Mendoza, ANC, MREL, Vol. 130, Doc. 36, ff. 80v-81; Antero Barriga to Minister of Foreign Relations, 15 December 1863, San Juan, ANC, MREL, Vol. 117, f. 303.

59 It is possible to think of this as “ID-paper fetishism;” see Gastón Gordillo, “The Crucible of Citizenship: ID-Paper Fetishism in the Argentinean Chaco,” *American Ethnologist* 33, n.º 2 (2006): 162-176.

60 Thomas L. Whigham and Barbara Potthast, “The Paraguayan Rosetta Stone: New Insights into the Demographics of the Paraguayan War, 1864–1870,” *Latin American Research Review* 34, n.º 1 (1999): 185. For the War of the Triple Alliance, see Garavaglia and Fradkin, eds., *A 150 años de la Guerra de la Triple Alianza contra el Paraguay* and Thomas L. Whigham, *The Paraguayan War: Causes and Early Conduct* (Calgary: University of Calgary Press, 2018). For different reactions in the provinces, see Beatriz Bragoni, “Cuyo después de Pavón: consenso, rebelión y orden político, 1861-1874,” in *Un nuevo orden político: Provincias y Estado Nacional, 1852-1880*, edited by Beatriz Bragoni and Eduardo Míguez (Buenos Aires: Biblos, 2010), 29-60; De la Fuente, *Children of Facundo*, 169-171.

61 José de la Cruz Zenteno to Minister of Foreign Relations in Chile, 31 May 1865, Mendoza, ANC, MREL, Vol. 130, Doc. 46, f. 96: “han dado principio las partidas armadas a tomar a todo chileno que encuentran sin papeleta de su Cónsul.”

62 Chileans also volunteered, José de la Cruz Zenteno to Minister of Foreign Relations in Chile, 15 June 1865, Mendoza, ANC, MREL, Vol. 130, Doc. 53, f. 106; José de la Cruz Zenteno to Minister of Foreign Relations in Chile, 31 May 1865, ANC, MREL, Vol. 130, Doc. 46, ff. 96-96v.

63 José de la Cruz Zenteno to Minister of Foreign Relations, 31 May 1865, ANC, MREL, Vol. 130, Doc. 46, f. 96.

military exemption.⁶⁴ Laborers therefore likely saw the Chilean consulate as a way to resist military service and to exert more control over their own labor. If *Chilean* laborers began to see the consulate in that light, then it is more than likely that other laborers in Mendoza facing similar experiences did, too. Indeed, state officials were deeply suspicious of Chilean nationality claims, suspecting that Argentines were using the Chilean consulate to get out of service.⁶⁵ In Chile, as well, there existed a difficulty in discerning nationality when it came to the obligations of military service.⁶⁶ In that sense, among state officials in different places, there was a generalized consternation about foreign labor migrations and their impact on state power, which in the case of the provincial government in Mendoza led officials to accuse Chileans of really being Argentines (as in the cases of Gonzales and Lescano) or, as some officials claimed, of using the consulate to back out of service after receiving wage advances.⁶⁷ In other words, officials in Mendoza sensed that the consulate was affording laborers in the province (Chileans and Argentines alike) too much control over their own labor, particularly vis-à-vis state institutions that relied on it. In the context of these struggles, the meaningfulness of being Chilean grew not merely as a marker of origins, but as indicative of a relationship to oneself and to the state. For someone like Andrés Lescano, who introduced this article, the meaningfulness of being Chilean was clear: "he didn't obey anyone because that's what his Consul had ordered."⁶⁸

4. Labor beyond Military Service

It was February 1865 when Cruz Galdames showed up at the consulate. He had traveled quite a distance to get there, over 100 km to seek the assistance of the consul, José de la Cruz Zenteno, to whom he explained what he had been facing over the preceding years. Years back, likely in 1862, Francisco Guevara hired him to watch over animals at an *estancia* in San Rafael. He was to tend to a sheepfold, for which he was to be paid 48 pesos per year, plus meat and wheat rations. In that role he served for 28 months and 24 days, meaning that he should have been paid almost 116 pesos. For his work, however, he received only 29 pesos. That was not the end of it. Afterwards, Guevara became the area's *subdelegado* (a local authority with broad powers especially in rural areas) and

64 Juan Godoy to Minister of Government, 3 March 1863, Mendoza, AHM, EI, SE, 708/24, Doc. 11, f. 1 (Martín Valenzuela is listed as having boleto number 101, registered on 2 October 1858); José de la Cruz Zenteno to Minister of Government, 6 March 1865, Mendoza, AHM, EI, SE, 708/32, Doc. 20, f. 5 (Juan Gonzales is listed as number 768, registered on 20 July 1861); José de la Cruz Zenteno to Minister of Government, 17 October 1865 and 23 October 1865, Mendoza, AHM, EI, SE, 708/39, Doc. 35 and 37, ff. 35 and 37 (Pedro Trejo was registered as 2462 on 20 May 1863; Baldomero Naveas was listed as number 3863, registered on 5 June 1865); José de la Cruz Zenteno to Minister of Government, 15 July 1865, Mendoza, AHM, EI, SE, 708/36, Doc. 61, f. 22 (Manuel Gonzales, registered as number 3992, specific date unknown).

65 Indeed, state officials harbored concerns about people lying about their nationality for some time. See Bransboin, *Mendoza federal*, 175.

66 Blumenthal, "Milicias y ciudadanía de residencia," 107-108.

67 Franklin Villanueva to José de la Cruz Zenteno (Copia), 9 June 1865, Mendoza, ANC, MREL, Vol. 130, ff. 103-103v; José de la Cruz Zenteno to Minister of Foreign Relations, 30 June 1865, Mendoza, ANC, MREL, Vol. 130, ff. 111-111v.

68 Comandancia del 2º Batallón de Guardias Nacionales to Señor Ministro, 7 April 1868, Villa de San Vicente, AHM, EI, SJC, L2/6, f. 2.

with those powers demanded that Galdames return the 29 pesos.⁶⁹ Understandably, Galdames rejected Guevara's demand, prompting Guevara to bring a case against him.⁷⁰ During his imprisonment, he told the commissary that he would pay Guevara back, but he needed to be released so that he could get the money; Galdames never returned.⁷¹ Instead, he went to Mendoza to seek the assistance of the Chilean consulate. While the case remained inconclusive, it demonstrates how people constructed their Chileanness in connection to their sense of their labor and the institutions that conditioned it, such as the Chilean consulate and nationality papers.

Another institution related to labor control, and one that became entangled with notions of Chileanness and the institution of nationality papers, was the *papeleta de conchabo*. The institution faced increasing challenges at the time, particularly from Chileans. In April 1863, for example, the provincial government in Mendoza feared the participation of Chilean laborers in an impending invasion of the province by Federalist rebel, Francisco Clavero, from Curicó in Chile, across the mountains from southern Mendoza, where some of the highest concentration of Chilean migrants lived.⁷² Clavero's invasion seemed imminent and it appeared to the government that there was a substantial contingent of Chileans ready to join his cause because of "the promise[s] that [Clavero] has made to them, of representing them in the future, abolishing the *papeleta* and conceding to them other false promises."⁷³ Fearing the worst, the government asked the Chilean consulate to plead with its compatriots in southern Mendoza against joining Clavero's forces.⁷⁴ Whether or not the government had access to Clavero's communications with potential soldiers, it is clear that it understood well the problems that it faced among Chileans in the south of the province: the *papeleta* was worth fighting to abolish and they clearly were not well enough represented. Whether only in the eyes of the state or in the eyes of laborers, incongruities between traditional conceptualizations of labor and experiences of it were becoming violently divergent.

As the *papeleta de conchabo* faced challenges from different sectors of society, nationality papers could stand in for them from time to time. The Chilean consul, reporting to the Chilean government in 1863, noted that the jails always held a significant number of Chileans. Among the

69 On the subdelegados, see Eugenia Molina, "Los funcionarios subalternos de justicia en Mendoza, 1820-1852: entre el control comunitario y el disciplinamiento social," *Nuevo Mundo Mundos Nuevos* (2010), doi: <https://doi.org/10.4000/nuevomundo.59353>; Inés Sanjurjo de Driollet, "Las continuidades en el gobierno de la campaña mendocina en el siglo XIX," *Revista de Estudios Histórico-Jurídicos*, n.º 26 (2004): 445-468.

70 José de la Cruz Zenteno to Teniente Coronel Ramón Flores, 27 February 1865, Mendoza, ANC, MREL, Vol. 130, ff. 87-87v.

71 Subdelegado of San Carlos to Minister of Government [?], 12 March 1865, San Carlos, ANC, MREL, Vol. 130, ff. 90-90v.

72 Luis Molina to Gregorio Beéche, 30 November 1862, Mendoza, Archivo Histórico de la Cancillería Argentina (AHCA), Serie Diplomática y Consular (SDC)/39, Exp. 2, No. 1, f. 1; Gregorio Beéche to Manuel A. Tocornal, 8 December 1862, Valparaíso, AHCA, SDC/39, Exp. 2, No. 2, ff. 2-2v; Manuel Tocornal to Gregorio Beéche, 11 December 1862, Santiago, AHCA, SDC/39, Exp. 2, No. 3, f. 3; Bragioni, "Cuyo después de Pavón." Authorities on both sides of the mountains worked to prevent this invasion. For Argentine-Chilean relations more broadly at the time, see Pablo Lacoste, "Las guerras Hispanoamericana y de la Triple Alianza, la Revolución de los Colorados y su impacto en las relaciones entre Argentina y Chile," *Historia*, n.º 29 (1995-96): 125-158.

73 Ministro de Gobierno to Consul de Chile en Mendoza, 8 April 1863, Mendoza, AHM, EI, Copiadores/19, ff. 4-5v: "la promesa que les ha hecho este [Clavero], de representarlos en lo sucesivo, suprimirles la papeleta y conederles [concederles] otras mentidas promesas."

74 Ministro de Gobierno to Consul de Chile en Mendoza, 8 April 1863, Mendoza AHM, EI, Copiadores/19, ff. 4-5v.

"infractions" that put them in jail was "the special demand that is made on them for nationality papers, without this widespread measure being made on foreigners of other nations."⁷⁵ The practice of arresting people without nationality papers paralleled that of arresting laborers without the *papeleta de conchabo*, which itself was a way of controlling and reallocating labor, particularly to public works. In that sense, nationality papers served as a mechanism for harassing people, particularly Chileans, who comprised a significant portion of the working classes in the province.⁷⁶ For example, in late 1866, one man was arrested and put in the service of the military for "nothing more than having been found once without the *papeleta de patrón*."⁷⁷ The parallels between the *papeleta* and nationality papers are unmistakable. It was only a year earlier that Zenteno had noted that in the wake of the war with Paraguay the military was going around rural Mendoza rounding up any person who did not have their nationality papers.⁷⁸ In effect, local and military authorities employed these different identification technologies as ways to control laborers. One can imagine that the only reason information from these Chileans exists is the Chilean consulate's ability to bring much of this to light. Indeed, as one consul reminds us, the administrative norms that governed the province could lead to "the frequent abuses that are committed against [Chileans'] rights by local authorities," who often left little evidence of these "abuses" as proceedings were often done through "verbal processing."⁷⁹ As a result, it is entirely likely that these abuses were widespread for Chileans and non-Chileans alike.

If not having nationality papers presented a risk for Chileans, this did not mean that having them automatically granted them protection. Throughout the 1860s, local authorities and military officers demonstrated disdain for nationality papers. In the early days of the war with Paraguay, for example, Zenteno reported that many Chileans had been forced into service "despite having shown their nationality papers."⁸⁰ In other cases, military officers were even harsher. In one instance, one man's use of nationality papers led to a violent confrontation, in which the officer wounded him and tore up his papers.⁸¹ Thus, nationality papers had, in some sense, come to represent an affront to military power in the region by exempting the traditional soldiering classes from service. Therefore, in ignoring and destroying these nationality papers, military officers were communicating their desire to reassert traditional notions of service and obligation to the community, which themselves were based on notions of laborers and their role in society.⁸²

75 José S. Contreras to Ministro de Relaciones Exteriores, 31 October 1864, Mendoza, ANC, MREL, Vol. 120, Doc. 31, f. 158: "la especial exigencia que se les hace del boleto de nacionalidad, sin hacer esta medida estensible a extranjeros de otras naciones."

76 Provincia de Mendoza, Article 8, "Decreto gubernativo: estableciendo una comision militar que juzgue los delitos de robos y alevosías" (13 July 1831) in Ahumada, *Código de las leyes, decretos y acuerdos*, 76.

77 José de la Cruz Zenteno to Minister of Government, 21 December 1866, Mendoza, AHM, EI, SE, 708/51, f. 17; José de la Cruz Zenteno to Minister of Government in Mendoza, 1 March 1867, AHM, EI, SE, 708/54, f. 3: "sin otro antecedente de habersele encontrado una vez sin papeleta de patron."

78 José de la Cruz Zenteno to Minister of Foreign Affairs, 31 May 1865, Mendoza, ANC, MREL, Vol. 130, f. 96.

79 José S. Contreras to Minister of Foreign Affairs, 31 October 1864, Mendoza, ANC, MREL, Vol. 120, f. 158v: "los frecuentes abusos que se cometen contra sus derechos por las autoridades locales" / "la tramitacion verbal."

80 José de la Cruz Zenteno to Minister of Government (Copia), 8 June 1865, Mendoza, ANC, MREL, Vol. 130, Doc. 50, f. 102: "a pesar de haber presentado sus boletos de nacionalidad."

81 Nicanor Zenteno to Minister of Government, 4 June 1869, Mendoza, AHM, EI, SE, 708/74, f. 6v.

82 This may have been happening earlier, too. Bransboin, *Mendoza federal*, 174-183.

However, the nationality paper did help to liberate Chileans from these structures of traditional labor-state relations. And yet, it would be wrong to assert that the nationality paper was freeing them, at the same time, from traditional *patrón-peón* relations.

In an interesting twist of fate, nationality papers ended up replacing the *papeleta* not only for questions of state harassment, but also for reworking the dependency relationship between *patrones* and *peones* as *patrones* had an interest in protecting their *peones* from military service.⁸³ Getting on to the registry required the assistance of others. In the early days of the war with Paraguay, it was not just conscripts who were making appeals to exemption from military service; it was also their employers, or *patrones*. In those days, *patrones* from across the province worked on behalf of their *peones* to free up their labor from conscription.⁸⁴ In that sense, laborers often had to rely on *patrones* to get nationality papers, especially if they had been conscripted already. In some ways, this allowed for the reassertion of *peón* “dependency” on *patrones*, thus fulfilling the goals of the *papeleta* in a different form.

The function of nationality papers to reassert traditional labor relationships reveals the limitations of these bureaucratic strategies as expressions of changes in labor conditions and experiences. At the same time, however, attempts to re-entrench state-labor relations, for example, cannot be read as total or some kind of reversal. In this aspect, the power of the Chilean consulate has to be kept in mind. Despite abuses, many continued to register with the consulate and preferred nationality papers over alternatives. Thus, while nationality papers had their limits, they were nevertheless indicative of and productive of shifts in state-labor relationships.

Conclusion

Mendoza was not the only place where Chilean labor migrants influenced the Chilean consulate and foreign representatives. At the same time that laborers were laying claim to special protections in western Argentina, across the Pacific world (Peru, Bolivia, and California), Chilean labor migrants attracted the attention of Chilean foreign representatives due to conflicts with employers and native workers, illustrating that these migrations could enhance national divisions and consciousness.⁸⁵ Conversely, labor mobility along the Pacific could challenge even the most seemingly intransigent national divisions, such as between Chile and Peru after the War of the Pacific (1879-1883).⁸⁶ For Mendoza, Chilean identity as a proxy for class identity and the consulate as a quasi-labor institution did not seem to last. Indeed, from the 1870s to the early twentieth century, as Mendoza’s wine industry expanded, massive waves of Spanish and Italian migrants changed the stakes of foreignness and labor in Mendoza province as those migrants tended to receive preferential treatment in hiring.⁸⁷ While limited as a case study, this article encourages

83 Richard-Jorba, *Empresarios ricos, trabajadores pobres*, 143.

84 José de la Cruz Zenteno to Minister of Foreign, 22 March 1865, Mendoza, ANC, MREL, Vol. 130, ff. 70v-71; José de la Cruz Zenteno to Minister of Foreign Affairs, 15 June 1865, Mendoza, ANC, MREL, Vol. 130, f. 106.

85 Abraham P. Nasatir, “Chileans in California during the Gold Rush Period and the Establishment of the Chilean Consulate,” *California Historical Quarterly* 53, n.º 1 (1974): 52-70; Pinto Vallejos, *Trabajos y rebeldías en la pampa salitrera*, 64-80; Bengoa, *Historia rural de Chile central*. Tomo I, 269-274.

86 Savala, “Ports of Transnational Labor Organizing,” 503.

87 Richard-Jorba, *Empresarios ricos, trabajadores pobres*, 168-173.

historians to further challenge the dominance of European and Atlantic labor migrations and their mediators—consulates, immigration/emigration policies, aid networks and institutions, etc.—in explaining the transition from the post-independence period and its emphasis on republicanism and diverse political coalitions to the fin-de-siècle period and its emphasis on order, progress, and divisions of class, nationality, and race. Shifting the historical gaze away from mediated migrations coming from Europe and the Atlantic reorients the focus not only toward intra-Latin American labor migrations, but also Pacific ones and other non-European ones.⁸⁸ Not only do these migrations involve different causes, but also different sets of mediators, encouraging us to look into different institutions for the decline of the post-independence order and the rise of a liberal order in Latin America.

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88 For recent examples of works that deal with migrations from Asia, see Heidi Tinsman, "Rebel Coolies, Citizen Warriors, and Sworn Brothers: The Chinese Loyalty Oaths and Alliance with Chile in the War of the Pacific," *Hispanic American Historical Review* 98, n.º 3 (2018): 439-469, doi: <https://doi.org/10.1215/00182168-6933556>; Benjamin Bryce, "Undesirable Britons: South Asian Migration and the Making of a White Argentina," *Hispanic American Historical Review* 99, n.º 2 (2019): 247-273, doi: <https://doi.org/10.1215/00182168-7370225>. For other Pacific migrations, see Fernando Purcell, *¡Muchos extranjeros para mi gusto! Mexicanos, chilenos e irlandeses en la construcción de California, 1848-1880* (Santiago de Chile: Fondo de Cultura Económica, 2016).

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