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Illicit Inhabitants: Empire, Immigration, Race, and Sexuality on the U.S.-Mexico Border, 1891-1924

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ILLICIT INHABITANTS: EMPIRE, IMMIGRATION, RACE, AND
SEXUALITY ON THE U.S.-MEXICO BORDER, 1891-1924

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2014

Dedication

For my parents Salvador and Martha Elena Montelongo

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SEXUALITY ON THE U.S.-MEXICO BORDER, 1891-1924

by

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DISSERTATION

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in Partial Fulfillment

of the Requirements

for the Degree of

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Table of Contents

Acknowledgements.....	v
Table of Contents.....	ix
Introduction: Illicit Bodies, Law, and Empire	1
Chapter 1: Defining Empire on the U.S.-Mexico Border: The Making of El Paso-Ciudad Juárez Region in the Late 19 th Century	17
Chapter 2: Bringing Order to the Border: The Texas Rangers in the El Paso Region, 1891-1919.....	35
Chapter 3: Keeping an Orderly Empire: Crime and Working-Class Bodies in El Paso, 1900-1920	59
Chapter 4: Protecting the Empire's Border: Federal Interpretations of Morality, 1907-1924.....	88
Afterword:	118
Bibliography	124
Vita.....	135

Introduction: Illicit Bodies, Law, and Empire

It was a cool El Paso morning in April 2002. Arlene Diaz was at the Diamond Shamrock, a convenience store on the west side of town. Also there was Justen Grant Hall, a 23 year-old self-proclaimed white supremacist. Arlene approached Hall and asked him for a ride to Sunland Park. Hall thought that Arlene wanted a ride to the street not the nearby community in New Mexico, but he took her across the state line anyway. Once there, they stopped at a two-story house where Arlene's friend Dominique lived. They walked into the home and Dominique immediately recognized Hall who then became restless and announced that he was tired and was leaving. Although Arlene lived around the corner, she asked Hall for a ride home and he agreed. Before leaving, Arlene allegedly took a hit from a crack pipe and they left. On the way home Arlene asked Hall, "you know what I am, right?" According to Hall, Arlene then revealed that she was a transgendered prostitute and allegedly grabbed Hall's penis. Hall responded by pulling out a 9mm Jennings, telling Arlene to "get the fuck out of the truck." Arlene hit him and screamed, "No, don't!" Hall stopped the truck and as Arlene exited he fired the gun once, hitting her in the lower torso, and mortally wounding her. Arlene's body lay lifeless, almost exactly on the Texas-New Mexico border.¹ Initially, the Sunland Park Police Department responded after a male entered the police station and reported a dead body lying on the side of the road next to a convenience store. The police arrived and determined that the body was actually lying on the

¹ The story of the violent murder of Arlene Diaz (nee Hector Arturo Diaz) provides a window for thinking about the complexity of identity formation, resistance, negotiation, and ultimate survival on the U.S.-Mexico border. It is not, however, a critical analysis of transgender identity nor is it the focal point of this dissertation. It is the author's intention to eventually treat Arlene's story as a separate article that will place Latina/o transgender identity as the cornerstone of the study.

Texas side of the state line and without hesitation turned the case over to the El Paso Police Department.²

Arlene and Justen Hall's stories help us understand how racial, gendered, and sexual borders define communities and in what manner communities negotiate political, economic, and social borderlands. Border inhabitants like Justen and Arlene, born Hector Arturo Diaz, challenge our perceptions of race, class, gender and hetero-normative society. Arlene, a dark-skinned transgendered woman murdered by a self-proclaimed racist reveals the violence enacted all too often on ethnic Mexican bodies on the U.S.-Mexico border. A plexus of juridical, medical, and social institutions monitors and controls the bodies of men and women on the border; it is a form of policing often accompanied by verbal, physical, and sexual abuse. In El Paso, those same patriarchal institutions created and controlled by white migrants to the region in the late 19th century readily served Justen Hall at the turn of the twenty-first century after he assassinated Arlene and almost got away with it. Arlene's story details what has been, and continues to be, a daily existence for working-class ethnic Mexicans on the fringes. Their bodies are often seen as inferior and disposable, subjected to insidious levels of racist, classist, and sexist rhetoric and violence. This is a consequence of American empire building, which after the mid-1800s included the subjugation of Latin American bodies.

Beginning in 1848 with the U.S. conquest of Mexico and continuing through the close of the century with interventions in Cuba, Puerto Rico, and the Philippines, the people of these newly conquered spaces became targets of numerous racist medical and social procedures appropriated by modern states to subjugate bodies and control entire populations. Like race, gender dynamics offered fundamental techniques for securing and maintaining imperial projects,

² The facts provided for the violent murder of Arlene Diaz and the testimony of Justen Hall and Dominique come from author's personal notes taken while attending Justen Hall's trial from January 24, 2005 to February 16, 2005 in the District Court of El Paso, County, 34th Judicial District, the Honorable William E. Moody, Judge.

and the creation of the U.S.-Mexico border was one such venture. Empire building on the border consisted of a white, masculine enterprise backed by institutional violence at the hands of law enforcement agencies, courts, medical authorities, and other state machinery. It was an endeavor that constructed the subjective and collective meanings of immigrant Mexican bodies.³ The concept of empire provides a useful backdrop for understanding how the categories of whiteness, Mexican identity, gender, sexuality, and class came to be defined in El Paso, Texas at the turn of the twentieth century.

Incorporated in 1873, El Paso city leaders, themselves white migrants from other parts of the country, moved quickly to conquer the region and shape the city in the image of the white, law-abiding citizen. As a city located on the U.S.-Mexico border, El Paso had to be configured to fit into the emerging U.S. empire. Constructing ethnic Mexican identity as dangerous, hypersexual, dirty, and disease-ridden accomplished this. City leaders laid the foundation for the present day location where bodies are still monitored and policed, subjected to white, hetero-normative ideals more visibly enforced on the southern border of the U.S. empire than in its heartland or northern border. The inhabitants of the El Paso region co-exist with an extensive network of law enforcement agencies. On any given day and in any given location, residents see Border Patrol agents, city police, sheriff's deputies, D.E.A. agents, F.B.I. agents, I.C.E. agents, and U.S. Marshalls. To understand how this location functions vis-à-vis the residents and the institutions of law and social enforcement we must think of the U.S.-Mexico border as a line of ingress heavily guarded from those considered threatening, defective, and diseased. This study examines the creation of a complex web of surveillance and the knowledge and power produced by immigration inspectors, Texas Ranger forces, public health officials, and city

³ Anne McClintock, *Imperial Leather: Race, Gender, and Sexuality in the Colonial Contest* (New York: Routledge, 1995), 16.

officials on the U.S.-Mexico border. It illustrates the collaborative efforts that emerged between state and local officials in response to federal policy, which today are well entrenched and heavily enforced, but not without resistance and negotiation by citizens and immigrants, mostly Mexican, in the El Paso region.

The U.S.-Mexico border is, and always has been, a hotly debated and greatly misunderstood region where racial and sexual stereotypes abound. Stereotypes are both constant and evolving elements crucial for the social policing of the body. In the El Paso region, federal, state, and municipal officials, primarily white Americans, utilized insular notions of race and sexuality to impose a caustic brand of social control common to American imperial ventures at the turn of the twentieth century. It is essential to intervene and rethink the chronology of Mexican American history to better understand how histories have been inserted into the narrative of mainstream U.S. history. Through an understanding of how varied layers of federal, state, and municipal policies and procedures informed histories and defined certain regions and bodies as marginalized yet crucial sites of the nation and empire, this study seeks to contribute to the growing corpus of work on empire, immigration policy, racial and sexual identity, and community formation along the U.S.-Mexico border.⁴

Although the twin cities of El Paso-Ciudad Juárez constitute one of the most complex border crossings in the nation, if not the world, historical inquiries on the region are limited.

⁴ This study defines identity as the construction or invention of oneself by incorporating, modifying, and magnifying communal solidarities, cultural attributes, historical memories, and individual experiences. The construction of identity is socio-historical, constantly recreated in response to changing social, political, and economic realities over space and time. For further analysis of identity formation see Nicholas Canny and Anthony Pagden eds. *Colonial Identity in the Atlantic World, 1500-1800* (Princeton: Princeton University Press, 1987); Ron Eyerman, *Cultural Trauma: Slavery and the Formation of African American Identity* (New York: Cambridge University Press, 2001); Martha E. Bernal and George P. Knight eds. *Ethnic Identity: Formation and Transmission Among Hispanics and Other Minorities* (Albany: University of New York Press, 1993); George J. Sánchez, *Becoming Mexican American: Ethnicity, Culture, and Identity in Chicano Los Angeles, 1900-1945* (New York: Oxford University Press, 1993); Pablo Vila, *Border Identifications: Narratives of Religion, Gender, and Class on the U.S.-Mexico Border* (Austin: University of Texas Press, 2005); Cynthia L. Bejarano, *Qué Onda?: Urban Youth Culture and Border Identity* (Tucson: University of Arizona Press, 2005); Monica Perales, *Smeltertown: Making and Remembering a Southwest Border Community*, (Chapel Hill: University of North Carolina Press, 2010).

Early historical works such as Oscar Martínez's *Border Boom Town: Ciudad Juárez Since 1848* (1975) and Mario T. García's *Desert Immigrants: The Mexicans of El Paso* (1981) offered economic and labor histories that discussed the region as a vibrant profitable center for transportation, smelting, trade, and agriculture at the turn of the twentieth century. While incredibly important to Mexican American history, the author's failed to recognize the culture of U.S. imperialism and its impact on the different communities forming in the nation's southern border. They did, however, provide a fundamental interrogation of the internal differences and conflicts centered on relations of race and class and how the dominant culture in the region controlled all other communities and cultures in formation.⁵

⁵ Mario T. García, *Desert Immigrants: The Mexicans of El Paso, 1880-1920* (New Haven: Yale University Press, 1981); Other more recent works that discuss the El Paso-Ciudad Juárez region include Oscar Martinez, *Troublesome Border* (Tucson: University of Arizona Press, 1988); W.H. Timmons, *El Paso: A Borderlands History* (Austin: The University of Texas Press, 1990); Yolanda Chávez Leyva, *Que Son Los Niños?: Mexican Children Along the Mexican Border, 1880-1930* (Ph.D. Dissertation, The University of Arizona, 1999); Alexandra Minna Stern, "Buildings, Boundaries, and Blood: Medicalization and Nation-Building on the U.S.-Mexico Border, 1910-1930" *Hispanic American Historical Review* 79, no. 1 (1999): 41-81; David Romo, *Ringside Seat to a Revolution: An Underground Cultural History of El Paso and Juárez, 1893-1923* (El Paso: Cinco Puntos Press, 2005); and Monica Perales, *Smeltertown: Making and Remembering a Southwest Border Community*, (Chapel Hill: University of North Carolina Press, 2010). For further analysis of identity formation on the U.S.-Mexico border see Pablo Vila, *Crossing Borders, Reinforcing Borders: Social Categories, Metaphors, and Narrative Identities on the U.S.-Mexico Frontier* (Austin: University of Texas Press, 2000); Jaime E. Rodríguez and Katherine Vincent eds., *Common Border, Uncommon Paths : Race, Culture, and National Identity in U.S.-Mexican Relations* (Wilmington: Scholarly Resources Press, 1997); Pablo Vila, *Crossing Borders, Reinforcing Borders: Social Categories, Metaphors, and Narrative Identities on the U.S.-Mexico Frontier* (Austin: University of Texas Press, 2000) and *Border Identifications: Narratives of Religion, Gender, and Class on the U.S.-Mexico Border* (Austin: The University of Texas Press, 2005); Daniel D. Arreola, *Tejano South Texas: A Mexican American Cultural Province* (Austin: The University of Texas Press, 2002); Rosa Linda Fregoso, *MeXicana Encounters: The Making of Social Identities on the Borderlands* (Berkeley: University of California Press, 2003); Cynthia L. Bejarano, *Qué Onda?: Urban Youth Culture and Border Identity* (Tucson: University of Arizona Press, 2005); Eric V. Meeks, *Border Citizens: The Making of Indians, Mexicans, and Anglos in Arizona* (Austin: The University of Texas, 2007); and Cathy Ragland, *Música Norteña: Mexican Migrants Creating a Nation Between Nations* (Philadelphia: Temple University Press, 2009). For a discussion of community formation on the border see Rodolfo Acuña, *Occupied America: A History of Chicanos* 7th ed. (New York: Prentice Hall, 2010); George J. Sánchez, *Becoming Mexican American: Ethnicity, Culture, and Identity in Chicano Los Angeles, 1900-1945* (New York: Oxford University Press, 1995); Neil Foley, *The White Scourge: Mexicans, Blacks, and Poor Whites in Texas Cotton Culture* (Berkeley: University of California Press, 1999); Albert Camarillo, *Chicanos in a Changing Society: From Mexican Pueblos to American Barrios in Santa Barbara and Southern California, 1848-1930* (Dallas: Southern Methodist University Press, 2005); and Andrew Grant Wood, *On the Border: Society and Culture Between the United States and Mexico* (Lanham, SR Books, 2004).

In her introduction to the anthology *Cultures of United States Imperialism* (1993), literary critic Amy Kaplan questioned the denial of empire in American Studies and critiqued American ethnocentrism, calling for an examination of how imperialism as a political or economic process abroad is inseparable from the social relations and cultural discourses of race, gender, ethnicity, and class at home. She called for an ongoing revision of “American frontiers” and pointed to contributions made in the field of Borderland Studies, which re-envisioned peripheral sites as multidimensional locations where race, ethnicity, immigration, gender, and sexuality were inextricably linked to the study of international relations and empire.⁶ This study of the triad of federal, state, and municipal officials and their use of racial and sexuality discourses, which defined and controlled bodily comportment, circumvents traditional American histories and instead analyzes the El Paso region as an extension of American imperialism and empire into Latin America.

The turn of the twentieth century provides a backdrop of escalating economic and military involvement abroad and massive population influxes at home and as a consequence empire and immigration became "two sides of the same coin." Both were generated by modernization and industrialization, and both transformed late-nineteenth-century America into a major world power and global economic player. Immigrants, in their presumed inferiority, threatened idealized and racialized conceptions of citizenship and touched off extensive debate

⁶ Amy Kaplan, “Left Alone with America: The Absence of Empire in the Study of American Culture,” in *Cultures of United States Imperialism*, Amy Kaplan and Donald E. Pease, Eds. (Durham: Duke University Press, 1994), pgs. 3-21. Matthew Frye Jacobson, *Barbarian Virtues: The United States Encounters Foreign Peoples At Home And Abroad* (New York: Hill and Wang, 2000). For works that re-envision sites of imperialism as multidimensional locations where race, ethnicity, immigration, gender, and sexuality were inextricably linked to the study of international relations and empire see Mae M. Ngai, *Impossible Subjects: Illegal Aliens and the Making of Modern America* (Princeton: Princeton University Press, 2004); Laura Briggs, *Reproducing Empire: Race, Sex, Science, and U.S. Imperialism in Puerto Rico* (Berkeley: University of California Press, 2002); Paul A. Kramer, *The Blood of Government: Race, Empire, The United States and the Philippines* (Chapel Hill: The University of North Carolina Press, 2006); Ann Laura Stoler, ed., *Haunted By Empire: Geographies of Intimacy in North American History* (Durham: Duke University Press, 2006); Eileen Suárez-Findlay, *Imposing Decency: The Politics of Sexuality and Race in Puerto Rico, 1870-1920* (Durham: Duke University Press, 2000) and Eric T. Love, *Race Over Empire: Racism and U.S. Imperialism* (Chapel Hill: The University of North Carolina Press, 2004).

over the meaning of morality in America throughout the first quarter of the twentieth century. Consequently, social control became a very important concept for empire building within and outside of the nation's borders.

The goal of social control is to ensure that members of a society subscribe to the rules of conformity and obedience as prescribed by those in power; this, however, posed a dilemma for Mexican immigrants entering El Paso at the turn of the century as they met with aggressive policies and procedures that focused on the body as the central site for transforming immigrant Mexicans into Americans. The white residents of El Paso relied on bodily comportment to claim that immigrants were socially inferior and not white, and these efforts played out in particular sites such as the disinfection plants, clinics, jails, and even in the immigrant's own home. Few sources have looked specifically at empire and bodies on the U.S.-Mexico border. Historian Alexandra Minna Stern's *Eugenic Nation: Faults and Frontiers of Better Breeding in Modern America* (2005) redresses this exclusion and asserts that scientific control of racialized bodies was the central project for imperialism on the U.S.-Mexico border in the early 20th century, and that medicalization and criminalization of Mexican immigrants were direct results of American science and imperialism.⁷

The ongoing policies and procedures enacted by all levels of government racialized Mexicans as outsiders, generating long-lasting stereotypes of Mexicans as filthy and prone to

⁷ Alexandra Minna Stern, *Eugenic Nation: Faults and Frontiers of Better Breeding in Modern America* (Berkeley: University of California Press, 2005). Other works that interrogate immigrant communities and eugenics at the turn of the 20th century include Natalia Molina, *Fit To Be Citizens? Public Health and Race in Los Angeles, 1879-1939* (Berkeley: University of California Press, 2006); Amy L. Fairchild, *Science at the Borders: Immigrant Medical Inspection and the Shaping of the Modern Industrial Labor Force* (Baltimore: The Johns Hopkins University Press, 2003); and Nayan Shah, *Contagious Divides: Epidemics and Race in San Francisco's Chinatown* (Berkeley: University of California Press, 2001). There are few works that deal specifically with the eugenics in the El Paso-Ciudad Juárez region. The most recent and extensive source is Alexandra Minna Stern's, "Buildings, Boundaries, and Blood: Medicalization and Nation-Building on the U.S.-Mexico Border, 1910-1930" *Hispanic American Historical Review* 79, no. 1 (1999): 41-81. Other works in progress that discuss the social policing of immigrant groups in El Paso include Ann R. Gabbert, "Defining the Boundaries of Care: Local Responses to Global Concerns in El Paso Public Health Policy, 1881-1936." (Ph.D. Dissertation, The University of Texas at El Paso, 2006).

irresponsible breeding. In 1926, El Paso's chief inspector justified the perceived need for such measures as necessary to "contend with an alien race; one with a different language, different customs, different moral standards, and different diseases."⁸ In El Paso federal, state, and municipal officials often turned to bacteriological theories to construct Mexicans as a danger to healthy white Americans.⁹ When federal agents arrived in the region they implemented the same medical procedures used during American imperial ventures in Cuba, the Philippines, and the Panama Canal Zone to counter typhus, plague, smallpox, and venereal disease on the U.S.-Mexico border. In fact, a number of veteran doctors from the Spanish-American War brought their knowledge of tropical medical procedures to the American Southwest and served as United States Public Health Service surgeons. As a result, the simultaneous medicalization and criminalization of the U.S.-Mexico border and Mexican immigrants in the early twentieth century marked the beginning of an intensive network of law enforcement that continues to blanket the region today.¹⁰

Race and sexuality were critical for deciding who did and did not belong to the American nation. Queer theorist and literary critic Siobhan Somerville, challenged scholars to historicize productions of racial and sexual formations as intertwined developments. She argued that it was

⁸ Stern, *Eugenic Nation*, 67.

⁹ The era of the germ theory of disease reached its height between 1880 and 1900, but its beginnings were a few decades earlier and its consequences lasted a few decades later. The theory maintained that infectious diseases were caused by the activity of microorganisms within the body. American institutions, organizations, and citizens, however, have a long history of associating immigrant bodies with disease. Mexican immigrants were no exception as their bodies were described as "dirty," "disorderly," "undesirable," and of "a low type." For further analysis on the immigrant bodies and disease see Alan Kraut, *Silent Travelers: Germs, Genes, and the Immigrant Menace* (New York: BasicBooks, 1994); Natalia Molina, *Fit To Be Citizens? Public Health and Race in Los Angeles, 1879-1939* (Berkeley: University of California Press, 2006); Alexandra Minna Stern, *Eugenic Nation: Faults and Frontiers of Better Breeding in Modern America* (Berkeley: University of California Press, 2005) and "Buildings, Boundaries, and Blood: Medicalization and Nation-Building on the U.S.-Mexico Border," *Hispanic American Historical Review* 79, no. 1 (1999): 41-81; Nayan Shah, *Contagious Divides: Epidemics and Race in San Francisco's Chinatown* (Berkeley: University of California Press, 2001); Mark C. Anderson, "What's to Be Done with 'Em? Images of Mexican Cultural Backwardness, Racial Limitations, and Moral Decrepitude in the United States Press, 1913-1915," *Mexican Studies/Estudios Mexicanos*, Vol. 14, No. 1 (Winter, 1998): 23-70

¹⁰ Stern, *Eugenic Nation*, 24.

no coincidence that the homo/hetero binary emerged in the late nineteenth century, at about the same moment when the Supreme Court ruling *Plessy v. Ferguson* institutionalized social, political, and economic boundaries between people of color and the dominant white culture.¹¹

This was precisely the situation in El Paso at the turn of the century as Mexican immigrants underwent strict examinations that violated their bodies and homes. El Paso was a crucial port of entry and home to a burgeoning military base and as such represented an important site for national security. Because of these two important factors, what ultimately developed was a comprehensive network of biopower, a system of infinite and diverse techniques, implemented by institutions of authority, and intended to subjugate and control the Mexican inhabitants of El

¹¹ For a discussion on how federal, state, and local institutions produce simultaneous racial and sexual formations see Siobhan Somerville, *Queering the Color Line: Race and the Invention of Homosexuality in American Culture* (Durham: Duke University Press, 2000); Michael Omi and Howard Winant, *Racial Formation in the United States: From 1960 to the 1990's* (New York: Routledge Press, 1994); Tomás Almaguer, *Racial Fault Lines: The Historical Origins of White Supremacy in California* (Berkeley: University of California Press, 1994); Eileen Suárez-Findlay, *Imposing Decency: The Politics of Sexuality and Race in Puerto Rico, 1870-1920* (Durham: Duke University Press, 2000); Laura Briggs *Reproducing Empire: Race, Sex, Science, and U.S. Imperialism in Puerto Rico* (Berkeley: University of California Press, 2002); Paul A. Kramer, *The Blood of Government: Race, Empire, The United States and the Philippines* (Chapel Hill: The University of North Carolina Press, 2006); Eithne Luibhéid, *Entry Denied: Controlling Sexuality at the Border* (Minneapolis: University of Minnesota Press, 2002). For an analysis on the relationship between sexuality and citizenship see Margot Canaday, *The Straight State: Sexuality and Citizenship in 20th Century America* (Princeton: Princeton University Press, 2009); and Natalia Molina, *Fit To Be Citizens? Public Health and Race in Los Angeles, 1879-1939* (Berkeley: University of California Press, 2006). For a discussion of the policing of sexuality see Michel Foucault, *The History of Sexuality*, Vol. 1, *An Introduction*. Trans. Robert Hurley (New York: Vintage, 1980). Foucault argued that the prudishness of the bourgeoisie and their effort to censor sex inadvertently stimulated an outbreak of discourse on the subject from the eighteenth century onward, especially within institutions that exerted power such as the church and medical and legal institutions. Foucault maintained that rather than censoring sex, repression served a greater role as the foundation for the creation of knowledge about sex accompanied by endless queries and discourses on sex and sexualities during the modern period. For further discussions on the historical context of sexual identity see Jonathan Ned Katz, *The Invention of Heterosexuality* (New York: Penguin, 1995); John D'Emilio and Estelle Freedman, *Intimate Matters: A History of Sexuality in America* (Chicago: University of Chicago Press, 1998); George Chauncey, *Gay New York: Gender, Urban Culture, and the Making of the Gay Male World, 1890-1940* (New York: BasicBooks Press, 1994); Angus McLaren, *The Trials of Masculinity: Policing Sexual Boundaries, 1870-1930* (Chicago: University of Chicago Press, 1999); Judith Halberstam, *Female Masculinity* (Durham: Duke University Press, 1998); Margot Canaday, *The Straight State: Sexuality and Citizenship in 20th Century America* (Princeton: Princeton University Press, 2009); Joanne Meyerowitz, "How Common Culture Shapes the Separate Lives': Sexuality, Race, and Mid-Twentieth Century Social Constructionist Thought." *Journal of American History*. Vol. 96, no. 4 (March 2010): 1057-1086; and Regina Kunzel, *Criminal Intimacy: Prison and the Uneven History of Modern American Sexuality* (Chicago: University of Chicago Press, 2010).

Paso.¹² The techniques included inspections of bodies and homes as well as discriminatory surveillance strategies in public spaces for sexual impropriety, narcotics, and other forms of perceived vice. The discourses that supported these procedures enforced the social and sexual practices and values of the dominant, hetero-normative, white culture.

Once the multi-layered institutions established power and knowledge, they exacted discipline and punishment techniques against defective and dangerous Mexican bodies. Philosopher Michel Foucault theorized that discipline, whether identified with an institution such as the state, or an apparatus of the state such as the police, represented a form of power comprised of instruments, techniques, procedures, and targets for social control. From the beginning, prisons functioned as sites of state-sanctioned violence that coupled legal detention with mental and physical torture to correct behavior and reform individuals under the supervision of law enforcement and medical officials. The law and those who enforced it were nothing more than instruments of class power; therefore, criminal law existed to legitimize the status quo.¹³ Nevertheless, the Mexican inhabitants of El Paso resisted and negotiated their existence within the unfolding the web of surveillance.

Individuals—whether people of color, white, citizen, or immigrant—actively constructed racial, ethnic, gendered, and sexual identities by claiming membership in specific groups within the larger community. They connected themselves to others through nationality, class status, ethnic affiliation, and sexual orientation. While the construction of identity furthered a sense of community and belonging, group identity did not form in a unified manner, neither did it guarantee an inherent or unchanging "collective fiction" as Mexican immigrants also

¹² For a discussion of biopower see Michel Foucault, *The Birth of Biopolitics* (New York: Palgrave Press, 2010); and Michael Dillon and Andrew W. Neal, *Foucault on Politics, Security, and War* (New York: Palgrave MacMillan Press, 2008)

¹³ Michel Foucault, *Discipline and Punish: The Birth of the Prison*. (New York: Vintage Books, 1979), 195-228.

marginalized one another and consciously positioned themselves within interstitial spaces to resist, negotiate, and emancipate themselves from all dominant controls.¹⁴ This study begins in 1891 and interrogates the prevailing ideologies of race, sex, and gender that worked to advance notions of empire, and reinforce American nativism in the first quarter of the twentieth century.¹⁵ It examines empire from the perspective of law and law enforcement procedures and public health practices. It utilizes race, class, gender, and sexuality as categories of analyses for understanding the way in which federal, state, and municipal agents of empire defined and controlled Mexican bodies and communities on the U.S.-Mexico border, and how the Mexican inhabitants of El Paso resisted and negotiated the surveillance.

This study begins with a chapter entitled “Defining Empire on the U.S.-Mexico Border: The Making of the El Paso Region In the Late 19th Century,” and interrogates the unfinished manuscript of Dr. John Howard Thompson. In 1890, Dr. Thompson relocated to El Paso where he stayed until his retirement in 1923. In El Paso, Thompson was active in Masonic, school, church, and medical affairs and was part of a group of early white migrants credited with forming and defining the political, economic, and social foundations of the city before and after 1881. Dr. Thompson’s recollections of early El Paso provide a window into the social and cultural beliefs of incoming white Americans intent on creating a city in their own likeness. His story provides a source for understanding how civic organizations and law enforcement agencies supported the ideals of those in power while imposing social control on those considered morally

¹⁴ Chela Sandoval, *Methodology of the Oppressed* (Minneapolis: University of Minnesota Press, 2000). For further discussion of interstitial space theory for negotiating and resisting power see Emma Pérez, *The Decolonial Imaginary: Writing Chicanas into History* (Bloomington: Indiana University Press, 1999); and José Esteban Muñoz, *Disidentifications: Queers Of Color And The Performance Of Politics* (Minneapolis: University of Minnesota Press, 1999). Collective fiction refers to a historical past, that may or may not represent actuality but has been accepted by a number of people acting as a group in an effort to create a unified history of a people, place, culture, etc.

¹⁵ In this study racism is defined as the sum of culturally sanctioned beliefs, practices, and institutions that establish and maintain a racial social orders, hierarchies, and systems of privilege and oppression based on the conviction that white is superior to non-white. As such, those considered non-white are excluded from equal access to and participation in America’s economic, political, social, and cultural mainstream.

deficient, and it disrupts the notion that American empire building began after 1898. Dr. Thompson's unfinished narrative clearly characterized early white migrants as the original settlers, the founding fathers and their families who utilized race, class, gender, and sexuality to secure and maintain power in the region.

The maintenance of power, however, depends on the establishment of law and order through a myriad of policies and procedures at all levels of government. Chapter 2, entitled "Bringing Order to the Border: The Texas Rangers in the El Paso Region, 1891-1919," analyzes the presence of the Texas Rangers in the El Paso region as both law enforcement officials and agents of empire prior to the creation of the U.S. Border Patrol in 1924. It examines "lone star justice," a hyper masculine, indiscriminate, and brutal form of due process administered by the Rangers. Lone star justice dispensed a brand of social control defined by racist ideologies and stereotypes about Mexicans that disregarded fairness under the law while exacting haphazard violence on border communities. Ranger details, often consisting of boorish men of questionable character, helped to incorporate the barren and savage Trans-Pecos region into state, national, and global markets through forceful practices that often subjugated Mexican men and sometimes attacked white border inhabitants as well. As Ranger violence increased so did complaints against the agency, which soon found itself in the middle of an intense investigation and in danger of complete termination. The Rangers, however, were not the only problem on the U.S.-Mexico border.

Mexican immigrants within El Paso's city limits also posed potential dangers, which led to a collaborative effort by law enforcement agencies to establish the city as a sanitary and moral destination. Chapter 3, entitled "Keeping an Orderly Empire: Crime and Working Class Bodies in El Paso, 1900-1920," examines race, class, gender, sexuality, and nation building along the

U.S.-Mexico border during the early twentieth century. Mexican migration to El Paso in response to U.S. labor demands and socio-political upheaval in Mexico led to heightened American apprehension over the perceived licentiousness of ethnic Mexicans and their impact on the burgeoning American city of El Paso. As a result city leaders, public health officials, and local law enforcement mounted a collaborative effort to rid the city of disease and vice in hope that the federal government would locate a large military cantonment at Fort Bliss, the base located on the outskirts of the city. The effort began in earnest in 1901 and lasted throughout the first two decades of the twentieth century. City health officials implemented public health measures aimed at Mexicans residing on the south side of the city to protect American business and social interests in general but to convince the federal government to expand Fort Bliss specifically. In order for the federal government to support the military base, El Paso leaders had to prove that the city was moral and temperate, an excellent and healthy location for housing a large military training camp.

The effort to create a city in the image of the white American and to secure the military training camp depended on strong federal support for the city's social control efforts. Chapter 4, entitled "Protecting the Empire's Borders: Federal Interpretations of Morality, 1907-1924," examines various pieces of federal legislation used by immigration inspectors and health officials to subjugate Mexican immigrants, and women in particular, because of perceived deviant behaviors that posed a threat to the expanding American empire. Ethnic Mexican women, both citizen and immigrant, encountered a maze of federal procedures that included humiliating verbal interrogations and physical inspections of their bodies and homes. Their experiences reveal the intense nativism and Progressive reform measures that restricted their movement during the first two decades of the twentieth century.

The Afterword reintroduces Arlene Diaz and provides the outcome of her story. Arlene's story complicates racial and sexual identity formation and its precarious relationship with federal, state, and local officials on the U.S.-Mexico border, but this is a dialectic that firmly established itself between 1891 and 1924. The establishment of power in El Paso was an ongoing process that began in the late 1800's when white men from all backgrounds descended on the growing city, located at an important bi-national railroad connection, to stake their fortunes. Men like Dr. Howard Thompson, whose profession and wealth afforded him a voice in El Paso's development, served as strategic agents of empire as did federal immigration inspectors and public health inspectors. Simultaneously, the Texas Rangers became the first law enforcement agency to protect and defend the Texas-Mexico border.

Federal and state efforts to establish social control in El Paso were wholeheartedly supported by municipal officials. In order to obtain the large-scale military cantonment it so desired the city had to prove that it was both healthy and morally fit. City officials understood the economic windfall that the training camp would bring and set out to "clean up" the city at all costs to the Mexican inhabitants of El Paso's south side. The collaborative effort between public health and law enforcement officials established yet another line in the defense of the empire and its border. Mexican women became the targets of social control and as the U.S. entered World War I, the scrutiny intensified. They were viewed as potential carriers of venereal disease and a direct threat to the U.S. military machine and all white men in general so much so that bodily inspections and quarantine for social diseases expanded. The collaboration between state and municipal officials was a response to federal policies and injunctions.

The federal government provided all levels of enforcement with intense and continually changing legislation. In 1891 Congress passed the Immigration Act of 1891, which declared that

certain classes of individuals, to include “idiots, insane persons, paupers, and any person who could become a public charge on society as well as those believed to be carrying contagious diseases,” would be denied entry. As time passed, the act was replaced by developing legislation that came to include prostitutes, anarchists, epileptics, and a host of others considered undesirable. The U.S. entered the twentieth century embroiled in global affairs that led to an insidious form of nativism based on fear and distrust of foreigners. This xenophobia intensified between the years 1917 and 1924 and still surfaces today when issues like undocumented immigration are discussed.

Today El Paso is the second largest port of entry along the roughly 2000 mile- long U.S.-Mexico border. According to the Migration Policy Institute, as of 2010, Mexican-born immigrants accounted for approximately 29% of the nearly 40 million foreign-born residing in the U.S. making them by far the largest immigrant group in the country. The Department of Homeland Security's Office of Immigration Statistics (OIS) estimates that as of January 2011 approximately 11.5 million undocumented immigrants resided in the United States. The largest shares of these immigrants reside in California (25%), Texas (16%), and Florida (6%). Arizona, with some of the strictest immigration enforcement laws, is home to 3% of the nation's undocumented immigrants.¹⁶ The nativism, xenophobia, and racism that support a blanket of exclusion and fear in the United States are alive and well. In 2012 the Supreme Court's ruling on Arizona's House Bill 1070, a broad and restrictive piece of anti-immigrant legislation, once again expanded the political and social violence exacted on bodies at the border.¹⁷ For the

¹⁶ “Migration Information Source.” March 2012. In *Migration Policy Institute* [database online]. Washington, D.C. [cited Web 28 April 2012].

¹⁷ Arizona House Bill 1070 makes it a crime for immigrants to be in Arizona without carrying the required documentation, it obligates law enforcement officials to attempt to determine an individual's immigration status during a “lawful stop, detention, or arrest” when there is “reasonable suspicion” that the individual is an

inhabitants of El Paso like Arlene Diaz, border existence is a precarious and dangerous negotiation but not a new phenomenon. The web of surveillance and state-sanctioned violence that today cloaks the U.S.-Mexico border was a process long in the making, as the following study will reveal.

undocumented immigrant, it prohibits state or local officials or agencies from restricting enforcement of federal immigration laws, and cracks down on those sheltering, hiring, and transporting undocumented immigrants.

Chapter 1

Defining Empire on the U.S.-Mexico Border: The Making of the El Paso-Ciudad Juárez Region in the late 19th Century

In 1929, just prior to his death, Dr. John Howard Thompson began writing his version of the founding of El Paso, Texas entitled *The Makers of El Paso*. Dr. Thompson meticulously crafted a story of El Paso around a group of early white migrants he referred to as “law-loving, education-loving, God-loving” pioneers.¹⁸ He camouflaged the fact that they were really American agents of empire intent on building an American city and an American identity in their own image by utilizing race, class, gender, and sexuality to secure and maintain power in the region. In his grand narrative Dr. Thompson characterized early white migrants as original settlers, the founding fathers and families—a blatant disregard of the Amerindians and mestizos who had inhabited the region before them. Unlike the more populous, established Mexican communities in California and South Texas overrun by white Americans at the end of the U.S.-Mexico War, the El Paso-Ciudad Juárez region was an isolated, sparsely populated outpost. The city grew rapidly from about 200 in the 1870’s to a population of 10,600 by 1888, and 18,627 by 1898.¹⁹ By the turn of the century, the railroad—the vehicle that historian Pablo Mitchell has called “the ultimate agent of American modernity and imperialism”—had transformed El Paso from a remote settlement to a bustling international transportation hub.²⁰

With the railroad came Americans from varied backgrounds. Early chroniclers attributed El Paso’s (as opposed to Ciudad Juárez’s) early economic and demographic growth to Yankee

¹⁸ John Howard Thompson, M.D., *The Makers of El Paso* (unfinished manuscript, 1929): pg. 1, C.L. Sonnichsen Papers MS141, Box 115, Folder 1, C.L. Sonnichsen Special Collections Dept., The University of Texas at El Paso Library.

¹⁹ El Paso City Directory, 1910.

²⁰ Pablo Mitchell, *Coyote Nation: Sexuality, Race, and Conquest in Modernizing New Mexico, 1880-1920* (Chicago: The University of Chicago Press, 2005), 3.

capitalism, an enterprising spirit that set apart the new American residents from the older Mexican inhabitants.²¹ Owen White, an early El Paso popular historian wrote:

El Paso got the railroads with their shops and their payrolls because the Americans in the town went after the business, while the Mexicans...sat around following the shade from one side of the house to the other.²²

White's statement reflects insidious stereotypes and racial misconceptions of Mexican bodies. For White, Mexicans are lazy and inept and American exceptionalism once again triumphed. American success, however, was not limited to legal activities and the city soon became known as a "brawling, lawless border town" where gunslingers, gamblers, and prostitutes openly plied their trade.²³ Thompson broached the topic of lawlessness in the preface of his manuscript, he stated:

The writer came to the southwest in 1885 and was perforce personally acquainted with John Wesley Hardin...but he is not especially proud of that fact. Such people only hinder and never help...the writer never did believe in gambling and was never a frequenter of saloons; consequently gamblers and saloon men will have very little said about them in these pages, unless it to be on account of some quaint trait of character or laughable episode connected with their business. They will not be listed as people who helped to make El Paso.²⁴

Thompson rewrote the city's history to reflect the status quo's ethical and cultural beliefs. He left out the "wicked adventurers" and concentrated on the "fine body of people that ever came to a new city to better their fortunes." His manuscript "preserve[d] the good deeds, and especially

²¹ Mario T. García, *Desert Immigrants: The Mexicans of El Paso, 1880-1920* (New Haven: Yale University Press, 1981), 14-15.

²² Ibid., 15.

²³ Ibid., 15.

²⁴ Thompson, *The Makers of El Paso*, pgs. 1-2.

the pleasant memories of the makers of El Paso.”²⁵ The most revered are white, Protestant, upper and middle class, educated, capitalists and the manuscript rarely mentioned people of color. Dr. Thompson’s recollections of early El Paso provide a window into the social and cultural beliefs of incoming Americans intent on creating a city in their own likeness. His story also provides a source for understanding how civic organizations and law enforcement agencies supported the ideals of those in power while imposing social control on those considered morally deficient. Additionally, the story disrupts the notion that American empire building began after 1898.

Earlier scholars reserved the term “imperialism” to describe post-1898 American intervention in foreign countries, but more recent scholarship suggests otherwise and incorporates European colonization, slavery, and westward expansion as part of America’s story of empire building.²⁶ Historian Shelley Streeby compares corridos, police periodicals, and film in her analysis of the international circulation of the story of Joaquin Murrieta, a social bandit who supposedly terrorized California in the 1850s.²⁷ Murrieta’s story emphasized how demarcation of the U.S.-Mexico border in 1848 along with the Gold Rush and American migration after 1848 reshaped racial and class formation in California. She concluded that the

²⁵ Ibid., 1.

²⁶ Early works that date American imperialism at 1898 include Charles Beard, *Contemporary American History, 1867-1913* (New York: MacMillan, 1914); R.F. Pettigrew, *Imperial Washington* (Chicago: Charles H. Kerr & Co., 1922); Julius Pratt, *America’s Colonial Experiment: How the United States Gained, Governed, and In Part Gave Away a Colonial Empire* (New York: Prentice Hall, 1950); Ernst R. Mays, *American Imperialism: A Speculative Essay* (New York: Antheneum, 1968); Philip S. Foner, *The Spanish-Cuban-American War and the Birth of American Imperialism, Vol. 1 1895-1898 and Vol. 2 1898-1902* (New York: Monthly Review Press, 1972); Matthew Frye Jacobson, *Barbarian Virtues: The United States Encounters Foreign Peoples at Home and Abroad, 1876-1917* (New York: Hill and Wang, 2000). More recent scholarship that argues that American empire-building pre-dates 1898 include John Carlos Rowe, *Literary Culture and U.S Imperialism: From the Revolution to World War II* (New York: Oxford University Press, 2000); Shelley Streeby, *American Sensations: Class, Empire, and the Production of Popular Culture* (Berkeley: University of California Press, 2002); Amy Kaplan, *The Anarchy of Empire in the Making of U.S. Culture* (Boston: Harvard University Press, 2005).

²⁷ Shelley Streeby, “Joaquin Murrieta and the American 1848,” in *Post-Nationalist American Studies*, John Carlos Rowe, ed. (Berkeley: University of California Press, 2000): 167-168. For an analysis of racial and class formation in South Texas after 1836 see David Montejano’s *Anglos and Mexicans in the Making of Texas, 1836-1986* (Austin: The University of Texas Press, 1987).

newly imposed boundary, laws, and institutions, violently constructed a fictive, transcontinental, white, American identity in opposition to Mexican, Latin American, and Californio bodies fabricated as savage, barbarous, and therefore naturally criminal and alien.²⁸ Literary critic Anne McClintock has argued that imperialistic control depends on the creation of *anachronistic spaces* where women's agency, people of color, and the working classes are disavowed and projected onto anachronistic spaces defined as uncivilized, atavistic, irrational, and inherently out of touch with modernity.²⁹ In 1848 California and the rest of the U.S.-Mexico borderlands became ascendant spatial boundaries based on race, class, gender, and sexuality; barriers imperative for the self-definition of the white, American identity, the antithesis of the supposed backward and dangerous Mexican. From Dr. Thompson's manuscript we can glean some insight into class and racial formation in El Paso, a region considered on the periphery of the American empire.

In 1885 Dr. Thompson passed through El Paso on his way to South Fork, present-day Mescalero, New Mexico, where he had been appointed physician to the Mescalero Indian Agency. He practiced medicine there for four years and then relocated to El Paso in 1890 where he stayed until his retirement in 1923. In El Paso, Thompson was active in Masonic, school, church, and medical affairs. His civic mindedness earned him the title "Father of the Poor" because it was said that the nights were never too cold or the weather too bad for him to go many miles to attend a poor person, American, Indian, or Mexican.³⁰ Thompson was part of a group of early white migrants credited with forming and defining the political, economic, and social foundations of El Paso, Texas before and after 1881. His legacy rests alongside those of James Magoffin, Simeon Hart, Anson Mills, E.S. Newman, Zack White, Judge Wyndham Kemp, and

²⁸ Streeby, "Joaquin Murrieta," 168.

²⁹ Anne McClintock, *Imperial Leather: Race, Gender, and Sexuality in the Colonial Contest* (New York: Routledge Press, 1995), 40.

³⁰ "Obituary for Dr. John Howard Thompson," *El Paso Times*, 5 May 1930.

Judge Josiah Crosby whose son William was said to have been the first white child born in El Paso.³¹ These men came from Maryland, Virginia, South Carolina, Georgia, Alabama, Mississippi, Louisiana, Missouri, Kentucky, and Tennessee—states that composed the confederacy. The earliest migrants were known as “stagers” because they arrived by stagecoach before 1880 while those like Dr. Thompson arrived after 1880 by railroad. While the railroads transported people to the region they also transported most of the areas raw materials to the East and Midwest for processing.

Between 1865 and the turn of the century, the United States, like other parts of the world underwent tremendous industrial growth.³² Mass production occurred in the Northeast and Midwest where cheap, unskilled laborers, mostly from Europe, provided a standing workforce, but regional economic specialization unfolded in the South and West, as the regions became providers of raw materials to the Northeastern and Midwestern factories.³³ American business ventures in the Southwest included mining, smelting, ranching, agriculture and other industries that depended on thousands of unskilled Mexican immigrants to satisfy labor needs. The relationship between American capital, empire-building, and Mexican immigration set the foundation for race and class formation in El Paso. Thompson’s manuscript illustrates the manner in which early white migrants to El Paso constructed social, political and racial hierarchies.

Most Americans in the late 19th century believed that whiteness and the privileges associated with it belonged to white Americans born in the United States, but the border was a fluid and complex, bi-national region where whiteness was negotiable, especially if one possessed wealth. Some ethnic and religious communities in El Paso held considerable political

³¹ Thompson, *The Makers of El Paso*, 3.

³² García, *Desert Immigrants*, 9.

³³ *Ibid.*, 10

and economic status and achieved social prominence. While Dr. Thompson's manuscript does little to afford space to groups or people outside of upper-middle class, white, and Protestant social circles, he does briefly mention the accomplishments of the Jewish community, and two Italians.³⁴ The Mexican population is mentioned in passing when Thompson discusses poverty, lack of education, disease, and labor. He reserved the vast majority of his manuscript to the American businessmen and their families who came to El Paso and built a city in their own image, and yet he briefly recognized the fluidity of the border region when he dedicated a section of his manuscript to the nascent Jewish community.

In a section entitled "A Group of Hebrews" Dr. Thompson acknowledged nine Jewish families who came to El Paso in the late 19th century. He spoke very highly of these men and women and it is fair to surmise that their financial standing in a developing city made them worthy of consideration. Ernst Kohlberg owned and operated a large cigar factory; the Blumenthal brothers were very successful merchants as was Albert Schwartz, proprietor of the Popular Dry Goods Department Store, and Albert Mathias owner of the Sheldon Hotel. Others like Rabbi Zielonka and a man he refers to as the elder Stolaroff, perhaps because he was not important enough to remember his first name, were recognized for their scholarly breadth. It is also obvious, however, that he saw the Jewish community as a class apart presumably because of their religious beliefs. He closes the section stating: "May the Good Lord bless all good Jews!"³⁵ All other "makers" discussed in the manuscript are referred to in a nationalistic manner rather than a religious or ethnic manner they are referred to as fine, worthy, contributing citizens. Two such people garnered their own short and quizzical section in the manuscript.

³⁴ Thompson, *The Makers of El Paso*, 79.

³⁵ Ibid., 39-40.

In a section entitled “Two El Paso Italians,” Dr. Thompson maintained that, “El Paso had never had many Italians, comparatively speaking; only a small group when placed alongside of our Mexican population; and one or two of them were of little credit to the nation that gave birth to them. But among the Italian colony there were two men who justly be accounted as good citizens anywhere.”³⁶ Thompson refers to the Italian enclave as a colony; ironic considering that El Paso, from its inception in the 1870s, had always been an American colonial space. The two notable Italians were Frank Del Buono and Carlos Triolo. In 1890 Del Buono had a small grocery store on the west side of El Paso Street along with a horse and delivery wagon. Thompson was especially impressed with his work ethic and explained that Del Buono was a hard worker who acted as his own delivery boy, salesman, and bookkeeper. He flourished in business and accumulated real estate and served a term in the City Council, he was in fact “a kind of patriarch among his people.”³⁷ Thompson had never been acquainted with Carlos Triolo “but had never heard, seen or known anything but good of him.” Triolo owned the Roma Hotel on South El Paso Street and according to Thompson “reared a creditable family among them being a rising young physician.”³⁸ And yet not all Europeans were considered worthy people.

Dr. Thompson provides a personal commentary on two classes of foreigners coming from European countries to the United States. Thompson referred to the first group as those more than half way Americanized before they began their journey. These European immigrants read about the U.S.; they knew about the nation’s freedoms, its supposed religious tolerance, and its unique position as the land of opportunity. More importantly, they were capable of becoming good

³⁶ Ibid., 42.

³⁷ Ibid., 42.

³⁸ Ibid., 43.

American citizens. Then there were those he called “grouchers.”³⁹ He defined this group as those never satisfied or contented with their homes; they “herd” together in foreign social societies; and speak the language of their homeland. According to Thompson, these grouchers make trouble for the government and are hardly good citizens, especially the second generations. Clearly Thompson was referring to those immigrants who would never achieve white privilege. Grouchers, in his opinion, did not have the capacity to become civic minded, but his definition of a groucher in El Paso would not be limited to European immigrants and would come to include the thousands of Mexican immigrants that eventually poured into the region.

For centuries, the El Paso-Ciudad Juárez region acted as an important gateway into North America. U.S. industrialism in the last quarter of the nineteenth century led to soaring rates of immigration. Between 1870 and 1920 some 26 million immigrants entered the United States. As the numbers increased so did nativist sentiments as white Americans lamented the fate of the American worker, the influx of inferior “stock,” and the perceived importation of radicalism.⁴⁰ The first of a chain of aggressive responses to nativist clamoring was the passage of the Chinese Exclusion Act and the Immigration Act of 1882 followed by the Immigration Act of 1891.⁴¹ In 1892 the country opened its first federal immigration station at Ellis Island where between 1892

³⁹ Grouchers, according to Thompson, were people who were always complaining and grumbling, never satisfied with their position.

⁴⁰ Matthew Frye Jacobson, *Barbarian Virtues: The United States Encounters Foreign Peoples at Home and Abroad, 1876-1917*. (New York: Hill and Wang, 2000), 61.

⁴¹ Under the Immigration Act of 1882 state governors determined which state agency or officials would be responsible for enforcing federal immigration law. The *1891 Immigration Act, Session II Chapter 551; 51st Congress, March 3, 1891* centralized federal responsibility for immigration law under the Secretary of the Treasury through the Office of Superintendent of Immigration, which later became the Bureau of Immigration. In 1894 the act expanded its definition of excludable and deportable people to include “idiots, insane persons, paupers or persons likely to become a public charge, persons suffering from a loathsome or a dangerous contagious disease, persons who have been convicted of a felony or other infamous crime, or misdemeanor involving moral turpitude, polygamists, and any person whose ticket or passage is paid for by the money of another.” In 1903 the Bureau of Immigration was transferred from the Treasury Department to the newly formed Department of Commerce and Labor. In 1906 Congress passed the Basic Naturalization Act, which standardized and federalized the naturalization process and responsibility for enforcing this act was given to the Bureau of Immigration, which became the Bureau of Immigration and Naturalization.

and 1954 over 12 million immigrants mostly European entered the United States. The second largest port of entry was located on the U.S.-Mexico border at El Paso, Texas and Ciudad Juárez, Chihuahua. This port of entry was to Mexican immigrants what Ellis Island was to European immigrants, a gateway to America. Unlike Ellis Island, which was a coastal entry, the El Paso station was situated in a land locked corridor between two distinct nations with a long history of reciprocal migration.

For the late nineteenth century makers of the region this presented a social issue that revolved around the constant influx of “uncivilized emigrants.” According to Thompson, Mexicans entering the U.S. through El Paso from the interior of Mexico should be compelled to live in a civilized manner, or move on to Los Angeles, California.⁴² After all, the makers wanted an El Paso-Ciudad Juárez region constructed in their own image, those who missed the mark belonged in California, but much to their dismay many Mexican immigrants remained. It was decided; the Mexicans that remained in El Paso would acquiesce to white social conduct or be civilized under “the strong arm of the law.” As such, federal law would be the first line of defense in identifying loathsome immigrants entering the United States. It was in this context of migration and the construction of social and political hierarchies in the El Paso-Ciudad Juárez region that a series of overlapping and contradictory stories emerged.

As the region’s status quo forged an American ethos, white social conduct became the model for proper social behavior. In this constrained space the white, upper-middle class, and Protestant American family offered a metaphor for progress, morality, and hetero-normative behavior. The makers of society evoked race, class, gender, and sexuality to police the ‘degenerate’ classes—ethnic minorities, sexual deviants, prostitutes, criminals, alcoholics, and the insane—collectively figured as atavistic throwbacks to a primitive moment in time yet

⁴² Thompson, *Makers of El Paso*, 85.

existing and surviving ominously in the heart of a modern imperial space. Degeneration can refer to a person, who has fallen below a level of morals or character considered normal, or it can refer to a person or thing that backslides to an earlier stage of culture, development, or evolution, or it can refer to a sexual deviate. In the El Paso-Ciudad Juárez region all three definitions of degeneration were used to define Mexican bodies. One of the driving ideas behind degeneration was contagion, the communication of disease by touching and from body to body. There was an explicit middle class panic over blood and the fear of being engulfed by the ‘degenerate’ working classes. As a result definitive boundaries emerged, created and defined by white migrants, and along with the boundaries came the justification to discipline and contain the perceived dangerous classes.

Dr. Thompson spoke candidly about the Mexican population and its burden on the El Paso-Ciudad Juárez region. According to Thompson, scarlet fever and smallpox had always been prevalent in El Paso because it was impossible for Mexicans to maintain a proper quarantine. They concealed cases, resided in ill-ventilated jacales in a mild climate, and permitted their children to go out-of-doors while ill with mild cases. In other words, they lacked civility and the most basic knowledge of modern medicine and hygiene, and they consciously spread disease. He recounted a dreadful smallpox epidemic that swept over the lower part of the city at the turn of the twentieth century. To the disgrace of the American population many white adults contracted the disease. Thompson relates disdain for this statistic and opined that it was inexcusable for grown up white people to have smallpox and he believed that sympathy for such people was wasted.⁴³ It was an abomination to think that white adults would dare to die of the same diseases that afflicted poor Mexicans; after all, contagion, according to imperial ideas, was reserved for the degenerate spaces where poor people of color existed.

⁴³ George Plunkett Red, *The Medicine Man in Texas* (Unfinished manuscript, 1930), 186.

Dr. Thompson and his contemporaries put the burden of poverty and contagion squarely on the shoulders of the Mexican residents while conveniently failing to acknowledge important factors contributing to the contagion. Mexican neighborhoods were sorely lacking basic municipal services. Residents lived in overcrowded homes that lacked potable water, streets were not paved, drainage was pitiful, and garbage collection was non-existent.⁴⁴ Thompson, however, surmised that Mexicans fell victim to such maladies because they personally lacked the capacity to understand the importance of sanitation. In his manuscript he asserts that the lower part of the city, where Mexicans resided, had never been sanitary. He blamed the city officials for allowing a people to come in from the purlieus of the city and the haciendas of Mexico and live as they please with dogs, burros, filthy hovels, and defiance of quarantine regulations.

The majority of white residents in El Paso agreed with Dr. Thompson. One such person was Dr. William Yandell. An acute asthma sufferer, Yandell chose the region for its mild climate and made El Paso his home in 1886. Upon his arrival he accepted an appointment as City Physician, a position he felt suited for because he had taken a post-graduate course in sanitary medicine. Apparently this was sufficient training for “cleaning up the Mexican quarters where deplorable living conditions and smallpox raged along the international border.”⁴⁵ In a paper presented to the American Public Health Association Meeting in Mexico City in 1892, Yandell stated that Ciudad Juárez had a death rate from contagion that was six and one-half times greater than El Paso, and consistent with death rates in other parts of Mexico. He stated that Mexicans gave no heed to American advice on account of their not being sufficiently educated to acknowledge the necessity of the sacrifices exacted.⁴⁶ He went on to suggest that El

⁴⁴ García, *Desert Immigrants*, 6.

⁴⁵ W.M. Yandell, M.D., “Contagious Disease on the Rio Grande Border, 1892. Burges-Perrenot Family Papers, MS262, Box 54, Folder 26, C.L. Sonnichsen Special Collections Dept., The University of Texas at El Paso Library.

⁴⁶ *Ibid.*,

Paso was healthier than Ciudad Juárez because it was on the American side of the border and sufficiently educated. According to Yandell, Mexicans in El Paso constituted about one-fifth of El Paso's population (estimated at approximately 10,000 in 1890) but they made up nine-tenths of the city's poor and in fact were universally poor.⁴⁷ Yandell concluded that in Mexico "the masses could only be taught by the strong arm of the law."⁴⁸ That would also be the case for ethnic Mexicans in the United States, disciplined through Americanization measures that focused on education, hygiene, and morality.

Although difficult to prove, it can be argued that the thousands of white migrants who relocated to the border region because of lung ailments issues exacerbated the spread of lung disease. It is relatively possible that tuberculosis was prevalent in the region because those seeking relief from it transmitted it. One such health seeker was Jay Gould and a number of other railroad magnates and their families who came often to El Paso, not because the city was emblematic of cosmopolitan glitz and glamour, but they because they suffered from tuberculosis and coveted the dry conditions of the American Southwest. Dr. Thompson fondly remembered Gould and the others as "old acquaintances and friends of the city."⁴⁹ Gould made numerous trips to El Paso in his private railroad car "The Atlanta." He parked his car in a convenient switch, connected to sewer, water, gas, and telephone systems and spent months at a time taking in the El Paso climate. He travelled with an entourage, which included doctors, servants, and his children. They crossed back and forth across the border and spent large amounts of money; they defined American modernity and capitalism. Dr. Thompson referred to Gould and the other prominent railroad officials and their families who spent lengthy visits in El Paso as "makers."⁵⁰

⁴⁷ Ibid., 3.

⁴⁸ Ibid., 3.

⁴⁹ Thompson, *The Makers of El Paso*, 53.

⁵⁰ Ibid., 53-54.

So it seemed that one had to be white, American, and financially viable to be considered a “good citizen.” From Thompson’s manuscript we get a sense for how this social dichotomy was established and how American migrants established and took control of society and politics in El Paso. The new American power structure in El Paso was a mixture of people from different parts of the United States who came to El Paso because of the railroads, for healthcare, and to find their riches. It was a unique society, located on the Mexican border but patterned after other large American cities. By the turn of the century there were department stores, theatres, hotels, an opera house, banks, law offices; a nascent skyline in the making. It was an American city rapidly evolving at the turn of the 20th and creating its own version of the Gilded Age on the border.

The term Gilded Age refers to the shallow and gaudy culture of the nouveau riche spawned by industrialization and American capital in the late nineteenth-century. The term was associated with American capitalists who flaunted ornate mansions and hosted lavish parties, expressions of excess wealth earned through reckless greed.⁵¹ The Gilded Age eventually arrived in El Paso, but it did not manifest itself as it did in the Northeast, instead it emerged on the border as a unique, local expression. Isolation and its later establishment allowed the earliest of American migrants, with some semblance of wealth to construct and define racial, class and gender formation in El Paso from the onset, and while their constructions directly benefitted them, they also resembled local realities. El Paso’s version of high society began with the formation of the El Paso Social Club in the fall of 1881. It was created by those considered pioneers, the Magoffins, Newmans, Fewels, Falveys, and Kemps to name a few. Their

⁵¹ John Mack Faragher, ed., *The American Heritage Encyclopedia of American History* (Guilford: Sachem Publishing Associates, 1998), 357.

sponsored functions were formal—white tie and long kid gloves.⁵² They were international affairs where imported bands from Chihuahua, Mexico provided the music and guests hailed from both the U.S. and Mexico. According to C.L. Sonnichsen, “the fine ladies and gentlemen from both countries invited each other to their functions...the graciousness of the Mexican *caballeros* and the beauty of their ladies added a special charm to every important occasion.”⁵³ It is highly unlikely that the highbrow cultures of more established and cosmopolitan cities like New York were a combination of white and brown people or that Mexican orchestras were imported to play at social events. From the onset, race, class and gender formation on the U.S.-Mexico border proved to be a fluid and complex process.

The earliest American migrants to arrive were single white men. The region was considered treacherous and unfit and therefore limited the presence of white women, as a consequence many early white migrants like Hugh Stephenson and James Magoffin married native Mexican women, especially if it meant incorporating themselves into the regions wealthiest families. Stephenson married Juana Ascarate, the only daughter of Juan and Eugenia Ascarate and heir to considerable fortune in land, cattle, and mines, and together they built their own community and called it Concordia. Today the only remnant of Concordia is the historic cemetery that now sits in the center of town. Like Stephenson, Magoffin also married into Mexican wealth. His first and second wives, sisters, belonged to the important and affluent Valdéz family from San Antonio.⁵⁴ These incoming migrants and the unions they created gave birth to a developing social and political hierarchy that credited itself with “civilizing” the El Paso-Ciudad Juárez region, making it a safe location with an improved infrastructure, a perfect

⁵² C.L. Sonnichsen, *Pass of the North: Four Centuries on the Rio Grande* (El Paso: Texas Western Press, 1968), 269.

⁵³ Ibid., 235.

⁵⁴ Sonnichsen, *Pass of the North*, 105-106.

motivator for white family units and white single women to migrate in significant numbers by 1885. This meant that white single men could now marry white women and thus solidify white American perceptions of marriage and family in El Paso. Men and women, however, experienced this new imperial space differently.

White women were, by default, extensions of their husbands. They created and nurtured the home, church, and school, but more importantly they bore the “acceptable” sons and daughters of the region while their husbands made and enforced laws and policies in their own interest. Dr. Thompson dedicated a section of his manuscript entitled “Social Formation,” to the creators of proper society—the wives of the city’s leading businessmen—Mrs. Magoffin, Mrs. Mills, Mrs. Stephenson, Mrs. Hague, Mrs. Falvey, Mrs. Kemp, Mrs. Lackland, and numerous others. In 1892 the Women’s Auxiliary Committee for the Trinity United Methodist Congregation of El Paso hosted a dinner and dance at the home of Mrs. Charles T. Race to generate revenue for the construction of their church. The *El Paso Herald* reported that the event was a “Mexican dinner” where “real Mexicans” served the guests.⁵⁵ The Trinity Methodist Church dinner was an example of anachronistic spaces that McClintock speaks of. It was where those in power commodified and exhibited people they considered primitive and whimsical yet entertaining and profitable because white women, though lacking individuality, were granted significant power over women and men of color.

Through civic organizations, social gatherings, fund-raisers, and charity events the women created spaces where the privileged newcomers gained a working knowledge of each other—their family history, their social standing, their financial standing, whether they paid honest debts, how they earned a living, and a number of other facts, all having direct bearing on

⁵⁵ “Local News And Gossip: The Daily Happenings of a Busy City,” *El Paso Herald*, 24 October 1892.

their usefulness or value to the community as good citizens.⁵⁶ One such contributor to social formation in El Paso included Dr. Thompson's wife Emma Thompson. Mrs. Thompson was instrumental in the construction of the First Baptist Church, and in 1905 served as chairman of the Sanitation Committee of the Civic Improvement League of El Paso, an organization "dedicated to the betterment of conditions in the city, with special regards to cleanliness, sanitation, and beauty."⁵⁷ The Trinity Methodist Church fundraiser and other events hosted by the women characterized ethnic Mexicans as naïve exhibits guided by American progress in an unrefined space, this is how people of color emerge in the pages of Thompson's manuscript. In fact, the only woman of color mentioned in Thompson's manuscript is Teresa Urrea, otherwise known as Santa Teresita de Cabora.

Teresa Urrea was born in 1873 in Sinaloa, Mexico. As a young woman she became famous as a healer, believed to possess supernatural powers. She shared her healing powers with the downtrodden for no fee and for some she became an inspiration for rebellion against the dictatorship of Mexican president Porfirio Díaz. Her adult life was marked by notoriety. The media, which never seemed to understand her, rendered stories that depicted her as a sympathetic healer as well as a revolutionary insurgent. Urrea had an extensive following in Northern Mexico and the American Southwest and as far as Puerto Rico, Europe, and South America, but her reputation as a perceived political detractor led Urrea to move constantly around the American Southwest ultimately seeking refuge in El Paso, Texas sometime in 1895.⁵⁸ People flocked to Urrea with dreadful illnesses and high hopes, not because she offered new healing techniques or

⁵⁶ Thompson, *The Makers of El Paso*, 23.

⁵⁷ Civic League of El Paso Bylaws, 1905-1906, Burges-Perrenot Papers MS262, Box 44, Folder 2, C.L. Sonnichsen Special Collections Dept., The University of Texas at El Paso Library.

⁵⁸ Paul Vanderwood, *The Power of God Against the Guns of Government: Religious Upheaval in Mexico at the Turn of the Nineteenth Century*, (Stanford: Stanford University Press, 1998), 169.

wonder drugs but because they believed that the Divine had touched her in a special way and they in turn wanted to be touched by her healing hands.⁵⁹

Dr. Thompson described Urrea as “optimistic, cheerful, friendly and kind.”⁶⁰ He characterizes her as “a Catholic who doubtless lived up to the requirements and duties of that creed.” According to Thompson “there was no claptrap in her manner of life...she was a sincere, modest Christian. She did not bless a handkerchief or a crucifix and her entire life during her stay in El Paso was helpful, quiet, and dignified.”⁶¹ It is interesting that Dr. Thompson offered such praise to Teresa Urrea, she did after all symbolize the suffering and social and political upheaval present just south of the border, and yet Thompson goes out of his way to almost grant her celebrity status as a woman who showed kindness to people, mostly Mexican, but from all walks of life. More interesting is his insistence that she was not practicing any sort of superstitious healing. According to Thompson, “there were a number of points of difference which distinguished her from the travelling fake or so-called religious healer...she was advertised by her loving friends and by them alone. Any newspaper notoriety she may have attained was published purely as a matter of public news.”⁶² It may have been that Teresa Urrea and Dr. Thompson had patients in common, or that in some way she helped ease the suffering of the El Paso’s poor Mexican residents, which worked to the advantage of all those interested in constructing El Paso as a progressive, healthy city. Although she is representative of the same people that Thompson and his contemporaries were worried about, she seems to be revered to a certain extent.

⁵⁹ Ibid., 174.

⁶⁰ Thompson, *The Makers of El Paso*, 112.

⁶¹ Ibid., 112.

⁶² Ibid., 112.

This, however, is only part of the history of the El Paso-Ciudad Juárez region, a region sparsely populated in 1880 but in the grips of rapid growth by the turn of the 20th century. American agents of empire arrived in El Paso intent on building an American city and an American identity in their own image. They utilized race, class, gender, and sexuality to secure and maintain power in the region and the unfinished narrative that Dr. Thompson left behind clearly characterized early white migrants as original settlers, the founding fathers and families. Thompson ends his manuscript by stating that “one thing is clearly taught in the bible: the good are separated from the bad. Whoever through infinite mercy is permitted to join the company of good people, will certainly be in good society.”⁶³ Social, race, and class formation in the El Paso region, however, was much more complex than simply separating the good from the bad. The following chapters interrogate the manner in which laws were created, interpreted, and enforced in the region between 1891 and 1914, and queries the creation of a complex network of federal, state, and municipal law enforcement procedures used to forcibly divide the worthy from the bad.

⁶³ Ibid., 114.

Chapter 2

Bringing Order to the Border: The Texas Rangers in the El Paso Region, 1891-1919

It was a chilly winter afternoon in El Paso, Texas on January 5, 1900. People gathered at the county courthouse to witness the double hanging of Antonio Flores and Geronimo Parra. Flores had received the death penalty for viciously murdering Ramona Vizcaya, a woman with whom he was obsessed while Parra was sentenced to die for the murder of Sgt. Charles Fusselman, a Texas Ranger, ten years earlier on April 17, 1890. As officers escorted Flores and Parra to the gallows both men suddenly drew homemade daggers and attacked two of their escorts. Officers quickly subdued Parra and placed him back in his cell while Flores, overcome with incredible strength and conviction, fought defiantly to kill his captors. Officers finally restrained him, placed him in handcuffs, bound his legs, and carried him to the scaffold where his fate awaited him. By his side was Father Carlos Pinto, leader of the Jesuit orders in El Paso and councilor to the Mexican community. As the sheriff fitted the black bag over Flores' head the energy that surrounded the event surged as the crowds moved closer to witness the hanging. "Gentlemen, please be quite," barked Sheriff Boone. "I want to talk to my son," cried out Flores to which Father Pinto, in an effort to console him, replied, "Your talk will be with God." There was a momentary pause then the sharp clang of the lever as the steel doors parted and the body dropped. The crowd stared as Flores' body swung lifelessly for sixteen minutes. According to the *El Paso Herald*, "the drop was perfect. His neck was broken by the fall there was no movement of the muscles no contraction nothing to show that the man had aught of feeling after the fall."⁶⁴ Geronimo Parra was next.

⁶⁴ "Fought With Daggers on the Scaffold" *El Paso Herald*, 5 January 1900.

Sheriff Boone, believing that Parra would attack any man who entered his cell, took it upon himself to go in and threatened to shoot Parra dead if he retaliated. Parra acquiesced and was escorted to the scaffold without incident. Father Pinto accompanied Parra and offered words of consolation as Boone tied Parra's feet. Parra spoke out and asked for pardon from those he had offended and stated that he too pardoned those who had offended him. As the sheriff placed the black bag over Parra's head he stated, "Gentleman I am going to die but I am going to die an innocent man." Again there was stillness then the sharp clang of the lever and the loud thud as the body reached its end and like Flores before him, Parra's body swung lifelessly for several minutes. According to the *El Paso Herald* "the drop was horribly effective. Not only was the jugular ruptured but the head was almost severed from the body and dark red blood bubbled from beneath the bag and ran down his clothes."⁶⁵ Parra's body hung for twenty-one minutes so as to ensure his demise, after all, his offense was dire; he had allegedly murdered a Texas Ranger.

This chapter examines the presence of the Texas Rangers in the El Paso region as both law enforcement officials and agents of empire prior to the establishment of the U.S. Border Patrol in 1924. It examines the indiscriminate and brutal justice administered on Mexican communities by the Rangers, the first law enforcement agency to patrol the Texas-Mexico border and place it firmly under the control of white businessmen. The Rangers utilized a hyper masculine form of social control defined by racist ideologies and stereotypes about Mexicans that disregarded fairness under the law while exacting indiscriminate violence on border communities. The Rangers helped to incorporate the barren and savage Trans-Pecos into state, national, and global markets through a forceful enterprise that began with the subjugation of Native American and Mexican men. The violence escalated after 1915 when Governors Ferguson and Hobby expanded the Ranger forces in response to the Mexican Revolution and the

⁶⁵ Ibid.

Great War. As a result boorish men of questionable character became Rangers. This new Ranger behaved more brutal than his predecessors and frequently attacked white border inhabitants along with Mexicans. As Ranger violence increased so did complaints against the force, which soon found itself in the middle of an intense investigation and in danger of complete termination.

The story of the Texas Rangers begins in 1823. After arriving in Texas with close to three hundred American colonists, Stephen F. Austin employed on his own account and expense ten men to serve as “rangers,” men that according to Austin would “range” over a certain area of the frontier to protect the colonists from Indian depredations. Austin’s rangers were neither army recruits nor members of a militia but rather citizen soldiers who served the economic and political interests closely identified with Manifest Destiny and westward expansion.⁶⁶ In 1835 the Texas Rangers were officially sanctioned created with one purpose in mind: to secure and protect white settlement in Texas. Their reason for being was not to arrest murderers and bank robbers but to fight Indians and Mexicans. They were intended primarily as a “frontier pacification force” that acted as agents of empire and ethnic cleansing with strong support from many Texas politicians, who themselves had been Texas Rangers.⁶⁷

Much like the Canadian Mounted Police, the Texas Rangers evolved into a horse riding paramilitary regiment with broad statewide jurisdiction. They served as the inspiration and model for their counterparts in Arizona, Nevada, and New Mexico. They provided the blueprint for a system of state policing that spread over the entire nation. According to historian Robert M. Utley, “the Texas Rangers left an indelible mark on history and on human minds the world

⁶⁶ Julian Samora, et al, *Gunpowder Justice: A Reassessment of the Texas Rangers* (Notre Dame: University of Notre Dame Press, 1979), 11.

⁶⁷ Gary C. Anderson, *The Conquest of Texas: Ethnic Cleansing in the Promised Land, 1820-1875* (Norman: University of Oklahoma Press, 2005), 7.

over. They fully merit their niche in the annals of Texas and the nation.”⁶⁸ The Rangers established a tradition central to the national and world perception of the state of Texas, one that encompassed aggressive fighting tactics based on the use of five- and six-shooters, acute knowledge of the enemy, and “lone star justice.”

Lone star justice described a moral code rooted in a white Texan frontier ethos, unforgiving and lethal.⁶⁹ At the turn of the 20th century most Rangers, and most white Texans for that matter, proudly identified with the idea of lone star justice. Although most of the American businessmen that arrived in El Paso were not from Texas, the majority of Rangers in the Trans-Pecos region were, thus lone star justice was important for business and political ventures. City leaders wholeheartedly embraced the Texas Rangers and many Rangers, like George Wythe Baylor, John R. Hughes, John B. Hays, George Herold, and Bazzel Outlaw became prominent El Pasoans. Outlaw eventually became a U.S. Marshall while Herold became a police officer, and was with Ranger Sgt. Charles Fusselman the day he lost his life. As the American justice system became entrenched along the border, the inhabitants of the El Paso region, like other communities along the Texas-Mexico border, experienced transitional angst.

El Paso was not a Mexican town that became an American city after the U.S.-Mexico War. Instead, El Paso was the area north of the Rio Grande that encompasses the present day city incorporated in 1873 by Americans. Eventually, the ethnic Mexican population became the

⁶⁸ Robert Utley, *Lone Star Justice: The First Century of the Texas Rangers*, (Penguin Books, 2003); 302. The Texas Rangers loom large in Texas history and in recent decades two contrasting views evince both public and academic sentiment of the Texas Rangers. In the first, the Rangers emerge as gallant men of fine character and intense bravery and dedication to their missions and the state of Texas. The opposing view renders the Rangers as ruthless, brutal, and more lawless than any criminal in Texas. They randomly brutalized and killed Native American and Mexican men, women, and children. The most prominent works that support the first view of the Rangers as heroes are Walter Prescott Webb, *The Texas Rangers: A Century of Frontier Defense* (Boston: Houghton Mifflin, 1935; Austin: University of Texas Press, 1965) and T.R. Fehrenbach, *Lone Star: A History of Texas and Texans* (New York: MacMillan, 1968). Perhaps the most pronounced, although highly criticized work opposing the Rangers is Julian Samora, et al, *Gunpowder Justice: A Reassessment of the Texas Rangers* (Notre Dame: University of Notre Dame Press, 1979).

⁶⁹ Utley, *Lone Star Justice*, xi.

majority but at the turn of the twentieth century white Americans and American business ventures dominated the region and controlled economics, finance, politics, education, and real estate. El Paso provided a space where men reinvented themselves in the guise of the fictive, transcontinental, white identity that represented American empire. Many think of this identity as a creation of late 19th century imperialism but this identity emerged long before that.⁷⁰ It was an exclusive, eminent identity that was illusory yet symbolic of the preeminence of the United States, and it was strengthened by the notion that Mexicans were a degenerate, largely Indian race unable to control or improve their territories.⁷¹ On the border, however, identity was anything but stable.

In border communities, Christian, Jewish, white, Confederate, Yankee, and wealthy Mexican men assumed positions of power under the guise of whiteness. For those Mexicans who did not fit the ideal American identity the belief was that in time, and through imperialistic projects, via the union of white men and Mexican women, the Mexican population could be purged from American society. In other words, the “exotic, receptive Mexican woman would breed out the inept, lazy Mexican.”⁷² Scholars now agree that U.S. imperialism is much more than an external process of American relations with foreign countries. Imperialism is in fact an internal process, exemplified in the year 1848 when the U.S. conquered one-third of Mexico’s

⁷⁰ Shelley Streeby, “Joaquín Murrieta and the American 1848,” in *Post-Nationalist American Studies*, ed. John Carlos Rowe (Berkeley: University of California Press, 2000), 167-168.

⁷¹ Reginald Horsman, *Race and Manifest Destiny: The Origins of American Racial Anglo-Saxonism* (Cambridge: Harvard University Press, 1981), 2. For a further discussion of whiteness and the creation of American identity see David A. Chang, *The Color of the Land*, (Durham: University of North Carolina Press, 2010); Cynthia Skove Nevels, *Lynching to Belong: Claiming Whiteness through Racial Violence* (College Station: Texas A&M University Press, 2007); Julian B. Carter, *The Heart of Whiteness: Normal Sexuality and Race in America, 1880-1940* (Durham: Duke University Press, 2007); David Roediger, *The Wages of Whiteness: Race and the Making of the American Working Class* (New York: Verso publishing, 2007); Nicholas de Genova, *Racial Transformations: Latinos and Asians Remaking the United States* (Durham: Duke University Press, 2006); George Lipsitz, *The Possessive Investment in Whiteness: How White People Profit from Identity Politics* (Philadelphia: Temple University press, 2006); Laura Browder, *Slippery Characters: Ethnic Impersonators and American Identities* (Durham: University of North Carolina Press, 2000).

⁷² Uitley, *Lone Star Justice*, 233-234.

territory and a white American identity, to include formerly despised groups of Europeans, became rooted within the national narrative while former Mexican nationals were re-racialized and excluded. Through the interrogation of inter-American relations and the intersections of multiple class and racial formations in the El Paso region we can more fully understand the popularization of a fictive, transcontinental, white, American identity, and how this characterization of whiteness took hold as a unifying national, transcontinental, and transnational identity and how in Texas, the Rangers came to embody this identity at the expense of indigenous and Mexican bodies.

Control of the U.S.-Mexico border was not immediate. At the close of the 19th century it could be argued that the geo-political divide was still in a state of what literary critic Bill Brown refers to as “deterritorialization”—an opening of borders, a facilitation of the flow of people, money, and goods—before government bureaucracies and the forces of law and order, do their most to “reterritorialize” or limit movement across the border.⁷³ This study argues that reterritorialization of the U.S.-Mexico border began in earnest at the turn of the 20th century as cattle and horse rustling, smuggling, and train robberies increased. The *El Paso Herald*, in its recounting of the death of Fusselman, described the El Paso region as “infested by a band of horse extending from Pecos, Texas to California with regular relay stations along the way for the transfer of stolen stock.”⁷⁴ In fact, it was an unproven claim of cattle theft that ended the lives of Charles Fusselman and Geronimo Parra.

In El Paso, the Texas Rangers were highly regarded officers as well as important members of the community so that when Geronimo Parra supposedly killed Sgt. Charles Fusselman he automatically ensured his own death at the hands of the American justice system.

⁷³ Bill Brown, “Science Fiction, the World’s Fair, and the Prosthetics of Empire, 1910-1915,” in *Cultures of United States Imperialism*, Amy Kaplan and Donald E. Pease eds. (Durham: Duke University Press, 1993), 148.

⁷⁴ “Fought With Daggers on the Scaffold” *El Paso Herald*, 5 January 1900.

Parra reportedly was the leader of a disparate band of thieves that harassed white ranchers in the El Paso region. On the morning of April 17, 1890 John Barnes, a rancher in El Paso, entered Sheriff J.H. White's office and informed him that a gang of horse thieves had rounded up his stock and fled. Barnes had followed them about eight miles out of town and knew their approximate location. Sheriff White was busy at the time so Ranger Sgt. Charles Fusselman and City Policeman George Herold, also in the sheriff's office, volunteered to assist Barnes in retrieving his livestock. Barnes informed the agents that the gang consisted of two or three but he greatly underestimated their power, as there were more like eight to ten men. As Fusselman and Herold rode up a ridge they found themselves almost on top of the gang, which immediately fired at them. Fusselman, hit twice in the head twice and once on the body, fell off his horse and to his death. According to Herold, once the ambush began he wheeled his mount and beat a hasty retreat back to El Paso, and yet he was convinced that it was Parra who had shot Fusselman. The question remains, however, how could Herold be sure that Parra was the shooter if there were at least eight to ten rustlers present, and he admitted to wasting no time in fleeing the scene? Once in El Paso Herold reported the incident upon which time a posse was formed to pursue the gang of thieves and to recover the body of Fusselman. The posse recovered the body but the thieves escaped. They supposedly abandoned the stock and fled into Mexico where they disappeared.⁷⁵

Constant appeals from white Texans in the border regions, especially after the 1890 killing of Ranger Sgt. Fusselman in El Paso County convinced then Adjutant General Wilbur King to relocate Capt. Frank Jones and his Company D to Alpine and take responsibility for the entire Trans-Pecos region. Jones was widely admired as an efficient, energetic, and fearless lawman. He served two tours with the Rangers and signed up for a third in 1885, was promoted

⁷⁵ "Geronimo Parra Will Hang" *El Paso Herald*, 22 June 1899.

to Captain in 1886, and relocated to Alpine in 1891.⁷⁶ Jones personified the fictive, transcontinental, white male identity that supported American imperialism within its national borders. According to his superiors Jones performed impressively pursuing Mexican bandits and thieves. He chased rustlers, smugglers, and train robbers with intense determination and he supported the racial hierarchy that imposed social order on Mexicans in the Trans-Pecos region.⁷⁷

Implementation of law and order on the Texas-Mexico border, however, was not a simple process. Most believed that cattle and horse rustling was a one-way enterprise where Mexican thieves stole from white ranchers when in reality Mexican rustlers often worked with accomplices in Texas to steal cattle and horses and drive them across the river in both directions. In 1892, Jones wrote a letter to Governor James S. Hogg informing him that several parties in the region stole horses from the Mexican side of the river and drove them north rather than the other way around. Although he did not provide names Jones knew who the thieves were but felt there was no chance to convict them because he could never get the Mexicans in the region to testify against one another. Jones believed that the only way to get a conviction and break up the ring was to get the thieves in Federal Court. He requested permission to accompany a Special Agent with the Treasury Department and protect him while he seized the stock.⁷⁸ Jones's letter reveals that stealing and smuggling was not strictly a Mexican operation and that in fact numerous white Texans participated in the activity. The letter also revealed the manner in which law enforcement agencies on the U.S.-Mexico border collaborated to form a web, a network of municipal, state, and federal power that continually expanded over the years. In response to the

⁷⁶ Utley, *Lone Star Justice*, 229.

⁷⁷ Ibid.

⁷⁸ Adjutant General "General Correspondence Company 'D' March 1-15, 1892" no. 422-17, March 8, 1892, Ranger Force Records, of the TSLAC.

troubles in El Paso's lower valley, Adjutant General (AG) Mabry decided to headquarter Jones and Company D in Ysleta in 1893.⁷⁹ The problem was that when Capt. Frank Jones relocated to Ysleta he also relocated his racial preconceptions.

Shortly after he arrived in Ysleta, Jones sent correspondence to AG Mabry requesting to move his headquarters from Ysleta to San Elizario about twenty miles north of El Paso. Jones believed that the most dangerous of Mexican elements resided in San Elizario and his company would be more effective if stationed there. In his report Jones related that the Mexican residents of San Elizario were the worst and then in the same sentence invited Mabry to visit San Elizario, in what he promised would be a pleasant experience where he could see old churches built in the 16th century and talk amongst the common people whom Jones assured him had not advanced a single step in civilization. Jones went on to state that the people were ignorant and superstitious and as much under the rule of their priests as when this country was first settled, at which point he asked for pardon for racial digression from a business letter.⁸⁰ Jones condemned the area and the people as ignorant, dangerous, and in need of law enforcement while simultaneously inviting Mabry to visit and experience the old world colonial charm of the region and its people, which he practically referred to as troglodytes left behind by white American progress. Jones never hid his dislike of the Mexican people and his ongoing correspondence with Mabry is littered with racial disparagement. His animosity toward the people of the Trans-Pecos region and his irascible drive to bring law and order to the border ended one fateful summer morning in 1893.

In the early morning hours of June 30, 1893, Jones led a detail of five Rangers to San Elizario to arrest Jesús María Olguin and his son Severio on charges of horse and cattle theft and

⁷⁹ Utley, *Lone Star Justice*, 264.

⁸⁰ Adjutant General "General Correspondence Company 'D' June 1-15, 1893" no. 428-9, June 2, 1893, Ranger Force Records, of the TSLAC.

assault with intent to murder. The Ranger detail included Jones, Sgt. Karl Kirchner, Pvts. F.E. Tucker, J.W. Saunders, Edwin Aten, and El Paso County Sheriff R. E. Bryant.⁸¹ One newspaper article claimed that one of the “Lujan boys” guided the party to the Olguin headquarters, and a letter from Kirchner to AG Mabry seems to support this latter claim.⁸² According to a second newspaper report, Jones and his party arrived at a section of San Elizario known as “Pirate Island” to the Americans and “La Isla” to the Mexican residents of San Elizario. It was an island in name only for in reality it was a swath of land that comprised about 15,000 acres lying between the old river bend, designated by the Treaty of Guadalupe Hidalgo as the international boundary, and the new channel created by the river’s erratic shift. About a half mile across the river in Mexico, opposite the “island” was a small Mexican settlement known as Tres Jacales, so named because the original settlement consisted of the three ramshackle structures. Frank Jones died on the morning of June 30, 1893 at Tres Jacales after a heated chase in which he and his Ranger detail inadvertently crossed into Mexico and met with a hail of bullets.⁸³ After the incident, Adjutant General Mabry instructed the surviving Rangers to provide him with detailed reports of the events that summer morning.

Testimony provided by Sgt. Kirchner indicated that as the Rangers and their guide crossed La Isla they encountered two men who upon seeing them turned and hastily fled. The Rangers gave chase supposedly unaware that they had crossed the international boundary. The chase culminated at Tres Jacales where the Olguins and at least six to eight additional people ambushed the Rangers. Frank Jones took two bullets, one to the thigh and the other to the heart and died instantly. Kirchner’s report stated they were waylaid about six feet from the structures.

⁸¹ “Grave of Capt. Frank Jones, Texas Ranger Killed In Bandit Battle, Marked 44 years By Lone Tree,” *El Paso Times*, 8 July 1937.

⁸² Adjutant General “General Correspondence Company ‘D’ July 1-15, 1893” no. 428-19, July 2, 1893, Ranger Force Records, of the TSLAC.

⁸³ “Bandits Killed Noted Texas Ranger In Pirate Island Fight 60 Years Ago,” *El Paso Times*, 1 March 1953.

The Rangers at once dismounted and returned fire and the fighting continued until the Mexicans retreated. Their guide informed them that they had breached Mexican sovereignty and that Mexican soldiers would soon arrive to arrest them. According to Kirchner, his first instinct was to stay with his dead captain and kill or capture the Mexicans but he knew they were outnumbered so they retreated back to the U.S. side and once in San Elizario he summoned the remainder of the Ranger unit at Ysleta to come at once and bring as much help as possible. Sheriff Simmons quickly raised and dispatched a posse to San Elizario by special train but it was unclear what the posse intended to do since the Olguins and their followers were on Mexican territory and international law prohibited the posse from crossing the border.⁸⁴

Since the creation of the U.S.-Mexico border American institutions have disregarded Mexican sovereignty with impunity. Kirchner's statement implied that Jones died because they were unaware that they had entered Mexican territory but this was highly unlikely since a Mexican man familiar with the area was guiding them.⁸⁵ It seems more likely that Jones's hubris led to his demise. His beliefs that Mexicans were ignorant and uncivilized and that their institutions of power were useless and superstitious probably gave him a sense of invincibility. What was evident was that Jones and his Ranger detail were lured into a well-planned siege. In fact, it is quite possible that the "friendly Mexican" who guided the detail played a part in the plot, leading the Rangers directly into the path of the ambush. The one thing that was quite obvious was that Jones, for all of his preconceptions, had no knowledge of the culture and realities of the U.S.-Mexico border. His racial stereotypes and prejudices almost ensured that his

⁸⁴ Adjutant General "General Correspondence Company 'D' July 1-15, 1893" no. 428-19, July 2, 1893, Ranger Force Records, of the TSLAC.

⁸⁵ Utley, *Lone Star Justice*, 265. Utley is almost certain that Jones did not know that he had crossed into Mexico and that in fact his death was a result of stingy state legislation, which had consistently reduced the Rangers since 1885.

survival would be uncertain, and yet Jones goes down as the rugged and selfless hero.⁸⁶

Together, El Paso and Jones epitomized American imperialism. El Paso was quickly becoming an important American city, an international port of entry anchored by a network of American and Mexican railroads, while Jones characterized the white, democratic American man, guided by Christian morals destined to inherit a transcontinental empire, identity, and heritage. His replacement, Captain John R. Hughes, would be no different.

Hughes, well-liked by sheriffs, judges, county officials, and federal lawmen alike, had served as one of Jones's sergeants. He, like Jones, embodied the fictive, transcontinental American identity that undergirded American imperialism on the Texas-Mexico border. "His sharp mind, rugged physique, vigor, and endurance resulted in a unquenchable zest for "rangering."⁸⁷ Hughes secured the unwavering support of El Paso County's ruling classes who wrote on behalf of Hughes. Sheriff Frank B. Simmons informed Adjutant General Mabry that he needed a full company of Rangers in the county, if only for a few months because Coronel Martínez, the mayor of Ciudad Juárez, had gathered a contingent to raid the Mexican valley in search of the Olguins and wanted at least fifty men to stand guard on the American side to prevent anyone from crossing the river. In Simmons opinion, John Hughes was the man for the job and was the obvious choice to succeed Frank Jones as captain of Company D Ranger force. Simmons further stated that he needed Hughes because he feared that when he arrested the two Mexicans who killed Jones and brought them over to the U.S. side, a mob of Mexicans would attempt to free the prisoners.⁸⁸

⁸⁶ Frank Jones's fictive identity is immortalized in the newspaper articles that appeared in the El Paso Times in 1937, forty-four years after his death and then again in 1953, sixty years after his death. The myth of his heroism and that of his successor John R. Hughes would live in El Paso's nationalistic folklore for many years.

⁸⁷ Utley, *Lone Star Justice*, 266.

⁸⁸ Adjutant General "General Correspondence Company 'D' July 1-15, 1893" no. 428-19, July 7, 1893, Ranger Force Records, of the TSLAC.

Mobs often formed in border communities responding to “lone star justice.” Mexican inhabitants distrusted the Rangers and regularly retaliated against unwarranted brutality. Men like Jones and Hughes saw border inhabitants as unruly, uncivilized, and un-America and refused to see the injustices they themselves inflicted on Mexican people. The Rangers disrespected Mexican communities and their traditions, and in fact they disrespected Mexico altogether. It was quite possible that the mayor of Ciudad Juárez sent a mounted patrol, not only to assist in the search for the Olguins, but also to ensure that the Rangers did not breach Mexican sovereignty again. The incident at La Isla was neither the first nor the last example of the U.S.’s disregard of Mexico’s sovereignty, and to further complicate the matter, all three of the Olguins were American citizens and one was an escaped convict from the Texas State Penitentiary. Mexican authorities eventually arrested and incarcerated the three at which point the El Paso District Attorney filed extradition papers, but the Díaz administration took offense at the invasion of Mexican soil by the Rangers and lodged a diplomatic protest in Washington and the Olguins remained in Ciudad Juárez.⁸⁹ This angered one person in particular who had a vested interest in seeing the Olguins brought to justice. That person was George W. Baylor, ex-Ranger and father-in-law of Capt. Frank Jones.

Baylor also supported Hughes as Jones successor and informed AG Mabry that right before his death Jones had stated that he completely confided in Hughes and that if he ever resigned he would make sure that Hughes replaced him as captain, but Baylor’s letter reveals his own aspirations. He informed AG Mabry that some of his friends wanted him to succeed Jones but that he would not accept the job if offered because he was still deeply wounded by the action of former Adjutant General Wilburn H. King who had disbanded his Ranger unit without any explanation. Because of King’s disrespectful actions he would refuse the appointment and

⁸⁹ Utley, *Lone Star Justice*, 266.

instead enlisted his sympathies in Hughes' favor.⁹⁰ The majority of Baylor's letter was not to support Hughes but rather to lament the disbanding of his Ranger Company A in 1885. Baylor, obviously offended by the political actions of the state legislators, could have assumed the captaincy had he so desired because his prominent friends, undoubtedly part of the good ole' boy network in El Paso, would have secured the position for him. Rangers often gained appointments through favors rather than on the basis of fair and unbiased qualifications, and the El Paso region was no different. Here, a small group of determined citizens determined who could and would hold power.⁹¹

Adjutant General Mabry promoted Hughes to captain of Company D in 1893. Hughes immediately confronted the same problems that plagued Jones, mainly a lack of resources and manpower to cover the entire Trans-Pecos regions. Nonetheless, Hughes set two goals for himself. One was to punish the Olguins for the murder of Jones and the other was to catch the killers of Charles Fusselman. Hughes investigated the Fusselman murder for the next ten years and eventually learned that Geronimo Parra and Desidario Pasos were the possible killers, and that Parra was in fact detained in Santa Fe at the state penitentiary.⁹² Shortly after Fusselman's murder deputy sheriff Ben Williams of Las Cruces detained Parra for cattle theft. After a heated gunfight Williams captured and arrested Parra. Unaware of Parra's identity or that he was wanted in El Paso, the New Mexico judicial system remanded Parra to the state penitentiary for

⁹⁰ Adjutant General "General Correspondence Company 'D' July 1-15, 1893" no. 428-19, July 5, 1893, Ranger Force Records, of the TSLAC.

⁹¹ General Correspondence to the Adjutant General's Office between the years 1875 and 1900 contains numerous letters from bankers, lawyers, sheriffs, and other citizens of stature from numerous counties writing as references for men who wished to join the Texas Rangers. Most of letters attest to Christian and moral characters as well as experience killing Indians and dealing with Mexicans, and the ability to speak Spanish, then as today, was considered favorable.

⁹² Adjutant General "General Correspondence Company 'D' July 16-30, 1893" no. 401-429-7, July 26, 1893, Ranger Force Records, of the TSLAC.

seven years.⁹³ Right before Parra was to be released Hughes learned of his location, and acting on behalf of the state of Texas, proceeded with extradition orders. On November 7, 1898, Governor Miguel Antonio Otero of New Mexico issued a mandate for the arrest of Parra, upon his release, for the charge of murder in Texas. The mandate was issued two days before Parra's release.⁹⁴ Capt. John Hughes recovered Parra in early March of 1899 and promptly returned him to the El Paso where a grand jury re-indicted him for the murder of Charles Fusselman.⁹⁵

The El Paso newspapers that reported the arrest of Parra referred to him simply as Geronimo, and it seemed like a deliberate effort to invoke the Apache leader of resistance who fought both Mexico and Texas over their incursions onto Apache lands. While this may have been a blatant attempt to depict Parra as a villain, a descendant of Geronimo, it is also symbolic of the social impact that white migrants had on the El Paso region and the Mexican inhabitants. Like Geronimo, Parra was responding to the tense social relations created by the expansion of the American empire. For people like Parra, their lives had been disrupted, their economies restructured, and their social and class relations redefined. On December 2, 1899, Judge A.M. Walthall sentenced Geronimo Parra to death for the murder of Charles Fusselman, a highly decorated Texas Ranger.⁹⁶ Walthall had barely finished admonishing Parra when Parra arose and exclaimed his innocence in a manner referred to by the *El Paso Herald* as "impressive in its deadly earnestness and untaught eloquence."⁹⁷

Geronimo Parra was not a dumb man. Several reports describe Parra as well spoken, crafty, and bright. He clearly did not fit the Mexican stereotypes espoused by most white law

⁹³ Adjutant General "General Correspondence Company 'D' March 1-15, 1899" no. 401-450-18, March 14, 1899, Ranger Force Records, of the TSLAC.

⁹⁴ *El Paso Weekly Herald*, 5 November 1898.

⁹⁵ "Murder Will Out" *El Paso Herald*, 13 March 1899.

⁹⁶ "Condemned To Die" *El Paso Herald*, 2 December 1899.

⁹⁷ Ibid.

enforcement officials in Texas. When he rose to vindicate himself he did so in Spanish, which in turn was translated by Jim Hunter the court's official translator. "I realize that I am about to face my maker," stated Parra "and with the prospect of soon standing before the judgment seat of the omnipotent God I declare to you gentlemen that I am innocent of the murder of Fusselman...I did not kill Fusselman and you are preparing to execute an innocent man. My enemies have led you to believe that I am guilty but as God is my witness I am innocent."⁹⁸ Geronimo Parra may have been telling the truth. The only evidence against Parra was the testimony of police officer George Herold. Herold reported that eight to ten men ambushed them in an arroyo about eight miles outside of El Paso. He further stated that he immediately reeled in retreat when he realized they were badly outnumbered.⁹⁹ How, then, could Herold know for a fact that Parra was the killer or that he was even present that day at the arroyo?

On August 14, 1891, Antonio Carrasco, a well-known horse and cattle thief in Presidio County shot and killed Sheriff Deputy Toribio Pastrano. According to the *Austin Statesman*, Pastrano had secured evidence that Carrasco had participated in the murder of Charles Fusselman. This information never deterred Hughes who hunted Parra for an entire decade. Pastrano received information that Carrasco would attend a fandango that evening. The deputy entered the gathering intending to arrest Carrasco but instead was met with a sudden blast to the face from Carrasco's gun and died instantly, Carrasco escaped.¹⁰⁰ The newspaper report made it a point to describe Pastrano's background. He was born in Texas to Mexican parents and as a Deputy Sheriff he actively pursued Mexican bandits, in other words, although a Mexican himself, he was one of the "good" Mexicans, a hero who died at the hands of a "bad" Mexican. Carrasco on the other hand was described "slender as an Indian, delicate patrician features with

⁹⁸ Ibid.

⁹⁹ "Fought With Daggers on the Scaffold" *El Paso Herald*, 5 January 1900.

¹⁰⁰ "His Ninth Man" *Austin Weekly Statesman*, 21 August 1891.

large blue eyes and an exquisitely courteous manners that marked the best Castilian blood. During his career in the peninsula country he has broken up a dozen homes in his gallantness.”¹⁰¹ In other words, he symbolized the blending of the uncivilized Indian with the dastardly Spaniard. The consequence was the brutish yet coy, thieving, hypersexual Mexican, which according to the Rangers, terrorized the Trans-Pecos region.

The journalistic juxtaposition of Carrasco and Pastrano exposed the complex relationships between law enforcement agents and Mexican inhabitants on the U.S.-Mexico border. Both men did what they could to survive in a region undergoing an imperial transformation where white ranchers, farmers, and businessmen, supported by juridical structures and law enforcement agencies, utilized ingrained stereotypes to police and control Mexicans and establish themselves as the dominant power. Carrasco, like Parra, existed in a contentious relationship with white law enforcement over the loss of land and property while Pastrano entered the realm of white law enforcement becoming a sheriff’s deputy. Policing Mexicans on the border presented law enforcement officials, both white and Mexican, with the opportunity to enter the region’s primary economy, and in the process, shore up their tentative claim on whiteness.¹⁰² The close of the century, however, marked the beginning of the end for the Texas Ranger Frontier Battalion. Many Texans viewed the battalion as an outdated force created to protect white communities on the frontier, but the Texas frontier was closing and as a result the nature of patrolling for the Rangers had changed dramatically. The need for small bands of roving frontiersmen along the Texas-Mexico border in search of predatory Indians and thieving Mexicans diminished along with the integrity of the Rangers. Charges of drunkenness and other

¹⁰¹ Ibid.

¹⁰² Kelly Lytle Hernandez, *Migra! A History of the U.S. Border Patrol* (Berkeley: University of California Press, 2010), 42.

misdeeds, coupled with low pay and mediocrity, plagued the force just as global events increased tensions on the U.S.-Mexico border.¹⁰³

Sporadic raids and cattle theft disrupted border communities for decades, but in 1915, Mexican revolutionaries began to destroy symbols of American oppression, this included farms, irrigation systems, and railroad lines.¹⁰⁴ Local law enforcement agencies, unable to cope with the escalating lawlessness, petitioned Governor James E. Ferguson who dispatched the Rangers to the border to restore order. After 1915, however, the violence increased so Ferguson's successor Governor William P. Hobby and the Texas legislature authorized the creation of a special officers corps called the Loyalty Rangers. The Loyalty Rangers acted as a secret service department for the state and assisted local officials and military officers to contain draft dodgers and labor unrest after the U.S. entered the Great War.¹⁰⁵ Unfortunately, the Loyalty Rangers wrote a black chapter in the history of the agency. The rapid expansion of the Rangers after 1915 and the reckless commissioning of unknown, sub-standard men resulted in the heavy handed bullying of Mexican communities on the border.

Reports abounded regarding Ranger brutality and atrocities especially toward Mexican Americans. It is estimated that between 1914 and 1919 the Rangers killed as many as five thousand Mexicans, but their power became even more noticeable when they indiscriminately brutalized white Texans.¹⁰⁶ About four hundred white Texans were killed over the same time period in border unrest and millions of dollars in property was destroyed.¹⁰⁷ While the U.S.

¹⁰³ Utley, *Lone star Justice*, 274.

¹⁰⁴ "Rangers and Outlaws" *Texas State Library and Archives Commission*
<https://www.tsl.texas.gov/treasures/law/index.html>

¹⁰⁵ Annual Report of the Adjutant General of Texas For the Year Ending December 31, 1918 (Austin: Von Boeckmann-Jones Co, 1919), 7.

¹⁰⁶ James R. Ward, *The Texas Rangers, 1910-1935: A Study In Law Enforcement* (Ph.D. Dissertation, Texas Christian University, 1972), 9.

¹⁰⁷ "Rangers and Outlaws" *Texas State Library and Archives Commission*
<https://www.tsl.texas.gov/treasures/law/index.html>

emerged a major player on the world stage, the Rangers became a more ruthless force on the Texas-Mexico border. It was their duty to quell labor unrest especially in South Texas where the thousands of Mexicans had been dispossessed from their lands and now worked as day laborers on lands that once belonged to them.¹⁰⁸ After 1917 the Governor also used the Rangers to protect the Texas-Mexico border and the nation from potential German operatives who attempted to capitalize on Mexico's weakness as a result of its protracted and bloody civil war. The Rangers also combed the border for potential draft dodgers. As the first line of defense for Texas and the nation, the Rangers made sure that all men required to serve the nation abroad did so, especially Mexican Americans, who it was believed would abscond to Mexico. The Loyalty Rangers carried out all of their duties, but with a mean spirited conviction.

Governor Hobby received a letter from Mrs. Virginia Corn Yeager of San Diego on November 8, 1917. Mrs. Yeager demanded public vindication for the abuse exacted on her by the Rangers. According to Mrs. Yeager she offered her car to one Felipe García, who was to report to the draft board, and his mother who accompanied him. Mrs. Yeager could not drive but offered to go with Felipe and his mother who did not speak English. Felipe had not been exempted from the draft and was in danger of being arrested as a deserter. Upon seeking advice García was instructed to meet with the judge and that if he did so the Rangers would not harass him. This, however, was not the case. According to Mrs. Yeager, the Rangers stopped and questioned them and after some discussion allowed the parties to proceed to the judge's chambers. As they drove down the only road in San Diego, Mrs. Yeager noticed that the Rangers continued to follow closely and then abruptly cut them off.

¹⁰⁸ David Montejano, *Anglos and Mexicans In the Making of Texas, 1836-1986* (Austin: The University of Texas Press, 1987), 113.

Two Rangers got out of the car and approached their vehicle. They confronted Mrs. Yeager and cursed her as they pointed their guns at her breasts. They dragged García out over the door and cursed him calling him a deserter and accused Mrs. Yeager of driving to Mexico with García. Mrs. Yeager's letter repeatedly states that she was unable to drive and that the Rangers lied about the incident. In her words, she had been terrified beyond expression but more importantly she had been slandered. What seemed to bother Yeager most was not that she had guns pointed at her breasts or that the young man was dragged violently out of her car, but rather that the Rangers had implied that she was running away to Mexico with a young Mexican man. Her dismay lay in the fact that she had a son about García's age, and being unprotected by a husband made it easy for the Rangers to insult her ethics.¹⁰⁹ The Rangers brutalized countless Mexicans in border communities daily as white Texans turned a blind eye, but when the Rangers insulted a white Texan, and in particular a woman, their corrupt behavior became more obvious.

Communities all along the border experienced the incompetent and unethical demeanor of the Rangers. At a time when national prohibition movements gained steam the Rangers committed many of their injustices under the influence of alcohol. The Coney Island was a well-known raucous saloon in downtown El Paso. On the afternoon of September 21, 1916, Sgt. Owen Bierne, a Provost Guard with the 23rd Infantry Company K, responded to a fight involving soldiers at the saloon. The fight started when Sgt. A. Arrathon of the 17th Cavalry entered the saloon and saw a soldier lying behind the bar. As he approached the fallen soldier he accidentally bumped into W.B. "Bill" Sands, a Texas Ranger who was drinking at the bar. According to witnesses, Sands proceeded to hit Arrathon over the head several times with his gun.¹¹⁰ Shortly after the incident, Captain Charles Bell of the Rangers entered the saloon and claimed to have

¹⁰⁹ Adjutant General "General Correspondence" no. 1183-16, November 8, 1917, Ranger Force Records, of the TSLAC.

¹¹⁰ "Provost Sergeant Is Killed In Coney Island By Ranger Sands" *El Paso Herald*, 22 September 1916.

arrested Sands over the incident. Bell claimed that as he escorted Sands out of the Coney Island, Sgt. Bierne approached Sands and struck him in the face with his club. Bell released Sands who drew his gun shooting Bierne twice, once in the mouth and once in the stomach, both mortal wounds.¹¹¹

Witnesses testified that Bierne did not attack Sands, but both Sands and Bell claimed that he did. Sands was indicted for murder and tried but the case resulted in a hung jury. The trial was rescheduled, a change of venue was granted, and the trial was moved to Pecos, Texas. Sands maintained all along that he shot Biernes because the provost struck him in the face, and he did in fact have a bruise on his forehead that afternoon, but during a grueling cross-examination Sands admitted to receiving the bruise in the altercation with Arrathon, not Bierne.¹¹² The incident at the Coney Island saloon is an example of the type of behavior exhibited by many Rangers after 1915. It was a reckless and unethical conduct exacted mercilessly on Mexican communities and sometimes on white Americans, but when imposed on white American men and women it made the headlines. As the months past the infractions escalated.

On November 10, 1917 Assistant Adjutant General Walter F. Woodul informed Captain J.M. fox of Ranger force Company B that one of his men, Sgt. Trollinger, was in El Paso the previous month and on two occasions, in a highly intoxicated state, insulted the district attorney with very “undignified remarks.” Woodul warned Fox that an intoxicated Ranger was a detriment to the force and that he should look into the situation at once. Woodul never suggested

¹¹¹ “Say Sergeant Struck First” *El Paso Herald*, 23 September 1916.

¹¹² “Sands Case Is Given To The Jury At Pecos,” *El Paso Herald*, 15 December 1920. See also Charles H. Harris et. al. *Texas Ranger Biographies, 1910-1921* (Albuquerque: University of New Mexico Press, 2009). According to the authors W.B. Sands was probably acquitted of the murder and lived in El Paso for a number of years working at numerous cattle ranches in the region. He died in 1946.

that Trollinger be terminated, only that Fox look into the matter.¹¹³ The Rangers continued to act with impunity, mostly against Mexicans but toward some white Texans as well. Homer Wells, Justice of the Peace in Clint, El Paso County wrote a letter to Adjutant General James A. Harley complaining about Ranger Jeff Vaughn. According to Wells, Vaughn, who was the Ranger in charge, acted in such a way as to cause more bad than good. He jumped on a small man and severely beat him, and nearly every American citizen of Clint wanted him removed to some other place. Wells warned Adjutant General Harley that if Vaughn stayed much longer there would be serious troubles.¹¹⁴ In most cases the bloated Special and Loyalty Ranger forces, established after 1915, were to blame for the unethical behavior and brutality inflicted on border communities and they often got away with it, until 1919, when strident demands for Ranger reform grew too obvious to ignore. By the end of World War I some state legislators openly favored abolishing the state police force altogether.

The leader of the reform group of legislators was State Representative J.T. Canales of Brownsville, Texas. Canales knew that he was taking his own life into his hands and in fact Ranger Frank Hammer warned Canales that he would get hurt if the complaints did not cease.¹¹⁵ Canales ignored the threats and presented nineteen separate charges of irregular behavior against the Rangers. He accused them of murder, torture, and assault as well as drunkenness and disorderly conduct. He maintained that certain Rangers were known gunmen and killers, he asserted that some Captains were too prejudice to hold fair investigations, and he criticized

¹¹³ Adjutant General "Ranger Force Correspondence," 1917 no. 1183-13, November 10, 1917, Ranger Force Records, of the TSLAC.

¹¹⁴ Adjutant General "General Correspondence" no. 1183-15, December 14, 1917, Ranger Force Records, of the TSLAC.

¹¹⁵ Ward, *The Texas Rangers*, 12.

Adjutant General Harley for using the force to show special favors to his political friends.¹¹⁶ On February 13, 1919 the legislative committee wrapped up testimony and appraised the evidence.

The committee exonerated Adjutant General Harley of charges that he misused his office and the force. They acquitted one Captain of wrongdoing and reprimanded others for being arbitrary and overbearing in the discharge of their duties. The committee ultimately agreed that the Ranger force needed to be reorganized. On March 19, 1919 Governor Hobby signed into law the reorganization act that reduced the size of the Ranger force, permitted the governor to increase the force in emergencies, increased the salaries of Rangers in an effort to attract men of high moral character, and allowed any citizen to make a complaint against a Ranger suspected of misconduct or violation of the law.¹¹⁷ Although the investigation fell short, J.T. Canales initiated a very necessary step toward demanding that the Rangers be subject to a system of checks and balances, and that the previously unchecked power of the Rangers be curbed especially along the Texas-Mexico border where they served as the first line of imperial defense and where they imposed a brutal and indiscriminate form of lone star justice.

The Rangers played an important role in the establishment of white American power and social control on the Texas-Mexico border. The force represented the first layer of law enforcement, a masculine project that aimed to establish the overall power of white masculine privilege. It was a process that defined who could and could not belong in the state of Texas specifically and in the American empire in general. The Rangers were the predecessors to the U.S. Border Patrol, and in fact the first Border Patrol agents were former Texas Rangers.¹¹⁸ Border inhabitants have a long history of racial discrimination and violence generated by an ever-expanding network of law enforcement that began in earnest at the close of the nineteenth

¹¹⁶ Ibid., 14.

¹¹⁷ Ibid., 21.

¹¹⁸ Lytle- Hernandez, *Migra!*, 20-21.

century. The following chapter investigates how white masculine privilege at the municipal level encouraged local law enforcement and public health officials to implement a set of strategies in El Paso that supported and contributed to the developing labyrinth of compulsory laws. The city, home to an expanding military base, was vying for the construction of a major training facility that would double the size of the base but would also surely fatten the city's coffers and the white community's pockets. In an effort to land the contract for the training facility and further cement white social values, city officials turned their sights on Mexican women.

Chapter 3

Keeping an Orderly Empire: Crime and Working Class Bodies in El Paso, 1900-1920

On the evening of Friday June 21, 1901, J.A. Rawlings, Secretary of the El Paso County Medical Society (EPCMS), which boasted a membership of over thirty physicians, stood before the County Board of Health and presented a letter he had written on behalf of the organization. It said, “We wish to call your attention to the unsanitary condition of the average Mexican house in this city and to the disposal, or rather non-disposal of the sewerage and garbage in these Mexican districts. The great majority of these Mexican jacals [sic] have no floors but dirt ones, scarcely any windows, and the refuse from the houses and the excreta from the human bodies are thrown into the street and into the alleys, there to decay and breed disease. The dust, which of necessity is stirred up in these floorless hovels and their unsanitary conditions in general is a menace not only to the health of those occupying these houses but to every individual in El Paso, for they are but hotbeds of disease centers of infections from which disease is spread to every part our city. For out of such quarters come our cooks, chambermaids, nurse girls, and servants in general, bringing with them the seeds of smallpox, scarlet fever, diphtheria, measles, tuberculosis, and what not.”¹¹⁹

The letter clearly placed the blame of contagion on working-class Mexicans and on their living conditions. It deemed them a menace to society because these were after all servants capable of transmitting disease to the white community. These working-class houses then assumed the role of “other” in the imperial project that was El Paso, Texas. Poor Mexicans were presumed to be carriers of disease and their physical appearance considered provincial hindered

¹¹⁹ “Letter from J.A. Rawlings to the El Paso County Medical Society,” *El Paso Herald*, 21 June 1901.

the ruling class's intention to forge a prosperous and progressive city. As a result, social and political hierarchies formed to monitor and control working-class Mexicans, especially women's bodies, in an effort to establish a virtuous and sanitary reputation for the city. To understand social control we must first locate those spaces where nation building unfolded, spaces such as public health policy and military cantonments, areas where it was necessary to demonstrate "order and progress."

This chapter examines race, class, gender, sexuality, and nation building along the U.S.-Mexico border during the early twentieth century and argues that elevated Mexican migration to El Paso in response to U.S. labor demands and socio-political upheaval in their home country led to heightened American apprehension over the perceived licentiousness of ethnic Mexicans and its impact on the burgeoning American city of El Paso. As a result city leaders, public health officials, and local law enforcement mounted a collaborative effort to rid the city of disease and vice in hope that the federal government would locate a large military cantonment at Fort Bliss, the military base located on the outskirts of the city. The effort began in earnest in 1901 and lasted for two decades as social revolution rocked Mexico between 1910 and 1921, sending over one million immigrants north to the United States making this effort, in the eyes of city leaders, paramount. City health officials implemented public health measures aimed at Mexicans to protect American business and social interests in general but to convince the federal government to invest in and expand Fort Bliss specifically.

In order for the federal government to support the military base, El Paso leaders had to prove that the city was moral and temperate, an excellent and healthy location for housing a large military training camp. Mexican women would bear the brunt of the city's cleanup efforts for two main reasons. First, they served as domestics for middle and upper-class homes and as such

they interacted with white families on a daily basis. Second, they posed a moral danger to the hundreds of servicemen that could potentially be stationed at the new cantonment. So what began as a cleanup for lice and consumption evolved into invasive bodily inspections of women's bodies for venereal disease, all in an effort to show the federal government that El Paso was capable of hosting a lucrative military training facility. The political, economic, and social negotiations for securing the military base, a most phallic symbol of imperialism, would be inscribed in the homes and bodies of women. Medical professionals wholeheartedly supported this concerted effort to clean up the city and urged city leaders to pass a sanitation ordinance that would confront what they called the "startling conditions" of the city.

These conditions were further explained on the evening of June 24, 1901 when EPCMS members and individuals of the Board of Health went before the city council to warn that immediate action needed to be taken to prevent the further spread of tuberculosis in the city.¹²⁰ The spokesman for the EPCMS that night was Dr. John Howard Thompson. He began by stating that "he had lived here for many years," eleven to be exact, and that during that time "he made a close study of the 'jocal' situation and had seen the Mexican hovels grow in numbers from 100 to 1500." He went on to say that "he had counted 1385 of such houses in three hours and most of them were such as a white man would not kennel a decent dog in." He then described the "fearful unsanitary conditions of the houses and the propensities of the peons to receive infection with open arms."¹²¹

Like Rawlings, Thompson lamented the fact that young Mexican women, inhabitants of these 'jacals' and potential carriers of diseases, could be found working throughout middle and upper-class white American homes all the while exposing this sector to deadly maladies. "No

¹²⁰ "Startling Conditions," *El Paso Herald*, 25 June 1901.

¹²¹ *Ibid.*

such aggregation of filthy hovels,” he said, “existed in all Mexico as are to be found in El Paso and it is not treating the Mexicans right to permit them to live as they do.”¹²² “Servant girls,” he said, “come from these places and go to their work in American families.”¹²³ Thompson suggested that this occurrence was quite dangerous to white Americans in El Paso as figures would show that tuberculosis was prevalent in the city and that it was well known to city and county physicians that the disease often originated in the Mexican working-class sector.¹²⁴

At this point Dr. Charles T. Race, City Physician, was called before council to share the death statistics of El Paso. According to Dr. Race, “the city’s population amounted to 20,000 or more. Of these 5,000 were low class Mexicans. Of the 600 deaths per year seventy percent were among the lower class and thirty percent among the whites or the better class Mexicans.”¹²⁵ Thompson and Race blamed Mexican working class individuals for the diseases present in the city, and yet they failed to take any responsibility for the conditions in the south side of the city, after all it too was part of the city that they ran. Thompson himself stated “the city is not treating the Mexicans right if they permit them to live that way.” Thompson’s rhetoric is in fact racist and denigrating yet he seems to understand that the responsibility for this issue lies with the city leadership. The notion that the white American status quo “permitted” the Mexican working-class sector to exist in squalor was just one example of how the Mexican working-class was both ignored and exploited by the white American middle and upper classes.

The Mexican working-class expanded significantly at the turn of the twentieth century. Difficulty recruiting European and Asian immigrants because of geographic distance and racial prejudice led Americans to turn south for a profitable and endless supply of laborers. Together

¹²² Ibid.

¹²³ Ibid.

¹²⁴ Ibid.

¹²⁵ Ibid.

industrialization and low wage Mexican labor created a standing job pool that relegated these workers to low-level occupations, segregated housing, inadequate schools, and political impotence.¹²⁶ From the outset El Paso leaders never took interest in the Mexican working-class neighborhood that formed on the city's south side, but because of labor demands officials could not and did not want to, eliminate these neighborhoods altogether; therefore, Mexican bodies and hygienic practices became the focal point of cleanup efforts.

Municipal public health officials served as one of the most expansive and regulatory mechanisms throughout the nation in the late nineteenth and early twentieth centuries. According to historian Nayan Shah, next to law enforcement and taxing entities, municipal public health administrators possessed indiscriminate authority to survey and monitor the city and its inhabitants. The middle and upper-classes, guided by progressive ideals, saw themselves as the authors of self-care and healthy living guided by an enlightened consciousness opposite that of the multitude of working poor.¹²⁷ Throughout the first two decades of the twentieth century, officials passed ordinances and launched cleanup campaign that called for random inspections for of homes and bodies for vermin in the Mexican working-class sector known as Chihuahuita, the central barrio in the city's south side. It was the principal and initial settlement for Mexican immigrants and it served as a labor pool where nearby railroads, construction firms, laundries, and even American housewives found needed workers.¹²⁸

¹²⁶ Mario T. García, *Desert Immigrants: The Mexicans of El Paso, 1880-1920*. (New Haven: Yale University Press, 1981). For further analyses of Mexican labor in Texas see Arnoldo De León, *They Called Them Greasers: Anglo Attitudes Toward Mexicans in Texas, 1821-1900* (Austin: University of Texas Press, 1983). De León examined Mexican labor in Texas and concluded that American moral codes in Texas deemed Mexicans "defective" and "deviant." Mexican men were lazy, corrupt, and disloyal, and it was necessary to protect American women from devious Mexican men. Mexican women fared no better. Unlike the austere white woman, Mexican women were considered vulgar and promiscuous, the epitome of cultural and moral deficiency.

¹²⁷ Nayan Shah, *Contagious Divides: Epidemics and Race in San Francisco's Chinatown* (Berkeley: University of California Press, 2001), 3-4.

¹²⁸ García, *Desert Immigrants*, 6.

Most of the Chihuahuita's inhabitants lived in jacales, dwellings that typified the meager living conditions of the majority of El Paso's Mexican working-class. The proposed sanitation ordinance of 1901 called for the prohibition of jacales along the river and in Chihuahuita by defining these structures as breeding grounds for disease, namely consumption.¹²⁹ Sanitary official's designation of these homes as "jacals" by enabled civic leaders to pass an ordinance that essentially prevented the expansion of the Mexican community. Ironically, the houses themselves, simple structures lacking the rudiments of modern living, did not pose the potential threat, but rather the city's disregard in providing the Mexicans in South El Paso with the necessary infrastructure. Nevertheless, city officials restricted the construction of homes and demolished others. Grading, paving, water, sewer, and garbage services to the Mexican sector seemed like logical solutions to combat sanitary issues, but in the end, it was easier to raze those dwellings that did not meet code than to provide basic municipal services.

City leaders were aware that Mexican communities such as Chihuahuita had been neglected and that infrastructure was required. Buried deep at the end of the EPCMS letter presented by Rawlings that June evening in 1901 were two very important recommendations that should have been priorities. First, Rawlings had suggested, "free hydrants placed at intervals of two blocks in the Mexican district to be used for cooking and drinking purposes, which would go a long way toward improving the health of these classes."¹³⁰ They also recommended "a plat of ground be purchased by the city [in the lower part of the city], and accessible to the Mexican quarter and set apart for park purposes for their use."¹³¹ It was obvious to civic leadership that

¹²⁹ "Sanitary Ordinance To Come Up Tomorrow," *El Paso Herald Post*, 7 August 1901. Jacales were very humble structures that consisted of thatched huts with dirt floors and lacked heating, cooling, running water, and sanitary provisions. These conditions led to elevated rates of sickness and disease for residents Consumption referred to pulmonary tuberculosis.

¹³⁰ "Letter from J.A. Rawlings to the El Paso County Medical Society," *El Paso Herald*, 21 June 1901.

¹³¹ Ibid.

the only way they could create a city in their own likeness was to provide the Mexican working-classes with the same amenities that were available to their own families. Improving the sanitary conditions of the Mexican community, however, would not alone temper the dangers posed by contagion since the Mexican labor force traveled throughout the city day in and out.

In order to monitor the movement of Mexican bodies amongst the American residents, Rawlings and the EPCMS took up the issue they referred to as “the spitting nuisance.” According to Rawling’s letter, “the great numbers of consumptives who flock here year to year in search of health under present conditions are a constant menace to the health of our citizens for the great majority of them expectorate their germ laden sputum wherever it suits their convenience, whether it be sidewalk, public building, or street car...because of the existence of the above evil...especially is tuberculosis alarmingly on the increase not only among our native Mexican population but among our Americans as well.”¹³² One of the interesting points of the letter is that the EPCMS was aware, given that El Paso highlighted the city’s dry climate as a cure for tuberculosis, that consumptives from around the country were flocking to the city. It seemed that white El Pasoans were finally realizing that these same consumptives, which they once tried to attract were likely responsible for the rising rates of infection among all city residents including “their Mexican natives.” Yet the discourse put forth by the EPCMS reflects the explicit racial and class division between the Mexican working classes and Americans. Officials, however, were determined to grow the city at all costs so in an effort to promote El Paso as a healthy and prosperous American community the Sanitary Committee, a branch of the County Board of Health, finally passed an extensive health ordinance that was approved by City Council on November 7, 1901.

¹³² Ibid.

The ordinance included a section that made it unlawful to construct any sort of “hut.” All homes had to be brick, stone, or adobe and all homes had to have floors made of wood or lumber thus displacing a number of Mexican immigrants on the city’s south side.¹³³ To further protect the American citizens of the city the law included a section that restricted people from spitting in public and called for stringent enforcement of the infraction and mandated a hefty fine if convicted.¹³⁴ This meant that Mexican inhabitants would be policed more closely since the American residents considered them potential carriers of disease and their bodily fluids posed looming threats.

The Sanitation Ordinance of 1901 set the tone for how the ruling classes would police working class Mexican bodies and homes for years to come. On November 26, 1901, shortly after it passed, Dr. Charles T. Race, City Physician, commented on it to the *El Paso Herald Post*:

In the first place, the ordinance was not passed for the purpose of prosecuting someone, just for the fun of it. It is intended as a training measure more than anything and where we find people who will willfully do things which are contrary to the laws of health of course a penalty was necessary in enforcing the ordinance. Among the Mexican people we have so far experienced no difficulty and find them easily brought to an understanding concerning the merits of the ordinance...As I said before, the Mexican population is easily disciplined and willing to get into the ways of the American people, but it takes

¹³³ *City of El Paso Charter and Ordinance, 1903*, pgs. 96-97. Sec. 49. [Ord. Nov 7, 1901; Book L, page 419.] Unlawful to Erect Building of Material Other than Brick or Adobe Without Permit. This ordinance made it unlawful to erect any dwelling or house for people to live in of material other than stone, brick, or adobe. Sec. 50. [Ord. Nov 7, 1901; Book L, page 419.] Specifications. All foundation required openings for air flow, all floors had to be made of wood or lumber and had to be twelve inches above ground, all rooms required one window, all walls and ceilings had to be covered with plaster, and all ceilings had to be at least eight feet high. Sec. 51. [Ord. Nov 7, 1901; Book L, page 419.] Application of Owner. Made it unlawful to build a house or dwelling without a permit from the City of El Paso and granted by the Mayor. Sec. 52. [Ord. Nov 7, 1901; Book L, page 419.] Permit Issued By City Clerk and Fees. Defined the fee for a building permit at one dollar for homes valued at \$300 or more and fifty cents for houses valued under \$300. Sec. 53. [Ord. Nov 7, 1901; Book L, page 419.] Non-Compliance with This Ordinance a Misdemeanor. Established a fine of not less than five dollars and not more than fifty dollars for failing to comply with Sections 49 through 52.

¹³⁴ *City of El Paso Charter and Ordinance, 1903*, pgs. 192-193. Sec. 377. [Ord. Nov 7, 1901; Book L, page 419.] Expectorating on Sidewalks and Other Places a Misdemeanor. Imposed a fine of not less than one dollar and not more than five dollars for spitting on sidewalks, in any public vehicle, stairways, floors, or walls of any public building in the city, nor upon grass, walks, grounds seats or stands of any public place in the city.

lots of explaining and making plain to them just what you want and several trips are usually needed to make them comply with the ordinance. Since the passage of the ordinance, several jacales have been started, but after explaining the matter to the owners and showing them the reason why such buildings are a nuisance, they have quietly acquiesced and gone to the city clerk for permits to build their houses according to regulations.¹³⁵

Dr. Race's paternalistic commentary is symbolic of the imperialist rhetoric that reinforced economic, political, and social projects along the U.S.-Mexico border. The belief that Mexicans could be "easily disciplined into the ways of the American people" indicates that white Americans viewed the Mexican working-classes as children to be disciplined, who should quietly acquiesce, and expect punishment in terms of fines should they not follow the way of the American people. The only setback, according to Dr. Race, was that Mexicans were slow learners; therefore, several trips into the Mexican sector were required to make the people conform to the new ordinance. Throughout the article one finds the words prosecuting, training, penalty, enforcing, discipline, comply, and nuisance, to explain the city's new system of regulation and punishment that officials used to target bodies considered unsanitary and un-American, usually one and the same. According to Foucault criminal law materialized and existed to legitimize the status quo. In order to maintain obedience and deference, the propertied classes constantly reconstructed authority in an effort to protect their interests. The law could never be anything more than an instrument of class power and social control and his perspective offers a valuable framework for examining social control in El Paso at the turn of the twentieth century.¹³⁶

¹³⁵ "New Health Ordinances Are Being Enforced Gradually, Especially Among Mexicans," *El Paso Herald*, 26 November 1901.

¹³⁶ Michel Foucault, *Discipline and Punish: The Birth of the Prison*. (New York: Vintage Books, 1979), 195-228. Michel Foucault theorized that discipline, whether identified with an institution such as the state, or an apparatus

The noticeable growth of the El Paso-Ciudad Juárez region in the first two decades of the twentieth century attracted a broad assortment of American migrants and Mexican immigrants to the border region. El Paso's population swelled to over 39,279 by 1910, but living conditions for the Mexican working-class sector continued to deteriorate as prosperity bypassed the city's south side.¹³⁷ A dual society emerged in El Paso that juxtaposed white, law-abiding, and hygienic citizens with brown, unlawful, and dirty vagrants. While the American community continued to tout El Paso as a sunny and dry climate perfect for the care of tuberculosis, the Mexican community continued to be perceived as guilty of harboring the deadly disease.¹³⁸ The Mexican working-classes were held responsible for El Paso's health and social dilemmas and the press contributed to their construction as impoverished and unsanitary marauding bands of thieves and a growing threat to the city. An article published in the *El Paso Herald* blamed "destitute Mexican refugees" for numerous burglaries and thefts throughout the city. The piece stated that, "the number of unemployed Mexican refugees who have no visible means of support, and unable to secure work, present a problem that is fast assuming menacing aspects."¹³⁹

Leaders spent the next decade cleaning up the city's Mexican neighborhoods, which posed social and health dangers for Americans in general but perhaps, in the near future, for U.S. soldiers specifically. As the years passed El Paso public health officials made inroads in ridding the city of disease but before all was settled another major international crisis erupted that extended all along the U.S.-Mexico border. In 1910 Mexico fell into social revolution as the

such as the police, represented a form of power comprised of instruments, techniques, procedures, and targets for social control. He explained that in eighteenth century France, juridico-political power structures shifted their notions of discipline and punishment from public torture and execution to panoptic surveillance implemented through a more "civilized" form of penal imprisonment. From that moment on prisons functioned as state instruments that sanctioned legal detention and attempted the additional task of correcting behavior and reforming individuals under the supervision of law enforcement and medical officials.

¹³⁷ Oscar J. Martínez, *Border Boom Town: Ciudad Juarez since 1848*. (Austin: University of Texas Press, 1975), 32.

¹³⁸ García, *Desert Immigrants*, 143.

¹³⁹ "Refugees Out Of Work Are Menace," *El Paso Herald*, 13 March 1914.

forces of Francisco Madero toppled the dictatorship of Porfirio Díaz. An all-out civil war quickly ensued and by 1915, as the insurgency entered its most violent and bloody phase, there was no clear winner or leader in sight. This led to the influx of hundreds of Mexicans per day in El Paso seeking both jobs and refuge from the bloodshed.¹⁴⁰ Although some of the immigrants who arrived were from wealthy Chihuahuense families, most were not. It is precisely in 1915 that the county jail records show an increase in arrests for misdemeanors, minor offenses intended to make certain classes invisible to the public eye. In 1917 when the United States entered World War I arrests increased.¹⁴¹ While the war brought new fears and suspicions about immigrant loyalty and morality, those uncertainties were heightened on the U.S.-Mexico border where another conflict unfolded very close to the American Southwest. The Mexican Revolution created a whole new set of security concerns for border inhabitants. The presence of well-known revolutionary operatives, like Ricardo Flores Magón, in border cities and security breaches such as the Zimmerman Telegram and Plan de San Diego incidents led American officials to exercise war measures such as the Espionage Act of 1917 and the Sedition Act of 1918, which resulted in a wholesale crackdown on Mexicans considered war dissidents, anarchists, and leftists.

Federal, state, and municipal officials worked closely together to weave a web of acts, laws, and ordinances that on the one hand accommodated U.S. labor demands and on the other “protected” American citizens from the rapidly expanding Mexican working class inhabitants. U.S. Census Bureau records for 1910 put El Paso’s total population at approximately 39,279 people, 37,586 or approximately 96% were deemed white but this included the foreign-born of which Mexicans made up 12,297. The remaining population consisted of approximately 1,452 blacks and 245 Asians. Given that El Paso constituted a geo-political border, a peripheral space

¹⁴⁰ García, *Desert Immigrants*, 43.

¹⁴¹ El Paso County Jail Records Register #17: July 1917 - April 1918 and Register #18: April 1918 - February 1919

where people hide, such numbers were always precarious. Of the total population, approximately 19,953 were women making them slightly under 50% of the population.¹⁴² By 1920, however, the U.S. census showed El Paso's total population to be approximately 77,500 people almost twice as many people. At this point those classified as white accounted for 97.7% of the city but of this number foreign-born whites, mostly Mexican, made up 33,353 people or 43% percent of the population. Of this number women made up 40,367 or 52% of the population. 18,143 women were foreign-born white most likely Mexican women but the census does not break down demographics in this manner.¹⁴³ While Mexicans were identified as white in the pages of the U.S. Census Bureau, on the streets of El Paso they did not possess this status, and women often bore the brunt of social control.

Although roughly half of El Paso's population between 1915 and 1920, women appeared in the records not as the perpetrators of violent crimes, but rather were mostly accused of crimes that fell under the rubric of vice, and this felt the pressure of official efforts to rid the city of immorality and establish a military cantonment. The most common charges included vagrancy, theft, delinquency, liquor violations, violation of quarantine laws, and a nebulous charge referred to as 'clinic.' The term vagrant applied to a wide assortment of people termed tramps, loafers, loiterers, liquor dealers, gamblers, gypsies, fortunetellers, prostitutes, beggars, and pimps, and included the unemployed.¹⁴⁴ Vagrancy presumably afforded law enforcement and public health officials the ability to cast a wide net coupled with generous arrest powers. Between 1915 and

¹⁴² Thirteenth census of the United States taken in the year 1910. Abstract of the census: Statistics of population, agriculture, manufactures and mining for the United States, the states, and principal cities, with supplement for Texas containing statistics for the state, counties, cities, and other divisions (Washington: Government Printing Office, 1913).

¹⁴³ Abstract of the Fourteenth census of the United States, 1920 (Washington: Government Printing Office, 1920). According to the City Directory, El Paso's total population in 1915 was approximately 60,787 and one can theorize that females made up approximately 50% of the or about 30,000 women. There is no breakdown for ages.

¹⁴⁴ Penal Code of the State of Texas. Adopted at the Regular Session of the Thirty Second Legislature, 1911, pg. 165.

1920, county arrest records registered approximately 504 women were picked up for vagrancy. Between 1915-1917, 158 women were detained with 109 Mexican women, 32 white women, and 17 black women detained. After 1917 officials arrested 345 women for vagrancy, 120 Mexican women, 87 white women, and 38 black women.¹⁴⁵ While the total number of women detained is only about 1% of the total population, it is still quite obvious that Mexican and black women were arrested at least two and a half times more often than white women. Like vagrancy, the charge of delinquency was utilized to rid the city of Mexican immigrant youth who perhaps loitered about the city as they adjusted to their new surroundings.

Delinquency offered city officials a blanket charge with which to monitor and control youth as well as adults. The charge of delinquency was lodged against any child under the age of sixteen who violated any laws of the state and/or knowingly associated with thieves, vicious, and immoral persons, or who knowingly visited a house of ill repute, saloon, or wandered about the streets.¹⁴⁶ Mexican youth represented a significant number of delinquency arrests, and in all probability, the immigrant family's economic situation often meant that children worked or were left unattended placing them in public spaces at all hours of the day. Between 1915 and 1917 officials arrested 28 young women or girls for delinquency, but after 1917 delinquency arrests rose sharply. Between 1918 and 1920, officials arrested 113 young women or girls for

¹⁴⁵ The numbers provided are based on the El Paso County Jail Records available at the UTEP Special Collections: Register #16: May 1915 - October 1916; Register #17: July 1917 - April 1918; Register #18: April 1918 - February 1919; Register #19: February 1919 - July 1920; and Register #20: July 1920 - July 1921. The El Paso County Jail Records are located in the Special Collections Department at The University of Texas at El Paso Library. The holdings consist only of those materials transferred to UTEP by the Texas State Library and Archives Commission. There are gaps in the records because some of the registers were either too fragile to be transferred or because the registers, for whatever reason, no longer existed. It is highly likely that the number of arrests were higher for the period between 1915 and 1920.

¹⁴⁶ Penal Code of the State of Texas. Adopted at the Regular Session of the Thirty Second Legislature, 1911, pg. 165.

delinquency and of those 105 were ethnic Mexicans.¹⁴⁷ Like their adult counterparts, young Mexican women, posed a threat to the social and moral fiber of the city. Vagrancy and delinquency, however, were not the only precarious charges leveled against the alleged “dangerous” classes, mental illness was also used to expunge those considered undesirable.

Insanity, an illness and not a crime, appeared in both federal immigration law and the state penal code as an offense. Section 2 of the Immigration Act of 1907 excluded the following classes of aliens: All idiots, imbeciles, feeble-minded persons, epileptics, insane persons, and persons who have been insane within five years previous.¹⁴⁸ Likewise, the Texas Penal Code defined insanity as a crime “committed by a person under such defects of reason from disease of the mind as to not know the nature and quality of the act he was doing; or if he did know, he did not know he was doing wrong and considered insane.”¹⁴⁹ While the wording of the state penal code imbues the masculine gender it was women who represented the most significant number of arrests for the charge of insanity. With insanity criminalized at the turn of the twentieth century working class Mexicans women found themselves in a dilemma. A charge of insanity could deny an immigrant entry into the United States and for those already in the U.S., it permitted deportation for suspected mental illness.¹⁵⁰ Between 1915 and 1920, county and city officials arrested 89 women on charges of insanity. Mexican women accounted for 62 of the 89 women arrested, but only four were deported. The remainder were either adjudged insane and remanded to the asylum, or just simply released. One could conclude that arrest statistics climbed because

¹⁴⁷ El Paso County Jail Records available at the UTEP Special Collections: Register #16: May 1915 - October 1916; Register #17: July 1917 - April 1918; Register #18: April 1918 - February 1919; Register #19: February 1919 - July 1920; and Register #20: July 1920 – July 1921

¹⁴⁸ Fifty-Ninth Congress of the United States, Session II, Chapter 1134, February 20, 1907, Statute 4403, Public, No. 96.

¹⁴⁹ Penal Code of the State of Texas. Adopted at the Regular Session of the Thirty Second Legislature, 1911, pg. 9.

¹⁵⁰ Fifty-Ninth Congress of the United States, Session II, Chapter 1134, February 20, 1907, Statute 4403, Public, No. 96.

the population increased, but in terms of racial and ethnic categories, the statistics reflect anything but impartiality.

This disparity in the arrest records reflected the political ideology of Tom Lea, a conservative Democrat, who became mayor of El Paso in 1915. Campaigning on a platform that rejected gambling, prostitution, and the political indifference that had allowed vice to exist—a distinct marker of the previous administration, Lea targeted the Mexican working classes, which he considered retrograde and unsanitary. His administration took an active interest in the moral and physical well-being of the city. Officials at all levels of government feared the large number of immigrant Mexicans entering American soil, and they equated the silent movement of these bodies with an onslaught of disease and vice. Through a myriad of laws and ordinances, and a combined effort to enforce them, city leaders monitored the supposed human threats that they consciously allowed into the country. After all, Mexican immigrants played a vital role in the imagined “progress” of the American Southwest, and all three levels of government made certain that labor demands were satisfied. The following anonymous letter submitted to the *El Paso Herald* illustrates the conflicting attitudes white residents had toward Mexican bodies:

Editor, El Paso Herald:

In regard to the typhus situation here I would suggest that the city authorities demand the names and addresses of all the Mexican servants who work in the homes of the people in the north part of town. The health officials could visit the homes of each and those found clean could be given a certificate of cleanliness while the others should be obliged to clean up in order to retain their positions. This is one safe way to guard the northern part of the city against the disease. It is foolish to assume that our servants will take reasonable precautions simply because we tell them. Citizens with influence should place this matter before the health authorities for their consideration. Signed, C.L.C.¹⁵¹

¹⁵¹ “Letter to The Herald,” *El Paso Herald*, 13 March 1916.

The writer's opinion relates that she or he feared insalubrious Mexican "servants," but not enough to not have a servant and that a "certificate of cleanliness" could clear that matter up. The discourse also relates clear racial and class divisions between north side residents and south side inhabitants. White middle and upper-class American citizens lived on the north side of the city while working-class Mexicans, a large number being recently arrived immigrants, lived on the south side. The letter writer clearly implied that the southern section was a space to be feared since the residents were potentially diseased while those living on the north side were obviously disease free. Mayor Tom Lea echoed these sentiments.

In June of 1916, Lea declared that El Paso needed to protect itself from the "hordes of poor, disease-laden Mexicans who were seeking entrance into El Paso from Mexico." The mayor stated that "unless steps are taken to keep undesirables out," he would "declare quarantine against Mexico."¹⁵² Lea used the press strategically because it was both a barometer of public opinion and an influence on public opinion, and as such, the press played a duplicitous role in the construction of the contemptible Mexican immigrant. The following editorial submitted by Howard L. Rann of the Adams Newspaper Service (Midwest) and published by the *El Paso Herald* on May 8, 1916 reflected the racism and xenophobia that permeated the white community, and the willingness of the press to convey such attitudes:

The Mexican peon lacks a great many things in order to make him a desirable companion and household pet. Two of the things he lacks most are education and soap, and it is hard to say which would do the most good. Opinion is divided. Americans who have lived in Mexico for any length of time say that compulsory bathing, introduced at the point of a bayonet would do more to civilize the peon than a campaign for consolidated schools. Many peons are peaceful and willing to work occasionally, if left alone, but they are

¹⁵² "Undesirables Must Stay Out," *El Paso Herald*, 16 June 1916.

overawed by their warlike brethren, who would rather shed their alcoholic breath on the field of battle than plant one acre of Early Ohio potatoes.¹⁵³

Rann's piece illustrates the unfortunate stereotypes that many white Americans inscribed on Mexican bodies in the early twentieth century. He implied that "the Mexican" was an uncivilized, alcoholic warrior who rarely bathed and barely had the mentality of a dog, or what he referred to as a "desirable companion and household pet." Moreover, Rann insinuated that Mexicans were lazy and violent as opposed to the rugged and successful American potato farmer. Mark Anderson argues that in order to understand the content of stories, editorials, and cartoons published in the U.S. press about Mexicans and the Mexican Revolution, one must peruse the stereotypes.¹⁵⁴ There is no question that the U.S. exercised imperial power over Mexico through military, diplomatic, and economic domination, but the press's active participation reflects "a greater, more comprehensive cultural project."¹⁵⁵ According to Anderson, the mass media mirrors the larger culture from which it stems; therefore, the press played a complicit role in maintaining imperial power over Mexico. As a consequence, the U.S. press reflected, buttressed, and fomented the cultural flavors of U.S. imperialism in the early twentieth century.¹⁵⁶ In El Paso federal, state, and municipal officials, along with the press, constructed Mexican immigrants as dumb, dirty, lazy, violent, and hard pressed to live and work like white Americans. An increase in the number of arrests in the latter half of 1917 indicates, however, that something else besides unkempt homes and questionable work habits occupied those in power.

¹⁵³ Howard L. Rann, "Mexican Peon In Need Of Soap And Education Some Of His Leaders Are In Need Of Lead Filling," *El Paso Herald*, 8 May 1916.

¹⁵⁴ For an analysis of the press and their construction of Mexican stereotypes during the Mexican Revolution see Mark C. Anderson, "What's to Be Done with 'Em?" Images of Mexican Cultural Backwardness, Racial Limitations, and Moral Decrepitude in the United States Press, 1913-1915," *Mexican Studies/Estudios Mexicanos* 14(1), Winter 1998, 23-70.

¹⁵⁵ *Ibid.*, 25.

¹⁵⁶ *Ibid.*, 25.

At the end of 1917, about the time that venereal disease became a nationwide health concern, the city council now under the direction of Mayor Charles Davis, suggested El Paso and Fort Bliss as a possible location for one of several military cantonments proposed by the federal government.¹⁵⁷ Along with their recommendation, city officials further pledged to create a healthy moral environment by ridding the city of all vice.¹⁵⁸ At these important federal and civil junctures, arrests for vagrancy, delinquency, and liquor violations rose dramatically. It seemed ironic that the Department of War would even consider Ft. Bliss for the cantonment since El Paso symbolized the recklessness of the U.S.-Mexico border, but shortly after Congress passed the Immigration Act of 1917 the federal government acquiesced to the demands of farming, mining, and agricultural interests in the Southwest and waived the literacy test, head tax, and contract labor restrictions, that were provisions of the legislation, in order to correct the labor shortage caused by the implementation of the act itself and World War I, and this caused an upsurge in Mexican bodies crossing the border.¹⁵⁹ Perhaps the federal government overlooked El Paso's contentious location because it intended to take advantage of Section 2 of the Selective Service Act of 1917, which obligated foreign residents of the United States to serve in the Armed Forces, or forever be denied citizenship and leave the country.¹⁶⁰ Seemingly, the large number of Mexican immigrants in El Paso could provide a fresh supply of cannon fodder for the Great War. Whatever the case, the possible addition of a cantonment at Ft. Bliss rested on the El Paso

¹⁵⁷ Fort Bliss was established in 1848 after the U.S.-Mexico War as an outpost to defend and maintain order along the newly created border. The War Department closed the small base in 1877 but reestablished it in 1878 as a result of the violence surrounding the Salt Wars in San Elizario. After 1910, the Army gradually increased the number of troops and in 1918 Ft. Bliss was chosen as the site for one of a number of cantonments, or large training facilities, to be built by the War Department in the face of World War I. Eventually over 50,000 troops were stationed at the base. The expansion of Fort Bliss and its role as a major training facility made the base one of the largest in the nation and it remains so today.

¹⁵⁸ "Council To Rid City Of Vices," *El Paso Herald*, 30 May 1917.

¹⁵⁹ John Martinez, *Mexican Emigration to the U.S., 1910-1930*. (San Francisco: R & E Research Assoc., 1971), 18.

¹⁶⁰ *Ibid.*, 20. See also The Selective Service Act of 1917 (P.L. 65-12, 40 Stat. 76).

city leader's ability to provide a community free of social disease and moral ineptitude and the American residents of El Paso and the state of Texas would see to it that this happened.

This was of course contingent on El Paso sanitizing its city. On December 27, 1917, Senator Claude B. Hudspeth announced that R.B. Fosdick, who was in charge of the National Soldiers' Welfare Activities had promised him that "if El Paso is thoroughly cleaned up, getting rid of undesirable women and bootleggers, a cantonment will be established in El Paso with one division of 52,000 men, and possibly two."¹⁶¹ The promise of a cantonment presented a boon for the city's economy, and leaders did not hesitate to execute an extensive "clean up" effort, especially in the south side, or Mexican sector. On December 28, 1917, the *El Paso Herald* reported:

In conformity with the city cleanup campaign that has been started to get rid of bootleggers and undesirables, Judge Ben Jenkins was unusually busy Thursday afternoon in police court fining prisoners charged with vagrancy at the rate of \$200 each, or rather 200 days, since it has been decided that jail sentences are more effective than paying a fine. Among the women fined 200 days on charges of vagrancy were Lala Mendez, Elira Garcia, Antonia Gallardo, Lucia Campo, Maria Remedez, Francisca Alinas, Adela Castro, Teresa Garcia, Maria Hernandez, Margarita Sambrano, Sara Munoz, Angela Gonzalez, and Maggie Gonzalez.¹⁶²

These statements, and the statistics provided by the arrest records, indicate that mostly Mexican women emerged as "undesirables" and "bootleggers," and of course jail sentences were more effective because they were overwhelmingly members of the working class and could not afford to pay a \$200 fine. Moreover, the possibility existed that many of the women arrested were neither prostitutes nor bootleggers, but rather women for whom outside employment was vital to

¹⁶¹ "Clean Up Undesirables; Get A Cantonment; Fosdick's Word," *El Paso Herald*, 27 December 1917.

¹⁶² "Kiwianians Are For Cleanup," *El Paso Herald*, 28 December 1917.

their family's survival and it was honest labor that brought them into the public sphere more often than not. Not surprisingly, the business community, which stood to profit handsomely from the construction of a military cantonment wholeheartedly supported Mayor Davis's clean-up efforts.

Civic organizations such as the Young Men's Christian Association, the Kiwanis Club, the El Paso Rotary Club, the El Paso Chamber of Commerce, and the National Defense League lent political and financial support to city and county efforts to crush vice and accommodate the military. Prominent leaders from these organizations including R.M. Dudley, A.P. Coles, R.E. Thomason, Maury Kemp, C.N. Bassett, and G.R. Putnam, to name just a few, joined law enforcement and health officials to create "purity squads," which were vigilante groups that roamed the streets of south El Paso searching for "undesirables." The purity squads performed surveillance, informed law enforcement officials of vice, and detained suspected vagrants until law enforcement officials arrived.

The biggest setback for immigrant Mexican women, however, occurred in 1918 with the arrival of the United States Government Clinic No. 5 located in the basement of the El Paso County Courthouse. On January 14, 1918, the *El Paso Herald* reported that "a venereal clinic for the treatment of men and women afflicted with results of the social evil is to be established in El Paso under the direction of the United States Public Health Service and the American Red Cross Society. The clinic would be the fifth of its kind in the United States. The other four are located at places where there are large cantonments."¹⁶³ The article confirmed two things. First, it made clear that sexually transmitted diseases would be the prime target of the clean-up efforts and that women would bear the brunt of that effort. Second, the article confirmed that federal

¹⁶³ "U.S. Clinic To Treat Disease," *El Paso Herald*, 14 January 1918.

officials had in fact chosen El Paso for the construction of the military cantonment. With the military training facility secured, the medical department of the army and local authorities combined to formulate the guidelines for the venereal disease clinic that would accompany the expanded encampment. On January 24, 1918, the *El Paso Herald* reported that:

When men are brought to the clinic for treatment, they will be requested to furnish the names of the women who were the source of infection. The latter will be arrested by provost guards and will be placed in the county hospital for treatment. If they are Mexican women, they will be deported by the health service following treatment.¹⁶⁴

The statement suggests that only women spread the disease and men were innocent victims. Not only were women, Mexican women in particular, subjected to humiliating examinations and detention but they could also face possible deportation since federal, state, and local officials equated healthy bodies with citizenship, while rejecting poor and allegedly unhealthy bodies.

Historian Alexandra Minna Stern looked at medical practices at the El Paso-Ciudad Juárez port of entry and revealed that notions of empire, body, and biological techniques encouraged humiliating physical examinations and established decontamination processes based on ethnic and class stereotypes. According to Stern, the medicalization of the U.S.-Mexican border between 1910 and 1930 introduced far-reaching cultural and scientific developments pivotal to the consolidation of United States imperialism, nationalism, and disease in the early twentieth century.¹⁶⁵ There is no indication in the El Paso records that European immigrants were deported for venereal disease; therefore, it can be easily deduced that Mexican immigrant women became the main targets for medical confinement and potential deportation. On January

¹⁶⁴ "Soldiers Must Inform Clinic," *El Paso Herald*, 24 January 1918.

¹⁶⁵ Timothy J. Dunn, *The Militarization of the U.S.-Mexico Border, 1978-1992*. (Austin: The University of Texas-Center for Mexican American Studies, 1996); Alexandra Minna Stern, "Buildings, Boundaries, and Blood: Medicalization and Nation-Building on the U.S.-Mexico Border, 1910-1930," *Hispanic American Historical Review* 79:1 (1999).

30, 1918, Dr. V.V. Wood, a venereal disease expert with the U.S. Public Health Service and a recent arrival from Washington D.C. made it understood that:

There would be no persecution of women with the disease, but that the clinic was to be solely their friend, existing merely to make them healthy. A method had been secured for one of the most vile diseases that made it impossible for the patient (i.e. women) to transmit the disease. This treatment lasts about ten days and would be given to every woman and man with the disease. The subjects would then be free to go about as they would. Should necessity demand it the county hospital will be used for the work, as the basement of the courthouse may be used merely for temporary treatment.¹⁶⁶

Officials from all three levels of government did indeed persecute Mexican women. They believed that working-class Mexican women turned to sin and vice more often than middle and upper class white women leading federal, state, and local officials to target the city's confirmed "women sinners of the underworld."¹⁶⁷ The clinic, however, was anything but friendly and in many instances treatments lasted far longer than ten days. For many Mexican women a stay at the clinic lasted upward of six months.¹⁶⁸ This policing of the Mexican body was made possible by the federal, state, and local laws, bills, and ordinances that legalized the inspection and incarceration of women's bodies.

Further proof of the regulation of women's bodies can be found in Texas' actions. On April 5, 1918, the state legislature passed Bill No. 48: Relating to Venereal Diseases. It declared that "syphilis, gonorrhea, and chancroid, hereinafter designated as venereal disease, to be contagious, infectious, communicable, and dangerous to the public health." The legislation

¹⁶⁶ "New Clinic To Open Next Week," *El Paso Herald*, 30 January 1918.

¹⁶⁷ "City Cleanup On In Earnest," *El Paso Herald*, 30 March 1918.

¹⁶⁸ The El Paso County Jail Records indicate that many of the Mexican women arrested and sent to the clinic were held for up to six months while the average detainment for all others was 10-30 days. In the 18th and 19th centuries, mercury, sulphur and arsenic were used to treat venereal diseases but the side effects were dangerous and many succumbed to mercury poisoning. Salvarsan or arsphenamine was discovered in 1910 and was the first known effective treatment for sexually transmitted diseases until the advent of penicillin and other antibiotics in the late 1920s.

further provided for “notification of such diseases by city, county, and local health officials, and empowered local health officials to examine bodies *suspected* of having syphilis, gonorrhea, or chancroid.” Additionally, Section 5 of the Act “authorized local health officials to quarantine persons who have, or *are reasonably suspected of having* syphilis, gonorrhea, or chancroid.”¹⁶⁹ In one fell swoop, the state of Texas made immigrant women into “suspects” and handed local officials the power to quarantine them. Just two months after its passage, El Paso County arrest records reflected the fallout from State Senate Bill No. 48. The first charge, “vagrancy-clinic” appeared to give officials the authority to arrest women for vagrancy and then force them into the clinic on the suspicion that they carried venereal disease. The second charge, “violation of the quarantine law,” allowed officials to detain women after bodily inspections, or because a doctor and/or health official reported her as a carrier. A third offense vaguely referred to as “clinic” was probably the recording clerk’s shorthand version of either the vagrancy-clinic or violation of quarantine offense.

State Senate Bill No. 48 became law on June 24, 1918. On that day, El Paso County recorded its first “violation of the quarantine law,” although local officials began quarantining women two weeks earlier.¹⁷⁰ Federal and state officials carefully monitored El Paso and the city leadership’s ability to enforce the national and state venereal disease programs. With the end of World War I in November of 1918, military officials appeared less fretful about the social well-being of their enlisted men at Fort Bliss but city leaders did not concur and instead continued to scrutinize working class women in El Paso.

¹⁶⁹ General and Special Laws of The State of Texas passed by the Thirty-Fifth Legislature convened at the City of Austin, February 26, 1918 and adjourned on March 27, 1918, George F. Howard, Secretary of State.

¹⁷⁰ This nascent research into the arrest and detainment of Mexican women in El Paso confronted a number of obstacles. The arrest records usually did not specify any other charges other than “violation of quarantine law” or “clinic.” Under these circumstances, it seemed possible that the quarantine might be part of the Spanish influenza or tuberculosis epidemics, but the dates of legislation and enforcement, and the fact that the majority of those detained were mostly Mexican women, indicated that the quarantine was aimed at particular bodies.

City officials opposed any curtailment of the venereal disease laws because they could continue to police the Mexican working class inhabitants at the expense of federal and state coffers. They clamped down on the city's moral environment and refused to relegate authority, especially with an impending mayoral election in 1919. Charles Davis announced his bid for reelection and Burt Orndorff, brother of Sheriff Seth Orndorff, opposed him. The January 1, 1919 issue of the *El Paso Herald* printed Davis's campaign platform, part of which supported sexual supervision of all working women:

Due in a large measure to the fact that our country being at war and because the federal government requested and later ordered that public improvements be limited to the most vital and necessary work, my desire to carry out these improvements is my chief reason for asking for reelection...regarding the inspection of women who work in restaurants, soft drink establishments, etc...we were asked too pass an ordinance requiring physical examination and assessing a penalty if it were not complied with... the federal government notified the owners of establishments that employed women that they would have to comply or the government would not allow soldiers to patronize these establishments...in order to help the women employed these places, we held a conference with Dr. White, city health officer, and asked if there was not some way in which we could relieve these women and girls from having to pay the fee for the examination. He said he would be glad to make the examinations himself free of charge.¹⁷¹

Davis's platform undoubtedly targeted Mexican women since it was unlikely that middle and upper-class women needed employment outside of the home. It was Mexican working-class women who had the necessity to work outside the home to make ends meet, after all their male counterparts also faced prejudicial attitudes that often time limited their earning potential. Davis, was wholeheartedly determined to continue the enforcement of the federal and state venereal disease laws and the bodily inspections of all working-class women, his opponent, however,

¹⁷¹ "Mayor Davis Announces His Platform For 1919 Campaign," *El Paso Herald*, 1 January 1919.

disagreed and the corporeal examinations of this group became a contentious issue in El Paso. Burt Orndorff's response conveyed his position concerning the inspections of working class women in a an editorial published by the *El Paso Herald* on June 10, 1919:

It is not necessary for me to defend my position on the question of protecting the respectability of the working women in El Paso. It is on my own initiative, and the fight I made before city council, that the order requiring physical examinations of working women was rescinded. The duty of the chief executive of this community is to protect the defenseless, and this responsibility he cannot shirk or sidestep, and he should not have permitted any agency to force upon our citizens such a humiliating indignity as that which was perpetrated on the good womanhood of El Paso by requiring them to submit to physical examination for venereal diseases before they could earn a livelihood.¹⁷²

Orndorff opposed Davis on the issue of physical examinations for women. Perhaps Orndorff cared about the “humiliating indignity” foisted on the group or maybe the numbers of arrests and quarantine orders for white women increased for the years 1918 through 1920. According to El Paso County Jail Records, local officials arrested approximately two hundred and thirty-seven Mexican women, fifty-one white women, and twelve African-American women. They quarantined one hundred and thirty Mexican women, twenty-five white women, and one black woman.¹⁷³ The women were further categorized once arrested. County records used nine categories to describe detainees: name, age, skin complexion, color of hair, color of eyes, nativity, date of arrest, offense, and date of release. Nativity in these records referred to ethnicity rather than birthplace, time, or circumstance. Ethnic labels such as American, Mexican, Negress, Hebrew, and Gypsy described the women arrested. Not surprisingly, American denoted the white population born in the United States, while foreign-born European immigrants assumed

¹⁷² “Orndorff Puts Out Platform,” *El Paso Herald*, 10 June 1919.

¹⁷³ El Paso County Jail Records, Register #18: April 1918 – February 1919.

categories that coincided with their place of birth such as English, Russian, and German. The term nativity allowed local officials to distinguish between American citizens and non-citizens. Complexion also served this purpose; skin tones, expressed in degrees of white, brown, or black, separated Americans from “un-Americans.” White women were described as light, fair, or medium, but never dark, while Mexicans were light, medium, or dark, and African Americans assumed the label mulatto, ginger cake, dark, or black, and Chinese simply labeled as yellow.¹⁷⁴

Indeed, dark skin posed a greater threat to authorities, but mostly in regard to Mexicans. Of the two hundred and thirty-seven Mexican women detained in 1919, the records indicate that one hundred and four had dark complexions, thirty-four were “medium,” and two were “light.”¹⁷⁵ Undeniably, race, class, gender, and sexuality operated in tandem to construct Mexican women as a menace to society. However this discourse would manifest tough law enforcement as was evident when acting chief of El Paso Police, P. H. Phoenix, declared that the entire police department would arrest and jail *all* women of questionable morals in El Paso. He did so to support incumbent Mayor Davis and his determination to carry out the federal and state’s policies on venereal disease. Phoenix, like other city leaders, believed that the moral condition of El Paso needed rehabilitation and that the growing numbers of Mexican immigrants, especially women, who worked in public spaces were potential threats to all men in general and to enlisted ones specifically. For the most part, working-class women in El Paso came from poverty-stricken and war torn Mexico and worked out of desperation. Marginalized by revolution and driven from their homeland by hunger and political persecution, Mexican women saw emigration to the United States as the key to survival. Unfortunately, their need to work in the public sphere defined them as less than virtuous. Federal, state, and local officials responded

¹⁷⁴ El Paso County Jail Records, 1915-1920.

¹⁷⁵ El Paso County Jail Records, Register #18: April 1918 – February 1919.

not with schools, jobs, and land, but with vagrancy, delinquency, and quarantine laws, after all, “good” women stayed home and performed patriotic and social duties, especially at times of war. In contrast, working-class Mexican women were considered unhygienic, deviant, prostitutes, and the largest contributors to the social and political disorder—they were seen as anything but wholesome. In addition, venereal disease was gendered by the notion that only women carried and transmitted the disease therefore defining working class and immigrant women as sexually promiscuous and more dangerous than their white counterparts.

Creating a sexual threat and thus a common enemy around which a community could bond in self-defense was a particularly powerful way of ensuring consensus in a time of great social stress and change.¹⁷⁶ In the early decades of the twentieth century, World War I and the Mexican Revolution inflamed anti-immigrant sentiments, which combined with scientific racism to re-create “the immigrant” as deviant, degenerate, and unfit. Between 1915 and 1920, federal, state, and local officials joined forces in El Paso to protect the international boundary and the “American” citizen. From 1915 through 1917, officials at all levels of government directed their attention to health and hygiene issues. Diseases like typhus, tuberculosis, and smallpox concerned health officials who systematically inspected Mexican bodies in an effort to combat contagion. From 1918 to 1920, however, health officials teamed up with law enforcement to attack a different and more menacing enemy: venereal disease. Together, federal, state, and local officials implemented scientific racism at the expense of the Mexican working classes, understood in El Paso to be the principal carriers of illness. According to literary scholar

¹⁷⁶ Eileen Suarez-Findlay, *Imposing Decency: The Politics of Sexuality and Race in Puerto Rico, 1879-1920*. (Durham: Duke University Press, 1999), 202.

Siobhan Somerville, simultaneous efforts to shore up and bifurcate categories of race and sexuality in the late nineteenth century and early twentieth century were deeply intertwined.¹⁷⁷

In this era, eugenicists subscribed to selective reproduction and “race hygiene,” a political and scientific response to the growth of populations beginning to challenge the dominance of white political interests.¹⁷⁸ Hard eugenics argued that physical and social characteristics were hereditary, and suggested that only the fittest should survive. Soft eugenics, on the other hand, stressed that social environments affected and changed social and physical characteristics; therefore, the social environment of the “unfit” had to be scientifically controlled.¹⁷⁹ In El Paso, white politicians, law enforcement officers, and health officials instituted different forms of hard and soft eugenics that masqueraded as progressive measures sanctioned by the federal government. Sheriff’s deputies, police officers, constables, judges, mayors, doctors, nurses, sanitation officials, and social workers all played important roles in the regulation of bodies in El Paso at the turn of the century. Clinics and government-approved examinations provided the paradoxical tools that ensured a healthy and safe community for white Americans while explicitly constructing Mexican women as deviant, as is evidenced by the fact that the County

¹⁷⁷ Siobhan Somerville, *Queering the Color Line: Race and the Invention of Homosexuality in American Culture* (Durham: Duke University Press, 2000), 3.

¹⁷⁸ Ibid., 30. Eugenics was both a science and social movement that advocated “better breeding.” As a science eugenics was based on a new understanding of the laws of human heredity. As a social movement, it proposed that societies should ensure constant improvement of its hereditary makeup by encouraging “fit” individuals and groups to reproduce while discouraging those considered “unfit.”

¹⁷⁹ For a detailed discussion of hard and soft eugenics see Nancy Leys Stepan, “*The Hour of Eugenics: Race, Gender, and Nation in Latin America*,” (Ithaca: Cornell University Press, 1991). Stepan maintains that eugenics was directly connected to gender and sex and was related to women but more in passing than as a central theme surprising since the development of eugenics as a scientific–social movement lay in its concentrated focus on human reproduction as the arena for the play of science and social policies. See also Amy Fairchild, *Science At The Borders: Immigrant Medical Inspection and the Shaping of the Modern Industrial Labor Force* (Baltimore: The Johns Hopkins University Press, 2003); Alexandra Minna Stern, *Eugenic Nation: Faults and Frontiers of Better Breeding in Modern America* (Berkeley: University of California Press, 2005); Nancy Ordover, *American Eugenics: Race, Queer Anatomy, and the Science of Nationalism*, (Minneapolis: University of Minnesota Press, 2003); and Natalia Molina’s, *Fit To Be Citizens: Public Health and Race in Los Angeles, 1879-1939* and *How Race Is Made in America: Immigration, Citizenship, and the Historical Power of Racial Scripts* (Berkeley: University of California Press, 2013).

Jail Records indicate that Mexican women were arrested four to five times higher depending on the charge while making up approximately twenty percent of the city's population.

Gender and sexuality construct and in turn are shaped by social, economic, and nationalist structures. By linking “inappropriate” female labor, such as in saloons or restaurants, with cash wages, government officials declared that working class women were as dangerous as prostitutes. In response, federal, state, and local law enforcement and health officials created and enforced supposed progressive laws at the expense of immigrants. Authorities carefully monitored immigrant social behaviors, such as drinking, and defined them as “un-American” and deviant. Like Progressive ideals, nativism further marginalized large groups of immigrants. In El Paso, white residents considered Mexicans, and especially Mexican women, “unclean,” “alien,” and “diseased.” Through sanitation and hygienic expectations, and then amidst the venereal disease hysteria, federal, state, and city officials defined the parameters between morality and citizenship. Furthermore, the use of alleged criminal charges for vagrancy, delinquency, insanity, and quarantine violations, in conjunction with degrading medical inspections, assisted officials in detaining immigrant bodies. Ultimately, working-class women in El Paso would shape, and be affected by the political and social world in which they operated, and gender and sexuality would become an intricate matter for the governmental triumvirate that monitored the U.S.-Mexico border. The next chapter explores the role of the federal government in controlling immigrant bodies as it set out to protect both its international boundary and the military machine it was creating to defend an expanding empire.

Chapter 4

Protecting the Empire's Borders: Federal Interpretations of Morality, 1907-1924

Apolonio Flores, accompanied by a woman, attempted to enter the United States from Ciudad Juárez on June 13, 1909. Clarence G. Goltin, an immigration inspector trained to “size up applicants by their mannerisms and reflex actions” suspected Flores and his companion of illicit behavior their demeanor caused suspicion and the two were detained.¹⁸⁰ Goltin’s position as a federal immigration inspector required him to prevent a long list of people considered diseased, defective, or immoral, from entering the United States. Goltin began his interrogation by inquiring of Flores’s marital status to which he responded that the woman was his wife. The El Paso Court Cases reveal, however, that Goltin did not believe the pair and proceeded with a more extensive line of questioning:

Goltin: How old are you?

Flores: 35 years

Goltin: Where do you live?

Flores: Callejon Juarez #1003 in El Paso

Goltin: How long have you lived in El Paso?

Flores: 14 or 15 years

Goltin: Are you an American citizen?

Flores: No

Goltin: Are you married?

Flores: No I have been a widower about one year

Goltin: Who is the woman accompanying you?

Flores: She told me her name was Maria but I know her by the name of “La Chata”

¹⁸⁰ Clifford Alan Perkins, *Border Patrol With the U.S. Immigration Service on the Mexican Boundary, 1910-1954* (El Paso: Texas Western Press, 1978), 48.

Goltin: Do you know whether or not she is a public woman?

Flores: Yes, she is a public woman in Juarez

Goltin: How long have you known her?

Flores: 3 or 4 years

Goltin: How long have you been intimate with her?

Flores: For about two months during which time I have visited her every Saturday

Goltin: Did you pay her each time?

Flores: Yes I paid her the same as any man would pay a woman he met on the street

Goltin: What arrangements have you with her to come to this side with you?

Flores: I am tired of being alone and I asked her to come to this side to live with me and that I would support her, it is for that object that I am bringing her over with me now

Goltin: Is it your intention to marry her or to simply keep her as your mistress?

Flores: It is my intention to keep her as my mistress

Goltin: How long do you intend to support her?

Flores: I do not know how long. We have not arranged that. I will keep her as long as she is faithful to me.

Goltin: Have you ever made her an offer of marriage?

Flores: No

Goltin: Don't you know that women of her character are not admitted to the U.S.?

Flores: Yes sir

Goltin: Was that the reason for telling me that she was your wife?

Flores: Yes, I told you that in order that you would not detain us

Goltin: How long have you lived at your present address?

Flores: Since last May, I have one room

Goltin: Are you going to take this woman to your room now?

Flores: Yes

Goltin: When you asked her to come live with you on this side what did she say?

Flores: She told me that if I proved to her that I am a single man she would live with me as my mistress.¹⁸¹

This concluded the statement given by Apolonio Flores and he signed it with an X. There is no evidence to indicate that Flores was either arrested or set free, but what is obvious was the sexist and almost voyeuristic interrogation of Apolonio Flores by Clarence Goltin. The entire dialogue revolved around María's body and what Flores intended to do with it. As the dialogue unfolded Goltin's line of questioning took an implicit gaze into their sex lives while Flores provided his own patriarchal responses as to what he planned to do with María's body, assuming she proved her fidelity. María became invisible as the two men discussed her in detail. Goltin scrutinized Flores's use of María's body while Flores responded on behalf of Maria despite the fact that she was the protagonist of the story. María's situation reflects the realities of numerous immigrant women at the turn of the twentieth century. The immigration inspector's duties demanded that he prevent the steady stream of "undesirable" Mexican immigrants from permeating America's southern border. Flores and María presented a menace to the American empire, Flores because he was an illiterate Mexican man and María, even more dangerous, because she could "seduce" white civilian and enlisted men alike. María embodied a very present danger to the white family and the American Empire alike.

Sexuality became central to immigration control because prejudicial Americans believed that Mexicans immigrants were morally depraved. Immigration officials, however, did not stumble onto pre-given sexualities that already existed for immigrant men and women. Instead, multiple processes and discourses that varied by time, location, and individuals produced the

¹⁸¹ Statement of Apolonio Flores, Case File 1320; General Case Files; Records of the Immigration and Naturalization Service; INS District Court No. 15 of the United States for the Western District of Texas, Record Group 85; National Archives and Records Administration (Ft. Worth).

sexualities and related activities around which immigration officials' monitored immigrant men and women, and María's incident illustrates this.¹⁸²

This chapter examines the myriad of laws passed by the federal government to explicitly exclude certain classes from entering the country and to control those immigrants it allowed in and to deport them later if necessary. Using federal criminal records and local newspapers this study maintains that federal officials, to include immigration inspectors and health officials, used federal laws to prohibit Mexican immigrants, and women in particular, from entering the United States based on perceived deviant behaviors that posed a threat to the expanding American empire. The women who were allowed to enter the country encountered a maze of federal procedures that sanctioned humiliating verbal interrogations and physical inspections of their bodies and homes. Their experiences reveal the intense nativism and progressive reform measures that restricted them at the turn of the twentieth century.

After taking office and amid concerns over increased immigration, President Theodore Roosevelt petitioned the U.S. Congress to revise immigration laws to exclude unwanted immigrants, and by that he meant prospective immigrants who lacked the ability—physically, moral, or mental—and will to Americanize.¹⁸³ Roosevelt wanted to expand the Immigration Act of 1891, which reinforced selective immigration and placed power firmly in the hands of the federal government. The act rejected immigrant bodies with “loathsome and contagious” diseases, and introduced the principle of deportation after entry that significantly expanded the techniques for policing immigrants.¹⁸⁴ The Act of 1891 also excluded those guilty of crimes of moral depravity to include convictions for adultery, bigamy, rape, statutory rape, and sodomy.

¹⁸² Eithne Luibhéid, *Entry Denied: Controlling Sexuality at the Border* (Minneapolis: University of Minnesota Press, 2002), xxvii.

¹⁸³ Gary Gerstle, *An American Crucible: Race and Nation in the Twentieth Century* (Princeton, Princeton University Press, 2001), 55

¹⁸⁴ *Ibid.*, 9.

Roosevelt fulfilled his wishes and signed the Immigration Act of 1903, which broadened inadmissible classes to include anarchists, prostitutes, and those involved with prostitution.¹⁸⁵

Most Americans, like Roosevelt, viewed Mexico and Mexicans as culturally and racially backward and feared the large numbers that crossed the southern border in the first decade of the twentieth century. The U.S. had entered a new phase of empire building and surveillance intensified as the nation's demographics began to rapidly change. As more and more non-European immigrants entered the country the xenophobic panic referred to as nativism escalated. American nativism imbued an intense opposition to any internal minority on the grounds that they were foreign and therefore "un-American." The basis of the ideology rested on the idea that the true "native" American was a person who lived a distinctly American way of life, which meant being white, Anglo-Saxon, and Protestant.¹⁸⁶ American nativists considered European immigrants such as Irish, Germans, and Russians white but they still represented "dangerous" classes because they were poor, not Anglo-Saxon, and often not Protestant. Non-European immigrants such as Mexicans and Asians faced a more despicable form of nativism based on racist perceptions that primarily defined non-Europeans as non-white. Roosevelt shared nativist sentiments and resolutely pushed for continual expansion of immigration law. Congress responded with the Immigration Act of 1907.

The Immigration Act of 1907 prohibited Asians, Japanese in particular, from entering the United States, it doubled the head tax to four dollars per person, broadened the excludable classes of immigrants to include contract laborers, polygamists and it more clearly delineated subversives. The definition of prostitution was also expanded to include people, meaning

¹⁸⁵ Fifty-Seventh Congress of the United States, Session II, Chapters 1012-1013, March 3, 1903, Statute 1222.

¹⁸⁶ John Higham, *Strangers in the Land: Patterns of American Nativism, 1860-1925* 2ed. (New Brunswick: Rutgers University Press, 1988), 1-11.

women, arriving in the United States for any immoral purposes.¹⁸⁷ After 1900, sexual politics grew stronger and more complex as Progressive notions of morality grew. In particular, white middle class reformers targeted what they defined as working class immorality.¹⁸⁸ The propensity to attribute sexual vice and corruption to immigrants continued to evolve and after 1910 at least thirty-two cities and states established vice commissions to investigate prostitution and other moral concerns.¹⁸⁹ In El Paso, federal officials believed that Mexican immigrant women posed a real threat to not only white, hetero-normative family ideals but to the military troops whose presence became more and more obvious after 1910.

Immigration and revolution relocated thousands of Mexicans to the American Southwest, and by 1915, Mexicans made up approximately forty percent of El Paso's population, even so white Americans retained economic and juridical authority.¹⁹⁰ As time passed, federal officials, both male and female, coalesced into a network of border enforcement that monitored Mexican immigrants. Federal regulatory agencies and officials in El Paso included the Federal Immigration Office, the United States Public Health Service Headquarters - Mexican Border District, and the United States Government Clinic No. 5. Additionally, the United States Social Hygiene Board and the War Department's Committee on Training Camp Activities, Law Enforcement Division - Section on Women and Girls assisted law enforcement while implementing social control on the U.S.-Mexico border.¹⁹¹

The U.S.-Mexico border represented a porous boundary where the citizens of bi-national regions like El Paso and Ciudad Juárez relied on one another for economic sustainability, and in

¹⁸⁷ Fifty-Ninth Congress of the United States, Session II, 34 Stat. 898, February 20, 1907.

¹⁸⁸ John D'Emilio and Estelle B. Freedman, *Intimate Matters: A History of Sexuality in America* 2ed. (Chicago: The University of Chicago Press, 1997), 203.

¹⁸⁹ Luibhéid, *Entry Denied*, 14.

¹⁹⁰ Fourteenth Census of the United States Taken in the Year 1920. Volume II: Population. General Report and Analytical Tables.

¹⁹¹ El Paso City Directories 1915-1920.

the process the inhabitants of both cities crossed back and forth daily, some by choice and others by force. On April 19, 1911 Guadalupe González was deported back to Mexico over the Santa Fe Bridge. She had been found and declared by the Acting Secretary of Commerce and Labor, Benjamin Cable, “to be a prostitute and to have been a prostitute at the time of her entry into the United States on April 8, 1911.”¹⁹² According to the federal government, González violated Sections 20 and 21 of the Immigration Act of 1907. González provided a statement that explained her side of the story:

The immigration agents accuse me of being a bad woman I don't believe they can prove it. I do washing at my house. I have not lived alone any time but have always lived with my comadre. The first time they arrested me they came to my house and took me away from the house where I was the common law wife of Pedro Torres with whom I had been living for two years, and I was recognized by my neighbors and Torres as his wife and he is the only man with whom I have lived [sic] at all. The reason why I came over the last time I was arrested was that I had no means of support on the other side of the river and was sick and had sore eyes and came over here to live with my mother who has lived here all the time.¹⁹³

González signed her statement with an X, a marker of her illiteracy that allowed for the contestation of her explanation.

Frank R. Stone, the immigration inspector who interrogated and deported González testified that he had deported her on several prior occasions, most recently on April 11, 1911. He stated that on one occasion he arrested her when he caught her with a man named Chávez. She had just gotten out of the bed where Chávez still laid. According to Stone he was actually looking for another woman when we he entered the house. The women he looked for fled the

¹⁹² The United States vs. Guadalupe González, Case File 1520; General Case Files; Records of the Immigration and Naturalization Service; INS District Court No. 15 of the United States for the Western District of Texas, Record Group 85; National Archives and Records Administration (Ft. Worth).

¹⁹³ Ibid.

kitchen upon his arrival running across the lot in her camisole.¹⁹⁴ Stone's testimony revealed the wide jurisdiction and powers of the immigration inspectors. These were not agents strictly stationed at the port of entry these were roving bands of agents who entered homes at will and they all seemed to be particularly interested in the activity in the bedrooms of the homes. González appeared to be telling the truth. Her deportation did not stem from a violation of Section 2 of the 1907 act, which barred those entering for immoral purposes, but rather Stone deported her for violating Sections 20 and 21 of the Act of 1907, which placed immigrants in violation of the law if they became public charges within the first three years of their entry. In her testimony González admitted to being poor with no means of support but she maintains that she was not a "bad woman," and Stone admitted that he in fact arrived at the premises in search of another woman and not González, and yet a federal court found and declared her a prostitute and deported her on those grounds.

American society cast Mexican women as backward and lewd, vagrants, and prostitutes. Mexican women associated with prostitution and vagrancy strengthened white femininity since American society defined white feminine behavior in contrast to the perceived indecent behavior of Mexican women. Much like Asian women denied entry into the U.S. in 1875, Mexican immigrant women emerged as sexual threats to the white hetero-normative family.¹⁹⁵ As the Progressive reforms of the early twentieth century unfolded, Mexican women in El Paso became primary targets for deportation, but not without resistance and the challenging of the social mores of the time.

Antonia Rodríguez bought herself and Dolores Miranda one-way tickets from El Paso, Texas to Deming, New Mexico on the morning of June 28, 1912. According to Rodríguez she

¹⁹⁴ Ibid.

¹⁹⁵ Forty-Third Congress of the United States Session II, Section 141, 18 Stat. 477, March 3, 1875.

tried to dissuade Miranda from going with her on the grounds that it was improper for the young eighteen year old to travel to New Mexico with her but Miranda pleaded with her to let her go to Deming because the man she lived with abused her and she needed to get away so Rodríguez went ahead and bought Miranda's ticket, but claimed no interest in Miranda's private affairs. The day after they arrived in Deming, immigration officials arrested Rodríguez and Miranda and charged them with violation of the Mann Act of 1910.¹⁹⁶ According to federal officials Antonia Rodríguez "unlawfully procured a railroad ticket for transportation of a woman in interstate commerce for the purpose of prostitution."¹⁹⁷ Rodríguez adamantly professed her innocence while Dolores Miranda testified differently about the situation.

According to Miranda, Rodríguez knew her and bought her the ticket because she wanted Miranda to go work for her in Deming. Miranda claimed to know Rodríguez for about four years, first meeting her in Torreon, Coahuila and later in El Paso where Rodríguez owned a restaurant. Miranda further added, "I heard that Rodríguez was living in Deming and had been taken there by a woman."¹⁹⁸ Miranda went on to state that when she arrived in Deming she was made to understand that there was an additional job requirement. She claimed, "Rodríguez told me that I also had to accept men but since I was arrested the day after I arrived I never had to accept any men."¹⁹⁹ The Grand Jury's two witnesses were Dolores Miranda and none other than Inspector Frank R. Stone. Ironically, Federal Agents used the Mann Act, usually reserved to "protect" women from men, was instead used to control morality and immigrant women of color, which were obviously looked upon as a menace to the nation's purity at the turn of the century.

¹⁹⁶ Sixty-First Congress of the United States Session II, Chs. 393-395, Stat. 825, June 25, 1910.

¹⁹⁷ The United States vs. Antonia Rodríguez, Case File 1615; General Case Files; Records of the Immigration and Naturalization Service; INS District Court No. 15 of the United States for the Western District of Texas, Record Group 85; National Archives and Records Administration (Ft. Worth).

¹⁹⁸ Ibid.

¹⁹⁹ Ibid.

To a certain extent, immigrant men and women controlled their own destinies and resisted the federal government's discipline and punishment. In this "theatre of the observed," Rodríguez chose to play the innocent mentor who helped a young teenager escape a hopeless situation, while Miranda performed the duped victim lured to Deming by a job offer unaware that she would have to "accept men." She also implied that Rodríguez herself had been taken to Deming in the same manner and for the same reason—prostitution. What unfolded was a complex game of cat and mouse where immigration inspectors used federal law sparingly to limit movement across the border. At times they enacted criminal law and at other instances they used immigration statutes to control the border and bodies. Immigration Inspectors most often utilized Section 3 of the Immigration Act of 1907, which allowed federal officials to monitor prostitution and define the immoral behaviors that disqualified entrance into the United States.²⁰⁰

Shortly after arriving in El Paso on October of 1914, immigration inspectors arrested José G. Morales and charged with him with violating Section 3 of the Immigration Act of 1907. According to the indictment, Morales "imported" Maria Celia Rodríguez from Mexico to the United States when he crossed into the state of Arizona with Rodríguez and then he traveled to El Paso with her. The indictment accused Morales of bringing Rodríguez to the U.S. for immoral purposes and in three different paragraphs reiterates "that she would live with him as his concubine and she would thereafter live with him in permanent illicit sexual intercourse."²⁰¹ The charged rhetoric provided yet another example of federal officials constant intrusion into the sexual affairs of Mexican immigrants.

²⁰⁰ Fifty-Ninth Congress of the United States, Session II, 34 Stat. 898, February 20, 1907.

²⁰¹ The United States vs. Jose G. Morales, Case File 1730; General Case Files; Records of the Immigration and Naturalization Service; INS District Court No. 15 of the United States for the Western District of Texas, Record Group 85; National Archives and Records Administration (Ft. Worth).

Intense interrogation was common practice at the El Paso port of entry and it emerged as a place that allowed the state know what was happening with its citizens' sex, and the use they made of it. Philosopher Michel Foucault posited that "between the state and the individual, sex became an issue, and a public issue no less, a whole web of discourses, special knowledges, analyses, and injunctions settled upon it."²⁰² The El Paso Port of Entry provided a space and a reason for federal agents to monitor the sexuality of the Mexican immigrants entering the United States. It was a physical space, but it was also the gateway to the American empire and those considered defective faced apprehension and deportation. Federal arrest records indicate that immigration inspectors detained Mexican men and women twice, and even three times, as often as white men and women. In 1915, federal officials arrested twenty-two women for violation of Section 3, twelve Mexican women, five white American women, and four black women, and one unidentified.²⁰³ While Mexican women made up more than half of all arrests they were less than half of the population.

The 1910 and 1920 United States Census indicated that growth ratios for El Paso's population remained constant throughout the decade. The census categorized population into four groups: Native whites, foreign whites, Negroes, and all others, which included Chinese, Japanese, and Indians. Between 1910 and 1920, Mexicans, who were considered foreign-born whites, made up approximately forty percent of El Paso's population, while, women, of all races and ethnicities were approximately fifty-one percent of the demographic. The actual numbers were as follows: 21,425 "native" or U.S.-born white women, 18,145 foreign-born whites (approximately eighty-two percent of whom were Mexican), 657 blacks, and 140 Chinese,

²⁰² Michel Foucault, *The History of Sexuality: An Introduction Volume I* (New York: Vintage Books, 1978), 26.

²⁰³ Federal Jail Records for El Paso County, 1915.

Japanese, Indian, or other. Less than half, or approximately forty-five percent of the total female population, was foreign-born “white,” which in El Paso meant mostly Mexican.²⁰⁴

The twentieth century ushered in a strict set of double standards that closely monitored the social behaviors of men and women in the United States. Society expected women to behave in an austere manner while affording men considerable freedom. Moreover, a “conspiracy of silence” endorsed by church, home, school, and press continued to mute the subjects of sex and reproduction.²⁰⁵ Together neo-Victorian ideals in concert with American nativism placed immigrant Mexican women on the U.S. Mexico border in a precarious situation. Unlike Mexican women, most often charged with vagrancy and prostitution, white women mostly faced “unlawfully smuggling or selling liquor” charges, while black women faced an unusually high number of charges for violation of Section 3 of the Act of Congress of December 17, 1914, otherwise known as the Harrison Narcotics Tax Act of 1914.²⁰⁶ Between 1915 and 1920, federal officials arrested forty women for possession of opium—sixteen Mexicans, eight whites, and sixteen blacks. The latter group comprised sixty-six percent of all black women arrested on federal charges for the five-year period.²⁰⁷ Given these numbers, racial profiling seems to have been twofold. Mexican women were perceived to be prostitutes, African Americans black women were perceived to be drug addicts.

The Harrison Act of 1914 regulated the sale and distribution of narcotics defined mainly as opiates and cocaine, and it levied and collected an internal revenue tax of three hundred

²⁰⁴ Fourteenth Census of the United States Taken in the Year 1920. Volume II: Population. General Report and Analytical Tables.

²⁰⁵ John C. Burnham, “The Progressive Era Revolution in American Attitudes toward Sex,” *Journal of American History*, Vol. 59, (March 1973), 886-887.

²⁰⁶ Federal Jail Records for El Paso, County, 1915-1920.

²⁰⁷ Ibid.

dollars per pound of opium manufactured in the United States for smoking purposes.²⁰⁸ The courts interpreted this to mean that physicians could prescribe narcotics to patients in the course of normal treatment, but not to combat addiction. Historian David T. Courtwright contends that after 1860 the use of hypodermic medication gave doctors a powerful new technique for administering opiates such as morphine, an immediate analgesic relief for a number of ailments. In the insalubrious post-bellum south, physicians used opiates, which possessed constipating as well as anesthetic properties, to cure endemic diseases like diarrhea, dysentery, and malaria. According to Courtwright, physicians created and supplied a significant number of southern addicts.²⁰⁹ Like parts of the post-bellum south, the U.S.-Mexico border experienced social and political oversight. In fact, poverty and illness were common factors throughout the United States where prior to 1914 physicians and pharmacists almost completely unrestricted by federal law prior to 1914 dispensed narcotics at will.

In South El Paso, the dispensation of narcotics presented a daily hindrance for federal officials. Michael A. Dolan, an attorney in El Paso owned a drug store named La Botica del Leon.²¹⁰ Dolan leased a back office to two doctors Dr. Guillermo Q. Ellsworth and a Dr. Melanson who shared the office.²¹¹ On October 14, 1916 a federal grand jury indicted Dolan and Ellsworth for “willfully, unlawfully, and knowingly conspired to sell, barter, exchange, give away, dispense, and distribute to diverse and sundry persons large quantities of morphine, heroin, and cocaine, which constituted a conspiracy to violate the Harrison Narcotics Act. U.S. attorney’s provided over seven hundred prescriptions for the aforementioned drugs signed by Ellsworth for cocaine, heroin, and morphine. According to court documents, Ellsworth wrote the

²⁰⁸ Sixty-Third Congress of the United States Session II Ch.1, 38 Stat. 385, December 17, 1914.

²⁰⁹ David T. Courtwright, “The Hidden Epidemic: Opiate Addiction and Cocaine Use in the South, 1860-1920,” *The Journal of Southern History* Vol. 49, no. 1 (February 1983), 64-65.

²¹⁰ El Paso City Directory, 1918.

²¹¹ The case files do not provide a first name for Dr. Melanson nor is he listed in the city directories.

prescriptions and then Dolan's drug store filled and even delivered the narcotics. The racket crashed on December 8, 1916 when Ellsworth filled a prescription for thirty grains of morphine for Clifford Frank, a known drug addict. This caught the eye of Will S. Wood, Deputy Collector for the Internal Revenue Service, the quantity prescribed indicated that this was not the normal course of treatment for any ailment. The jury found Ellsworth guilty of dispensing narcotics to addicts and sentenced him to two years in federal prison at Ft. Leavenworth, Kansas.²¹²

The Harrison Act added yet another layer of federal inspection for the inhabitants of the El Paso-Ciudad Juárez region. Although physicians could dispense narcotics for a normal course of treatment anywhere in the country, the border presented a more dubious location defined by the perceived clandestine behavior of its inhabitants. Therefore, the federal government clamped down on the U.S.-Mexico border and created a web of surveillance that consisted of immigration inspectors, public health physicians, and tax collectors who all monitored the daily lives of those considered illicit inhabitants. The patterns that emerged from the federal arrest records for women in El Paso between 1915 and 1920 are best understood if the statistics are divided into two periods: 1915 through 1917, which coincided with the most violent phase of the Mexican Revolution and an increase in immigration to the U.S., and 1918 through 1920, which corresponded with U.S. participation in World War I and a heightened sense of nativism.

Throughout the first decade of the twentieth century Mexico's political situation preoccupied the U.S. as the number of Mexican immigrants swelled as they fled the tumult of their homeland. As the Mexican Revolution entered its bloodiest phase, immigration steadily increased. Americans in El Paso feared that the presence of revolutionary forces in Ciudad Juárez would lead to bloodshed in the streets of El Paso, so the federal government made its

²¹² The United States vs. Guillermo Q. Ellsworth and M.A. Dolan, Case File 2020; General Case Files; Records of the Immigration and Naturalization Service; INS District Court No. 15 of the United States for the Western District of Texas, Record Group 85; National Archives and Records Administration (Ft. Worth).

presence more obvious on the U.S.-Mexico border through increased enforcement of federal law. The federal government, determined to protect its southern border at all costs, significantly increased surveillance after 1917 when the U.S. entered World War I. Congress once again attempted to expand and strengthen immigration law when it passed the Immigration Act of 1917.²¹³ This legislation, also known as the Asiatic Barred Zone Act, reiterated the exclusion of a host of people considered undesirables to include idiots, imbeciles, epileptics, alcoholics, the poor, criminals, beggars, and any person suffering insanity, those with tuberculosis, and those with any form of dangerous contagious disease, polygamists, anarchists, and prostitutes. More importantly it included a new provision that imposed a literacy test on immigrants entering the country. While the Immigration Act of 1917 renewed dislike and suspicion of Mexican immigrants, the social control measures issued by the United States Public Health Service Board in 1917, concerned with sexually transmitted diseases, placed even stricter constraints on immigrant Mexican women's bodies in the El Paso-Ciudad Juárez region. The exclusionary measure enacted by federal agents emerged as a two-pronged attack by both city and federal officials intent on ridding the city of disease and vice.

These instances call to mind Michel Foucault assertions that whether we talk about power as normative or punitive the body is always at issue. Power relations, according to Foucault, take an immediate hold on the body; they invest it, mark it, train it, torture it, force it to carry out tasks, to perform ceremonies, and to emit signs.²¹⁴ Physically ordering bodies map out the creation of hierarchies of belonging and worth, and on a practical level, power necessitates the ability to make bodies perform as demanded and expected through law enforcement techniques. Thus it was with these Mexican women's bodies that were being deemed defective and

²¹³ Sixty-Fourth Congress of the United States, Session II, Chs. 27-29, 39 Stat. 874, February 5, 1917.

²¹⁴ Michel Foucault, *Discipline and Punish* (New York: Random House, 1977), 25.

diseased.²¹⁵ In 1917, federal agents arrested twenty-seven women, thirteen of them, almost fifty percent, were held for violating Section 12 of the Act of Congress, May 18, which prohibited alcohol in or near military camps, and in the presence of officers and enlisted men.²¹⁶ At the same time city officials detained another one hundred and fifty Mexican women, thirty white women, and sixteen black women on varied charges, but of this total one hundred and four of the Mexican women, or seventy percent, faced vagrancy charges.²¹⁷ The charge of vagrancy allowed officials to arrest men and women for very random violations and provided one tool for controlling Mexican bodies perceived to be partaking in immoral activities. Another method of social control revolved around the disinfection of bodies.

Federal health inspectors worked in tandem with their local counterparts ordering Mexican bodies to be disinfected before any diseases even existed and justified the measures as efforts to forestall winter illness. In the fall of 1917 before the cold set in, winter set in a clean-up campaign aimed at Chihuahueta went into effect. One city and one government agent and two women attendants went from house to house and examined the bodies of all residents and those found to have vermin were taken by a special ambulance wagon to the government plant where they were bathed and their clothes fumigated.²¹⁸ After the homes were vacated the woman attendants disinfected the interior while the men whitewashed the outside premises. It took about two months to cover the entire section. Dr. John W. Tappan, Surgeon-in-Charge of the Public Health Service Headquarters, Mexican Border District, informed city health officers that the disinfecting plant could handle 500 people a day at no cost to the city.²¹⁹ These actions

²¹⁵ Amy L. Fairchild, *Science at the Borders: Immigrant Medical Inspection and the Shaping of the Modern Industrial Labor Force* (Baltimore: The Johns Hopkins University Press, 2003), 16.

²¹⁶ Section 12 of the Act of Congress, May 18, 1917

²¹⁷ Federal and County Arrest Records for El Paso County, 1917.

²¹⁸ "Start Cleanup In Chihuahueta," *El Paso Herald*, 3 October 1917.

²¹⁹ Ibid.

firmly connected the Mexican body and disease and as the Great War raged on, federal officials increased the bodily inspections of the Mexican working classes.

Esther Kendall Moat, a reporter for the *El Paso Herald*, wrote a report after witnessing the inspection process. She began her article by writing, “Herding the Mexicans of Chihuahuita to the government bathhouse for their ‘annual dip’ is the daily duty during two months in the year of the inspector of tenements and boarding houses in the south side.”²²⁰ Her words in effect placed the Mexican body on the same level as that of an animal harboring vermin. Moat went on to explain the strategies and techniques used to inspect Mexican bodies and homes. The inspection corps consisted of inspector C.E. Taylor and his assistant Jean Stein, along with two Mexican women Mary and Manuela, who according to Moat “were sturdy and immaculately neat in their washable clothes.” Mary and Manuela served a very important purpose within the party. They were on display for the inhabitants of Chihuahuita as examples of what they should aspire to be. The women were living proof that the Mexican inhabitants of Chihuahuita could be civilized if they only cooperated with the American powers. The residents, however, resisted the expedition every step of the way.

Resistance often unfolded when the inspection party and the residents tangled in the cat and mouse game initiated by the inspections. If the residents received news that the inspectors were in the vicinity, they would vacate the premises; therefore, the inspection party began on a street far from the one examined the day before. On the day that Moat accompanied the party, Taylor, armed with a large police badge, led the party toward a home and walked in. Mary and Manuela noticed two children and quickly went toward them and ran their hands over their heads. Their mother responded to the women “limpio, limpio” [clean, clean] to which she was

²²⁰ “Forced Baths For Chihuahuita Inhabitants Fail To Make A Strong Appeal To The Victims Not Jubilant Over Clean Up” *El Paso Herald*, 16 October 1917.

greeted with “muy sucio” [very dirty] and the children were carted off. The first victims of the day were gathered.²²¹ Moat went on to explain that Taylor, in deference to the novelty of her trip, began with the best houses and then gradually exposed her to the worst, the “real Chihuahuita.”

The poorest most humble residents in the community inhabited the real Chihuahuita. Residents of one such home constructed their residence of corrugated iron with old scraps of tarpaper for a roof enclosed and screened in to deter intruders. According to Moat “a decent pig would disdain the house as a residence.”²²² She further explained that in one room a large box that served as a bed for 3 or 4 of the residents sat next to a cabinet that contained fighting cocks. In that same room sat “grandpa” eating his breakfast. The elderly gentleman refused the inspectors and cried, “it will kill me I will not go!” The inspectors responded by telling the man that if he did not cooperate they would kill him and that they did not care how he came to an end. With that said the elderly man accepted his fate and went to the government bathhouse. In her story, Moat interjected that it was best, “as the elderly man had obviously survived many a year without touching water save the mud which washed down the hill onto his mansion.” The article is littered with Moat’s racist and condescending remarks about the residents and their humble surroundings, and the irony of her last name was not lost, as a moat also referred to a water-filled ditch that surrounded a fortified location to keep people out.

The residents, along with their bedding and clothing, were taken to the government disinfection plant. The men and women went to their respective bathhouses where a young Mexican woman checked their heads and if they looked “muy sucio” they were anointed with a solution of kerosene and vinegar. The compound remained on their heads for a half hour at

²²¹ Ibid.

²²² Ibid.

which point Moat stated that the women and children, “settled down with native acquiescence” to await their baths. According to Moat, the children became, “an artistic sight with their rounded little brown bodies as they played around with child-like abandon.”²²³ This gaze of Mexicans completely disregarded the imposition placed on people of all ages and was part and parcel of the insidious American nativism that encouraged control over certain bodies. American institutions of power allowed Mexican immigrants to remain as a necessary and exploitable labor force but only if they could control and manipulate their bodies. The disinfectant plant and the inspection party then represented strategic tools for determining who could and could not belong to the empire.

One attendant at the plant shared with Moat that in the eight months since the bathhouse opened he had not received any people from Ciudad Juárez who were as dirty as the residents of Chihuahuita. He explained that Mexicans from Ciudad Juárez had to possess a bath ticket to enter the country and the voucher must not be over eight days old or else they were required to bathe again. Consequently, he argued, there were no dirty people in Ciudad Juárez as compared to those of El Paso.²²⁴ The inspector stated that he could tell the difference between clothes from Ciudad Juárez and clothes from El Paso and lamented the fact that the Sun City allowed such dirt and filth to exist, but he knew that the baths had done much to help the situation. Sometimes the bathhouse disinfected as many as one thousand people a day, with Saturday being the busiest because that was when the men were bathed.²²⁵ They were allowed to wait until the weekend so as to not interrupt their workweek since their cheap labor lined the pockets of the white leadership of El Paso. Young boys and girls were also subject to particular techniques applied at the bathhouses.

²²³ Ibid.

²²⁴ Ibid.

²²⁵ Ibid.

A man referred to as “Daddy González” cut the hair of all Mexican boys and girls with a large pair of shears and then applied the kerosene and vinegar solution as many times as necessary.²²⁶ Not one Mexican body, whether male or female, elderly or young, was immune to the social persecution. Moat closed the article by chastising the “American church going, supposedly civilized landlord” that allowed such hovels to exist and decried her position that unless the landlords applied their religion in a practical manner and razed the homes, which were not fit for a dog to live in,” then the “pest of a community” would continue to exist. The inspections of Mexican bodies widened after 1918 as the American empire finally immersed itself in the Great War and the safety of hundreds of soldiers stationed at the U.S.-Mexico border became an issue.

Mexican women once again emerged as potential threats since they were believed to be the carriers of venereal disease. Now more than ever, they posed a serious threat to the American fighting machine stationed at Fort Bliss. After 1918 federal officials concentrated less on Mexican homes and instead shifted their inspective methods on the immigrant Mexican woman’s body. Officials scrutinized women’s bodies for venereal diseases far more often than they inspected houses for typhus and tuberculosis and federal arrest records clearly reflected this. Because of the perceived menace presented by Mexican women on the border, federal officials with the U.S.P.H.S. urged state and local health officials to enforce the following measures at once: (1) require all cases of venereal disease to be reported; (2) make diagnostic tests by state laboratories freely available; (3) instruct patients as to the need of prompt treatment; (4) investigate the physical conditions of people who had contact with known cases of syphilis; (5) quarantine irresponsible infected persons who were a menace to others; (6) pass laws making the spread of venereal disease a punishable offense; (7) repress prostitution; (8) provide treatment

²²⁶ Ibid.

for infected persons in clinics and hospitals; (9) provide arsphenamine at public expense; (10) carry on a public educational program to teach the people about the venereal diseases; and (11) establish in each state health department a venereal disease control division.²²⁷ Specific passages in the federal proclamation on social diseases supported juridical charges like vagrancy and quarantine, and simplified the policing and detainment of immigrant Mexican women. El Paso responded to the federal request and in late January of 1918 opened the federally funded venereal disease clinic.

The U.S. Government Clinic No. 5 existed in the basement of the County Courthouse, and the County Hospital served as an auxiliary for the clinic. Dr. John W. Tappan served as Medical Officer-in-charge of the clinic along with Ret. Maj. Thomas J. McCamant, physician (U.S. Army), and a pillar of the community, Will Rogers, physician (U.S. Army), V.V. Wood, physician (U.S. Army), and Mrs. Winifred T. Dale, chief nurse.²²⁸ At least one of those names appears every time a woman experienced arrest and quarantine. At a conference held to discuss the elimination of venereal diseases Dr. Hugh White, City Health Officer stated that, “when men are brought there for treatment they will be requested to furnish the name of the women who were the source of the infection. The latter will then be arrested by provost guards and will be placed in the county hospital for treatment. If they are Mexican women they will be deported by the health service following treatment.”²²⁹ It was understood and accepted by society that only women transmitted venereal disease; therefore, immigrant Mexican women threatened not only white, hetero-normative families, but also the nation at war; therefore, sexually transmitted illness required the immediate attention of the federal government

²²⁷ R.A. Vonderlehr, M.D. and J.R. Heller, Jr., M.D. *The Control of Venereal Disease*. (New York: Reynal & Hitchcock, 1946), pg. 6. According to Vonderlehr and Heller, arsphenamine was an odorless, yellow arsenic compound used to treat syphilis in the early twentieth century.

²²⁸ El Paso City Directory, 1918.

²²⁹ “Soldiers Must Inform Clinic,” *El Paso Herald*, 24 January 1918.

On July 9, 1918 the U.S. Congress passed the Chamberlain-Kahn Act, which officially sanctioned the venereal disease measures recommended by the United States Public Health Service Board in 1917. This legislation created the Division of Venereal Diseases within the U.S.P.H.S.B., and defined its functions. It was charged with investigating the cause, treatment, and prevention of venereal diseases; it would also cooperate with state boards or departments of health for the prevention and control of venereal diseases within the state; and finally, it would emphasize the control and prevention of spread of the venereal diseases in interstate traffic.²³⁰ Furthermore, the Chamberlain-Kahn Act created the Interdepartmental Social Hygiene Board to deal with the complex sanitation problems created by war, and especially with the problem of prostitution, considered an important agent for the diffusion of venereal diseases.

For the federal government, El Paso posed a large health risk. First it was a major port of entry and therefore a destination for “un-American” immigrant women. Second, it was home to an expanding military base that housed and trained a large number of troops; therefore the health and well-being of the soldiers was of utmost importance. The act, however, represented less of a moralizing effort and more of an effort to confront the fact that at any given time one-third of the active enlisted men in the U.S. military were ill with sexually transmitted infections. Prior to the development of antibiotics to effectively treat them, syphilis and gonorrhea ran rampant among the military.²³¹ To confront this glaring health situation the Chamberlain-Kahn Act created the “U.S. Public Health Service Venereal Disease Clinics,” throughout the United States, but as it stood, El Paso already had a functioning clinic for close to a year and long before the act required the clinics nationwide. After 1918, the regulation of women’s bodies, especially Mexican women, took on new importance. Vagrancy, theft, and delinquency charges increased

²³⁰ Ibid., 7.

²³¹ Melissa Hope Ditmore, *Prostitution and Sex Work* (Denver: Greenwood Press, 2010), 53.

dramatically in El Paso throughout 1918. The newly established venereal disease laws highly influenced the number of women detained and sent to the clinic and/or quarantined. In 1918, approximately two hundred and twenty-two Mexican women, ninety-six white American women, and thirty-eight black women found themselves arrested with the word “clinic” recorded on their arrest record. The most common charges included vagrancy, insanity, bootlegging, violation of the quarantine law, and vagrancy-clinic, and after June 24, 1918, quarantine became a common procedure for almost any charge.²³²

The average length of detention for quarantined women varied according to ethnicity. Of the total number of Mexican women detained, eighty-five experienced quarantine. Furthermore, the number of arrests and charges for quarantine filed against Mexican women far surpassed those of black and white women. Officials detained Mexican women anywhere from one week to six months. In comparison, black and white women remained in quarantine anywhere from ten to thirty days. The length of quarantine for Mexican women makes clear that they posed the greatest social threat to federal, state, and local officials in El Paso.

The large numbers of Mexican women arrested further implied that the easing of immigration restrictions for labor reasons encouraged a greater number of arrivals, but large demographics also suggest that the government implemented tighter surveillance measures against Mexican women “suspected” of unlawful and immoral behavior. On the federal level, immigration officials arrested forty-six Mexican women, eight white women, and one black woman, twice the total number arrested in 1915.²³³ The most common charge for 1918 was violation of Section 1A of the Act of Congress and the Presidential Proclamation of August 8,

²³² El Paso County Arrest Records, 1918.

²³³ Federal Arrest Records for El Paso County, 1918.

1918.²³⁴ Section 1A made illegal movement of contraband and bodies across international boundaries unlawful during a time of war if so deemed by the president. Government officials manipulated edicts and Mexican immigrants at will. While they relaxed some laws to allow for low wage laborers, they strengthened others to monitor those bodies that posed potential threats to national security.

The *El Paso Herald* printed a letter from Wm. H. Zinsser, Director of the Social Hygiene Division of the U.S. Commission on Training Camp Activities. The missive both commended and reprimanded the city of El Paso for its effort to expel immoral behavior. Zinsser began by explaining the role that El Paso played in the war effort.

El Paso should and must play a role in supporting the government's venereal disease program if her officials and citizens are to escape the charge of disloyalty to their country in this time of stress. For it cannot be emphasized too strongly that failure to do this is tantamount to disloyalty; that any man, woman, or community knowingly tempting a soldier or sailor to immorality and therefore to run risks of infection or incapacity for further service is a traitor to his or her country...The first point in the government's program of repression is to make prostitution hard to find. Largely through the efforts of the citizen's committee El Paso is in a fair way to achieve things...But until your city administration has been on record beyond all doubt as against prostitution of all kinds; until these women and their associates are convinced that their day is done so far as your community is concerned your efforts must not be relaxed...You have the vice interests on the under side; in retreat; for the name of your city, for your own self respect and for your government do not relax your efforts until the victory is won!²³⁵

Implicit accusations of disloyalty most likely influenced city officials to step up their efforts to eliminate vice. White Americans realized that a full-fledged attack on immorality and vice

²³⁴ Sixty-Fifth Congress of the United States, Session II, Chapter 81, May 22, 1918, House Resolution 10264, Public, No. 154.

²³⁵ "El Paso Must Continue Cleaning Up," *El Paso Herald*, 12 August 1918.

would solidify their nationalism, and venereal disease clinics afforded local officials the opportunity to prove their loyalty to the American empire and to American standards of living and to monitor and control Mexican bodies for some time to come.

It was precisely those power relations over the body that Foucault justified; the U.S. governments authority to socialize, mark, train, and force the body to carry out tasks are evident in Zinsser's letter. By equating immoral behavior to national disloyalty and treason Zinsser marked the bodies of women in El Paso. Just one week before Zinsser's letter appeared, the *El Paso Herald* ran another story about the Church fiesta held at the Guardian Angel Church on Frutas Street. The article said, "One of the features of the bazaar was the "immigration station" situated at the gate leading to the church grounds. Each person who entered got his or her clothes carefully brushed by señoritas and perfume was sprayed on them. A small bow made of green ribbon was pinned on the left lapels of the men's coats as a sign that they had passed through the station. For this a nominal charge was made."²³⁶ The church festivities provided another space to indoctrinate the people of El Paso to accept this constant surveillance of the body. Although presented in a festive, seemingly harmless environment, the tacit implication was that bodies required inspection and some form of disinfection before entering the grounds, which in effect certified the partygoers. Being a good loyal American and subscribing to U.S. social norms sanctioned one's place in the nation. Federal organizations worked hard to ensure that undesirables did not enter the empire.

In mid-September 1918, the El Paso County Council of Defense, an organization created to coordinate resources and support for the war effort, set out to collect data regarding every family in the area. The council hoped to gather data that indicated how many people served the country, what they were doing, how their dependents were faring, and of course if there were any

²³⁶ "Immigrants Pay Toll At Church Fiesta," *El Paso Herald*, 5 August 1918.

“slackers” that needed to be removed. If El Pasoans did not respond to the questionnaire they could be taken to federal court to face possible severe penalties. After all, according to the Defense, “there is nothing in the questions which any loyal American need hesitate to give.”²³⁷ While the queries do not appear invasive the effort to track everybody in El Paso to confirm their loyalty to the empire is astonishing. If anything, the data collection presented one more tool for locating and expelling those bodies that did not belong. After all, a large percentage of inhabitants lacked U.S. citizenship and therefore did not fit the bill of a “loyal American.” All of these invasive tactics continued even after the Great War ended in 1919.

After World War I the national economy reeled and Congress restricted its appropriation of funds for the social disease clinics and its venereal disease counterpart in El Paso found itself in danger of closing. Dr. T. J. McCamant, Director of the City-County Health Department, expressed his concern over the impending closure of the government clinic in the *El Paso Herald*:

In spite of the political agitation in favor of closing the free clinic and ward at the courthouse, I do not believe that El Paso citizens would stand for such a move, for the clinic has clearly demonstrated its worth and value during its year in existence...The people must realize that through this clinic, we care for and cure women and girls who would otherwise become permanent cares for the county and state. Many of these girls leave the ward cured in mind and body and either obtain positions and become self supporting or else marry and become good citizens...To remove this opportunity which enables them to overcome their mistakes and take a new lease on life, would be the greatest crime conceivable in this community...The politicians of any party will do what

²³⁷ “Gathering Data On All Families,” *El Paso Herald*, 13 September 1918. The Council of Defense was a national organization with branch chapters in all major cities. It is not clear if all cities were gathering data or if this was strictly an El Paso initiative.

the public demands and in this case the public demands that the ward be kept open and even that its scope of usefulness extended.²³⁸

Some federal monies were allotted through the end of 1920, but McCamant sensed that the clinic faced possible finality. The loss of federal funding dealt the venereal disease problem a significant blow, but civic leaders retained a moral conviction to fight the disease. Perhaps convinced that large numbers of arrest would prompt federal and state officials to reinstate funding for the clinic in El Paso, law enforcement and health officials arrested record numbers of women in 1920.

Although federal support for the venereal disease clinics continued to dissipate, the perceived threat of socially infectious women and girls roaming throughout the city endured. The number of women and girls arrested in 1920 surpassed those of 1918, the year that federal, state, and local governments deemed venereal disease a dilemma. City and county officials arrested three hundred and twenty four Mexican women, one hundred and twenty-eight Euro-American women, and seventeen African-American women. The top four charges between 1918 and 1920 continued to be clinic, vagrancy, delinquency, and insanity, while quarantine continued to be a practical option for sequestering bodies and treating social disease. Of the total number of women arrested for 1920, officials quarantined one hundred and twenty Mexican women, seventy-three white women, and two black women. To make matters worse Charles Davis's defeat of Seth Orndorff for mayor, and his unabashed support for the sexual policing of workingwomen, guaranteed that the social and sexual repression of immigrant Mexican women would continue. In an effort to keep momentum, the city council approved \$1,900 from municipal funds for the establishment of a social disease clinic.²³⁹ With or without federal and

²³⁸ "Closing Clinic Would Be A Crime, Says Health Officer," *El Paso Herald Post*, 3 June 1920.

²³⁹ "City Council Votes \$1900 To Social Disease Clinic," *El Paso Herald*, 3 June 1920.

state support, El Paso and its mostly white political, law, and health officials continued their undaunted attack on sexuality.

Throughout the early twentieth century, federal, state, and local governments continuously produced laws and techniques to monitor the movement of its “alien” citizens and a big part of that effort stemmed from the El Paso’s determination to land a colossal military cantonment that would greatly impact the city’s economy in a positive way. By 1920, Fort Bliss became the strongest district in the southern department of the army. The War Department had already allotted the base \$770,000 for construction, which was approximately \$292,000 over budget. El Paso leaders achieved their goal of establishing a massive military camp where over 10,000 men already resided, but all of this came at the expense of Mexican bodies. In 1920 the federal government ratified the Eighteenth Amendment of the Constitution, which banned the manufacture, sale, and transportation of alcoholic beverages. The National Prohibition Act took effect and immediately provided law enforcement officials with yet another juridical weapon to detain Mexican bodies on the border. As they had throughout the first two decades of the twentieth century, federal, state, and city officials continued to work together to control Mexican inhabitants and their “un-American” behaviors, such as drinking and bootlegging, which threatened American cities and citizens on the U.S.-Mexico border.

In the first two decades of the twentieth for the most part moved freely across the U.S.-Mexico border but as time passed immigration laws and the social control attached to them became stricter as global and national threats conjured up a noxious form of nativism that gripped the entire nation. Before 1920 hygiene, drugs, and disease played a prominent role in the control and monitoring of Mexican bodies but after 1920 authorities reconstructed and

redefined the dangerous classes. Discipline and punish changed in response to time, space, and social, political, and economic circumstances.

Beginning with World War I and immediately after, a convergence of political and economic shifts motivated the federal government to once again debate the necessity for stricter immigration controls. To begin with, the war produced a fervent dislike of ethnic minorities viewed as un-American. Second, the U.S. economy no longer needed the same levels of mass immigration to fulfill labor needs. After 1920 the U.S. economy matured to the point where economic growth came from technological advances rather than continuous additions to the labor force. Third, the international system that resulted from the war gave primacy to territorial integrity of nations making the raising of borders and the enforcement of borders a priority.²⁴⁰ The debate over all three issues became important as immigration increased after 1920. Nativists complained that the strictest immigration law passed thus far in 1917 did little to stem the flow of immigrants. The literacy test requirement had failed as people throughout the world learned to read and write. What emerged after 1920 then, as historian Mae Ngai argues, was the concept of the “illegal alien” which would lead to the passage of the Johnson-Reed Act of 1924.²⁴¹

This was certainly not the first restrictive immigration legislation passed by Congress, as the Chinese Exclusion Act of 1882 preceded it, but it was the nation’s first comprehensive law that established numerical limits on immigration and established a racial and national hierarchy that favored some immigrants over others. This new regime of immigration restriction articulated a new sense of territory and empire. It marked unprecedented state surveillance of the nation’s land borders and established the U.S. Border Patrol, the first federal agency created to

²⁴⁰ Mae Ngai, *Impossible Subjects: Illegal Aliens and the Making of Modern America* (Princeton: Princeton University Press, 2004), 19.

²⁴¹ Also known as the Immigration Act of 1924. Sixty-Eighth Congress of the United States, 43 Stat. 153, May 26, 1924.

patrol the nations boundaries.²⁴² The Immigration Act of 1924 exempted Mexico and other countries of the Western Hemisphere from the numerical quotas imposed on European and Asian countries. The main reason for the exemption rested on the fact that agricultural labor needs in the American Southwest depended on Mexican workers especially now that restrictions limited all other potential immigrant labor. Growers in California and Texas, the main proponents of the exemption, emerged victorious as the Senate defeated proposals to include the Western Hemisphere in the Act's quota system. The act, however, legislated a serious enforcement mechanism against unlawful entry.

The criminalization of unlawful entry increased the number of deportations dramatically and those convicted of entering the country illegally were stripped of any possibility of future reentry.²⁴³ The "illegal alien" had been created and with it came the fear of new enforcement mechanisms to include the creation of a land Border Patrol agency in 1929. Mexican bodies would be subjected to a reconstructed form of discipline and punishment on the U.S.-Mexico border as the protection of the American empire entered a new phase of policing activities. For Mexicans attempting to enter the U.S. their status was about to change drastically as unlawful entry was criminalized and undocumented immigrants became criminals. Illegal immigration created a Mexican "race problem" in a nation that deemed itself white and descended from Europeans. In the decades that followed Mexican bodies continued to experience vile methods of inspection, control and monitoring at the hands of all levels of law enforcement on the U.S.-Mexico border.

²⁴² Ngai, *Impossible Subjects*, 3.

²⁴³ *Ibid.*, 60.

Afterword

Arlene's body lay lifeless, sprawled along the Texas-New Mexico borderline. After he shot her, Justen Hall drove off, but later returned, parked the truck, and then walked to the scene of the crime in search of the bullet casing that was left behind. Unable to locate it, he quickly fled the scene after a passing truck frightened him. He then pulled over at a convenience store in west El Paso and again searched the truck for the casing, which he eventually found. Hall then entered the store and flushed the casing down the toilet before returning to his home. The next morning Hall left for Cuero, Texas, a small town in East Texas where he intended to begin life anew. He returned to El Paso ten days later on April 20, 2002 to purchase a sports utility vehicle. As he drove through town that same Saturday evening Hall ran a stop sign prompting a sheriff's deputy to pull him over. After a consensual search of the vehicle, the officer found the gun Hall had used to kill Arlene and placed him under arrest for unlawful possession of a firearm but Hall was soon released. The following Monday Hall went to "Big Lots," a discount store, with his father and stepmother. Unbeknownst to Hall, Dominique and her mother were also shopping at the store at the same time. Both Dominique and her mother saw him at their house right before the murder and they knew that the police suspected him in Arlene's death. Dominique displayed visible emotions when she saw Hall and quickly called the police. Witnessing Dominique's reaction, Hall hastily fled the store leaving his family members behind. Hall was later apprehended following a short manhunt, arrested and charged with the murder of Arlene.

Upon his arrest Hall denied killing Arlene but as detectives pressured him with evidence he began to confess. According to Hall he wanted to tell his side of the story, he wanted people to know that he killed Arlene for one reason and one reason only—because he was a "faggot,"

which automatically classified the incident as a hate crime. In his testimony Hall referred to Arlene and Dominique as “the guy” and “the dude” as well as “her” and “she.”²⁴⁴ Evidently Hall understood the complexity of Dominique’s and Arlene’s gender and sexual identities. Hall’s words bring to mind Michel Foucault’s notion of “discourse,” which opposed to “discussion,” frequently has a very specific meaning in mind. When we talk about a “discussion,” we are talking only about what has been said. When we talk about a “discourse,” we are also talking about who has done the speaking, how they have done it, in what context, and in reaction to what.²⁴⁵ In referring to Dominique as “her” and “she,” Hall exposed another side of himself, he knew of the language, or discourse, of Dominique and Arlene’s world. His understanding of the discourse became clearer after Dominique remembered first meeting Hall.

Later at the trial, Dominique testified that she had met Hall when she lived near downtown El Paso. She remembered that he liked to smoke pot and that he used to go and party with them. Dominique also stated that she had sex with him and that he liked rough sex. She also remembered that he was full of anger and that he forced her to have sex, in effect raping her. According to Dominique, Hall had the same truck that she saw the morning that he went to her house with Arlene.²⁴⁶

Given that Arlene could no longer speak for herself, Dominique and Hall spoke and what they said ultimately provided some justice for the victim and her family. Their words reveal that language and knowledge are closely linked to power; therefore, speech and writing are not simply the communication of facts that occur in a vacuum. As important as what is said is who

²⁴⁴ The facts provided for the violent murder of Arlene Diaz and the testimony of Justen Hall and Dominique come from author’s personal notes taken while attending Justen Hall’s trial from January 24, 2005 to February 16, 2005 in the District Court of El Paso, County, 34th Judicial District, the Honorable William E. Moody, Judge.

²⁴⁵ Michel Foucault, *The History of Sexuality: An Introduction Vol. I*. New York: Vintage Books, 1976.

²⁴⁶ Author’s personal notes taken while attending Justen Hall’s trial from January 24, 2005 to February 16, 2005 in the District Court of El Paso, County, 34th Judicial District.

decides what is said. According to Foucault, whoever determines what can be talked about also determines what can be known. Whoever determines what can be known effectively determines how we think and who we are.²⁴⁷ Although it may seem incongruous to discuss this recent murder case in a study that examines the late 19th and early 20th century, it is relevant given that this story shows the ongoing fluctuations of race, gender and sexuality and the complex, bi-national, social relations and identities that emerged on the U.S.-Mexico border.

Beginning in 1848 with the U.S. conquest of Mexico, and continuing through the close of the century with interventions in other parts of Latin America, the people of these newly conquered spaces endured racist medical and social procedures intended to subjugate bodies and control entire populations. Like race, gender dynamics provided a framework for securing and maintaining imperial power. Empire building on the border consisted of a white, masculine enterprise backed by institutional violence at the hands of law enforcement agencies, courts, medical authorities, and other state machinery. It was a project that constructed the subjective and collective meanings of whiteness, Mexican identity, masculinity, femininity, hygiene, labor, and class.

Incorporated in 1873, El Paso city leaders moved quickly to shape the city in the image of the white, law-abiding citizen. American power structures accomplished this by constructing ethnic Mexican identity as dangerous, hypersexual, dirty, and disease-ridden. They laid the foundation for the present day location where bodies are continually monitored and policed, subjected to white, hetero-normative ideals of American empire. It is a region where the inhabitants co-exist with an extensive network of law enforcement agencies to include the Border Patrol, El Paso Police Dept., El Paso County Sheriff's Dept., D.E.A., F.B.I., I.C.E., and the U.S. Marshalls. Today, the U.S.-Mexico border is firmly situated as a line of ingression

²⁴⁷ Michel Foucault, *The History of Sexuality: An Introduction Vol. I*. New York: Vintage Books, 1976.

heavily guarded from those considered dangerous, defective, and diseased. This complex web of surveillance, knowledge, and power is the consequence of late 19th and early 20th century U.S. efforts to expand its empire while defining who could and could not belong.

El Paso was a crucial port of entry and home to a burgeoning military training camp, and as such represented an important site for national security. Because of these two factors, what ultimately developed was a comprehensive network of infinite and diverse techniques, implemented by institutions of power, and intended to subjugate and control bodies while protecting the empire. The techniques included the violation of bodies and homes, as well as surveillance strategies in public spaces for sexual impropriety, narcotics, and other forms of perceived vice. Law enforcement on the U.S.-Mexico border included a collaborative effort between immigration inspectors, Texas Rangers, public health officials, and city officials, mostly white males that utilized racial and sexual stereotypes to rid the city of disease and vice, and convince the federal government that El Paso was a moral and temperate location for an expansive military training facility. The “clean up” began in earnest in 1901 and lasted throughout 1918 when Ft. Bliss was officially selected as home to one of the nation’s largest military cantonments.

The Progressive reforms utilized to control disease and morality coalesced with an intense nativism fueled by global upheaval, and ultimately U.S. participation in World War I. Between 1907 and 1924, the federal government passed several pieces of legislation that explicitly excluded certain classes from entering the country and monitored and controlled those it allowed in. What emerged was a maze of federal procedures that consisted of humiliating verbal interrogations and physical inspections. The social and juridical mechanisms that continue to define and control bodies in the El Paso Region have a protracted history. It is the

history of a “process,” an evolving formation of power relations between those in power and the working-classes. Men like Dr. John Howard Thompson, Captain Frank Jones, Mayor Charles Davis, and the countless public health officials, law enforcement agents, and immigration inspectors who controlled El Paso characterized the fictive, transcontinental, white male identity—the agent of empire who created the systems that exist to this day.

An interrogation of how and why the border came to be defined as a dangerous corridor and who initiated the production of knowledge and power that is institutionalized and ingrained in the region today, is crucial for understanding the complex social relations in the El Paso region. Popular Texas historian Bob Alexander compares the Texas-Mexico border to a black widow: a seductress, alluring, deceitful, and heartless.²⁴⁸ Television news reports and current newspaper headlines often corroborate this message, and yet, El Paso continually ranks as one of the safest cities in the nation. In fact, the ten most dangerous cities, according to the *Huffington Post*, are far from the U.S.-Mexico border located mostly in the Midwest and southern regions of the country.²⁴⁹ Snap judgments, however, continue to convince those in power, and at great distances, that multiple layers of law enforcement are necessary to control the “deceitful and heartless” boundary line.

As recently as 2009 Texas Governor Rick Perry deployed the Texas Rangers to high crime areas along the Texas-Mexico border. The Ranger’s presence on the border is historical. As the first line of border defense before the creation of the U.S. Border Patrol in 1924, the Ranger’s Frontier Battalions protected the Texas border with Mexico, and their contentious relationship with border communities is well documented. The U.S.-Mexico border continues to

²⁴⁸ Bob Alexander, *Riding Lucifer’s Line: Ranger Deaths Along the Texas-Mexico Border* (Denton: University of North Texas Press, 2013), xiii.

²⁴⁹ “The Most Dangerous U.S. Cities Aren’t Anywhere Near Mexico,” *Huffington Post: Latino Voices*, 2 February 2014. http://www.huffingtonpost.com/2014/02/25/us-mexico-border-security_n_4855976.html

be a complicated corridor where empire and boundaries are explicitly guarded. El Paso, like other border cities, is the first point of entry or the last point of exit; depending in which direction you are travelling. The border region is considered unholy ground where anything and everything happens, a place where state sanctioned power is required and welcomed and continues to expand as more and more Latin Americans flee the instability and violence in their homelands heading north toward the U.S., an imagined safe space where all things are considered possible.

The web of surveillance that began at the turn of the twentieth century to protect the white leadership's vision for economic success and social stability, and encouraged by insidious racial and sexual stereotypes of Mexican immigrants, is now a well-entrenched collaboration of law enforcement agencies and civic organizations that today makes the city El Paso one of the safest cities in the United States. The security of the U.S.-Mexico border continues to take center stage as prominent members of political factions in the U.S. continue to rest their future successes on the ability to stop dangerous, defective, and diseased bodies from entering the empire while clamping down on the inhabitants that call the corridor home.

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