

TESTIMONY OF

MONICA MUÑOZ MARTINEZ, PHD

STANLEY J. BERNSTEIN ASSISTANT PROFESSOR OF AMERICAN STUDIES AND
ETHNIC STUDIES,
BROWN UNIVERSITY

BEFORE

COMMITTEE ON THE JUDICIARY
SUBCOMMITTEE ON THE IMMIGRATION AND CITIZENSHIP

HEARING ON

**“OVERSIGHT OF THE TRUMP ADMINISTRATION’S BORDER POLICIES AND
THE RELATIONSHIP BETWEEN ANTI-IMMIGRANT RHETORIC AND
DOMESTIC TERRORISM”**

FRIDAY, SEPTEMBER 6, 2019

Chair Escobar, Chair Nadler, Ranking Member Buck, and Members of the Subcommittee:

Thank you for holding this hearing. I am glad to speak today on the history of anti-immigrant and anti-Mexican rhetoric and its role in inspiring state sanctioned and vigilante violence in Texas. The historical lessons for today, I believe, are urgent.

In the early 1900s bridges crossed the Rio Grande connecting families and friends living in U.S. towns, like Brownsville and El Paso, with families and friends living in neighboring Mexican towns, like Matamoros and Ciudad Juárez. The life source of the river connected these border communities. People moved back and forth across the border for work, for school, and for social gatherings. They were interwoven, connected socially, culturally, and economically. U.S. towns developed into cities in tandem with their Mexican neighbors, thanks to the innovation and labor of Mexican Americans and Mexican nationals who built and powered agricultural, mining, and railroad industries. Yet, during this same era, these communities became increasingly militarized and residents, regardless of citizenship or legal immigration, suffered abuse by police.¹

Mexican Americans and Mexican nationals had long been targets of racial violence. Historians have recorded at least 547 lynchings of Mexican Americans and Mexican nationals between 1848 and 1928. Nearly half of these tragedies, approximately 232, took place in Texas.² For a fuller understanding of what it meant to live in a period of racial terror, historians agree that we must also consider the victims of all state sanctioned violence, including people who were denied due process, abused, killed in police custody, or left vulnerable to suffer from vigilante violence. The decade between 1910 and 1920 proved particularly brutal, as Mexican Americans and Mexican nationals were criminalized and harshly policed by vigilantes, law enforcement, and U.S. soldiers who claimed the lives of hundreds of victims. Violence took many forms. Victims were intimidated, tortured, and killed by hanging, shooting, beating, and some were burned alive. Hundreds were murdered. Nearly all the known victims were adult men, though women and children also suffered.

Presidents, governors, congressmen, and journalists in the English language press played particularly important roles in shaping public perceptions of this violence. Many celebrated this era of brutality; more dead Mexican bodies were presented to the American public as progress, as a way to secure the border, and controlling a racial menace. Mexican Americans and Mexican nationals were racially profiled as bandits, revolutionaries, rapists, and murderers. In death, victims of racial violence were criminalized in media headlines and photographers captured police and soldiers posing next to Mexican corpses as if the bodies were trophies. Some used violence to try to eliminate the Mexican population all together, others used violence as a measure to control a much needed labor force.

There are three urgent historical lessons we should heed for today:

¹ For more on this history see the recent book by the author Monica Muñoz Martínez, *The Injustice Never Leaves You: Anti-Mexican Violence in Texas* (Cambridge, MA: Harvard University Press, 2018) and the works of David Montejano, *Anglos and Mexicans in the Making of Texas, 1836—1986* (Austin: University of Texas Press, 1987); Miguel Levario, *Militarizing the Border: When Mexicans Became the Enemy* (College Station: Texas A&M University Press, 2012); Elliott Young, *Catarino Garza's Revolution on the Texas–Mexico Border* (Durham, NC: Duke University Press, 2004); Richard R. Flores, *Remembering the Alamo: Memory, Modernity, and the Master Symbol* (Austin: University of Texas Press, 2002); Patricia Nelson Limerick, *Legacy of Conquest: The Unbroken Past of the American West* (New York: Norton, 1987); Mario T. García, *Desert Immigrants: The Mexicans of El Paso, 1880-1920* (New Haven, CT: Yale University Press, 1982); Monica Perales, *Smelertown: Making and Remembering a Southwest Border Community* (Chapel Hill: University of North Carolina Press, 2010); Arnoldo De León, *War along the Border: The Mexican Revolution and Tejano Communities* (College Station: Texas A&M University Press, 2012); James Sandos, *Rebellion in the Borderlands: Anarchism and the Plan de San Diego* (Norman: University of Oklahoma Press, 1992); Benjamin Heber Johnson, *Revolution in Texas: How a Forgotten Rebellion and Its Bloody Suppression Turned Mexicans into Americans* (New Haven, CT: Yale University Press, 2003).

² William D Carrigan and Clive Webb, *Forgotten Dead: Mob Violence against Mexicans in the United States, 1848-1928* (Oxford: Oxford University Press, 2013).

- 1) Anti-immigrant and anti-Mexican rhetoric fueled an era of state sanctioned racial violence that denied the civil rights of American citizens and Mexican nationals.
- 2) Anti-immigrant and anti-Mexican violence continued despite efforts by advocates working to end racial violence. Instead of correcting the course of history, the state and judicial systems failed to hold accountable elected officials who called for violence or to prosecute law enforcement officers who committed crimes.
- 3) Racist rhetoric shaped immigration policies, brutal policing practices, Jim Crow style laws aimed at segregating and disenfranchising Mexican Americans, and resulted in the militarization of the U.S.-Mexico border.

HISTORICAL CONTEXT

This history of violence takes shape around the contested creation of the U.S.–Mexico border and efforts for economic control by new Anglo settlers. In 1821, Mexico gained its independence from Spain. But within 40 years of independence, a tangled series of conflicts—the Texas Revolution (1836) and the U.S.–Mexico War (1846–1848)—resulted in the United States acquiring half of Mexico’s territory. As a result, the political border of the region now known as Texas was continually shifting. Native American nations, especially the Comanche, continued to contest outside governance— Spanish, Mexican, Texan, and ultimately American—in the region. Anglo migration into the region meant that settlers had to interact with Native Americans and Mexicans, two groups that struggled throughout the nineteenth century to maintain their place in the region as the colonial powers shifted.

These constructed and changing boundaries required constant surveillance and enforcement. In 1823 Stephen F. Austin, an early Anglo settler who lived in the region soon to be Texas, organized a small group of men, called rangers, to protect settlers and their property. After Texas claimed independence from Mexico in 1836, these men worked to ensure that Anglo settlers succeeded in the new Republic of Texas. That success, however, came at the expense of groups identified as enemies. The Texas Rangers were described as a “fighting force” created by Anglo settlers to fight in the ongoing war for racial supremacy, battling Mexican landowners and indigenous nations, including the Tonkawas, Lipan Apache, Waco, Karankawa, Kiowa, and Comanche. The Texas Rangers targeted both the “Indian warrior” and the Mexican *vaquero* as enemies of white supremacy.³

The Rangers also helped preserve a slave-based agriculture by violently policing enslaved African men and women. During the state’s long history of chattel slavery, the Rangers tracked and punished enslaved people trying to cross the Rio Grande to freedom in Mexico. Rangers frequently broke the neutrality laws that forbade their trips across the border. They also terrorized ethnic Mexicans accused of harboring runaway slaves.⁴

In the early nineteenth century, Texas Rangers blurred the lines between enforcing state laws, practicing vigilantism, and inciting racial terror. Historians now view the Texas Rangers as the first prominent Western vigilantes to be endowed with legal authority.⁵ The most frequent complaints of Texas Rangers abusing their power came through what some referred to as *la ley de fuga*, or the law of flight or escape. Under this morbid legal regime, Rangers released prisoners and ordered them to run.

³ Maria Josefina Saldaña, *Indian Given: Racial Geographies across Mexico and the United States* (Durham, NC: Duke University Press, 2016) 7. Walter Prescott Webb, *The Texas Rangers: A Century of Frontier Defense* (Austin: University of Texas Press, 1995), Karl Jacoby, *Shadows at Dawn: An Apache Massacre and the Violence of History* (New York: Penguin, 2008); Ned Blackhawk, *Violence over the Land: Indians and Empires in the Early American West* (Cambridge, MA: Harvard University Press, 2008).

⁴ Robert Perkinson, *Texas Tough: The Rise of America’s Prison Empire* (New York: Picador, 2010), 52–55;

⁵ Linda Gordon, *The Great Arizona Orphan Abduction* (Cambridge, MA: Harvard University Press, 1999), 262, 266; Kelly Lytle Hernández, *Migra! A History of the U.S. Border Patrol* (Berkeley: University of California Press, 2010).

Officers then proceeded to shoot the prisoner while in flight, later filing reports that they had killed the prisoner to prevent escape or because the prisoner resisted arrest. As early as 1870, a newspaper editor from west Texas reported disgust at the frequency with which Texas Rangers used the expressions “killed while attempting to escape” and “killed while resisting arrest.” The editorial alleged that these expressions had dire resonances “that are fast coming to have a melancholy and terrible significance to the people of Western Texas. They furnish the brief epitaph to the scores who have fallen and are falling victims to the ignorance, the arrogance, or the brutality of those charged with the execution of the law.”⁶

New American property laws and taxation ignored Mexican property rights under the 1848 Treaty of Guadalupe Hidalgo. The treaty culminated in a sweeping reorganization of Anglo–Mexican relations in Texas.⁷ Taxation, court-ordered surveys of land boundaries, and challenges to the validity of Spanish land grants saw Mexican landowners depleting their cash to pay legal fees.⁸ This agricultural revolution brought skyrocketing land values and inspired outside land developers and commercial farmers to migrate to south Texas. Historian David Montejano explains that land promoters worked to “convert pastures into plow fields” and so helped replace ranching with farming. Montejano describes this as “one of the most phenomenal land movements in the history of the United States.”⁹

Media coverage portrayed south Texas as having infinite economic potential that was wasted in the hands of inferior ethnic Mexicans. Yet, employers relied on Mexican wage labor to cultivate the land for the coming agricultural revolution. Teams of men and boys cleared dense countryside of mesquite trees and cacti covered in barbs and thorns, which choked the landscape and made farming difficult. Rows of crops soon replaced brush country.¹⁰ Ethnic Mexicans in the Southwest found themselves assigned as manual agricultural labor in this new economy, giving rise to the popular Mexican saying “*con el alambre vino el hambre*”— with the barbed wire came hunger.¹¹

⁶ As quoted in Webb, *The Texas Rangers*, 227; editorial in the *Victoria Advocate* reprinted in the *Austin Daily Republican*, October 10, 1870.

⁷ For more on the American property laws and the denial of property rights of Mexicans throughout the southwestern United States, see Richard White, “*It’s Your Misfortune and None of My Own*”: *A New History of the American West* (New York: Norton, 1993); Patricia Nelson Limerick, *Legacy of Conquest: The Unbroken Past of the American West* (New York: Norton, 1987); Montejano, *Anglos and Mexicans*; David Weber, ed., *Foreigners in Their Native Land: Historical Roots of Mexican Americans* (Albuquerque: University of New Mexico Press, 1973); Maria Montoya, *Translating Property: The Maxwell Land Grant and Conflict over Land in the American West, 1840 to 1920* (Berkeley: University of California Press, 2002); Audrey Smedley, *Race in North America: Origin and Evolution of a Worldview* (Boulder, CO: Westview Press, 2007).

⁸ When landowners came up short on paying taxes or private debts, county sheriffs and county courts would coordinate auctions at which thousands of acres could be purchased for less than a penny an acre. Texas laws targeted Mexican property owners in the state. Walter Prescott Webb wrote that Mexicans became “victimized by the law” in their person and property. Webb, *The Texas Rangers: A Century of Frontier Defense* (Austin: University of Texas Press, 1995), 175–176; Montejano, *Anglos and Mexicans*, 51–53.

⁹ By the 1920s, the number of farms increased dramatically while their size decreased. Land developers recruited Anglo buyers from the Mississippi Valley to settle in the region and take part in the “farm revolution.” In Hidalgo County, for example, the 1910 census records showed 677 farms averaging 969.5 acres, but by 1930 the numbers jumped to 4,327 farms averaging 126.9 acres. Successful recruitment efforts resulted in rapid population growth in the region as well. In the early 1900s the population in deep south Texas counties totaled 79,934, but by 1920 the population rose to 159,842, and in 1930 the number doubled to 322,845. With the completion of the railroad in 1904, produce grown in south Texas could be shipped from Brownsville to Corpus Christi and on to national markets via the Missouri-Pacific railroad system. By 1907 the railway hauled approximately 500 carloads of farm products daily. A new wave of Anglo migration came to the Texas–Mexico border region. Montejano, *Anglos and Mexicans*, 106–109.

¹⁰ Elliott Young, *Catarino Garza’s Revolution on the Texas–Mexico Border* (Durham, NC: Duke University Press, 2004), 7, 209–211, 215.

¹¹ Richard R. Flores, *Remembering the Alamo: Memory, Modernity, and the Master Symbol* (Austin: University of Texas Press, 2002), 46; Gerardo Cadava argues convincingly that the border continued to remain permeable through the mid-

New Anglo settlers transformed the social and political landscape as well as the physical one. The newcomers disenfranchised Mexican Americans and minimized their social, economic, or political influence. Despite their legal status as citizens and their long history in the region, Anglo settlers did not believe Mexican Americans deserved the rights and privileges of Americans. They insisted on a new code of social relations, which in turn initiated a new racial order. They passed Jim Crow segregation laws that prohibited interracial marriages and racially segregated neighborhoods, schools, churches, and restaurants. New arrivals described Mexican Americans seen as ignorant and unfit for participation in elections. One newspaper demeaned local Mexican residents as a “class of foreigners who claim American citizenship but who are as ignorant of things American as the mule.”¹²

In contrast to dehumanizing characterizations of Mexican Americans, several articles published in the Spanish-language newspaper *La Crónica* challenged the racism sweeping across south Texas. Journalists like Jovita Idar, writing in the midst of the social upheaval, criticized Anglo politicians and landowners for denying civil rights to ethnic Mexican residents in Texas and for relegating them to cheap labor. One article in 1910 described Mexican American exclusion from schools as a grave attempt to create an ignorant class. Moreover, some journalists wrote against the frequent use of vigilante violence to create a docile labor force. The article charged that through violence Anglos attempted to “condemn the Mexicans to a condition of beasts of burden.”¹³

Although the farm colonization in the region was well under way, proximity to Mexico left many new settlers feeling vulnerable. Politicians, military leaders, and local residents increasingly portrayed residents of the Mexican nation as a threat to American capitalist interests in the Southwest. The ethnic Mexican population was growing, too. Mexican nationals migrated north to escape an economic depression in 1880 and a recession in 1906. These new arrivals were largely recruited to work in agriculture, mining, and in railroad construction. Between 1910 and 1920 even more Mexicans crossed over into the United States to escape the Mexican Revolution. During the civil war in Mexico as many as one million Mexicans sought refuge in the United States. Most of them came via the Texas–Mexico border. Although many refugees soon returned to Mexico, the number of ethnic Mexicans in the United States tripled during the decade of the 1910s.¹⁴

Beyond proximity and population growth, the turbulence of the Mexican Revolution in Northern Mexico catalyzed more propaganda stoking fear of the U.S.-Mexico border. Some residents worried that the revolutionary plots to overthrow the Porfirio Díaz presidency and redistribute land in Mexico could spill across the border and threaten Anglo property ownership and U.S. control. Texas responded with violence directed and carried out by state agencies. In 1913, Governor Oscar Colquitt dispatched over 1,000 state militiamen and the Texas National Guard to appease residents of Brownsville and El Paso. As U.S. soldiers trained for World War I deployment and now stationed on the Texas–Mexico border, they transformed the region into a militarized zone. These troops used the newest advances in military technology, including barbed wire, spotlights, tanks, machine guns, and airplanes to keep watch on Mexican residents.

Between 1914 and 1919, Texas and the U.S. government created the conditions for a dramatic increase in violent policing. By 1916 the Wilson administration had deployed approximately 100,000 National Guard troops along the border between Yuma, Arizona, and Brownsville, Texas.¹⁵ In 1915

twentieth century. Cadava, *Standing on Common Ground: The Making of a Sunbelt Borderland* (Cambridge, MA: Harvard University Press, 2013).

¹² *Carizzo Springs Javelin*, August 5, 1911, quoted in Montejano, *Anglos and Mexicans*, 131.

¹³ “Los Mexicanos de San Angelo Demandan a Los Sindicos de las Escuelas Públicas,” *La Crónica*, June 25, 1910.

¹⁴ See Mario T. García, *Desert Immigrants: The Mexicans of El Paso, 1880–1920* (New Haven, CT: Yale University Press, 1981); Johnson, *Revolution in Texas*, 59.

¹⁵ Dunn, *The Militarization of the U.S.–Mexico Border*, 9; Evan Anders, *Boss Rule in South Texas: The Progressive Era* (Austin: University of Texas Press, 1982), 215–218; Arnoldo De León, *War along the Border: The Mexican Revolution and Tejano*

the state police included only twenty-six men, so the Texas legislature increased the state budget and the governor expedited the hiring process. In 1916 hundreds of new Texas Rangers patrolled the region; by 1918 the force swelled to approximately 1,350 Rangers. By decade's end, the intersecting regimes of vigilante, state, and military policing took hold of the broader social landscape, declaring all Mexicans enemies of the state.¹⁶

Refugees fleeing the Mexican Revolution encountered these militarized zones. Nativist Anglo Americans saw the refugees as a threat, denied them humanitarian aid, and imprisoned them. In 1914, for example, defeated Mexican federal soldiers and panicked civilians crossed into west Texas to escape the devastations of civil war. Mexican soldiers and Mexican women and children walked on foot across the unforgiving desert from the border town of Presidio seventy miles to Marfa, where a train transported them to a camp in Fort Bliss, near El Paso. While detained, Mexican prisoners were forced to build a prison camp that stretched across forty-eight acres of land. An intimidating barbed wire fence, stacked ten strands high and secured to the ground by hog-wire fence, surrounded the camp. Some reported that electricity charged the barbed wire fence with a lethal current. Exposed to the harsh desert elements, prisoners, including children, died while in U.S. custody.¹⁷

Relations continued to worsen. The late summer months of 1915 proved to be exceptionally violent. Vigilante groups formed with euphemistic names, like "Home Guard" and "Law and Justice League" formed to inflict fear and violence. Rangers similarly initiated a revenge-by-proxy policy, killing ethnic Mexicans, regardless of evidence of guilt, merely for being near the location of a crime. They profiled any ethnic Mexican as a Mexican bandit, made arrests, and then left prisoners vulnerable to mob violence. Historian Benjamin Johnson describes the Rangers' methods as ethnic cleansing: an attempt to remove Mexicans, whether citizens of Mexico or the United States, from Texas.¹⁸

Some described the violent period as an "orgy of bloodshed." Living in terror, many remember an "exodus" of ethnic Mexicans—families who fled to Mexico to escape state terror in Texas. Lon C. Hill, appointed to the Texas Rangers as a special Ranger in August 1915, noted that the exodus became so widespread that farmers raised concerns because their field laborers were fleeing to Mexico. The workforce, according to Hill, seemingly "evaporated." Hill noted that even landowners fled to Mexico, some leaving thousands of head of cattle behind.¹⁹

Communities (College Station: Texas A&M University Press, 2012). Texas Rangers enlistment papers and rolls available at the Texas Adjutant General's Department Service Records (TAGDSR), Archives and Information Services Division (AISD), Texas State Library and Archives Commission (TSLAC), Austin, TX.

¹⁶ José T. Canales, testimony, "Proceedings of the Joint Committee of the Senate and the House in the Investigation of the Texas State Ranger Force," Adjutant General Records, Texas State Library and Archives Division, 678; E. M. Sorrenson, testimony, "Proceedings," 1034.

¹⁷ John Mckiernan-González reminds us that a mounted medical guard preceded the Border Patrol by forty years. In 1882 the U.S. Marine Hospital Service drew a 146 mile-long line from Laredo to Corpus Christi and quarantined residents south of that line. Mckiernan-González, *Fevered Measures: Public Health and Race at the Texas Mexico Border, 1848–1942* (Durham, NC: Duke University Press, 2012) 10; "Prison Camp Is a Real Showground," *El Paso Herald*, March 18, 1914; "Mexican Refugees Won't Be Sent Back," *New York Times*, January 13, 1914; "Soldiers Shoot Mexican at Marfa," *El Paso Herald*, January 12, 1914; "Vaccinations Are Blamed for Deaths," *El Paso Herald*, February 14, 1914; Lona Whittington, "Road of Sorrow: Mexican Refugees Who Fled Pancho Villa through Presidio, Texas, 1913–1914" (master's thesis, Sul Ross State University, Alpine, Texas, 1976), 3, 21, 57, 72–73.

¹⁸ For more on the practice of ethnic cleansing, see Johnson's chapter "Repression," in *Revolution in Texas*, 108–143; Elliott Young, *Catarino Garza's Revolution on the Texas–Mexico Border* (Durham, NC: Duke University Press, 2004), 311; Webb, *The Texas Rangers*, 478; David Montejano, *Anglos and Mexicans in the Making of Texas, 1836–1986* (Austin: University of Texas Press, 1987); Arnolde De León, ed., *War along the Border: The Mexican Revolution and Tejano Communities* (College Station: Texas A&M University Press, 2012).

¹⁹ Texas judge James Wells estimated that in Hidalgo and Cameron Counties alone Texas officers and vigilantes executed between 250 and 300 Mexican men in less than a year. Trinidad Gonzales, "The Mexican Revolution, *Revolución de Texas*, and *Matanza de 1915*," in *War along the Border: The Mexican Revolution and Tejano Communities*, ed. Arnolde De León (College

Entire communities abandoning their homes, jobs, land, and livestock to flee to a country in the throes of a civil war reveals the danger of being Mexican in Texas. Ethnic Mexicans made difficult decisions on a daily basis. They had to evaluate when to travel, how to interact with law enforcement agents, and how to protect their families from state and vigilante violence. Residents of south Texas have remembered this period as *la matanza*, the massacre, a period of indiscriminate murder of ethnic Mexicans without fear of prosecution.

ANTI-IMMIGRANT AND ANTI-MEXICAN RHETORIC

While Mexican federal soldiers and civilian refugees were treated as national threats and placed in prison camps, civilians in Texas accused of being revolutionaries or bandits could expect far worse treatment. In 1915, for example, the *New York Evening Telegram* published a cartoon by Nelson Green depicting a grinning Uncle Sam using a shovel to toss piles of dead Mexican revolutionaries wearing sombreros into an “international rubbish can.”²⁰ In the 1910s, English-language newspapers popularly justified the murders of men described as Mexican bandits as a necessary defense of Anglo livestock, property, and finances. In 1915 one article explained, “Lynch law is never a pleasant thing to contemplate, but it is not to be denied that it is sometimes the only means of administering justice.”²¹ Criminalizing and dehumanizing ethnic Mexicans, depicting them as waste or as deserving of vigilante violence, made people profiled as “Mexican” vulnerable to violence as it supported demands to police the border. The press publicized racial violence through the retelling of mob acts.

Politicians led the calls for the border militarization and justified extralegal violence at the hands of police. Despite growing abuses, state law enforcement received wide support from the Texas governor’s office to use any means necessary to exert control over the border region. Successive Texas governors, first Oscar Colquitt and then James Ferguson, gave the state officers clear instructions to use their authority without hesitation. During his administration, Colquitt wrote to Captain John R. Hughes, “I instruct you and your men to keep them [Mexican raiders] off of Texas territory if possible, and if they invade the State let them understand they do so at the risk of their lives.”²²

When Governor Ferguson took office in 1914, he offered similar instructions to his captains and even assured the men he would protect them from future prosecutions. One Anglo rancher from Monte Cristo, near San Guadalupe del Torero Ranch, later explained that the governor told him that he “had given [Captain Henry] Ransom instructions to go down there and clean it up if he had to kill every damned man connected with it.” According to the rancher, the governor explained: “I firmly told Ransom that if he didn’t do it—if he didn’t clean that nest up down there that I would put a man

Station: Texas A&M University Press, 2012) 107–133; Pierce, *A Brief History*, 103; Judge James B. Wells, testimony, “Proceedings,” 676; Lon C. Hill, testimony, “Proceedings,” 1145–1146.

²⁰ Nelson Greene, artist, *Uncle Sam Picking Up Mexican Revolutionists with Shovel for the International Rubbish Can*, Mexico, 1915, Cartoon Drawings Collection, LC-DIG-acd-2a08860, Library of Congress Prints and Photographs Division, Washington, D.C.

²¹ “Necktie Party,” *Lynchford Courant*, August 6, 1915. The article responded to the vigilante lynching near San Benito, Texas, of a man they identified as Adolfo Muñoz; “Masked Men Hold Up Officer, Take Prisoner, Lynch Him,” *Brownsville Herald*, July 29, 1915; José T. Canales, testimony, “Proceedings,” 945. In the state investigation, Representative Canales refers to the lynched victim as “Rodolpho Muñoz.” In other historical documents Muñoz is identified as Rudolfo Muñoz, Rudolpho Muñoz, and Adolfo Muñiz, and that he was lynched on July 29, 1915. This is the same event that the NAACP referred to as the lynching of “Adolfo Muñoz.” See Trinidad Gonzales, “The Mexican Revolution, Revolución de Texas, and Matanza de 1915,” in *War along the Border: The Mexican Revolution and Tejano Communities*, ed. Arnoldo De León (College Station: Texas A&M University Press, 2012), 118; Johnson, *Revolution in Texas*, 86–87.

²² See Johnson’s chapter “Repression,” in *Revolution in Texas*, 108–143; Trinidad Gonzales, “The Mexican Revolution, Revolución de Texas, and Matanza de 1915,” in *War along the Border: The Mexican Revolution and Tejano Communities*, ed. Arnoldo De León (College Station: Texas A&M University Press, 2012) 107–133; Mike Cox, “A Brief History of the Texas Rangers,” <http://www.texasranger.org/texas-ranger-museum/history/brief-history/>.

down there that would. . . . I have the pardoning power and we will stand by those men, and I want that bunch—that gang cleaned up.”²³

During a Texas congressional investigation into abuse at the hands of the Texas Rangers in 1919, U.S. congressman Claude Benton Hudspeth endorsed a revenge-by-proxy form of policing. Representing the Sixteenth District of west Texas, he stated, “a Ranger cannot wait until a Mexican bandit behind a rock on the other side shoots at him three or four times. . . . [Y]ou have got to kill those Mexicans when you find them, or they will kill you... I don’t believe in this, Mr. Chairman, in extending very much clemency to men who come across the River and murder our wives and children.”²⁴ The Congressman went further to endorse vigilante violence. He continued, “Now I am going to be candid with you, talk about the mob law, if I had it in my power I would lead a mob in a minute against them, and if you reduce these Rangers or curtail them to the extent that they cannot cope with the situation....,there will be people that will respond, and I will come back from Washington to lead them if I am needed. We are going to protect our property.”²⁵

Hudspeth helped to entice panic. When it was reported that Mexican bandits raided an Anglo ranch, or worse, murdered an Anglo Texan, any ethnic Mexican in the region could be suspected and targeted with violence. He described hordes of Mexican bandits just south of the border as an ever-present threat, waiting for the right moment to attack. If the state reduced the number of agents, he believed, the consequences would be swift and violent. His account proved vital in convincing legislators from other regions of Texas that the criminal nature of Mexicans necessitated extralegal violence to maintain peace. To the congressmen, any Mexican, on either side of the border, posed a dangerous threat. The congressman’s sweeping criminalization of an entire population sanctioned the use of violence as a strategy for policing the border region. His voice is merely one of many others that called for and sanctioned anti-Mexican violence.²⁶

ANTI-MEXICAN VIOLENCE AND CULTURES OF IMPUNITY

Anti-immigrant and anti-Mexican rhetoric fueled further violence and left Mexican Americans and Mexican nationals to suffer violence from an intersecting regime of vigilantes, law enforcement, and U.S. soldiers who claimed the lives of hundreds of victims. The failure of federal and state governments to prosecute crimes meant that members of law enforcement and vigilantes could rely on a culture of impunity. Assailants rarely faced arrest, grand juries regularly failed to indict the accused, and as a result, crimes were not prosecuted. Police abuse and collusion with vigilante mobs, followed by state cover-ups, set a pattern for sanctioned abuse. When presidents and governors offered pardoning power to law enforcement, violence by police and vigilantes became pervasive. Instead of correcting the course of history, the state and judicial systems failed to hold accountable elected officials that called for violence or to prosecute law enforcement officers that committed crimes.

Four examples below provide insight into this reign of terror and the culture of impunity that prevailed:

²³ Utley, *Lone Star Lawmen*, 27, 28, 260.

²⁴ U.S. Congressman Claude Benton Hudspeth, testimony, “Proceedings,” 969–970, 977, 992—994.

²⁵ *Ibid.*

²⁶ For more on the long history of politicians, military officials, and doctors justifying inhumane treatment and extralegal violence see: Martínez, *The Injustice Never Leaves You*; John Mckiernan-González, *Fevered Measures: Public Health and Race at the Texas Mexico Border, 1848–1942* (Durham, NC: Duke University Press, 2012); William D. Carrigan and Clive Webb, *Forgotten Dead: Mob Violence against Mexicans in the United States, 1848–1928* (Oxford: Oxford University Press, 2013); Elliott Young, *Catarino Garza’s Revolution on the Texas–Mexico Border* (Durham, NC: Duke University Press, 2004); Arnoldo De León, ed., *War along the Border: The Mexican Revolution and Tejano Communities* (College Station: Texas A&M University Press, 2012).

Lynching of Antonio Rodríguez in Rocksprings, 1910

In November 1910, a mob in Rocksprings, Texas removed twenty-year-old Antonio Rodríguez from a county jail, where he stood accused of murdering a local resident Effie Greer Henderson. A local mob formed, took Rodríguez from police custody, marched him to the edge of town, bound him to a mesquite tree, saturated kindling with kerosene, and burned Rodríguez alive at the stake. Newspapers reported that thousands of local residents attended the lynching. The brutality of the lynching captured international media coverage. Over the next days, weeks, and months, reporters, diplomats, and Texas Rangers would descend on Rocksprings to investigate the lynching. The English-language press stoked fear by circulating rumors that Mexican mobs planned revenge. On November 14 the *El Paso Times* published an article that claimed a Mexican mob had been sighted marching toward Rocksprings to seek revenge. Although such a march through rough and unforgiving terrain was unlikely, the rumors caught national attention. The *New York Times* reported that more than 2,000 “Texas cowboys” descended on Rocksprings to defend the rural community from the oncoming Mexican demonstrators. Only two days later the *El Paso Times* confessed that the claims of encroaching Mexican demonstrators proved to be mere rumor, but the media portrayals of savage Mexicans and a dangerous international border had done their part to shape public opinion. No civilians or officers were ever prosecuted for the lynching in Rocksprings.²⁷

Double Murder of Jesus Bazán and Antonio Longoria in Hidalgo County, 1915

In September 1915 in Hidalgo County, Antonio Longoria and Jesus Bazán, both longstanding landowners and one a county official, faced a difficult decision. When a group of armed men rode onto their ranch and stole horses, Bazán and Longoria had to decide whether or not to report the robbery to local police. On the one hand, they knew that if they reported the robbery to authorities, they could face the wrath of the group that had raided the ranch and become targets for ongoing robberies, or worse. On the other hand, if Bazán and Longoria did not inform local authorities and the assailants were later arrested in possession of the stolen horses, the family could be accused of supporting banditry.

Weighing the risks, on September 27, Bazán and Longoria reported the robbery to Texas Rangers camping nearby. Laborers witnessed what looked like an uneventful conversation between the two men and Texas Ranger captain Henry Ransom. Bazán and Longoria then left and made their way home on horseback. Witnesses recalled that when they were about 300 yards away, Texas Ranger Captain Henry Ransom and two civilians, William Sterling and Paul West, climbed into a Model T Ford and followed the men. As the vehicle approached, one of the passengers reached outside the passenger-side window and shot both men in the back. Bazán and Longoria fell from their horses and died on the side of the road. Witnesses reported that Captain Ransom warned

²⁷ For more on the Rocksprings lynching see chapter one of Martínez, *The Injustice Never Leaves You*; William D. Carrigan and Clive Webb, *Forgotten Dead: Mob Violence against Mexicans in the United States, 1848–1928* (Oxford: Oxford University Press, 2013), 81–82; Nicholas Villanueva Jr., *The Lynching of Mexicans in the Texas Borderlands* (University of New Mexico Press, 2017); Gerald Raun, “Seventeen Days in November: The Lynching of Antonio Rodríguez and American-Mexican Relations, November 3–19, 1910,” *Journal of Big Bend Studies* 7 (1995) 62.

“Armed Mexicans Marching on Town of Rock Springs,” *El Paso Times*, November 14, 1910. Articles circulating similar ideas about fear include the following: “Mexicans on Warpath,” *Advocate*, November 19, 1910; “Fear Fight at Rock Springs,” *Laredo Times*, November 20, 1910; “Americans Are Warned,” *Dallas Morning News*, November 12, 1910; “Trouble at Guadalajara,” *Dallas Morning News*, November 12, 1910; “Quemado Vivo,” *El Regidor*, November 10, 1910; *San Antonio Daily Express*, November 14, 1910, and *El Paso Times*, November 4, 1910; Arnaldo De León, *Mexican Americans in Texas: A Brief History* (New York: Harlan Davidson, 1999), 50.

witnesses no to bury or move the bodies. Seemingly unfazed, he returned to his campsite and took a nap. Days later neighbors took a risk and buried their remains.

Despite the social prominence of both men, there were no investigations into the shooting of these two American citizens, no death certificates were issued, and Captain Ransom made no mention of the shooting in his monthly report. No civilians or officers were prosecuted for the double murder of Jesus Bazán and Antonio Longoria.²⁸

Porvenir Massacre in Presidio County, 1918

In January 1918, a group of Texas Rangers, U.S. soldiers, and local residents traveled to a rural farming community called Porvenir, woke residents from their beds in the middle of the night, and separated fifteen men and boys from their families and neighbors. The unarmed group was taken into custody, denied due process, and executed in cold blood. The victims included Antonio Castañeda, Longino Flores, Pedro Herrera, Vivian Herrera, Severiano Herrera, Manuel Moralez, Eutimio Gonzalez, Ambrosio Hernandez, Alberto Garcia, Tiburcio Jáques, Roman Nieves, Serapio Jimenez, Pedro Jimenez, Juan Jiménez, and Macedonio Huertas. The massacre triggered an investigation by the Mexican government. The survivors provided sworn statements, including that of Juan Méndez, who wrote an official testimony of the massacre for Gen. J. C. Murguía in Ojinaga. By February 15 the Mexican embassy filed a formal protest with Secretary of State Robert Lansing and asked that the State Department charge assailants with responsibility and “to apply to them a well earned punishment.”²⁹

Investigations by Mexican consuls, U.S. soldiers, and the United States State Department found that the victims of Porvenir were killed while they were unarmed and in Texas Ranger custody. U.S. soldiers who witnessed the Porvenir massacre, for example, wrote to Governor Hobby with information. Captain Harry Anderson of the Eighth Cavalry provided an account of what he described as the “midnight murder” when Rangers and ranchmen “took out the owner of the ranch and fourteen others—all farmers and small stock owners and shot them to death. *There was not a single bandit in the fifteen men slain . . . two of them were boys.*” Panicked, Anderson pleaded with the Governor. “The object of this appeal is to call your attention to this unprovoked and wholesale murder by Texas Rangers in conjunction with ranchmen—Rangers who instead of maintaining peace are committing murder by the wholesale and to request Your Excellency to have these Rangers removed at once. . . .”³⁰ With growing federal and diplomatic pressure, the Texas governor responded to the mounting evidence. On June 4, 1918, Governor William Hobby disbanded Company B of the Texas Rangers, fired five Texas Rangers and pressured the captain of Company B, James Monroe Fox, to resign. This proved a rare occasion when state police faced reprimand and dismissal for extralegal violence.

The survivors of the Porvenir massacre continued to seek redress years after the initial tragedy. They turned to diplomatic procedures and filed claims through the U.S.–Mexico General Claims Commission of September 8, 1923. The Mexican and U.S. governments bilaterally created the commission to settle the majority of claims of both Mexican and U.S. nationals arising between July 4, 1868, and the start of the commission. After collecting more than 100 pieces of evidence on behalf of the survivors, on February 15, 1935, Mexican attorney Oscar Rebasa filed *Concepción Carrasco de González, et al. (United Mexican States) v. the United States of America*, on behalf of the surviving relatives.

²⁸ For more on the double murder see chapter two of Martínez, *The Injustice Never Leaves You*.

²⁹ For more on the Porvenir massacre see chapter three of Martínez, *The Injustice Never Leaves You*; Handbook of Texas Online, Monica Muñoz Martínez, “PORVENIR MASSACRE,” accessed September 02, 2019, <http://www.tshaonline.org/handbook/online/articles/jcp02>. Published by the Texas State Historical Association.

³⁰ Army Captain Harry Anderson to Governor William P. Hobby, undated, evidence, “Proceedings,” 849–851; emphasis in original.

The Mexican attorneys made three charges: Texas authorities did not give due protection to the men arrested by the Texas Rangers; the local authorities were the material authors and accomplices of the crimes committed at Porvenir; and the state authorities denied justice by failing to apprehend, prosecute, and punish the persons responsible for the murders.³¹

No law enforcement or civilians were prosecuted for their involvement in the Porvenir massacre. Some Rangers, like Captain Fox, worked in local law enforcement and even rejoined the Texas Ranger force years later.³²

Concepción García (9-years-old) Shot and Killed by U.S. Soldier, 1919

In April 1919, nine-year-old Concepción García lived in Texas to attend school. In April she became ill and with the help of her mother and aunt attempted to return back to Mexico to recover at home with family. While crossing the Rio Grande into Mexico, the group came under fire from a U.S. soldier, leaving Concepción dead. A court martial investigated the shooting and found that the U.S. soldier was guilty of manslaughter for firing on unarmed persons. Despite the court finding, and acting on the advice of the board of review, the judge advocate general, and the secretary of war, U.S. President Woodrow Wilson ordered the lieutenant freed. The soldier was restored to military duty in September 1919.

Concepción García's parents also filed a claim through the 1923 U.S.–Mexico General Claims Commission charging the U.S. government with the wrongful death of their daughter and denial of justice for failing to punish a U.S. border agent. Hearing the case on December 3, 1926, the General Claims Commission discussed the duty not only of municipal and federal authorities but also of soldiers to eliminate any reckless use of firearms. For U.S. soldiers on the U.S.–Mexico border, the commissioners referred to U.S. Military Bulletin No. 4 of February 11, 1919, stating that “firing on unarmed persons supposed to be engaged in smuggling or crossing the river at unauthorized places, is not authorized.” Moreover, General Order No. 3 dated March 21, 1919, outlined that “Troop commanders will be held responsible that the provisions of Bulletin No. 4 . . . is carefully explained to all men.”

The commissioners found that states should be punished for “such offenses as unnecessary shooting across the border without authority.” The commission obligated the U.S. government to pay an indemnity on behalf of Teodoro García and Maria Apolinar Garza. The tribunal decided, “An amount of \$2,000 without interest, would seem to express best the personal damage caused the claimants by their killing of their daughter by an American officer.”³³

³¹ Unfortunately, the general claims commission closed before hearing the claims filed by the Porvenir survivors.

Concepción Carrasco de González, et al. (United Mexican States) v. the United States of America. Annex 97-A, Docket 561, Mexican Claims, RG 76, NACP.

³² General Order No. 5, June 4, 1918, evidence, “Proceedings,” 836–837; James M. Fox to Governor William P. Hobby, June 11, 1918, evidence, “Proceedings,” 839–840; Jas A. Harley to James M. Fox, July 3, 1918; letter published in the *El Paso Herald*, July 3, 1918, and in the *Brownsville Herald*, July 12, 1918; Ignacio Bonillas, Mexican Ambassador, to Robert Lansing, Secretary of State, July 19, 1918, Annex 97-A, Docket 561, Mexican Claims, RG 76, NACP. United States Reply Brief, Docket 561, Mexican Claims, (Mexican Claims), Records of Boundary and Claims Commission and Arbitrations, 1716–1994, Record Group 76, National Archives at College Park (NACP), College Park, MD; “Memorial,” February 15, 1935, Docket 561, Mexican Claims, RG 76, NACP; “Oath of Members Ranger Force, James M. Fox, June 6, 1925,” and “Oath of Members Ranger Force, James M. Fox, February 19, 1934,” Texas Adjutant General’s Department service records (TAGDSR), Archives and Information Services Division (AISD), Texas State Library and Archives Commission (TSLAC), Austin, TX.

³³ *Teodoro García and M. A. Garza (United Mexican States) v. United States of America* (1926). For more on this case and others see the third chapter of Martinez, *The Injustice Never Leaves You*. Mexican nationals that fell victims to state and federal policing and vigilante violence often had more judicial recourse than American citizens. When judicial systems failed to prosecute assailants that murdered American citizens, most were left without other forms of recourse. Mexican

While the commission helped the claimants that received indemnities, the ruling was delivered years too late to curb the widespread violent policing methods.

Separated by time, location, and outcome, these cases give a glimpse into the far-reaching practices of anti-Mexican violence. They show that neither class, citizenship, nor social influence protected victims in this decade. Studied together, these cases expose the linked practices of racial violence that created a long-lasting, pervasive atmosphere of terror. Mobs lynched ethnic Mexicans with impunity, state and local police colluded with vigilantes, and the militarization of the border fed anti-Mexican sentiment, making racial violence all the more lethal. These events were also linked in a broadly felt injustice. In the midst of a reign of terror, relatives protested the ongoing murders for months and years and decades.

STATE AUTHORITIES UNDERMINED EFFORTS TO END RACIAL VIOLENCE

Thousands of federal, state, legal, and local records shed light on this history. Most still exist thanks to the witnesses and surviving relatives who worked for decades to seek justice for those murdered. Some politicians, sheriffs, attorneys, journalists, and U.S. soldiers reported the injustices they witnessed and tried to end the brutality. They pleaded with U.S. presidents, Texas governors, and law enforcement officers to end the reign of terror. For the most part, these leaders were ignored.

Some Texas sheriffs and law enforcement agents protested injustices they witnessed and called for police reform. Cameron County Sheriff William T. Vann, for example, pleaded with state officials and publicly testified to the murder of innocent men by the state police. In 1915 he expressed his concern directly to Texas Governor Ferguson warning that Texas Ranger Captain Henry Ransom's policing would incite more racial violence. He asked that Ransom and his supervised Rangers be removed from Cameron County. Ferguson replied, "Ransom will make you a good man if you warm up to him."³⁴

In 1915 Emilio Forto, a former county judge, mayor, and sheriff in Cameron County, also attributed violence in the border region to "the reckless manner in which undisciplined 'pistol toters' Rangers and other civil officers, have been permitted to act as trial judge, jury, and executioners."³⁵ The systematic killing of ethnic Mexicans without criminal trials signaled the collapse of the Texas judiciary into the "reckless" collaboration of civilians and state officers, who executed subjects at will.

1919 State Legislative Investigation into Texas Ranger Abuse

Other civil rights pioneers who worked to end racial violence by law enforcement and vigilantes faced daunting barriers. State Representative José Tomás Canales, the sole Mexican American elected to state office in 1919, suffered death threats and intimidation by law enforcement for leading an investigation into abuse by Texas Rangers. He introduced state legislation that aimed to reform the state police force by reducing its size, increasing agent salaries, and placing agents under bond. House Bill 5, or the Canales Bill as it was known, called for an extensive investigation into Ranger conduct going back to the peak of anti-Mexican violence in 1915 and sought to document acts of extralegal violence by the state police. In the span of two weeks, 83 witnesses testified. The

nationals, on the other hand, could turn to Mexican consuls in the aftermath, for help in demanding investigations, and in the case of the U.S.-Mexico General Claims Commission of 1923, to actually file claims against the U.S. government. In at least five cases, Mexican nationals successfully filed charges against the United States government for failing to prosecute assailants, for the denial of justice, and for wrongful death.

³⁴ William T. Vann, testimony, "Proceedings," 547, 574-574; "Sheriff Vann Explains to Ranger Committee How to 'Ransomize,'" *Austin American Statesman*, February 8, 1919.

³⁵ Sheriff Emilio Forto quoted in David Montejano, *Anglos and Mexicans in the Making of Texas, 1836-1986* (Austin: University of Texas Press, 1987), 116.

transcriptions for the hearings resulted in three volumes totaling nearly 1600 pages, currently preserved by the Texas State Archives.

During the hearing Representative Canales filed nineteen charges of Texas Ranger abuse: denying residents due process, torturing prisoners, murdering unarmed prisoners and coordinating massacres. Moreover, Canales showed that state administrators called for and sanctioned these acts of violence. Convinced that the adjutant general's office justified Ranger actions rather than discharging agents for extralegal actions and excessive uses of force, Canales led the charge specifically against Adjutant General James Harley and investigating officer Captain William M. Hanson. Each, Canales argued, were "wholly incompetent to discharge the duties of his office."³⁶ Representative Canales argued that AG Harley kept agents who were "notoriously bad men" on the force. Captain Hanson, he suggested, routinely investigated Ranger activities with the sole purpose of defending and justifying their violence. Denial of the civil rights of ethnic and racial minorities, in other words, was not the work of a few unrestrained or rogue agents. This was a key characteristic of state policing. The pattern of abuse by state police led to a widespread mistrust of the state government in general.

Dallas attorney Robert E Lee Knight helped to defend the Texas Rangers during the hearings. He relied on anti-Mexican rhetoric. Knight's witnesses described the Texas-Mexico border region as a harsh and foreign terrain inhabited by desperate Mexicans, a class of criminals who roamed the region posing an ever-present threat to Americans and their property. Knight even cast suspicion on the motives of Representative Canales for bringing charges because of the representatives "Mexican blood." Knight echoed eugenic anxieties about blood purity and asked Canales, "Now Mr. Canales, you are by blood a Mexican are you not?" The representative rebuffed Knight, "I am not a Mexican I am an American citizen."³⁷ The suspicion aimed at Canales for his "Mexican blood" was on full display throughout the proceedings. Knight insulted the representatives and his family, describing Canales as disloyal, as sympathizing with bandits, and compared his family to animals. Being criminalized and racialized as a foreign threat—an American citizen with Mexican blood in his veins—did not dissuade Canales from continuing the hearings.³⁸

Outside of the legislative hearing Canales faced threats and intimidation for bringing charges against Texas Rangers. In December 1918 in San Benito, Texas Ranger Captain Francis Augustus "Frank" Hamer threatened Canales, "You are hot-footing it here, between here and Austin and complaining to the Governor and the Adjutant General about the Rangers and I am going to tell you if you don't stop that you are going to get hurt."³⁹ Canales sent a telegram to Texas Governor William P. Hobby reporting the threat. Apparently threatening the life of a sitting state representative did not require disciplinary action. Adjutant General James Harley merely wired Hamer: "Under Governor's orders you are instructed not to make any threats against the lives of any citizens especially J. T. Canales."⁴⁰ The telegram, however, served two purposes. By instructing Hamer not to intimidate citizens, the adjutant general technically followed the governor's instructions. The telegram also subtly provided Hamer with the name of the citizen who had filed the complaint.

³⁶ José T. Canales, introduction of charges, "Proceedings," 149.

³⁷ José T. Canales, testimony, "Proceedings," 1010-1020.

³⁸ Although Mexican Americans were legally recorded as white, being ethnically Mexican socially distinguished one as being perceived as belonging to a different, inferior race to Anglo Americans, subjected to segregation and discrimination. Some members of longstanding Tejano families, like Canales, were landed, educated, influential in politics in the border region—had been able to continue to operate in to operate at the top of social hierarchies well into the twentieth century. But by 1915 class and privilege did not protect one from being a target of violence and discrimination.

³⁹ José T. Canales, testimony, "Proceedings," 886-891.

⁴⁰ Telegram from Adjutant General Harley to Ranger Frank Hamer, December 23, 1918, submitted to evidence for "Proceedings."

Outcomes of the 1919 Investigation

The records of the 1919 investigation of the Texas Rangers leave not only a clear record of state crimes but also a record of state agents who justified violence. There was no admission of guilt or wrongdoing by the state. To the contrary, during the investigation, lawyers for the Rangers and their witnesses defended Ranger abuse and supported the brutal methods of policing that denied both American citizens and foreign nationals in Texas their civil right to judicial procedures.

The state legislature would sanction the policing practices in an opinion delivered in the thirty-sixth legislative session. On February 19, nearly a month after the investigation began, Chairman Bledsoe presented the investigating committee's findings to the Texas House of Representatives. The committee delivered a unanimous opinion, finding charges of misconduct and "unwarranted disregard of the rights of citizenship" to be "established by sufficient and competent evidence." But, the committee also found that the ongoing conflicts along the border region required the state police force to continue their activities with widespread support.

The committee thanked the Rangers for their service and declared that the agents could not receive credit enough for the discharge of duties under dangerous and "trying conditions." The committee specifically thanked Adjutant General Harley in its report to the legislature. Far from Canales's calls for Harley to be replaced, the committee found that he deserved "commendation" for the "able, efficient, impartial, and fearless" manner in which he commanded the Ranger force during a time of great turbulence. The committee similarly praised Captain Hanson, the investigating officer who had actively decided not to prosecute or dismiss Rangers accused of murder or prisoner abuse. The adjutant general's office was elated with the opinion. Captain Hanson wrote to Ranger C. J. Blackwell and declared, "Vindication complete."⁴¹

The Texas Ranger investigation ended in late February, but—no surprise—racial tensions continued. The National Association for the Advancement of Colored People grew alarmed at the increasingly brutal lynchings in Texas. Moreover, the NAACP documented the wide-spread lynching culture and abuse by local and state police toward anti-lynching activists trying to curb the practice. The summer of 1919 proved tumultuous around the nation, as racial conflicts erupted in places like Elaine, Arkansas, and Omaha, Nebraska. Approximately thirty riots nationwide were reported. This led to the months from May to October 1919 being called the Red Summer.

In July the east Texas town of Longview erupted in conflict as an Anglo mob terrorized African American residents, burning homes and attempting to lynch prominent African American citizens. Longview had recently demonstrated a dark reputation for policing interracial relationships with violence, when on June 17, 1919, a white mob removed Lemuel Walters from the Gregg County Jail and lynched him for allegedly having a relationship with a white woman from nearby Kilgore.⁴² On July 12, the local sheriff, E. M. Meredith, instigated more violence when he shot and killed Marion Bush, father-in-law of the local black physician who also helped organize African American farmers. Anticipating a backlash, the town mayor requested an additional 150 guardsmen from Governor Hobby. When the additional guardsmen arrived, they placed the town under martial law.

⁴¹ See Richard Ribb, "La Rinchada: Revolution, Revenge, and the Rangers, 1910–1920," in De León, *War along the Border*, 87–90.

⁴² Tenth Annual Report of the National Association for the Advancement of Colored People for the Year 1919, 34; Kenneth R. Durham, "The Longview Race Riot of 1919," *East Texas Historical Journal* 18 (1980): 13–24; "More Troops Ordered Sent to Longview," *Dallas Morning News*, July 13, 1919; "Gregg County Now under Martial Law," *Dallas Morning News*, July 14, 1919; "16 White Men under Arrest at Longview," *Dallas Morning News*, July 15, 1919; "Longview Blacks Held in County Jail in Austin," *Austin American*, July 17, 1919; "More Race Riots Break Out Now at Longview," *Austin American*, July 13, 1919.

The death of Marion Bush, brought calls to curb police violence. Instead, early in August 1919, Governor Hobby directed Texas Rangers to investigate the local branches of the NAACP, under the charge that the organization might be circulating Bolshevik propaganda. The agents' effort to help the governor and slow NAACP progress proved successful. The Rangers found no ties to communism, but they claimed that the NAACP branches did not have the proper state charters. The Rangers argued that NAACP chapters were advocating racial equality and had incited racial tensions in Texas and pressured the branches in Texas to disband.⁴³

Texas Governor Hobby himself met the NAACP with open hostility. On August 21, John Shillady, the National Secretary of the NAACP, traveled to Austin to meet with state authorities. Upon his arrival in Austin on August 21, Shillady was hauled before County Judge Dave J. Pickle in the Travis County Court. Pickle warned the NAACP secretary to leave the state. Shillady stayed and held a meeting with local residents. Upon returning to his hotel, Judge Pickle, Constable Charles Hamby, and Ben Pierce accosted and severely beat the NAACP secretary, forced him onto a train, and threatened him not to get off until he was outside of Texas.⁴⁴ Rather than denouncing the participation of members of the court and local police in beating Shillady, the governor rebuked the NAACP for interfering in state matters in a telegram: "Shillady was the only offender in connection with the matter referred to in your telegram and he was punished before your inquiry came. Your organization can contribute more to the advancement of both races by keeping your representatives and their propaganda out of this State than in any other way."⁴⁵ The agents of the state who sought to dismantle the growing strength of the NAACP in Texas did their work well. By the end of 1921, all but seven of the original thirty-three NAACP branches in Texas had disbanded.⁴⁶

Contrary to popular notions that mob violence took place at the hands of marginal populations under cloak of night, in Texas violent crimes took place in broad daylight, with witnesses, and were carried out by prominent citizens. Indeed, the governor himself, as well as a variety of men charged with upholding the law, played key roles in creating a climate of fear. Rather than help turn the tide, authorities turned a blind eye to the Texas tradition of state-sanctioned violence. The frequency with which victims were taken from police custody and lynched highlights the role of local and state police in allowing acts of vigilantism to occur. It also provides the deeper history of the forces that have shaped the long-standing mistrust of local and state police by racial minorities.

ONGOING RACIAL VIOLENCE IN TEXAS AND THE UNITED STATES

The new decade of the 1920s began with a bloody start. Texans witnessed continued lynchings, and more residents lost their lives to mobs, local police, state agents, and border enforcement officers. The 1920s saw the reemergence of the Ku Klux Klan and its move into state and federal administration. In 1922 Texans elected Earl Bradford Mayfield, a card-carrying member of the Ku Klux Klan, to the U.S. Senate. The board of the Texas State Fair, which officially declared October 23, 1923, Ku Klux Klan Day, encouraged all Texans to honor the racist and xenophobic organization.

During this decade legislators also passed anti-miscegenation laws, forced sterilization laws, and restrictive immigration policies. These gained further momentum in the wake of popularized forms of now debunked racist sciences such as phrenology, hereditarianism, and eugenics. Nativist

⁴³ Mark Robert Schneider, *We Return Fighting: The Civil Rights Movement in the Age of Jazz* (Boston: Northeastern University Press, 2002), 30-34;

⁴⁴ Pamphlet, "The Mobbing of John R. Shillady," National Association for the Advancement of Colored People, 1919; "Texas Judge Whips John R. Shillady," *New York Times*, August 23, 1919; Schneider, *We Return Fighting*, 30-34.

⁴⁵ "Mob Attack on the Association's Secretary," in Tenth Annual Report of the National Association for the Advancement of Colored People for the Year 1919, 58.

⁴⁶ Schneider, *We Return Fighting*, 32; Steven Reich, "Soldiers of Democracy: Black Texans and the Fight for Citizenship, 1917-1921," *Journal of American History* 82, no. 4 (1996): 1478-1502.

lobbyists increasingly relied on the seemingly “rationale” language of scientific “race-betterment” to promote their prejudices.⁴⁷

Despite the proliferation of reportage on the “invasion” of immigrants from both Asia and Mexico, in the 1920 census over 85% of the U.S. foreign born population identified Europe as their place of birth.⁴⁸ In 1924 Congress passed the Johnson-Reed Immigration Act of 1924, the first comprehensive restrictive immigration law in the United States. Designed by eugenicists, the act excluded Chinese, Japanese, Indians, and other Asians from immigration. It also established numerical limits on immigration from European nations and created a national origin quota system. Senator Ellison Durant Smith took the Senate floor to offer Madison Grant’s 1916 publication, *The Passing of the Great Race: Or, the Racial Basis of European History*, as evidence of the “threat” of immigrants’ equipped with “inferior Non-Nordic racial stock.” He likewise urged his colleagues to approve the most aggressive immigrant restrictions to avoid turning the nation into an “asylum for the oppressed of all countries.”⁴⁹

The act did not, however, place numerical restrictions on migration from Mexico, but policing policies were implemented. According to historian Mae Ngai, during the 1920s “immigration policy rearticulated the U.S.-Mexico border as a cultural and racial boundary, as a creator of illegal immigration.”⁵⁰ Representative John C. Box of Texas openly lamented that he could not have “Mexicans and other undesirables” excluded entirely. Representative Claude B. Hudspeth, the same congressman that in 1919 criminalized Mexicans and justified extralegal violence, moved to establish the U.S. Border Patrol. He pushed for a rider to the 1924 Immigration Act appropriations bill providing \$1 million to establish a “land border patrol” to police the U.S. borders with Mexico and Canada.⁵¹

The first border patrol agents grew up with the violence of the Texas Rangers and witnessed the culture of impunity that protected agents of the state. According to historian Kelly Lytle Hernández, the agents were primarily working-class Anglo Americans “who often used law enforcement as a strategy of economic survival and social uplift in the agricultural-based societies of the borderlands.” “And they had grown up,” she continues, “with white violence toward *Mexicanos*...early officers of the Border Patrol enforced U.S. immigration restrictions according to the customs, interests, and histories of the borderland communities where they lived and worked.”⁵²

The influence of anti-immigrant and anti-Mexican rhetoric was not limited to the creation of federal policies such as the Johnson-Reed Act of 1924. Mexican migrations were forced to undergo degrading and inhumane medical inspections, bathing, delousing, and interrogations. In 1929,

⁴⁷ Alexandra Minna Stern, *Eugenic Nation: Faults and Frontiers of Better Breeding in America* (Berkeley: University of California Press, 2002); Dorothy Roberts, *Killing the Black Body: Race, Reproduction, and the Meaning of Liberty* (New York: Vintage, 1998).

⁴⁸ 11,916,048 people reported their place of birth as within Europe out of an estimated total population of 13,920,692 foreign born peoples. Table II. “Region of Birth of the Foreign-Born Population: 1850-1930 and 1960 to 1990,” U.S. Census Bureau, Population Division, accessed September 1, 2019.

<https://www.census.gov/population/www/documentation/twps0029/tab02.html>

⁴⁹ Testimony by Ellison DuRant Smith, April 9, 1924, *Congressional Record*, 68th Congress, 1st Session (Washington DC: Government Printing Office, 1924), vol. 65, 5961–5962. Accessed August 28, 2019.

[https://www.govinfo.gov/app/collection/crecb/crecb/Volume%20065%20\(1924\)](https://www.govinfo.gov/app/collection/crecb/crecb/Volume%20065%20(1924))

⁵⁰ Mae Ngai, *Impossible Subjects*, 67.

⁵¹ Testimony by John C. Box, April 9, 1924, *Congressional Record*, 68th Congress, 1st Session (Washington DC: Government Printing Office, 1924), vol. 65, 5874–5875; See Miguel Levario, *Militarizing the Border: When Mexicans Became the Enemy* (College Station: Texas A&M University Press, 2012), 98.

For more on the Johnson-Reed Immigration Act of 1924, see Mae Ngai, *Impossible Subjects: Illegal Aliens and the Making of Modern America* (Princeton, NJ: Princeton University Press, 2004).

⁵² Kelly Lytle Hernández, *Migra! A History of the U.S. Border Patrol* (Berkeley: University of California Press, 2010), 20–23.

Congress passed Senator Coleman Livingston Blease's bill, that made "unlawfully entering the country" a misdemeanor punishable by a \$1,000 fine and/or up to one year in prison. The bill also made returning to the United States after deportation a felony, punishable by a \$1,000 fine and/or up to one year in prison. Kelly Lytle Hernández wrote, "within one year, Blease's law dramatically altered the story of race and imprisonment in the U.S.-Mexico borderlands."⁵³ That same year deportation campaigns started targeting ethnic Mexicans. During the Great Depression, Mexican nationals and Mexican Americans were scapegoated as a drain on dwindling public resources and targeted for deportation. In the Southwest and Midwest over 400,000 Mexicans were repatriated in the early 1930s. An estimated 60% of those were children or American citizens by native birth, spoke English, and had lived in the United States for approximately ten years.⁵⁴ Similar histories of deportations and injustice continued throughout the twentieth century.

CONCLUSION

Current federal and state policing regimes have deep roots in the violence of the borderlands—the regime of terror practiced a century ago on the Texas–Mexico border is crucial to ongoing conversations about police brutality, immigration, and the carceral state. For too long state sanctioned violence at our nation's borders has been normalized. History reveals that racist representations of people, and mischaracterizations of the U.S.-Mexico border, helped to incite violence, led to racial and ethnic minorities being denied their most basic rights, led to the militarization of the border, and inspired nativist immigration policies. Moreover, this era of racial violence influenced public perceptions of Mexican Americans, immigrants, the U.S.-Mexico border, U.S. democracy, and justice for generations.

A century ago there were also politicians, journalists, law enforcement officers, and everyday civilians that tried to end racial violence. People protested, documented what they witnessed, and pleaded with elected officials. These calls were largely ignored. In the 1919 Texas congressional investigation into Texas Ranger abuse, the state legislature sanctioned racial violence. Witnesses, including state authorities, also denied the humanity of victims and the suffering of their surviving relatives.

When I consider how long it will take for families, advocates, and communities to recover from the injustices they are witnessing today, I think about descendants of racial violence who carry sentiments of loss 100 years after their relatives were murdered by state police in Texas. Norma Longoria Rodriguez, a resident of San Antonio, described the weight of the double murder of Jesus Bazán and Antonio Longoria on her family. She explained, "It's an injustice. It never leaves you. It's inherited loss."⁵⁵ Recounting this history disrupts popular assumptions that violence is followed by reconciliation and that the mere passage of time can heal wounds. Answering calls for justice requires confronting disavowed histories and changing laws and policies inspired by nativism and racism. It also requires acknowledging the lives lost and seeking justice for those impacted by violence today.

⁵³ Senator Blease was a known white supremacist who supported segregation, endorsed lynching culture, and who targeted Mexican migration in particular. For more see Kelly Lytle Hernández, *City of Inmates: Conquest, Rebellion, and the Rise of Human Caging in Los Angeles, 1771-1965* (Chapel Hill: University of North Carolina Press, 2017) 136-138; Mae Ngai, *Impossible Subjects: Illegal Aliens and the Making of Modern America* (Princeton: Princeton University Press, 2004), 55, 70-71.

⁵⁴ Ngai, *Impossible Subjects*, 71-73. For more on the history of deportations of Mexican nationals and Mexican American see: Kelly Lytle Hernández, *City of Inmates*; Ana Minian, *Undocumented Lives: The Untold Story of Mexican Migration* (Cambridge, MA: Harvard University Press, 2018); Francisco E. Balderrama, *Decade of Betrayal: Mexican Repatriation in the 1930s* (University of New Mexico Press, 2006).

⁵⁵ Norma Longoria Rodriguez, interview by author, September 22, 2010, San Antonio, TX, digital recording.