

10-1-1978

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### Recommended Citation

Ellis, Richard N.. "Hispanic Americans and Indians in New Mexico State Politics." *New Mexico Historical Review* 53, 4 (2021). <https://digitalrepository.unm.edu/nmhr/vol53/iss4/8>

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## HISPANIC AMERICANS AND INDIANS IN NEW MEXICO STATE POLITICS

RICHARD N. ELLIS

THERE are several generalities that can be made about the participation of minority groups in New Mexico politics. One is that the election or appointment of citizens with Hispanic surnames to positions in territorial and state government has not always equaled their percentage of the population. A second is that from the time of the American conquest in 1846 to the present, Hispanic Americans have been more active in New Mexico politics than they have in surrounding states such as Texas, Colorado, and Arizona. A third is that in certain areas Hispanic Americans have dominated local and county government, while in other areas they have been largely excluded from political office. Finally, American Indians are in a far different category and have not been a major factor in New Mexico politics.

Following the American conquest, Hispanic Americans quickly moved into the political system at all levels and since that time traditionally have been active in all major political parties. For example, in the territorial period Hispanic Americans dominated both branches of the legislature, the council and house, until the 1880s. Through the 1882 session they contributed 88% of council membership, and in some sessions that number reached 100%. In the house their membership ranged from a low of 78% to a high of 96%. During the territorial period, most speakers of the house and presidents of the council were Hispanos.<sup>1</sup>

A change was noticeable in the 1884 session where there was a small Anglo increase in the council and a larger increase in the house. By the 1886 session Hispanic membership in the council dropped to 42%, although it was not until the 1897 session that a

pattern of Anglo dominance emerged. However, Hispanic membership never dropped below 25% for the remainder of the territorial period. A similar pattern developed in house membership. A decline in Hispanic membership also occurred in the house with a dramatic decrease in the 1884 session, although it was not until the 1907 session that Hispanic membership dropped to below 50%.

Hispanic membership in the state senate was more than 20% until the 1937 session when it declined to 8%, rising to 29% in the 1941 session, and dropping to about 17% in the 1945 session. From 1953 through 1965 the percentage remained constant at about 19%, and from 1967 through 1975 the average was about 23%. In the house Hispanic membership remained higher than 40% until the 1937 session, fluctuated from about 23% to 41% during the 1940s, and averaged about 23% from 1951 to 1975.

In addition, Antonio M. Fernández served in the United States House of Representatives from 1943 to 1956; Joseph Montoya followed him from 1956 to 1964, and Manuel Lujan, Jr., has served in that body since 1968. Members of the United States Senate have been Dennis Chavez (1935-1962) and Joseph Montoya (1964-1976).

If Hispanic Americans participated actively in the political system from the time of American conquest, and if their political record is in dramatic contrast to surrounding states, such was not the case for Native Americans. New Mexico's Indian people were excluded from the political system until the 1940s.

It is not surprising perhaps that those designated by American officials in the 1850s as the "wild tribes"—Apaches, Navajos, and others—were not permitted to vote or hold political office; but Pueblo people, who were repeatedly described as peaceful, law abiding, and hard working, were treated in an unusual manner in which they were denied both the rights of citizens and the protection of federal law that was available to other Native Americans. In 1854 the territory denied suffrage to Pueblo Indians, and in the same year the United States House of Representatives ruled in a disputed election that Pueblo people were not citizens and could not vote.

New Mexicans also managed to exclude Pueblo people from federal protection. In 1851 the Congress acted to extend the Indian

Trade and Intercourse Act to the regions acquired from Mexico. The act defined Indian country and, among other things, prohibited the sale of alcohol to Indians and prevented individuals from purchasing Indian lands. Only the federal government could purchase land from Indians, and encroachment on Indian lands, even by individual purchase, was illegal. In the 1860s the United States District Court and the territorial Supreme Court ruled that Pueblos were excluded from the 1851 extension of the trade act, and in 1876 the United States Supreme Court, following territorial arguments, upheld a similar territorial court decision in *United States v. Joseph*.<sup>2</sup> What this meant in practice was that Pueblo people were denied suffrage because they were Indians and that they were also denied protection that the federal government provided other Indian people.

It was not until 1913 that the status of Pueblo people was clarified. In 1910 the Enabling Act defined Pueblo people as Indians and their country as Indian country subject to federal protection. In 1913 the United States Supreme Court reversed the *Joseph* Case and upheld the provision of the Enabling Act in its decision in *United States v. Sandoval*.<sup>3</sup> Entry into the political system, however, came more slowly. Although the United States extended citizenship to Indian people in 1924, New Mexico, Arizona, and other states continued to deny them the vote. In fact, New Mexico and Arizona, two states with large percentages of Indian residents, were the last states to extend suffrage and full citizenship to Indian people. It was not until the 1940s that legal action gave the vote to Indian residents of New Mexico, and as a result, few Indians have been elected to the state legislature.

In comparison, statistical evidence conclusively shows the active role of Hispanic Americans in New Mexico politics. They were elected and appointed to office during the territorial period and frequently dominated the legislature; they were elected to the important office of territorial delegate; they were represented in the constitutional convention of 1910 with thirty-five of one hundred members; they have been highly visible in the legislature since statehood, and since 1912 Ezequiel C. de Baca, Octaviano A. Larrazolo, and Jerry Apodaca have occupied the governor's mansion; others have been elected lieutenant governor, secretary of state, state auditor, and to other offices. The active and signifi-

icant role of Hispanic Americans in the political system is one of the distinguishing characteristics of New Mexico. One would hope that this historic pattern will persist and that Native Americans will continue to seek and gain political power.

#### NOTES

1. Figures on Hispanic legislators come from the *New Mexico Blue Book*, legislative records, and material in the State Archives and Records Center.
2. *United States v. Joseph*, 94 U.S., 614.
3. *United States v. Sandoval*, 231 U.S., 39.