

Civil rights won, not granted automatically

Second of two parts

In many ways, Mexican-Americans have always been “strangers in their own land.”

Their rights as U.S. citizens conferred by the Treaty of Guadalupe Hidalgo 150 years ago when it was signed on Feb. 2, 1848, have had to be made real largely by their own struggles for equality.

The immediate concern of the commanders of the U.S. occupation forces in Mexico was the guerrilla war launched by Mexicans that was threatening the supply line and endangering the troops.

Consequently, they pressured the negotiators to ignore political pressure from the United States to take all of Mexico and urged them to finalize the treaty.

Withdrawal of the troops began peacefully after ratification (July 4, 1848), but a boundary question arose almost immediately. At issue was the rich Mesilla Valley, which Southerners wanted for a railroad route to California and which the United States acquired through the Gadsden Purchase of 1853.

Questions of citizenship and equal rights also sprung up. The 1848 California Gold Rush pitted experienced Mexican miners from Sonora and Californios against the newcomers, who through legislation and the courts and through violence attempted to secure exclusive access to the newly discovered wealth.

The struggle for land loomed large from the start. Mexican negotiators and Mexicans in the conquered homeland territories feared that what happened in Texas after 1836 would be repeated across the Southwest.

Tejanos had lost their ranchos for various reasons. Some land grants had never been fully validated by Mexico. Additionally, the American agricultural tradition required precise surveyed boundaries and registered titles.

By contrast, the ranchos had vague demarcations, and rights to the land often were recorded in the communal memory only. Furthermore, the new legal system perplexed all, and many Tejanos, including several in San Antonio, quickly lost their lands.

To prevent this from happening to them, Laredoans petitioned the U.S. and Mexican governments (unsuccessfully) to ask that their town, which included the area encompassed by Webb County today, remain within Mexican territory.

Purportedly to calm such anxiety, state governments in Texas and across the Southwest organized land commissions to validate Mexican land holdings. But this process worked

against Mexican-Americans since, contrary to American legal traditions, the burden of proof rested on Mexicano defendants and favored Anglo American plaintiffs.

Defending their lands before the commissions and in the courts cost Mexican-Americans huge sums, which they paid in land to Anglo attorneys who often conspired with their opponents.

Most importantly, the expansion of American trade into the Southwest created a capital-intensive economy in which Tejanos, pressed for cash, sold off, at a few pennies per acre, ranches that had been in the family for generations.

Texas Rangers and other henchmen hired by the newcomers terrorized those who held on to their lands, forcing many to flee south of the Rio Grande. Their properties were taken by squatters, whose titles the American system protected.

The loss of lands contributed to creating a “Mexican race” of laborers, who were exploited by the ranching and commercial enterprises of the 1800s and small and large farm owners and city builders of the 20th century.

In reaction to these changes, some Mexicans and Mexican-Americans joined the various revolts that erupted from the 1850s to the 1910s. Unfortunately, these uprisings only brought new waves of repression.

Others organized mutual aid societies that developed into labor unions and into political clubs that won back the lost civil rights.

Some of the rancheros, particularly in counties along the border, held on to the ancestral ranchos by ingeniously manipulating the system. And dispossessed landowners have pursued their claims in state and federal courts and even by suing the Mexican government as co-guarantor of land grants.

In the 1960s and 1970s, Chicano activists claimed that cultural rights—language, schooling, public acknowledgment of traditions—were implied in the guarantee that the new Americans would enjoy all the rights of citizens.

The developments in the 1800s converted Mexicans in the conquered homeland territories to strangers in their own land. But these settlers and the new immigrants have struggled to make real the promises in the Treaty of Guadalupe Hidalgo