

# The Mexican Robin Hood: Antebellum-era Texas Identity Politics

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## Abstract

This article provides an overview of the shifting perception of Juan Nepomuceno Cortina Goseacochea as an influential Chicano figure in American history. It also provides context to the argument that scholars need to reevaluate their approach to Juan by considering how he defined himself, as the Mexican Robin Hood. While such a project produces a clearer picture of Juan Cortina, a significant actor in antebellum Texas, even more importantly, it helps us better understand the ways in which racial identity has always been a contested concept along the U.S. borderlands. This article differs from other scholarly work on Juan's life by resituating his identity as part of a broader debate over the nature of citizenship, sovereignty, and culture in the antebellum-era southwest borderland.

## Summary

This article distinguishes itself from other literature on Juan by rejecting both the bandit and civil rights leader schools and arguing that he viewed himself as the "Mexican Robin Hood."<sup>1</sup> The first third of this article investigates the Tejano identity's origins by tracing Juan's genealogy from Reconquista-era Spain to the antebellum-era United States. This portion of the article also identifies a link between the culture of militant Catholicism that developed during the Reconquista and the subculture that was created from U.S imperialism's spread into Texas, Tejanos. The ending of this section investigates the Mexican-American War's effect on Juan's life to better understand why he viewed Anglo-Americans as invaders and oppressors. This first third also incorporates the history of non-European communities to better understand the duality between Tejanos being both the colonizer and the colonized.

Furthermore, the second third of this article investigates Juan's emergence as a social bandit. This section seeks to better understand why Juan Cortina took the town of Brownsville hostage in 1859. The last third of this article investigates Juan's historiography to understand

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<sup>1</sup> This term "Mexican Robin Hood" appears in non-academic sources but has never appeared in academic literature.

how antebellum Texans viewed Juan and, more importantly, how Juan viewed himself. This last section also uses primary source newspaper articles to argue that antebellum Americans pejoratively referred to Mexican-Americans like Juan as bandits and outlaws, while contending that Juan viewed himself as the Mexican Robin Hood, stealing from rich Anglo-American settlers and giving to poor Mexicans.



Figure 1. The Friendship Monument <sup>2</sup>

## Introduction

The Friendship Monument pictured in Figure 1 is a large bronze statue depicting Captain Blas María de la Garza Falcón, a Spanish Army officer and Juan's ancestor, triumphantly riding a mustang into the lower Río Grande, while greeting onlookers. The sculptor of this monument, Sherman T. Coleman, unveiled this statue on September 7, 1992, more than three-hundred years after Captain Blas officially colonized southern Texas for the Spanish Empire. This memorial to Captain Blas is symbolically located on land that he settled, Corpus Christi, Texas. This statue also represents Captain Blas establishing the first successful Spanish colony along the Nueces River in 1766, Santa Petronila. Santa Petronila later transformed the area north of the Rio Bravo by serving as an anchor for the Spanish military's colonial expansion into the

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<sup>2</sup> *The Friendship Monument*, Corpus Christi, TX, this picture remains unaltered from its original form, accessed April 17, 2021, <https://www.flickr.com/photos/26686573@N00/2375439265>.

Great Plains region.<sup>3</sup> Inscribed on this statue's rectangular base is the following caption, "Friendship Monument: Linking the Cultures of Spain-Mexico, [and the] United States." This monument stands as a tangible representation of Texas' significant role in Spanish, Mexican, and American histories because the colonial expansion of these three nations overlaps in Texas.

The Friendship Monument in Figure 1 forgoes the critical details of Spain's colonial expansion into North America to inaccurately portray an amicable relationship between these three nineteenth-century colonial powers, the United States, Mexico, and Spain. In fact, the peace between these three nations was highly volatile throughout the nineteenth century. The gruesome military conflicts that these three nations fought between each other in the nineteenth century exemplify this political instability: the Mexican War of Independence (1808-1821), the Mexican-American War (1846-1848), and the Spanish-American War (1898). This statue also regrettably silences the Native American nations who lived and thrived in Mesoamerica and the Great Plains region before Spain's arrival, like the Aztec, Apache, Cherokee, and Cheyenne. A historically accurate statue would depict Captain Blas riding into an area inhabited by defensive Southern Plain Indian tribes, like the Comanche, while being observed by contemptuous British soldiers. The following section incorporates the perspectives of the Native American communities whose lived experiences have been deliberately left out of Texas' founding myth to deliver a more historically accurate representation of the colonial process. This section also traces the historiography of Juan's genealogy while investigating how the Reconquista shaped Hispanic communities in Mexican Texas, ultimately producing Juan's persona as the "Mexican Robin Hood." The next section will briefly investigate the ways in which the Tejano identity is a byproduct of this Spanish colonial expansion into the Americas.

### **Spain's Enduring Colonial Legacy in Juan's Antebellum Texas**

The overthrowing of the Aztec and Inca empires represented no more than a first stage in the conquest of America. Having conquered the land, the conquistadores still had to take possession of it. The taking of possession, the settling of the land, the building of cities, the forcing of the native population into patterns determined for it by the Spaniards, and the gradual establishment of governmental institutions, represented the second, and perhaps the greater, conquest of America.<sup>4</sup>

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<sup>3</sup> Clotilde P. García, *Captain Blas María de la Garza Falcón: Colonizer of South Texas* (Austin, TX: Jenkins Publishing, 1984) 10-12.

<sup>4</sup> J.H. Elliott, *Imperial Spain 1469-1716*, (New York, NY: Penguin Books, 1963), 67.

On January 2, 1492, the last Muslim kingdom on the Iberian Peninsula fell when the Catholic Monarchs, King Ferdinand II of Aragon (1452-1516) and Queen Isabella I of Castile (1451-1504), used a militant form of Catholicism to overthrow the Nasrid dynasty (1230-1492).<sup>5</sup> They granted the Catholic church special privileges for their support, including state protection, and the Reconquista's success solidified this relationship. The Archbishop of Toledo, Francisco Jiménez de Cisneros (1495-1517), coincidentally threatened to erase the Grenadian Muslims' culture by engaging in a campaign of forced religious conversions and mass baptism under the umbrella of this military protection.<sup>6</sup> In 1499, the Catholic Monarchs' imperial expansion encountered resistance from a Muslim community in the Alpujarras region rebelling against Archbishop of Toledo Cisneros' forced religious conversions, presumably to preserve their identity. This community's cultural heritage was linked to the Umayyad dynasty's (756-1031) conquest of Hispania over seven hundred years earlier.<sup>7</sup> In response to this Muslim rebellion, King Ferdinand issued a proclamation making the conversion to Catholicism a property rights prerequisite shortly after quelling this uprising, which permanently transformed Grenada's socioeconomic system by establishing a Catholic ruling class.<sup>8</sup> Juan would later become a social bandit in opposition to this phase in the colonial process in which a sovereign begins erasing a community's identity to consolidate power.<sup>9</sup>

The Reconquista transformed the Iberian Peninsula by creating a Spanish empire with a unique socioeconomic system that was designed to facilitate imperial expansion. Habsburg Spain would later model the *capitulaion* treaties that conquistadores used to exploit Native American tribes, like the Aztecs and Mayans, from the various peace agreements made

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<sup>5</sup> For more information on how King Ferdinand and Queen Isabella were able to exploit feuds within the Nasrid dynasty to gain power, see; J.H. Elliott, *Imperial Spain 1469-1716*, (New York, NY: Penguin Books, 1963), 48-51.

<sup>6</sup> J.H. Elliott, *Imperial Spain*, 52.

<sup>7</sup> For more information on the formation of the Umayyad dynasty see; G.R. Hawting, *The first Dynasty of Islam: the Umayyad Caliphate AD 661-750* (New York, NY: Routledge, 2000); Carl Wurtzel, *Khalifa ibn Khayyat's History on the Umayyad Dynasty (660-750)* (Liverpool: Liverpool University Press, 2018).

<sup>8</sup> J.H. Elliott, *Imperial Spain*, 52.

<sup>9</sup> I am referring to the phase of colonization in which "whiteness" gains indigeneity. Political theorist Nandita Sharma defines being white as people who "identify as heirs of European colonizers," and "base their claims as National-Nativeness on the autochthonous principle that they were the first to 'productively use' (i.e., exploit) both land and labor." Sharma elaborates, that "as 'improvers,' they claim to have been the first to 'civilize' (i.e., bring into the purview of state power) land and people, thus territorializing both and becoming the sovereigns." Juan's ancestry demonstrates that eighteenth-century Spanish settler communities meet Sharma's definition of white, to include the Tejano community; Nandita Sharma, *Home Rule: National Sovereignty and the Separation of Natives and Migrants*, (London: Duke University Press, 2020), 244.

between the Spanish monarchs and conquered Grenadian Muslim communities.<sup>10</sup> These biased peace agreements generally sought to promote Spain's colonial expansion by guaranteeing settlers certain legal rights in newly usurped territory.<sup>11</sup> The Spanish monarchs redistributed freshly-conquered territory to Spanish settlers by using royal decrees, in a process known as the *Repartimiento*.<sup>12</sup> The Catholic Monarchs gave this land to Spanish settlers to ensure their support for future military campaigns while transplanting a friendly community into newly acquired territory. The Reconquista-era Spanish Navy simultaneously modernized by incorporating innovative technology from other countries, such as the Portuguese caravel ship design and Majorcan cartographic techniques, which led to the creation of the Tejano identity by enabling the Spanish Navy's trans-Atlantic voyages.<sup>13</sup>

The Reconquista's success empowered a militant Catholic society in Spain with a socioeconomic system that was built on colonial expansion and whose military influence reached North America with the arrival of the Genoese adventurer Christopher Columbus (1451-1506) in Guanahani on October 12, 1492. The Catholic Monarchs, King Ferdinand II and Queen Isabella I, financed this trip searching for an alternate route from the Iberian Peninsula to India.<sup>14</sup> This exploratory voyage profoundly transformed Native American communities by precipitating the Americas' European colonization and ushering in a new era in Mesoamerican history, the post-Columbian era. This voyage also led to the introduction of European diseases, such as smallpox and measles, that devastated Native American tribes since they lacked immunity.<sup>15</sup> Twenty-seven-years later, when Herman Cortes (1485-1547) landed on Vera Cruz, these conquistadores encountered a recently politically fractured Aztec empire (1428-1521).<sup>16</sup> In

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<sup>10</sup> Historian J.H. Elliott defines the Castilian word *conquista* as "the establishing of a Spanish 'presence,' the securing of strongpoints, the staking out of claims, [and] the acquisition of dominion over a defeated population." J.H. Elliott, *Imperial Spain*, 55.

<sup>11</sup> For more information on the history of Capitulation treaties see; Paul Edwards Chevedden, *Negotiating Cultures: Bilingual surrender Treaties in Muslim-Crusader Spain under James the Conqueror*, (Boston, MA: Brill Publishers, 1999); Geoffrey Symcox, *Christopher Columbus and the Enterprise of the Indies: A Brief History with Documents*, (Boston, MA: St. Martins, 2005).

<sup>12</sup> J.H. Elliott, *Imperial Spain*, 67.

<sup>13</sup> J.H. Elliott, *Imperial Spain*, 56.

<sup>14</sup> For more information on how the Spanish Monarchs came to finance Columbus' trip see; J.H. Elliott, *Imperial Spain*, 60-62.

<sup>15</sup> 95 percent of the pre-Columbian Native American population was killed by a European introduced disease between 1492 and the late 1600s. Jared Diamond, *Guns, Germs, and Steel; The Fates of Human Societies*, (New York, NY: W.W. Norton and Company, 1997), 78.

<sup>16</sup> Cortez landed in the eastern part of what is now Mexico, establishing La Villa Rica de la Vera Cruz, which translates to the "The Rich Town of the True Cross," on April 22, 1519. Cortez then encountered a

1521, Cortez permanently transformed the power dynamic in Mesoamerica by obtaining a decisive victory over the Aztec empire at the battle of Tenochtitlan, thus militarily securing Mesoamerica for Spain.<sup>17</sup>

Juan's maternal ancestors, the de la Garzas, played a significant role in Spain's colonial expansion into Mesoamerica, so their history is relatively well-preserved. This colonial legacy was solidified when José de Escandón (1700-1770), who had adopted an expansionist political policy within the Viceroyalty of New Spain (1534-1763), was appointed Governor and Captain-General of Nuevo Santander on June 1, 1748.<sup>18</sup> On March 5, 1749, Escandón selected Juan's great-great grandfather Captain Blas María de la Garza Falcón to serve as a captain and chief justice in Nuevo Santander, then ordered him to establish the first Spanish settlement north of the Río Bravo, Camargo, a moment later immortalized by the Friendship Monument.<sup>19</sup> The Spanish government established this military presence to create a northern frontier that would serve as a buffer for any future French colonial expansion into the Great Plains region.

Juan's great-great grandfather Captain Blas became known as the "colonizer of South Texas" for his essential role in helping Escandón establish Camargo along the Río Bravo.<sup>20</sup> In 1766, Captain Blas also established the first thriving colony along the Nueces River after two unsuccessful attempts by Escandón, Santa Petronila.<sup>21</sup> This Spanish colony effectively checked New France's (1534-1763) territorial expansion into the Great Plains region by serving

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nearby Mesoamerican tribe, the Tlaxcala, who were in the midst of a ritual war with the Aztec Triple Alliance, the Flower War (1454-1519), in which the Aztec empire had Tlaxcala besieged on all sides. Cortez exploited this tension by allying with Tlaxcala and marching inland to attack the Aztec Empire's capital, Tenochtitlan. There is a school of historians contending that the Aztec King Montezuma II (1466-1520) welcomed Cortés believing that the European was the Aztec god Quetzalcoatl (the feathered serpent). However, the veracity of this claim is a contentious topic among Latin American historians, since Cortés does not mention being mistaken for a god in his five letters and this legend can be traced to a letter that was written by Francisco López de Gómara in 1522.

<sup>17</sup> The conquistadores used Spain's Reconquista-era militarized frontier towns as a template for Spanish Mesoamerican settlements. J.H. Elliott, *Imperial Spain*, 66-68.

<sup>18</sup> For more information on José de Escandón's life see; Lawrence F. Hill, *José de Escandón and the Founding of Nuevo Santander, a Study in Spanish Colonization*, (Columbus, OH; Ohio State University Press, 1926).

<sup>19</sup> Clotilde P. García, *Captain Blas María de la Garza Falcón: Colonizer of South Texas* (Austin, TX: Jenkins Publishing, 1984).

<sup>20</sup> Clotilde P. García, *Captain Blas*, 4.

<sup>21</sup> Captain Blas was only following in his father's footsteps, General Blas de la Garza Falcón, another important figure in Texan history. His father played a significant role in Spanish colonial history by serving as the governor of Coahuila, New Spain in the early eighteenth-century.

as a *presidio* (frontier garrison) for Spanish soldiers patrolling the Río Bravo.<sup>22</sup> Escandón ensured that the Spanish towns in Nuevo Santander were militarized by requiring them to possess a weapon for every male resident, continuing the militant Catholic culture that facilitated the Reconquista.<sup>23</sup> This deep generational history facilitating the northern colonial expansion of the Spanish empire bestowed prestige onto the de la Garza family, a distinction that endured well into Juan's life over one hundred years later.<sup>24</sup>

The Spanish settlers who followed de la Garza into Spanish Texas by settling along the Río Bravo were geographically isolated from the more populated areas in central New Spain, allowing Spaniards in the northern frontier to form a unique cultural identity. This distinct culture resulted from combining the Spanish warrior identity that developed during the Reconquista with Texas' unique terrain that was conducive to cattle herding.<sup>25</sup> These Spanish settlements were also distinctively self-sustaining because the Great Plains region lacked a substantial pro-Spanish Native American population for an *encomienda* system.<sup>26</sup> These Spanish settlers also established a kinship system in which wealthy landowning families, such as the de la Garzas and Cortinas, formed a powerful upper-class. This distinctively self-sustaining Río Bravo society contrasted the agrarian settlements in central New Spain who relied on the *encomienda* system's Native American slave labor.<sup>27</sup>

However, several Native American tribes, notably the Comanche, established independent nations north of the Río Bravo by using Texas' geographic isolation to resist Spanish subjugation. In fact, scholars such as Pekka Hamalainen argue that the Comanche were the region's dominant power.<sup>28</sup> In the early nineteenth-century Spanish settlers directed their racism towards these Native American tribes, who they perceived as hostile, by using pejorative terms comparing them to barbarians, *Indios bárbaros* (Indian Barbarians).<sup>29</sup> Despite

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<sup>22</sup> For more information on the organization of Spanish frontier Garrisons in New Spain see. Aminta Inlida Perez, "Tejano Rangers," 77.

<sup>23</sup> Aminta Inlida Perez, "Tejano Rangers," 92.

<sup>24</sup> I am using Juan Cortina's first name *vice* the standard convention of referring to a research subject by their last name to humanize him, correcting one of the issues prevalent in much of the relevant literature.

<sup>25</sup> For more information on the culture of the original Spanish settlers in Texas see Aminta Inlida Perez, "Tejano Rangers," 65-68.

<sup>26</sup> For more information on the *encomienda* system see; J.H. Elliott, *Imperial Spain*, 70.

<sup>27</sup> Aminta Inlida Perez, "Tejano Rangers," 45.

<sup>28</sup> Pekka Hamalainen, *The Comanche Empire*, (New Haven, CT: Yale University Press, 2009).

<sup>29</sup> *Indios bárbaros* was a pejorative term that was commonly used by nineteenth-century Tejanos in reference to Native American Tribes perceived as hostile. For additional information on the term's

this racial tension, Spanish settlements ultimately created mutual defense treaties with several Native American tribes, including the Cherokee.<sup>30</sup> These mutual defense treaties were an essential component of Escandón's frontier defense plan because Spanish settlements were geographically isolated from the more populated colonies in central New Spain. The need for this self-reliance was exacerbated by the Mexican War of Independence (1808-1821), in which Napoleon Bonaparte's (1769-1821) invasion of Spain in 1808 led to a crisis of legitimacy over the Spanish throne, and the Army of the Three Guarantees in the Spanish colony of New Spain began rebelling against what they viewed as an illegitimate Spanish government.<sup>31</sup> Juan would later embody this unique frontier culture that was based on kinship, self-reliance, and warfare by creating a Mexican-American militia, the Cortinistas.

The high social status that Juan's family inherited from Captain Blas's military service was complimented by the wealth María Gertrudis de la Garza Falcón (1734-1789) bequeathed to her descendants. María Gertrudis was the daughter of Captain Blas and the wife of José Salvador de la Garza. The de la Garzas were one of the first Spanish families to settle beside the Río Bravo and, paralleling the Spanish government's Reconquista-era pattern of partitioning newly acquired frontier territory to Spanish settlers, they received a large swath of land. In 1781, her husband José received this large tract of land through the Potrero Espíritu Santo land grant, comprising over 265,000 acres slightly north of the Río Bravo.<sup>32</sup> María Gertrudis inherited the Espíritu Santo after José's death and willed this land to be split between her children. This inheritance made the maternal side of Juan's family significantly wealthy for generations.<sup>33</sup>

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historical use see; David Adams, "Embattled Borderlands: Northern Nuevo León and the Indios Barbaros, 1680-1870." *The Southwestern Historical Quarterly* no. 2 (Oct. 1991).

<sup>30</sup> Aminta Inedla Perez, *Tejano Rangers*, 244.

<sup>31</sup> For more information on the Mexican Revolution and Napoleonic Wars see; Mary Pierce Frost, *The Mexican Revolution*, (San Diego, CA: Lucent Books, 1997); Alan Knight, *The Mexican Revolution*, (New York, NY: Cambridge University Press, 1986); Andrew Roberts and John Lee, *Napoleon: A Life*, (New York, NY: Hachette Book Group, 2018).

<sup>32</sup> The Potrero Espíritu Santo translates to "pasture of the holy ghost," but is generally referred to as the Espíritu Santo land grant.

<sup>33</sup> *Case of Judge John C. Watrous*, 35<sup>th</sup> Cong., 1<sup>st</sup> sess., (Washington D.C., June 02, 1858): 2, accessed February 12, 2021, U.S. Congressional Serial Set, 2. The Espíritu Santo was a Spanish land grant established in 1781 that bestowed 60 leagues, equating to over 265,000 acres, to José Salvador de la Garza, Juan's great grandfather.



## The creation of the Mexican National Identity

When Mexico gained its independence from Spain in 1821, the legacy of King Ferdinand II and Queen Isabela I's attempt to subjugate Grenadian Muslims by erasing their culture in 1502 lingered in Mexican jurisprudence. In particular, the legacy of King Ferdinand II's religious decree making the conversion to Catholicism a property rights prerequisite in 1502 is apparent in a letter directly leading to Texas's founding. This letter was written on February 8, 1821 by Governor Antonino Martínez (?-1823), the Mexican governor of Coahuila y Tejas, and it reveals the Reconquista's enduring legacy in Mexican settler laws.<sup>34</sup> In this letter, Governor Martínez grants Moses Austin (1761-1821) permission to establish an Anglo-American settlement three-hundred and fifty miles north of the Espíritu Santo land. Governor Martínez dictates the following terms to Austin:

Therefore, if to the first and principal [pre]requisite of being Catholics, or agreeing to become so, before entering Spanish territory, they also add that of accrediting their good character and habits, as is offered in the said petition; and taking the necessary oath ... to take up arms in defense against all kinds of enemies; and to be faithful to the King, and to observe the political constitution of the Spanish monarchy.<sup>35</sup>

This letter reflects Cisneros' forced conversions of Grenadian Muslims three hundred years earlier by demanding Catholic settlers exclusively. Governor Martínez's demand for Catholic settlers also suggests that a socioeconomic system favoring Catholics like Juan was established in Mexican Texas. This socioeconomic system protected Juan's family's property from Protestant Anglo-American settlers by making property rights in 1820's Mexican Texas exclusive to Catholics.

According to this letter, the Anglo-American settlers in Austin's settlement were required to pledge their support to the Mexican State of Coahuila y Tejas before settling in the state by "tak[ing] up arms against all kinds of enemies".<sup>36</sup> The perceived enemies that this letter refers to are the various autonomous Native American nations who thrived independently in Spanish

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<sup>34</sup> Although Moses died before completing this project, his wife Mary Brown Austin transformed the future of Texas by transcribing his final words, "Tell dear Stephen that it is his dying father's last request to prosecute the enterprise [that] he commenced." Stephen Fuller Austin received his mother's letter and complied with his father's request by establishing a colony that attracted hundreds of Anglo-American families; David B. Gracy, "Moses Austin (1761-1821)," Texas State Historical Association, accessed November 22, 2020, <https://www.tshaonline.org/handbook/entries/chicano-literary-renaissance>.

<sup>35</sup> Antonio Martínez to Stephen Austin, February 8, 1821, DeWitt Colony Government-Index, accessed April 17, 2021, <http://www.sonsofdewittcolony.org/colonyregs.htm>.

<sup>36</sup> Ibid.

Texas but were occasionally hostile to Spanish settlers. In effect, this letter served as a mutual defense treaty between Mexican citizens and Anglo-American settlers, which suggests that Mexican Texas maintained the militarized frontier towns that Governor Escandón and Captain Blas established in Camargo over sixty years earlier. This frontier defense treaty between Governor Martinez and Austin's Anglo-American settlement facilitated cross-cultural communication between the two communities, leading to Anglo-American settlers adopting many uniquely Río Bravo frontier cultural norms, such as cattle herding and mounted warfare.<sup>37</sup>

Juan's mother and father met amid this socioeconomic environment in which Hispanics dominated Mexican Texas' upper-class. The relationship between Juan's parents is not well documented because his father Trinidad died before Juan achieved notoriety. In 1877, the *Cincinnati Daily Gazette* newspaper published an article analyzing Juan's childhood and briefly mentioning Trinidad. This article claims that Trinidad was known as a gentleman of "blue-blooded" Spanish lineage who, although finding himself "in reduced circumstances," boasted of having a social network stretching from the Río Bravo to the Spanish province of Aragon.<sup>38</sup> Juan Nepomuceno Cortina Goseacochea was born to Trinidad Cortina and María Estefana Goseacochea (1797-1867) near the Río Bravo in Camargo, Tamaulipas in May 1824.<sup>39</sup> Juan's mother María's ancestral history is relatively well preserved for a nineteenth-century Tejana because she left a paper trail of primary source court documents while defending her civil rights. Newspaper sources conducting in-depth investigations into the Cortina Troubles frequently mention her significant communal social and economic influence, which will be discussed further in a subsequent article. Any analysis into Juan's life is incomplete without a vigorous investigation into María's life because she was one of the earliest examples of a Tejana fighting to uphold her property rights and profoundly influenced the Cortinistas.<sup>40</sup>

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<sup>37</sup> For more information on the Texas Rangers see; Aminta Inedla Perez, *Tejano Rangers*.

<sup>38</sup> "The Career and Fall of Juan Cortina," *Cincinnati Daily Gazette*, March 31, 1877, accessed November 22, 2020, AHN.

<sup>39</sup> The details of Juan's early life have been preserved in two primary source newspaper articles, with the most comprehensive analysis printed in a *Matamoros Daily Ranchero* article titled "Biographical Sketches of the Life of General Juan N. Cortinas." This article was published on September 24, 1870 and references two investigations into Juan's life from scholarly sources in North America and Europe, which suggests that Juan was gaining increasing renown internationally in 1870, after his participation in the Second French Intervention in Mexico. This article claims that Juan was born along the Río Bravo in Camargo, Tamaulipas sometime in May of 1824. In comparison, a *Cincinnati Daily Gazette* article published on March 31, 1877 and titled "The Career and Fall of Juan Cortina," corroborates Juan's date of birth, but alleges his birthplace to have been over 150 miles North of Camargo, in Lake Parras.

<sup>40</sup> The 1960's Chicano movement resulted in the creation of a new field of historical research, Chicano history, that helped preserve Juan's familial history. Research into Chicano history was enriched by the 1960's Chicano literary renaissance, which includes Pedro Castillo and Albert Camarillo's *Fauria y*

The death of his father Trinidad significantly transformed Juan's childhood. The *Cincinnati Gazette* published a biographical account of Juan which briefly discusses the initial impact of Trinidad's death on his family, titled "The Career and Fall of Juan Cortina." This article explains that:

When Cortina, sr., died, and the livestock of his rancho was found insufficient for the payment of his debts, little Juan was dispatched to Monterey to appeal in person to the Kinship and Kindness of his healthy uncle. But the uncle had children of his own, and though he agreed to support his nephew for the remaining years of his minority, it was on a condition which the young ranchero thought as ungenerous as unreasonable. He was to visit the town school of Monterey and devote his leisure hours to one of [the] four or five mechanical trades, which the uncle specified.<sup>41</sup>

This newspaper article reveals the commonalities between Spanish and Anglo-American settlements in Mexican Texas. Both communities stored their wealth in "livestock" and "ranchos" (ranch land) because banking was virtually nonexistent in Coahuila y Tejas. Although the first authorized banking institution in Mexican Texas was the *Banco Nacional de Tejas* established in 1822, this bank had a negligible economic impact, dispersing a minute amount of money and closing within a year.<sup>42</sup> Therefore, this article correctly claims that the majority of Juan's familial wealth was stored in livestock.

Furthermore, this newspaper article portrays a young Juan at a time of financial need turning to the "kinship" network originally established by Spanish settlers. The enduring geographic isolation between the Río Bravo settlements in the mid-nineteenth century and central Mexico was conducive to this kinship network. Although Trinidad's death likely put Juan's family into some debt, María's inheritance made her significantly wealthier than Trinidad, suggesting that the Espíritu Santo land grant continued providing Juan's family some financial stability after his father's death. The most significant impact of Trinidad's death was making María Juan's sole guardian. In difficult times like the Cortina wars, Juan reflexively turned to his mother for support, even using her ranch Rancho del Carmen as his militia headquarters during the Cortina Troubles.

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*Muerte: Los Bandidos Chicanos* mentioned earlier. Still, in spite of the Chicano literary renaissance, the lived experiences of antebellum-era Mexican women, who in 1848 suddenly found themselves living in American territory, remain under-analyzed. María's life is well-documented for a Mexican-American who lived in nineteenth century Texas, yet relatively overlooked by historians in comparison to Juan's life.

<sup>41</sup> "The Career and Fall of Juan Cortina," *Cincinnati Daily Gazette*, March 31, 1877, accessed November 22, 2020, AHN.

<sup>42</sup> For more information on Banco Nacional de Texas see; accessed April 17, 2021, <https://www.tshaonline.org/handbook/entries/banco-nacional-de-texas>

## The Republic of Texas During the Mexican-American War

The Republic of Texas (1836-1846) was formed after American settlers defeated the Mexican Army at the Battle of San Jacinto in 1836, then forced captured Mexican Army General Santa Ana (1794-1876) to sign the Treaty of Velasco, granting The Republic of Texas sovereignty.<sup>43</sup> The Texian American subculture was created from the mixed Mexican and Anglo-American settler communities living in the Republic of Texas. The Mexican government refused to acknowledge the Treaty of Velasco and, in opposition, passed the Tornell Decree permitting Mexican soldiers to execute Texian combatants.<sup>44</sup>

On March 4, 1845, James K. Polk (1795-1849) became the 11<sup>th</sup> President of the United States after running for political office on an expansionist foreign policy and successfully advocating for the United States to annex the Republic of Texas as the 28<sup>th</sup> state.<sup>45</sup> Throughout the early years of his presidency, President Polk insisted that the national boundary was the Río Bravo. At the same time, Mexico rebutted that this Mexican-American national boundary was along the more-northern Nueces River. Subsequently, President Polk sent the U.S. Army to occupy this disputed border area between the Nueces and Río Bravo rivers. On April 24, 1846, the Mexican-American War began when Mexican troops attacked the United States Army. This war was partly fought for control of the Río Bravo territory that Captain Blas colonized nearly a hundred years earlier and, even more importantly, the war's winner was expected to establish themselves as the dominant military power in the region. Juan's family was initially unaffected by the Republic of Texas' independence because the de la Garzas and Cortinas lived significantly south of the Republic of Texas.

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<sup>43</sup> For more information on the Republic of Texas' formation see; William C. Binkley, *The Texas Revolution* (Austin, TX: University of Texas at Austin, 1979); Craig H. Roell, *Matamoros and the Texas Revolution* (Denton, TX: Texas Historical Association, 2013).

<sup>44</sup> For background on the socioeconomic factors that led to the Mexican-American War, and on the war itself, see Arnolde de Leon, *They Called Them Greasers: Anglo Attitudes Toward Mexicans in Texas 1821- 1900* (Austin, TX: University of Texas Press, 1993); Peter Guardino, *The Dead March: A History of The Mexican-American War* (Cambridge, MA: Harvard University Press, 2007); Armando Alonzo, *Tejano Legacy: Rancheros and Settlers in South Texas 1734- 1900* (Albuquerque, NM: University of New Mexico Press, 1998).

<sup>45</sup> For more information on James Polk's presidency see; John Seigenthaler, *James K. Polk*, (New York, NY: Times Books, 2004); Robert W. Merry, *A country of Vast Designs; James K. Polk, The Mexican War and the Conquest of the American Continent*, (New York, NY: Simon and Schuster, 2009).

## Juan's Experience as a Soldier in the Mexican-American War

The Mexican-American War was personal for Juan because the United States was attempting to appropriate Mexican land colonized by his great-great-grandfather, including the de la Garza family estate, so he continued the familial legacy of military service by enlisting in the Mexican Army.<sup>46</sup> On March 21, 1846, General Zachary Taylor (1784-1850) was beginning an offensive into Mexico by establishing a fort that was strategically located across the fortified Mexican Town of Matamoros and on Espiritu Santo land claimed by Juan's mother María. This United States Army fort, Fort Texas, was protected by hastily constructed earthworks defended by two formidable field batteries and reinforced by an infantry detachment commanded by Major Brown (1789-1846).<sup>47</sup> On May 3, 1846, Mexican Army General Arista (1802-1855) began besieging and heavily bombarding Fort Texas from his military base across the Río Bravo in Matamoros. In response, General Taylor marched his army to relieve this besieged U.S. Army fort and, on May 8, 1846, the first major battle of the Mexican-American War began just five miles to the north of the modern-day city of Brownsville, Texas, the battle of Palo Alto. Juan served as a proud *Soldado Mexicano* (Mexican soldier) under General Arista's command and first faced the United States Army at the battle of Palo Alto to protect his family estate.<sup>48</sup>

Moreover, both armies fought ferociously at the Battle of Palo Alto, with the United States Army's infantry repulsing two bloody cavalry charges from the Mexican Army. General Arista's Mexican forces eventually failed to overwhelm the U.S. Army, which was protected by effective artillery fire, so General Taylor emerged victorious. However, General Arista was miraculously able to prevent a rout of the Mexican Army and immediately prepared his forces for a second battle. On May 9, 1846, General Taylor and General Arista's soldiers met once more at the Battle of Resaca de la Palma and, although the Mexican Army continued to fight ferociously, they were ultimately defeated for a second time.<sup>49</sup> This second defeat forced General Arista to lift Fort Texas' siege and abandon the area. These two consecutive losses by

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<sup>46</sup> "Juan Cortina," *Daily International Ocean*, June 22, 1875, accessed April 19, 2021, AHN.

<sup>47</sup> "Fort Brown," *The Brownsville Herald*, March 28, 1933, accessed April 18, 2021, AHN.

<sup>48</sup> "Juan Cortina More Daring Bandit than Francisco Villa," *Sierra County Advocate*, April 21, 1916, accessed April 20, 2021, AHN.

<sup>49</sup> Fort Texas is also named "Fort Taylor" by some primary sources. Lieutenant Braxton Bragg, future Confederate Army General, was in charge of a field artillery battery at Fort Texas. Fort Texas was renamed after the battle of Resaca de la Palma in honor of Major Brown who was killed during the siege and the Town of Brownsville grew out of Fort Brown.

the Mexican Army had a profound effect on Juan's life because he was militarily defeated on land colonized by his great-great-grandfather. Juan must have felt hopeless as he witnessed the U.S. Army reinforcing Fort Texas and taking strategic control of the area surrounding his family's estate.

The battles of Palo Alto and Resaca de la Palma transformed Juan into an efficient combat leader who was well-respected by his friends and equally feared by his enemies. Juan was exposed to the U.S. Army's modern infantry tactics for the first time at the battle of Palo Alto, even witnessing the United States Army's artillery fire's effectiveness firsthand. General Arista's ability to regroup his defeated army after being defeated at the battle of Palo Alto, then immediately prepare his forces for a second battle demonstrated to Juan the importance for a commander facing defeat to remain calm, to avoid a more deadly rout. From this experience Juan must have learned that a composed combat leader will identify opportunities for victory when an unnerved infantry commander solely sees defeat. These Mexican-American War killing fields also likely desensitized Juan to violence because he witnessed soldiers in both armies drunk with patriotism and slaughtering each other mercilessly.

On February 2, 1848, the Mexican government surrendered to the U.S. Army by signing the treaty of Guadalupe Hidalgo and yielding half of their territory, permanently transforming Juan's community. The victorious United States government almost immediately began erasing Mexico's legacy from Texas by renaming the "Río Bravo" as the "Rio Grande". The Mexican citizens who suddenly found themselves living on U.S. soil after the treaty of Guadalupe Hidalgo's ratification were given two options: emigrate south of the new national boundary, the Rio Grande, or remain in Texas and automatically receive U.S. citizenship.<sup>50</sup> Juan's family refused to be coerced into selling their family estate to the government and remained in Texas, automatically receiving U.S. citizenship. Over the next few years, Juan's community profoundly transformed as Anglo-Americans began pouring into Texas seeking upward socioeconomic mobility. In this period, Juan stopped being able to depend on the Mexican government for protection and was forced to turn to social banditry. The Mexican-American War was one of the most significant life experiences that led Juan to adopt social banditry, and the following section will investigate Juan's resistance to U.S. imperial expansion.

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<sup>50</sup> Article VIII of the treaty of Guadalupe Hidalgo guaranteed the property rights of Mexican citizens, see; accessed April 17, 2021, <https://www.docsteach.org/documents/document/guadalupe-hidalgo-original>.

### Juan Cortina's Interaction with Settler Colonialism



Figure 8. 1865 picture of Juan Cortina<sup>51</sup>

Over the next few years, Anglo-American settlers in Texas socioeconomically displaced some of the Mexican families from Juan's community. Simultaneously, the Mexican families who chose to remain living north of the Rio Grande following the treaty of Guadalupe Hidalgo formed a new American subculture, Tejanos. This chapter analyzes the immediate socioeconomic effects of U.S. imperialism's spread into Texas to investigate why Juan turned to social banditry as an expression of this identity as a Mexican whose land was annexed by the U.S. empire. Although we do not possess sources giving us a direct window into Juan's psyche, we can discern how U.S. imperialism impacted him through the *dicho* (saying) of his close friend, Carlos Esparza.

Carlos Esparza (1828-1885) was a scholar and Mexican soldier who fought alongside Juan in two bloody Mexican-American War battles, Palo Alto, and Resaca de la Palma. Carlos continued his close friendship with Juan after the war by becoming an officer in a Tejano militia commanded by Juan, the Cortinistas. Carlos's son Antonio Esparza credits this *dicho* to his

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<sup>51</sup> This image remains unaltered. Juan Cortina (DeGolyer Library, Southern Methodist University).

father, which is the only primary source accurately capturing what Juan must have felt as a defeated Mexican soldier powerlessly witnessing the U.S. empire subjugating his Hispanic community:

I feel empty, and robbed, sorrowful, and deceived, I must raise my head, chest out, sturdy face, and not feel betrayed. I must have hope, have courage, have honor, nor let tragedy conquer me. I must fight and under Cheno (Juan) strike. Not weak, but struggle, and give battle to the enemy, must be me. To protect, to protest, shall it be. I weep for, pray, and fight for, my blood. My soul, my people. United we will survive, divided we will die. This scourge, this land of ours, drenched with blood and sweat. My people's agony, my anxiety, are all from the enemy. Must these continue, must these endure? Why must races, clash, crush, caravan, and congregate in grudge? Slavery must end toward the Negro, injustice toward my people, and inhumanity within the Gringo. I cannot continue, I will not be ignored, or be inhuman toward my sensitive noble people...<sup>52</sup>

Carlos' sentiment of being "robbed" reflects how the Guadalupe Hidalgo treaty left Juan feeling because U.S. imperialism nearly erased his great-great-grandfather Captain Blas' legacy.<sup>53</sup> As mentioned earlier, Captain Blas is considered a significant Mexican historical figure for his role in Texas' colonization. However, after the treaty of Guadalupe Hidalgo, Captain Blas' impact on Mexican history dwindled because Hispanics lost control of Texas. Juan likely felt robbed of his identity because American imperialism was erasing his family's legacy from Texas. Carlos' declaration at the beginning of this *dicho* to "have hope, have courage, and have honor" mirrors the tough lessons that Juan learned from his grueling experience as a Mexican soldier in the battles of Palo Alto and Resaca de la Palma.<sup>54</sup> Juan and Carlos learned the importance of remaining hopeful, courageous, and honorable by observing General Arista prepare the Mexican Army for a second offensive after their horrific defeat at the battle of Palo

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<sup>52</sup> In many present day Latin American societies, the word *Gringo* is used to denote non-Spanish speaking foreigners and commonly used in reference to North Americans. In North American societies, the word is commonly viewed as derogatory. According to the Merriam Webster's dictionary, the word gringo was first recorded in 1849, roughly a year after Mexico's defeat in the Mexican American War. The Spanish word *gringo* derives from the Spanish word *griego*, which would have been used to indicate a Greek person or a stranger. In Ancient Rome the word for foreigner was "Greek," which would have been translated to *Graecus* in Latin. In the context of Juan Cortina's 1859 raid on the City of Brownsville, his followers would surely been reflecting that they viewed the Anglos in Texas as foreigners when they referred to them as "gringos;" "I Must Fight," in Carlos, Larralde, *The Mexican American Movements and Leaders*, (Los Alamos, NM: Hwong Publishing, 1976), 35. This poem is credited to *Cortinista* officer Carlos Esparza and was preserved by his son, Antonio Esparza.

<sup>53</sup> Ibid.

<sup>54</sup> Ibid.



Alto.<sup>55</sup> This second offensive by General Arista likely slowed the U.S. Army's advance by allowing Mexican soldiers south of Matamoros additional time to organize defensive positions.

Moreover, Carlos' claim of feeling "sorrowful" at the beginning of this *dicho* reflects the hopelessness that Juan must have felt while witnessing the encroachment of his mother María's civil rights.<sup>56</sup> Juan's mother María was one of the Mexican citizens who chose to remain living north of the Rio Grande after the treaty of Guadalupe Hidalgo, gaining U.S. citizenship. However, the U.S. government failed to protect María's property rights, so she lost much of her wealth to Anglo-American settlers who fraudulently obtained the title to a portion of her estate.<sup>57</sup> Juan felt "deceived" by the Guadalupe Hidalgo treaty because the U.S. was claiming sovereignty of land that he would have only known as Mexican territory throughout his life.<sup>58</sup> In particular, the land around his family's estate was predominantly populated by Tejanos and maintained a social environment that was heavily influenced by Mexican culture. Therefore, Juan defiantly refused to acknowledge the treaty of Guadalupe Hidalgo and viewed this land north of the Rio Grande as unquestionably sovereign Mexican territory.

The second part of this *dicho* reflects the sentiments which led defeated Mexican soldiers like Juan and Carlos to embrace social banditry. Juan viewed himself as enthusiastically weeping, praying, and fighting for his nation in the Mexican-American War. Yet, the Mexican government was unwilling to reject the treaty of Guadalupe Hidalgo's harsh terms to protect their citizens from U.S. imperialism, despite the intense patriotic enthusiasm from Mexican soldiers like Juan who wanted to continue fighting to protect their nation. Juan ignored the United States' laws because he was undaunted by the U.S. military's tactical capabilities and sought to defy U.S. imperial expansion by any means at his disposal.

Subsequently, the second part of Carlos' *dicho* mirrors Juan's desire to "unite" Mexicans in opposition to American imperialism.<sup>59</sup> Although Juan moved to Matamoros, Mexico on the opposite side of Brownsville's immediately after the Mexican-American War's conclusion in 1848, he embodied Carlos' desire to "unite" Mexicans by remaining influential among Tejanos, even participating in multiple Brownsville town elections as a community organizer and forming

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<sup>55</sup> Ibid.

<sup>56</sup> Ibid.

<sup>57</sup> Ibid.

<sup>58</sup> Ibid.

<sup>59</sup> Ibid.

Tejanos into a militia, the Cortinistas.<sup>60</sup> Over the next eleven years after the Mexican-American War, Juan witnessed what little socioeconomic influence Mexico maintained north of the Rio Grande evaporating as many of the remaining Mexican families assimilated into American society by embracing the Tejano identity.

### **Juan Accepts Social Banditry**

July 13, 1858 is the date that Juan rejected what he viewed as a corrupt Texas judicial system by turning to social banditry. On this date, Juan was visiting the town of Brownsville when he encountered the town marshal and former Texas Ranger Robert Shears violently detaining an elderly Mexican-American man.<sup>61</sup> This elderly Mexican-American man was Juan's acquaintance, having worked as one of Juan's mother María's ranch hands years earlier.<sup>62</sup> Marshal Shears was attempting to arrest María's former ranch hand for allegedly abusing a well-known forty-six-year-old French immigrant who ran a popular Brownsville store selling coffee and alcoholic beverages.<sup>63</sup> Any compassionate person witnessing Marshal Shears pistol-whipping María's former ranch hand would have likely been shocked by the brutality. Juan must have felt obligated to shield María's former ranch hand from his attacker because they belonged to the same Tejano social circle.

Under the U.S. judicial system, Juan's intervention to prevent his acquaintances' arrest constituted a crime. Of course, Juan viewed himself as morally justified breaking a law to protect a member of his community. This violent encounter was also occurring on land formerly belonging to Juan's family for generations. In this moment, Juan likely connected Marshal Shears attempting to violently detain María's former ranch hand with U.S. imperialism. At the same time, the elderly Tejano man being pistol-whipped was powerless and unable to turn to the antebellum-era Texas government for help because the government was openly racist, upheld chattel slavery, and had displayed their unwilling to protect Tejano civil rights on various occasions.

So, on July 13, 1858, Juan turned to social banditry to protect his community from U.S. imperialism. The bloody battles of Resaca de la Palma and Palo Alto had desensitized soldiers

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<sup>60</sup> Ibid.

<sup>61</sup> Ibid.

<sup>62</sup> Ibid.

<sup>63</sup> Jerry Thompson, *Cortina*, 7.

on both sides of the war to using violence for self-defense. Perhaps Juan's experience with the brutality of the Mexican-American War led him to instinctively attack Marshal Shears to protect this elderly Tejano from being beaten. Upon stumbling into Marshal Shears pistol-whipping María's former ranch hand Juan might have felt left with few options for protection and likely turned to social banditry out of desperation.<sup>64</sup> Marshal Shears would later claim that Juan shot at his back but missed. However, and more importantly, Juan was able to wound Marshal Shears severely enough to allow María's former ranch hand adequate time to escape.<sup>65</sup> After this incident, Juan fled to the Mexican side of the Río Grande River to evade U.S. law enforcement. He would spend the next year in Matamoros training and equipping the Cortinistas to retake Mexico's former territory north of the Rio Grande.<sup>66</sup>

### The First Cortina Proclamation

On October 26, 1859, nearly a year later, Juan returned to the U.S. side of the Rio Grande River and handed the first Cortina proclamation to a Brownsville merchant before raiding the town. Juan opened the first Cortina proclamation with a plea for peace, but his sincerity is questionable.<sup>67</sup> Juan explained that he "[did] not wish to fight against the town because of the many persons who [we]re faultless."<sup>68</sup> However, in the middle of this letter, Juan threatened the town by boasting to possess "sufficient artillery to batter down the houses [around Brownville]."<sup>69</sup> Juan exaggerated his military capabilities because the Cortinistas lacked adequate artillery for a long-term siege and were thus a limited threat.<sup>70</sup> Juan's ultimatum to destroy Brownsville if his terms were unmet was, therefore, a bluff intended to pressure the town into surrendering people that he sought to kill because he ended it by demanding, "...Mr.

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<sup>64</sup> For more information on this Shears incident see; "From the Rio Grande the Bandit Cortina," *The Constitution*, October 31, 1860 AHN.

<sup>65</sup> Jerry Thompson, *Cortina*, 37.

<sup>66</sup> *Ibid.*

<sup>67</sup> Juan Cortina, "Letter from Cortinas," *New York Daily Tribune*, October 26, 1859, accessed November 22, 2020, AHN.

<sup>68</sup> *Ibid.*

<sup>69</sup> *Ibid.*

<sup>70</sup> Major Heintzelman to Col. Lee, U.S. 36<sup>th</sup> Congress. Major Heintzelman's report concludes that the *Cortinistas* only had two artillery pieces in questionable working order and faced a fortified town with over 2,000 inhabitants, suggesting that Juan posed a limited threat.

Adolphe, Glavecke, [and] the squinting sheriff.”<sup>71</sup> This battle's symbolism is profound because Juan was militarily occupying a town that grew out of land that Judge Watrous had fraudulently acquired from his mother María, Brownsville. Additionally, this was not Juan's first battle on this land because he had fought two nearby Mexican-American War battles for strategic control of the area around Brownsville, the battles of Palo Alto and Resaca de la Palma.<sup>72</sup>

## The Second Cortina Proclamation

On November 23, 1859, Juan published a second proclamation describing his relationship with the Brownsville townspeople. Juan begins this proclamation by rejecting the Tejano ethnicity and referring to the people in Brownsville as “the Mexican inhabitants of Texas,” indicating that he viewed himself as Mexican.<sup>73</sup> Juan then appears to present a rebuttal to newspaper sources like the *Brownsville Flag* that had pejoratively accused his militia the Cortinistas of being bandits.<sup>74</sup> He retorted that, in this case, the word bandit described someone who “with complete abnegation dedicate[d] himself to labor seriously for the happiness of those who, under the weight of misfortune, eat their bread soaked in tears on the soil which they tread,” suggesting that he viewed himself as protecting impoverished Mexicans.<sup>75</sup> Then, Juan accused his critics of being “faithless people without the courage to face the dangers of an enterprise that [went] in sisterhood with the love of liberty.”<sup>76</sup> The first half of this second Cortina proclamation suggests that Juan continued viewing the land annexed by the United States after the Mexican-American War including Texas as Mexican territory. It also implies that he

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<sup>71</sup> Cortina, “Letter from Cortinas.” An arrest warrant was issued for Juan after he shot Sheriff Shears and the people that he demanded had either provided testimony for the warrant or volunteered to be a part of the arresting party. For more information, see Major Heintzelman to Colonel Lee, in John B. Floyd, *Troubles on the Texas Frontier*, 3.

<sup>72</sup> The earliest surviving account of Juan Cortina is a *Brownsville Flag* newspaper article published concurrently with the first Cortina proclamation, which suggests that he was an unknown figure before his Brownsville raid. This newspaper article charges Juan with leading a group of “banditti” robbing people and burning homes indiscriminately. “Expeditions Against the Outlaws: Defeat of the Americans,” *Brownsville Flag*, October 29, accessed November 22, 2020, AHN.

<sup>73</sup> Cortina, Juan, “Proclamation of Cortinas to the Mexican of Texas,” *New York Herald*, December 27, 1859, accessed November 22, 2020, AHN.

<sup>74</sup> Ibid.

<sup>75</sup> Ibid.

<sup>76</sup> Ibid.

considered himself defending poverty-stricken Mexicans from greedy Anglo-Americans, like a Mexican Robin Hood.<sup>77</sup>

The latter half of the second Cortina proclamation indicates that racial tension between Anglo-American settlers and Tejanos led to the Cortina Troubles. In it, Juan contends that the Cortinistas sought to counter the socioeconomic change that followed the United States' annexation of Texas.<sup>78</sup> He accused Anglo-Americans replacing Tejanos socioeconomically of being "bands of vampires, in the form of men, [that] came to spread themselves through the towns, without any other capital than a corrupted heart."<sup>79</sup> This segment of his letter also refers to the two lawsuits previously discussed in this article in which Juan's mother María fought Judge Watrous and William G. Hale to uphold her property rights, in vain.<sup>80</sup> Juan ends this letter by warning Tejanos not to surrender their "[land] titles" to Anglo-Americans because their property would be usurped "under frivolous conditions."<sup>81</sup> The second half of the second Cortina proclamation demonstrates that Juan aimed to prevent Anglo-Americans from exploiting Mexicans like his mother María was exploited by Judge Watrous, Charles Stillman, and the law firm Allen and Hale.

### Major Heintzelman's Testimony

One of the essential testimonies discussing Juan's Brownsville raid is from Major Heintzelman, who reported directly to Col. Lee and would later command Col. Lee's failed expedition into Mexico to capture Juan. On March 01, 1860, and in a letter to Col. Lee, Major Heintzelman referred to Juan as "the leader of the banditti who have for the last five months

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<sup>77</sup> For background on the socioeconomic effects of the Mexican-American War on Tejanos, see Arnoldo de Leon, *They Called Them Greasers: Anglo Attitudes Toward Mexicans in Texas 1821- 1900* (Austin, TX: University of Texas Press, 1993); Peter Guardino, *The Dead March: A History of The Mexican-American War* (Cambridge, MA: Harvard University Press, 2007); Armando Alonzo, *Tejano Legacy: Rancheros and Settlers in South Texas 1734- 1900* (Albuquerque, NM: University of New Mexico Press, 1998).

<sup>78</sup> Ibid.

<sup>79</sup> Ibid.

<sup>80</sup> *Case of Judge John C. Watrous*, 35<sup>th</sup> Cong., 1<sup>st</sup> sess., (Washington D.C., June 02, 1858): 2, accessed November 22, 2020, U.S. Congressional Serial Set. Judge John C. Watrous was impeached for defrauding land-owning Tejanos and Juan's mother, María, was one of the individuals who provided testimony for the impeachment.

<sup>81</sup> Cortina, "Proclamation."

been in arms on the Lower Rio Grande, murdering, robbing, and burning.”<sup>82</sup> However, Major Heintzelman later contradicts this initial accusation by admitting that the Cortinistas “did not make any attempt to plunder or rob,” likewise suggesting that Juan was not motivated by monetary gain.<sup>83</sup> He ended this letter by implying that racial tension between Americans and Mexicans led to the formation of the Cortinistas. Major Heintzelman also accused Juan of being supported by “the hatred of Americans on the frontier, amongst all classes of Mexicans, [which] brought him men and means.”<sup>84</sup> This letter demonstrates that Juan formed the Cortinistas by uniting poverty-stricken Mexicans who viewed him as their Hispanic community’s leader. This letter also establishes that Juan attacked Brownsville to occupy a portion of the land that he viewed as being unlawfully annexed by the United States after the Mexican-American War.<sup>85</sup>

Juan attacked the town of Brownsville to rectify the injustices that his Mexican community north of the Rio Grande River experienced at the hands of American imperialism. Juan turned to social banditry and held Brownsville hostage because he was raised in a frontier Mexican community that functioned nearly autonomously for generations, which likely led him to view the United States’ control of Texas as illegitimate. Although Juan was mischaracterized as a bandit by his contemporary newspapers, the Cortinistas represented a Mexican-American revolutionary movement.

## Historiography

The earliest surviving account of Juan Cortina is a *Brownsville Flag* newspaper article published concurrently with the first Cortina proclamation, which suggests that he was an unknown figure before his Brownsville raid.<sup>86</sup> It charged Juan with leading a group of “banditti” robbing people and burning homes indiscriminately.<sup>87</sup> This article suggests that “bandit” was a derogatory term in Antebellum-era Texas because the *Brownsville Flag* only used it

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<sup>82</sup> Major Heintzelman to Colonel Lee, in John B. Floyd, *Troubles on the Texas Frontier*, 2.

<sup>83</sup> *Ibid.*

<sup>84</sup> *Ibid.*, 4.

<sup>85</sup> The Cortinistas abandoned their siege of Brownsville after being persuaded to avoid further bloodshed by leaving the town. However, Juan’s occupation of Brownsville grabbed headlines across the United States, to include newspapers in New York City.

<sup>86</sup> “Expeditions Against the Outlaws: Defeat of the Americans,” *Brownsville Flag*, October 29, accessed November 22, 2020, AHN.

<sup>87</sup> *Ibid.*

disparagingly. Three days later, the *Brownsville Flag* attempted to reinforce Juan's image as an outlaw by interviewing one of his alleged victims, Deputy Sheriff Francis Campbell, who recounted being kidnapped and robbed.<sup>88</sup> On November 7, the *New Orleans Picayune* newspaper reported Juan's activities but refrained from calling him a bandit. Nonetheless, this *New Orleans Picayune* article indicates a consensus among newspaper sources mischaracterizing Juan as seeking monetary gain because it accuses him of breaking into ranches and demanding "money and arms, under penalty of death" similarly to the *Brownsville Flag* article previously mentioned.<sup>89</sup>

The first scholarly account of Juan perpetuated the judgment of the October 26, 1859, *Brownsville Flag* article by similarly labelling Juan a bandit. In *Vaquero of the Brush Country* (1929), folklorist J. Frank Dobie concedes that the violation of Tejano property rights led to the Cortina Troubles. Dobie also speculates that the racial tension between Anglo-Americans and Tejanos in Texas was caused by "shrewd spectators scheming to get possession of the lands owned by Mexicans."<sup>90</sup> Although this analysis begins by acknowledging the systemic infringement of Tejano property rights by Anglo-American settlers, Dobie ultimately judges Juan's actions as criminal. Dobie even paints Juan as the archetype Mexican outlaw: "the most striking, the most powerful, the most insolent, and the most daring as well as the most elusive Mexican bandit."<sup>91</sup>

In the mid-twentieth century, historians began analyzing Juan's ambiguous relationship with the Union Army while still categorizing him as a bandit. A series of conflicting reports surrounding Juan's military enlistment and a general lack of documentation on the Trans-Mississippi Theater of the American Civil War originally made his role unclear.<sup>92</sup> As a result, his criminal reputation from the Cortina Troubles eclipsed his service to the Union Army. In a chapter unironically titled "Swarms of Pests" in *Texas C.S.A.: A Spotlight on Disaster* (1947),

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<sup>88</sup> Ibid.

<sup>89</sup> "State of Things at Brownsville," November 07, *New Orleans Picayune* (in *Brownsville Flag*, October 29, 1859), accessed November 22, 2020, AHN.

<sup>90</sup> John D. Young and J. Frank Dobie, *A Vaquero of the Brush Country* (Austin, TX: University of Texas Press, 1929), 49.

<sup>91</sup> Ibid.

<sup>92</sup> "[The Cortinistas] drove [Confederate commander] Giddings from Brownsville and captured military stores valued at one million dollars... The next day Cortina surprised even his own men. He ordered the stars and stripes [American flag] to be hoisted over Brownsville and informed [Union Army] Col. Day that the federal troops could occupy Brownsville at any time. "Juan Cortina More Daring Bandit Than Francisco Villa," *Sierra County Advocate*, April 21, 1916, Accessed November 22, 2020, AHN. *Advocate*, April 21, 1916, Accessed November 22, 2020, AHN.

historian James A. Farber acknowledges eyewitness accounts confirming Juan's commission in the Union Army.<sup>93</sup> However, Farber dismissively asserts, "this may have made Cortina a Union Soldier, but the Texans didn't think so. To them, Cortina was a bandit."<sup>94</sup> After more than one hundred years, Juan was still mischaracterized by scholars as a bandit.

In 1969, historian Eric J. Hobsbawm introduced social bandit theory into the field of history, a theoretical approach arguing that an individual's actions may be simultaneously viewed as criminal by the state and heroic within their community.<sup>95</sup> Hobsbawm wrote amid the 1960s Chicano literary renaissance, which led to an increase in research examining Mexican-American historical figures, including Juan Cortina.<sup>96</sup> Pedro Castillo and Albert Camarillo's *Furia y Muerte: Los Bandidos Chicanos* (1973) combined these two research trends.<sup>97</sup> In this short story, Castillo and Camarillo employed bandit theory to analyze a futile lawsuit Juan and his mother initiated to protect the family's estate from Anglo-American settlers. They argued that Juan was viewed as a violent bandit by Anglo-Americans and a hero by Chicanos, simultaneously. Nearly thirty years later, Matt Meir's *The Encyclopedia of the Mexican American Civil Rights Movement* (2000) followed Castillo and Camarillo's lead by categorizing Juan as a civil rights leader.<sup>98</sup> Meir concluded that the Cortina Troubles began because Anglo-American settlers swindled Juan's family for their estate, agreeing with Castillo and Camarillo's assessment.<sup>99</sup>

Historian Jerry Thompson's *Cortina: Defending the Mexican Name in Texas* (2007) is the most comprehensive examination of Juan Cortina.<sup>100</sup> In part, this is due to Thompson's

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<sup>93</sup> James Farber, "Swarms of pests," in *Texas C.S.A.: A Spotlight on Disaster* (Jackson, MI: Jackson Publishing, 1947), 209.

<sup>94</sup> Ibid.

<sup>95</sup> Hobsbawm, *Bandits*, 63.

<sup>96</sup> "The Chicano literary renaissance, a flowering of all forms of literature by Mexican Americans throughout the Southwest, started in 1965 with the Teatro Campesino (Farmworkers Theater) in California." Palomo Acosta, "Chicano Literary Renaissance," Texas State Historical Association, accessed November 22, 2020, <https://www.tshaonline.org/handbook/entries/chicano-literary-renaissance>.

<sup>97</sup> Albert Castillo and Pedro Camarillo, *Furia Y muerte: Los gandidos Chicanos* (Los Angeles, CA: University of California Press, 1973).

<sup>98</sup> Matt S. Meir and Margo Gutiérrez, *Encyclopedia of the Mexican American Civil Rights Movement* (Westport, CT: Greenwood Press, 2000), 66.

<sup>99</sup> Ibid.

<sup>100</sup> Jerry D. Thompson, *Cortina: Defending the Mexican Name in Texas* (College Station, TX: Texas Western Press, 2004). I am especially grateful to Dr. Thompson for his crucial assistance in the archival research portion of this project.



meticulous research, including archives in both Mexico City and Washington D.C., along with previously unexamined newspaper articles. Like the authors Castillo, Camarillo, and Meir, Thompson describes Juan as a social bandit. He even compares Juan to well-known Mexican-American civil rights leaders José Tomás Canales and Nicasio Idar.<sup>101</sup> Thompson's contribution to Juan's historiography is the argument that Juan was an atypical civil rights leader seeking to create an entirely new socioeconomic system.<sup>102</sup> While this is a helpful correction to the historiography, this article builds on Thompson's work by incorporating Juan's rejection of the Treaty of Guadalupe Hidalgo, arguing contra Thompson that Juan considered himself, first and foremost, a Mexican.

## Reflection and Conclusion

I first encountered a written reference to Juan while analyzing primary source newspapers from an American Civil War-era archival collection. In this archive, I rediscovered a letter written on April 30, 1864, from then president of the United States Abraham Lincoln (1809-1865) to the commander of the Union Army Lt. General Ulysses S. Grant (1822-1885). In this letter, President Lincoln was writing General Grant to discuss the logistics behind the battle-hardened Union Army's resupply. General Grant was preparing the Union Army for their upcoming spring offensive into the heart of the Confederacy, Virginia.<sup>103</sup> The similarities between President Lincoln and General Grant's experiences preparing for a spring offensive into Virginia and my deployment to Afghanistan over a decade and a half later surprised me. On this deployment, I was attached to a Czech Army Commando company patrolling a main Taliban supply route through the Hindu Kush mountain range. These combat patrols were generally aimed at preventing the Taliban from adequately equipping themselves for their 2016 spring campaign into the heart of Afghanistan, Kabul. I warmly recalled the sun's rays glistening off the snow-covered Hindu Kush Mountain range in the winter and the red opium fields brightly contrasting the clay surrounding Jalalabad in the spring.

Juan Cortina's life story was compelling to me because we have multiple parallel lived experiences. Before immigrating into the United States, my parents Concepcion and María lived in Parral, Chihuahua, Mexican land that was colonized by Juan's Spanish ancestor Blas María de la

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<sup>101</sup> Ibid., 251.

<sup>102</sup> Ibid.

<sup>103</sup> Abraham Lincoln to Ulysses S. Grant, April 30, 1864, Lincoln Collection. University of Chicago, Chicago, IL.

Garza Falcón Teviño (1591-1669). My maternal family entered the United States by taking a similar path into Texas as another one of Juan's ancestors, Captain Blas María de la Garza Falcón Villareal (1712-1767). Our mothers also share the same first name, María. However, a stark difference between our Hispanic families is that my family crossed the United States border, while the United States border crossed Juan's family.

I became bewildered when I linked my lived experience as a Chicano U.S. soldier with my independent research project because I was unable to recall the name of a single Hispanic soldier who served in the Union or Confederate armies. Yet, I know that Mexican-Americans have a rich history serving in the United States military that is exemplified by the career of Vietnam War Medal of Honor recipient Master Sergeant Raul Perez "Roy" Benavidez (1935-1998). My hunt for this allusive record of a Mexican-American soldier serving in the Union or Confederate Army led me to search thematically diverse works discussing the American Civil War, the origins of the Tejano American subculture, Juan Cortina's participation in the American Civil War, then finally this project drastically transformed when I encountered Eric Hobsbawm's *Bandits*. In particular, Hobsbawm's bandit theory led me to focus on the antebellum era while viewing Juan as a Robin Hood type figure who ignored U.S. laws to steal from the rich and give to the poor.

In conclusion, this project expands on Jerry Thompson and Charles William Goldfinch's research into the Cortina wars, while focusing on the socioeconomic and cultural factors which led Juan to hold a strategically important U.S. frontier town hostage. This project also questions how his antebellum newspapers portrayed Juan's actions. Above all, this article attempts to restore Juan's humanity by referring to him by his first name and rejecting both the bandit and Tejano labels imposed upon Juan, to instead depict Juan as he viewed himself: a Mexican. Ultimately, this story complicates our picture of identity in the southwestern borderlands, and within Tejano society more specifically by demonstrating that race is socially constructed. This article differs from prior scholarly work on Juan's life by resituating his identity as part of a broader debate over the nature of citizenship, sovereignty, and culture in the U.S. southwestern borderland.

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