RESEARCH REPORTS AND NOTES

TEXAS LAND GRANTS AND CHICANO-MEXICAN RELATIONS: A Case Study*

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Some scholars have argued that because of cultural bonds, Chicano political leaders and Mexican government officials share interests and will join forces in a general alliance.[1] We challenge that position because we believe that it equates Chicano attachments to Mexican cultural values and Chicano concern for the plight of undocumented workers with a broad support and interest in Mexican issues (Zazueta 1980). Furthermore, it overstates the degree to which Chicanos and the Mexican government have been concerned about the problems faced by undocumented workers (Cross and Sandos 1981; de la Garza 1980, 1981). Finally, this argument does not distinguish between the Mexican people and the Mexican state and thus fails to acknowledge that the Mexican state regularly implements policies that adversely affect the interests of the majority of the Mexican people.[2]

Given the preeminent role of the state in Mexican politics, Chicano-Mexican relations must ultimately involve or be filtered through governmental actors. Because Mexican state interests regularly differ

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from the interests of the masses of the Mexican people—the group assumed to form a community with Chicanos—it follows that Mexican state interests and Chicano interests may also differ. It is therefore unreasonable to assume that Chicano-Mexican cultural bonds will provide a sufficient basis for the development of close political ties between Chicanos and the Mexican state.

Cultural bonds may facilitate political relationships, but specific linkages between Chicano and Mexican political actors will be strengthened or weakened according to the economic and political interests of the parties involved. Cultural affinities will be insufficient to prevent disagreement or to guarantee the achievement of mutually agreeable solutions to differences (de la Garza 1982).

The following sections will present a case study of one example of Chicano relations with the Mexican state. The issues manifested in this example illustrate the complexities inherent in any relationship that may develop between Chicanos and Mexican official actors. These issues also underscore the differences in impact of cultural factors versus political and economic factors in shaping the outcome of such relationships.

The Texas Land Grant Claims: Origins and Evolution

After their disastrous defeat and huge territorial losses in the U.S.–Mexican War, Mexican officials showed great concern for the well-being of those Mexican citizens who chose to remain in the lands annexed by the United States. In fact, Mexican negotiators attempted to include provisions in the Treaty of Guadalupe Hidalgo that would have specifically protected the land and religious rights of its former citizens (Weber 1973, 165–66). The U.S. Senate eliminated or altered these provisions in the final version of the treaty, however, although it mollified Mexican concerns somewhat by including a protocol explaining that the amended treaty did not abrogate the rights of Mexicans who chose to remain in the conquered territory (Weber 1973, 163).

Mexico's worst fears were soon realized nonetheless. As early as the 1850s, the Anglo establishment in Texas (and throughout the Southwest) relegated Mexican Americans to an inferior social position, disfranchised them, and began seizing their property (Acuna 1981; Weber 1973, 143–50). Despite Mexican concern for the rights of its former citizens, the Mexican government presented few, if any, claims for property losses suffered by Mexican Americans in violation of the Treaty of Guadalupe Hidalgo in the claims settlement of 1868. It must be remembered, however, that this treaty was negotiated within a year of Mexico's final victory over Maximilian, a time when the Mexican government probably had little time and few resources to investigate viola-

tions of the 1848 treaty. In Texas, Mexican Americans became a "classically colonized" people (Moore 1970). In 1873 Mexican officials responded to U.S. charges that Mexicans were responsible for increasing violence and crime along the Texas-Mexico border by sending a commission to the area to investigate these allegations. The commission not only refuted the reports but charged that Anglo Texans were continuing to use all means possible to deprive the Texas Mexicans of their remaining lands (Weber 1973, 182–87). But Mexican officials neither formally protested those actions nor initiated any other steps to have these lands returned to their former citizens.

By the turn of the century, Anglos had taken over the vast majority of lands originally owned by Mexican Americans in South Texas, and the victims had neither the political nor the legal resources to challenge these seizures successfully. Their attempts to defend themselves were to no avail (Weber 1973, 231–34). By 1900 the Mexican population of Texas was left with little more than a common heritage and a deep resentment of the Anglo Texas community (Paredes 1958; Foley et al. 1977). During the Mexican Revolution, Mexican officials drew on these sentiments to mobilize a small, but significant, segment of the Mexican population of South Texas in a short-lived independence movement in 1915–17. President Carranza used the revolt as leverage to gain U.S. recognition for his regime (Harris and Sadler 1978).

By the 1920s, then, the majority of the heirs of the original Spanish and Mexican grantees had lost their lands despite the guarantees of the Treaty of Guadalupe Hidalgo. Mexican officials had long known of these losses but made no representations to the U.S. government regarding their restitution. When Mexican officials finally questioned these losses as a subject for international negotiation, they did so within a context that was only tangentially related to the land question itself.

The Texas Land Grants in U.S.–Mexican Negotiations

When the civil wars accompanying the Mexican Revolution finally ended in 1920, the new government of General Alvaro Obregón sought recognition and loans from President Woodrow Wilson. Wilson demurred and in fact passed the problem on to his successor, Warren Harding. The new Republican administration, which was less friendly to Mexican revolutionary goals than Wilson, refused to recognize the Obregón government even after it had legitimized itself through constitutional elections. Harding and his advisers demanded treaty guarantees for such U.S.–owned property in Mexico as oil-bearing lands, farms and haciendas, Mexican bonds, and claims for damages and confiscations that had occurred during the civil wars. Politically, Obregón could not appear to capitulate to U.S. demands; instead, he prevailed

upon the Mexican Supreme Court to adopt the Doctrina de Actos Positivos (a substantial concession to petroleum interests) and reached a preliminary agreement with the bondholders' association. When he perceived that even these efforts did not produce the desired results, he suggested bilateral talks to cover the whole range of disputes between Mexico and the United States. The Harding administration, reluctant but pressured by domestic interests, finally agreed.

The talks, known as the Bucareli Conferences, were held in Mexico City from May to August 1923 and produced several formal and informal agreements. One of the former established a "general claims commission" that was empowered to settle all outstanding claims for damages by both parties since the last claims settlement in 1868. No claims for damages suffered prior to 1868 could be considered because all such obligations were either settled with the 1868 agreement or automatically declared void by both governments as a result of that settlement. (U.S. claims resulting from the civil wars of 1910–20 fell under the jurisdiction of a "special claims commission.") Representatives of Mexico and the United States signed the general claims convention on 8 September 1923. The commission consisted of three members, one each from the two principals and a third, neutral presiding member. The convention instructed the commission to complete its work within three years of its first meeting, permitted claims to be filed within one year of the first meeting (with six additional months for cause), and accepted all claims for damages at any time if suffered after the signing of the convention. The commission convened for the first time on 30 August 1924, with its mandate extended to 29 August 1927. Because it could not complete its work in the designated time, the term of the commission was extended twice, eventually to August 1931.[3]

By agreeing to the Bucareli Conferences, the Obregón administration resolved one problem but created another. U.S. recognition of the regime enabled President Obregón to consolidate his position within a still turbulent Mexico (Schmitt 1974, 164–65), but the establishment of a claims commission meant that Mexico faced the possibility of having to pay off huge debts to American claimants. The General Claims Commission received about 2800 U.S. claims against Mexico with a face value of almost $514 million (Feller 1935, 54).

To counter the U.S. claims, Mexico also presented 836 claims against the United States with a total face value of about $245 million. Given that Mexico had not presented these claims prior to the signing of the Bucareli Agreements, it seems reasonable to argue that Mexico presented these claims to offset somewhat the American claims. Of the Mexican claims, moreover, over half constituted claims for lands allegedly taken in violation of the Treaty of Guadalupe Hidalgo, and all but

one (a California claim) originated in Texas. These claims totalled $193 million.[4]

Mexican officials, familiar with the losses suffered by South Texas Chicanos, initiated a campaign in 1923 among the population of Mexican origin. These officials solicited claims for property losses and all types of injuries against U.S. citizens, which the Mexican government would present to the claims commission as Mexican claims. From 1923 to 1934, *La Prensa*, the principal Spanish-language newspaper of Texas, printed stories and announcements regarding the claims commission, its activities, eligibility requirements for filing claims, and other related details. The Mexican Consulate sponsored many of the solicitations for claims.

These articles and announcements were not entirely clear as to who was eligible to file claims with the Mexican Consulate. Sometimes the articles referred to "reclamaciones de ciudadanos de cualquiera de los dos países," while at other times, they indicated that claims could be made by "tales ciudadanos que tengan o hayan tenido algún interés," thus seemingly referring to the heirs of Mexican citizens.[5] In other articles, all "mexicanos" were asked to file claims for injustices suffered in the United States.[6] During these years, all residents of Mexican origin in the region, whatever their citizenship, were likely to have been identified as Mexicanos; therefore, such wording of solicitations clearly invited Chicanos to present their claims to Mexican officials, who would then present them as Mexican claims. In 1925 the Mexican Consulate indicated that it would file claims on behalf of all those whose lands had been "illegally confiscated" by the United States. The consulate also hired an American attorney to assist in soliciting and presenting these claims.[7]

The claims commission accomplished little between 1924 and 1931. Mexican officials "memorialized" (documented and evaluated) only nine cases during this period; and despite their strenuous efforts to find land claimants and to document their cases, they memorialized no land cases. Meanwhile, U.S. officials consistently viewed the Texas land grant claims as invalid.

Attempts to revive the general claims commission did not succeed for several years, although both countries desired to bring the negotiations to a successful conclusion. The two governments signed a convention in June 1932 to extend the commission, but the U.S. Senate refused to ratify it until simpler procedures could be adopted. Then in April 1934, Mexico and the United States agreed by protocol upon new approaches: first, the neutral umpire was to be eliminated; second, basic evidence of fact and law could be filed only in the memorial of the claimant and in the response of the defendant; and third, oral argu-

ment was to be eliminated. The agreement also removed U.S. agrarian claims from the jurisdiction of the general claims commission, permitted an en bloc settlement should one prove feasible, and gave the two commissioners two years to finish up their work. The U.S. Senate ratified the convention and protocol 1 February 1935, and Commissioners Oscar Underwood, Jr., and Benito Flores held their first meeting sometime thereafter. They concluded their work in October 1937, at which time they submitted to their respective foreign ministers a final report preceded by a lengthy preliminary statement on problems and procedures.[8]

This second general claims commission faced the enormous task of trying to settle 3500 U.S. and Mexican cases, including 442 land claims, within the short space of two years. To expedite handling of this workload, the commissioners determined to abandon about 45 percent of all cases, that is, those claims that their respective agents judged clearly defective. In June 1936, the U.S. and Mexican agents presented to the commissioners 1500 files, among them 75 percent of all the Texas land claims. The commissioners "provisionally" abandoned these claims in November 1936 and did so definitively in 1937. The commissioners labeled these summarily dismissed claims as the Omnibus Memorials.[9]

Regarding the remaining 103 Texas land claims (and the single California claim), the Mexican commissioner never presented any of them to his colleague for discussion, although his agent did memorialize all of them. U.S. Commissioner Underwood evaluated all of them.[10]

As the commission was winding up its work in October 1937, Underwood reported to Secretary of State Cordell Hull that he had written evaluations on all of the remaining "active" cases. By "active" he meant those cases of the original 3617 that had not been decided by the first commission nor classified as "special claims" nor disposed of by the second commission in the Omnibus Memorial. He further reported that he and Flores had discussed over 500 cases, but that they disagreed about the merits of many of the cases. Most of the remaining undiscussed cases involved U.S. claims but also included all of the remaining Texas land claims, the one California land claim, and a few Mexican claims for damages stemming from the U.S. occupation of Veracruz in 1914. Underwood valued all remaining "active" Mexican claims at $19,000 but later revised the figure upward to over $88,000, which included interest at 6 percent.[11]

Commissioner Underwood gave particular attention in his evaluations to the land claims. In a massive 165-page report, he reviewed all 103 Texas claims and reviewed the single California claim in a separate document. In each case, Underwood found the claims to be without merit. In a great number of cases, he insisted that the claimants did

not hold Mexican citizenship or that their alleged Mexican citizenship was not adequately demonstrated by the documentation presented by the Mexican agent. In a variety of other cases, he argued variously that the damages claimed had occurred before 1868, that the properties had been legally sold, that the claimants could not demonstrate adequate proof of relationship to the original grantee, or that the property allegedly taken could not be located. A few cases involved claims of current property owners for additional property involved in boundary disputes, the kind of case that was properly handled in a state court.

Of fundamental concern to Underwood in many, if not most, of these cases was the nationality of the claimants. According to long-accepted international procedure, a government can make claims for damages against another government only on behalf of its own nationals. Clearly, both the U.S. and Mexican agents agreed in their memorials and briefs that the person originally deprived or injured and all heirs in an unbroken line must be of the nationality of the claimant government and no other. In all cases, the Mexican agent strongly asserted the Mexican nationality of his claimants, but in some cases, he expressly included heirs who were indisputably U.S. citizens. The disagreements in these matters revolved around not only the definition of citizenship but what constituted adequate proof. The Mexican agent defined the term broadly to include dual nationality, while the U.S. commissioner defined it more narrowly in terms of U.S. law. In several cases, the Mexican agent produced baptismal records as proof, but the American agent argued that a baptismal certificate gave no evidence of place of birth or nationality.

A second flaw in the claims, which was pointed out by Underwood, resulted from damages alleged to have occurred prior to 1868. In some cases, the American commissioner did not attempt to refute the claim of illegality but simply noted that the commission had no jurisdiction in the case. Other properties were apparently sold legally, some as early as the 1820s, with the result that the claimants had no legal standing regarding what happened to the property subsequently. In one of these cases, deception over the market value of the property or perhaps even coercion may have been involved, but the documents give no evidence of such wrongdoing. In any case, the sale was made in 1858, and Underwood rejected the claim for lack of jurisdiction.

A third flaw in these cases appeared with respect to the line of inheritance. Although one set of claimants withdrew its petition on these grounds, most continued to press their claims. One such case, according to Underwood, involved a situation of mistaken identity in terms of family relationships. The claimants properly traced their line of descent back to an early nineteenth-century ancestor. The problem was that the ancestor, although bearing the same family name of an original

land grantee, was in no way related to the grantee. This case created a brief, but bitter, exchange between the U.S. and Mexican agents. The U.S. agent criticized his Mexican counterpart for poor preparation and accused a certain Licenciado Manuel C. González, reputedly a U.S. citizen, of possibly committing fraud and other illegalities in this and other cases. It should also be noted that in the Mexican response of some eighty-three pages, the Mexican agent agreed with the U.S. agent that the original injured party and all heirs in an unbroken line must be nationals of the claimant government, although he insisted that all parties in this case were Mexican citizens.[12]

Once Underwood had reported his findings on these cases and submitted the final report with its preliminary statement (in conjunction with Mexican Commissioner Flores), his work was finished. The next step rested with the State Department, which had received all of Underwood's evaluations on both the Mexican and the American claims. Following several years of negotiations, the two governments finally reached an agreement, and on 19 November 1941, they signed the General Claims Convention that took effect in April 1942. According to this document, Mexico agreed to pay the United States $40 million as the balance in the settlement of mutual claims arising since 1868, the date of the last general claims agreement. The 1942 convention implicitly included a final settlement of the Texas and California land claims.

How important were the land claims in reaching the $40 million settlement? For the United States, they were of no consequence. In his letter to Hull of 23 October 1937, Underwood said of them: "These are ancient claims and in my opinion are worthless." Two months later, Hull wrote to Ambassador Josephus Daniels in Mexico City, informing him of the conclusion of the work of the commissioners. He explained to Daniels that the United States had at first opposed the Mexican proposal for an en bloc settlement because no one knew the extent of general liability and "because the Mexican government was insisting upon the validity of the numerous so-called Texas land claims, amounting to approximately $235,000,000 [sic] which subsequent pleadings have shown to be wholly worthless."[13]

The Mexicans, for their part, tenaciously refused to abandon the land claims. By the fall of 1940, the State Department had elaborated a "suggested plan" for settling the outstanding issues. The U.S. proposal called for lump sum settlements of both the general and the agrarian claims as well as U.S. assistance to Mexico in matters of trade, monetary stabilization, silver purchases, and road building. The Mexicans countered on 1 October (following several meetings) with an offer of $30 million to $35 million in full payment of all general and agrarian claims. Then on 7 October, the State Department formally presented to

the Mexican ambassador a plan that proved to be the foundation for the final agreement. It spelled out a precise figure of $40 million as the balance owed by Mexico for all general claims, including agrarian expropriations, and provided for a mode of payment. The Mexican ambassador responded with an informal statement on the remaining undecided general claims on both sides. Undersecretary of State Sumner Wells noted that most of the Mexican claims consisted of Texas land claims, but he made no objection to the ambassador including them in the Mexican calculations nor did he explicitly deny their validity. Finally, on 16 November, the Mexican Embassy delivered a memorandum to the State Department accepting the State Department memorandum of 7 October as a basis for a general settlement for claims and the other issues raised. Another year was required for the two governments to work out the details. Throughout these formal negotiations, Mexican officials continued to treat the land claims as live issues.[14]

Behind this formal pattern of negotiation, the Mexican team associated with Commissioner Flores as well as Mexican officials with the foreign ministry were determining from their own calculations what would be a fair settlement. The land claims constituted a vital ingredient in the final decision of the Mexican deliberations to settle on $40 million. Ernesto Enríquez, the Mexican assistant agent with the second commission, offered an insight into these discussions. He was not specific about who participated in these internal talks, but he was clearly present. He reported that this group presented the Mexican Secretary of Foreign Relations with two sets of calculations by which he might arrive at a settlement with the State Department. In both sets, the Mexican officials used the "nondiscussed" claims to come to the conclusion that $40 million was a fair balance owed by Mexico. Enríquez stated, moreover, that the land claims constituted the major part (about $110 million) of the $121.4 million of Mexican claims "not discussed" by the commissioners. He further stated that although the claims appeared fully justified in their basic aspects, special circumstances seemed to invalidate them for purposes of negotiation with the United States. He cited specifically nationality problems, sales of property, and difficulties in establishing kinship between the claimants and the parties originally aggrieved—many of the same defects noted by U.S. Commissioner Underwood. Enríquez concluded that had the land claims come up for discussion between the commissioners, they would have been rejected. On the other hand, Enríquez clearly demonstrated that the land claims had formed a major part of the consideration by which the Mexican government arrived at its final settlement with the United States (Enríquez 1942, 27–28). It should be noted that of the $110 million cited by Enríquez, the single California claim accounted for $47,799,000, or almost 44 percent of the total.

Once the convention took effect, the U.S. Congress moved quickly to recompense U.S. claimants. In addition to the $40 million paid by Mexico, Congress appropriated $533,658.95 in additional funds to be distributed to the claimants by the "Settlement of Mexican Claims Act" of 18 December 1942. This sum represented "the total amount of awards and appraisals, plus interest, made with respect to the claims on behalf of Mexican nationals against the Government of the United States which were filed with the General Claims Commission."[15] This sum again decisively indicated that the U.S. government did not include the Texas and California land claims among recognized Mexican claims.

With its ratification of the Claims Convention, Mexico assumed the responsibility of evaluating and settling all Mexican "active" claims. Among those were the 104 land claims, the value of which amounted to about $110 million as memorialized by the Mexican agent. With the claims settlement, Mexico effectively received payment for these claims in accord with its own calculations. In other words, Mexico had incurred a legal obligation to all claimants, Chicano as well as Mexicano, whose claims it had solicited and presented.

On 31 December 1941, President Manuel Avila Camacho issued a decree committing the Mexican government to initiate proceedings that would lead to meeting this obligation.[16] This decree states that these claims "have lost their international character, and have become internal obligations of our government." The decree also states, however, that it is the government's duty to "tend to said claims of our nationals," thus raising again the definition of citizenship.

The issuance of this decree raised the hopes for prompt payment among Chicano claimants. Mexican officials took no further action, however. In time, claimants began inquiring as to when their claims would be processed. Mexico always responded that "the law has not yet been enacted which would regulate the settlement, evaluation and payment of said claims. However, the Federal Government intends to resolve this grave problem, as soon as the economic conditions of the Treasury permit."[17]

By 1955 the claimants had developed an organization to press their claims. Over five hundred Chicano and Mexican claimants, accompanied by one American and one Mexican attorney, went to Mexico City to seek satisfaction. The attorneys drafted a bill, which they presented to several Mexican deputies, attempting to persuade them to introduce it as legislation. The bill called for compensating the claimants under the terms of the 1941 Presidential Decree. The attorneys approached these legislators as lobbyists approach legislators in the United States: they befriended them, wined and dined them, and tried to convince them of the merits of the bill. This summer-long effort pro-

duced no positive results.[18] Following this defeat, the organization dissolved, but individual claimants continued to inquire periodically with the Secretaría de Hacienda, and the response continued as before. The situation remained unchanged until the mid-1970s.

During the 1970s, President Luis Echeverría began communicating with several Chicano activists, including Reies López Tijerina, the New Mexican land grant leader. During one of those meetings, a Tijerina supporter who had participated in the 1955 Mexico City meeting raised the Texas land grants issue. President Echeverría expressed interest in the problem, and his concern led to a series of meetings between claimants, their attorneys, and senior-level officials in the Secretaría de Relaciones Exteriores (SRE) and the Secretaría de Hacienda during the next two years. The details of those meetings have been described elsewhere.[19] It is important to note here that according to the claimants and their attorneys, Mexican officials were generally patronizing and hostile during these meetings, even after members of the legal staff of the SRE acknowledged the legitimacy of the claims. It is also noteworthy that Mexican officials broke off contact with the claimants and did not reinitiate them until the claimants demonstrated at the Mexican Consulate in San Antonio and several prominent Chicano organizations protested the seemingly high-handed manner in which the Mexican officials had dismissed the claimants (de la Garza 1980).

By 1980 the claimants' organization, La Asociación de Reclamantes, and their attorneys resolved to press their demands on the Mexican government one more time, and if that failed, to initiate a lawsuit in the U.S. courts. In May 1980, representatives of the Asociación met with two advisors to President López Portillo, one of whom was a member of his personal political staff and the other a special consultant. The claimants' representatives explained the history of the claims and presented a proposal for settling the issue. The proposal called for the creation of a Chicano-controlled economic development foundation that would represent Mexican governmental and commercial interests in the United States. All Mexican goods and services controlled by the state and marketed in the United States would be distributed through this agency in accord with explicit instructions by Mexican officials. The agency would receive a small fee per unit of goods or service distributed. One-half of the proceeds from these activities would be distributed among the claimants according to the amount due them. The remaining proceeds would be invested, and the returns from those investments would be used to fund educational and economic development programs for the Chicano community of Texas.

The proposal thus provided a means for Mexico to retire its obligation at an absolute minimum economic cost. The fees collected by the Chicano agency would be paid by U.S. consumers, including Chicanos,

but they would be low enough per unit so that they would be neither visible nor onerous. In time Mexico would retire its obligation and generate enormous amounts of good will within the Chicano community.

Both the consultant and the advisor reacted favorably to the proposal. The consultant was particularly impressed at the possible beneficial impact the plan might have on Chicano-Mexican relations. The advisor was also impressed with this potential benefit, but he was more concerned about its negative effects on Mexico's relations with other U.S. parties. He agreed that it was important to have good relations with Chicanos, but he emphasized that "Mexico has many friends in the United States, and we must have good relationships with all of them." He asked if the U.S. State Department had approved the plan and whether American officials might consider this plan as intervention. The claimants' representatives responded that they had not spoken to U.S. officials because they considered this proposal a private request for assistance to develop a Chicano-oriented corporation as well as a mechanism for settling a legal obligation. According to this view, Mexico's acceptance of the proposal could hardly be considered an intervention in U.S. domestic affairs.

The meeting ended with a commitment from the advisor to review the proposal and respond to the representatives within a month. He reiterated Mexico's concern about resolving the claims issue. Finally, he stated that if a lawsuit were initiated, the issue would drag on interminably and would "get out of control." After all, he said, this matter is a "political issue, not a legal issue."[20]

When the advisor failed to contact the representatives and would not respond to their efforts to contact him, the association's attorneys filed a lawsuit in U.S. District Court for the District of Columbia. The court denied Mexico's motion for dismissal on the ground of the court's lack of jurisdiction, and on 13 January 1983, the attorneys for both sides presented their respective cases.

The argument presented by Mexico's attorneys is significant for several reasons. In their opening argument, the attorneys implied that the court should not hear this case because it could "foul up the foreign relations of the United States." Mexico's counsel admitted Mexico's liability: "Can it really be doubted that the Mexican nation owes some money . . . ?" But he argued that this issue was one best left to be resolved between the Mexican government and the claimants themselves.[21] Finally, Mexico's counsel argued that this matter was an internal Mexican issue and was therefore beyond the jurisdiction of the U.S. courts.

The court's findings are also significant. It agreed with the legitimacy of the claims. The judge stated, "There's no question in my mind that they [the plaintiffs] have not been treated as they should be." He

went on to state, "It's a recognized debt, as far as I can see, of the Mexican government." The judge was also incredulous at the suggestion that the case should be left to Mexico to resolve in view of the fact that it had not resolved the case in forty years. "How do you say that they can keep going back to the diplomats or back to Mexico, hat in hand. Aren't they really being denied their rights that they have established under this treaty?"[22] Nonetheless, the court ruled that it lacked jurisdiction in the case, and the case was dismissed. The Asociación de Reclamantes appealed the case, but in mid-March of 1985, the U.S. Supreme Court let stand the lower court ruling that heirs to the land grant had "no standing" to sue Mexico for reimbursement in U.S. courts.

Conclusion

The results of this case study demonstrate that states continue to be the most important actors in the international arena and that except in the most extraordinary of circumstances, state-to-state relations take precedence over relations between states and private groups or individuals. In the early 1920s, Mexican officials and Chicanos entered into a relationship that potentially benefited both parties at the expense of U.S. government policies. U.S. officials were aware of the relationship but allowed it to continue because it did not adversely affect other important U.S. interests. As Chicanos pressed their demands for payment, Mexican officials first ignored and then initiated negotiations with the claimants. The Mexican officials terminated these negotiations when it became clear that Mexican state interests would not be served by continuing them. U.S. officials had no known role in the matter, although a senior member of Mexico's consular staff alleged in 1981 that Mexico broke off the negotiations in response to U.S. pressures.

More important, this case study clearly indicates that Chicano-Mexican relations may be either conflictual or cooperative. As this example illustrates, the cultural ties between Chicanos and Mexico may sometimes bring the two together but may also provide the basis for one to exploit the other. In this specific example, the Mexican government has both defended Chicano interests and taken advantage of Chicanos. In each instance, its actions were dictated by clearly identifiable state interests. Consequently, Mexico may be expected to pursue relations with Chicanos to the extent that such relations do not adversely affect its other interests. As López Portillo's advisor stated, Mexico has many friends in the United States and it needs good relations with all of them.

This study also illustrates that Chicanos have pursued closer relations with Mexico out of specific interests. When those interests were

not met, Chicanos protested and ultimately sued. Chicanos, in other words, may be expected to pursue closer ties with Mexican officials when it is in their interest to do so, but there is no reason to expect that their interests will lead them to align themselves with Mexican state interests.

Finally, nothing in this example supports the suggestion that the existence of cultural bonds between Chicanos and Mexicans will lead automatically to generalized political relationships between Chicanos and the Mexican state. To the contrary, the results presented here indicate that Chicano relations with the Mexican government will develop in response to specific shared interests. This example further illustrates that the bonds linking Chicanos to Mexico are insufficient to prevent relations between the two from becoming conflictual.

NOTES

1. For a review of these arguments, see de la Garza 1980, 1982.
2. See Levy and Székely 1983 for a summary of the literature on this theme.
3. For the relevant documents, see American Mexican Claims Commission under the Act of Congress, Approved December 18, 1948, *Report to the Secretary of State with Decisions Showing the Reasons for the Allowance or Disallowance of Claims* (Washington, D.C.: U.S. Government Printing Office, 1948), 1–50.
4. See Robert Salazar et al., Asociación de Reclamantes v. the United Mexican States, Denver, Colo., 1981.
5. *La Prensa* (San Antonio, Texas), 13 Oct. 1923, p. 3.
6. *La Prensa*, 24 July 1935, p. 3.
7. *La Prensa*, 30 Aug. 1925, p. 1.
8. For an account of the procedural problems of the first commission and the attempts to resolve them, see the testimony of W. A. Bethel, U.S. Senate, *Hearings before a Subcommittee of the Committee on Foreign Relations on S.2528, Claims of American Nationals against Mexico, A Bill to Provide for the Settlement of Claims of the Government of the United States on Behalf of American Nationals against the Government of Mexico Comprehended within the Terms of Agreement Concluded by the United States and Mexico* (Washington, D.C.: U.S. Government Printing Office), 77th Congress, 2nd Session, 30 June, 1, 2, 6, 10, and 14 July 1942, 105–10.
9. See Records of the General Claims Commission, United States and Mexico, Created under the Claims Convention of September 8, 1923, Box 1, File 109, Record Group 76, National Archives, Suitland, Md.
10. In the Claims Commission documents, confusion frequently exists over the number of claimants and monetary amounts claimed. Several persons may appear with one claim. Some claims were filed more than once. The amounts of the claims vary as estimates changed during the process. After a careful study of the documents, we have accepted the following statistics: 442 total land claims (441 in Texas and 1 in California); 347 land claims in the original Omnibus Memorial; 18 land claims retrieved from the Omnibus Memorial; 104 land claims evaluated by U.S. Commissioner Underwood (103 in Texas and 1 in California); 9 land claims neither in the Omnibus Memorial nor evaluated by Underwood but listed in an official Mexican document in 1932 (Secretaría de Relaciones Exteriores 1932). (The cases unaccounted for may have been withdrawn by the claimant or dropped by the Mexican agent prior to the 1934 protocol.)
11. Agreement 7, State Department Decimal Files 411.12/2450 and 412.11 (41), Record Group 59, National Archives, Washington, D.C.
12. See Records of the General Claims Commission, United States and Mexico, Created

under the Claims Convention of September 8, 1923, Files 107–8, Record Group 76, National Archives, Suitland, Md.

13. See *Foreign Relations of the United States: Diplomatic Papers, 1937*, 5:695–96
14. See *Foreign Relations of the United States: Diplomatic Papers, 1940*, 5:1041ff.
15. See American Mexican Claims Commission under the Act of Congress, Approved December 18, 1942, *Report to the Secretary of State with Decisions Showing the Reasons for the Allowance or Disallowance of Claims* (Washington, D.C.: U.S. Government Printing Office, 1948), 7.
16. See *Diario Oficial* (Mexico City) 5 (1941):1–2.
17. See Robert Salazar et al., Asociación de Reclamantes v. the United Mexican States, Denver, Colo., 1981, p. 137.
18. Interview with Arthur Mitchell, 20 May 1981, Bastrop, Texas.
19. See Asociación de Reclamantes v. the United Mexican States, cited in n. 17.
20. Interviews with anonymous informants, 13 May 1980, Mexico City.
21. See the transcript of the Asociación de Reclamantes et al. v. the United Mexican States, Civil Action no. 81–2299, U.S. District Court, District of Columbia, 13 Jan. 1983, pp. 5–6.
22. Ibid., 42, 64.

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