

of the Guardia's training colleges prior to service. Entrants that have served the required two-year period in the army can join the force after an eleven-month training course at one of the colleges. After fourteen years of service, guardsmen can be promoted to officer rank. Direct commissions are possible for graduates of the General Military Academy in Zaragoza. Cadets enter the Guardia as lieutenants following an additional three years of training at the Special Academy of the Civil Guard at Aranjuez.²⁴

HISTORY OF CONSTABULARY FORCES IN THE UNITED STATES

Contrary to popular opinion, constabulary forces have a history in the United States. They have formal roots in the Second Amendment of the U.S. Constitution, which states: "a well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed." This amendment ensured that the states would have forces to uphold laws and repel invasion.²⁵

The Texas Rangers

The best-known historical example of a U.S. constabulary force is the Texas Rangers. During their storied past, the Rangers served as a volunteer frontier defense force, a military unit within the Confederate army during the Civil War, and as a Texas state constabulary with responsibilities for border control, frontier defense, and law enforcement. The origin of the Texas Rangers is found in the tradition of frontier self-defense forces organized in the original American colonies. Local militias, called rangers, protected the frontiers of Virginia, the Carolinas, and Georgia.²⁶ Beginning in the 1820s, when Texas was under Spanish rule, English-speaking settlers from the southern United States requested permission from the Spanish authorities to form militias to preserve local order. The Spanish governor, Colonel José Félix Trespalacios, responded by organizing a volunteer force based on the Spanish militia system that had been transplanted to Mexico. The earliest defenders of Texas were a "hybrid of Hispanic-Mexican traditions" with the Anglo-Saxon concepts brought to Texas from the United States.²⁷

24. Federation of American Scientists.

25. William Rosenau, "Peace Operations, Emergency Law Enforcement, and Constabulary Forces," in Antonia Chayes and George T. Raach, eds., *Peace Operations: Developing an American Strategy* (Washington, DC: National Defense University Press, 1995).

26. Charles M. Robinson III, *The Men Who Wear the Star: The Story of the Texas Rangers* (New York: Random House, 2000), 7.

27. Robinson, *Men Who Wear the Star*, 14.

Stephen F. Austin, considered the father of Texas, first referred to the citizen militias as rangers in 1823 “because their duties compelled them to ‘range’ over the entire territory of Texas.” The Rangers were citizen-soldiers who assembled when necessary and returned to their homes when no longer needed. Their primary role was to protect frontier settlers against attacks by Native American tribes.²⁸ In 1835, at the outbreak of the Texas war for independence, the permanent council of the new Texas Republic created a corps of Rangers with three companies, each with fifty-six men. The Texans’ principal adversary was the Mexican army, led by General Antonio López de Santa Anna. The conflict was, however, a two-front war, which also involved fighting against Native American tribes along Texas’s northwestern frontier. Ranger companies were assigned the latter mission, while the Texas militia faced the Mexicans. A Ranger company, however, did manage to reach the besieged Alamo before the famous battle, and its members died with the other defenders.²⁹

After winning freedom from Mexico, Texas became the twenty-eighth U.S. state in 1845. In 1846 the United States declared war on Mexico. Texas Ranger companies were mustered into the U.S. Army and served as scouts. This situation was repeated when Texas seceded from the Union and joined the Confederacy during the American Civil War. A Ranger regiment was formed as part of the Confederate army to protect frontier settlements against marauding Plains tribes and Mexican bandits, while thousands of individual Texans went east to join regular military units.³⁰ Little fighting related to the Civil War took place on Texas soil, but there were serious clashes with various Native American tribes. During the conflict, the western edge of the frontier retreated nearly 150 miles as outlying settlements were attacked and survivors moved back to more established communities for protection. In the words of one Texan, “It looked as if all the Indians on the Plains had found out there was a good place in Texas for their business and had gathered there.”³¹

After the Civil War, the full force of Reconstruction fell on Texas. The state was left in economic and social chaos. Conditions were not unlike those in contemporary failed states that have experienced civil war resulting from political, ethnic, or religious conflicts. The justice system in post-Civil War Texas was in shambles. Most counties did not have the money

28. Texas Department of Public Safety, “Historical Development,” available at <http://www.txdps.state.tx.us/TexasRangers/HistoricalDevelopment.htm> (accessed November 26, 2012).

29. Robinson, *Men Who Wear the Star*, 31–38.

30. Texas Department of Public Safety, “Historical Development.”

31. Robinson, *Men Who Wear the Star*, 159.

for sheriff's deputies, courthouses, or jails. The security at the jails that did exist was so flimsy that prisoners could simply walk out. Judges rarely leveled fines because the defendants usually could not afford to pay them, and juries often could not be formed because the few qualified males had taken the loyalty oath required of former Confederate citizens. In some areas, outlaws made up such a large percentage of the population that they could operate with impunity.³² Frontier communities and citizens' groups repeatedly called upon the Radical Republican governor, Edmund Davis, to raise Ranger companies for their defense against Native American tribes and bandits. On September 21, 1866, the Texas legislature passed the first law that explicitly referred to Texas Rangers, but the frontier defense force authorized in the bill was never funded.³³ For the next ten years, the Texas Rangers ceased to exist; law enforcement was the responsibility of a highly politicized and widely hated Texas State Police Force, which was eventually disbanded. This force did, however, demonstrate the value of a "permanent constabulary."³⁴

In April 1874 the state legislature created the Frontier Battalion, or Texas Rangers, as a "permanent, professional, statewide gendarmerie," ending the era of the citizen ranger. In addition to their traditional duties of fighting Native American tribes and patrolling the Mexican border, the Rangers would have civil police powers. In the words of an early historian, "this did not lessen their duties as soldiers, but greatly widened their field of usefulness and brought them into closer touch with law-abiding people by giving them authority to act as peace officers statewide." Although Ranger companies spent much of the early 1870s fighting Apaches on the state's western borders, civil police authority was also needed, as the closing of the frontier coincided with an outbreak of lawlessness from highwaymen, rustlers, and bank robbers: "When a Ranger was going to meet an outside enemy, for example, the Indians or the Mexicans, he was very close to being a soldier; however, when he had to turn to the enemies within his own society—outlaws, train robbers, and highwaymen, he was a detective and policeman."³⁵ In the aftermath of the bitter Civil War, the Rangers also had to deal with revenge killings, blood feuds, and range wars, which were fought between rival bands and resulted in hundreds of casualties. One classic feud

32. Robinson, *Men Who Wear the Star*, 155.

33. An Act to Provide for the Protection of the Frontier of the State of Texas, September 21, 1866, Texas Legislature, General Laws of the State of Texas—1866, 10–12, cited in Robinson, *Men Who Wear the Star*, 157.

34. Texas Department of Public Safety, "Historical Development."

35. Robinson, *Men Who Wear the Star*, 168.

erupted in 1875 between German cattle ranchers who had supported the Union and Anglo-Saxon farmers who had fought with the Confederacy.

During the 1870s, the Texas Rangers were involved in some shootouts with the most celebrated outlaws in the history of the Old West. Ranger John B. Armstrong confronted John Wesley Hardin, an outlaw who reputedly had killed thirty-one men, and three companions on a train. When the smoke from Armstrong's Colt .45 Peacemaker cleared, Hardin had been knocked unconscious, one of the desperadoes was dead, and the other two were in custody. This incident helped establish the Rangers' reputation for personal bravery in the face of daunting odds. A similar fate befell notorious train robber Sam Bass, who was wounded and later died after his gang engaged in a shootout with four Rangers. The Rangers' legendary prowess in surmounting overwhelming odds was summed up in the oft-used phrase, "One riot, One Ranger."³⁶

Between 1874 and the early part of the twentieth century, the mythology of the Texas Rangers grew in dime novels and pulp magazines. During the Woodrow Wilson administration, the Rangers' reputation received a boost when they were drawn into the U.S. campaign against the Mexican revolutionary Francisco "Pancho" Villa in 1916. Wilson federalized the National Guard, turning the Big Bend area of Rio Grande river country into a virtual war zone. The governor of Texas, James Edward Ferguson, created special units of the Texas Rangers to defend the border. After Villa conducted raids into the United States, Ranger units patrolled the Rio Grande, ensuring that the Mexican combatants stayed on their side.³⁷

At the end of the border disturbances in 1917, the Rangers became concerned with routine law enforcement, and during the 1920s and 1930s, the popular legend of the Texas Rangers virtually replaced the reality. The fictional portrayal of the Rangers took on added dimensions through novels, mass marketing, and the new medium of radio. On January 30, 1933, the "most famous Texas Ranger of all"—the Lone Ranger—made his debut on station WXYZ in Detroit. According to the fictional story line, a young Texas Ranger was the sole survivor of an ambush of his Ranger company by outlaws. Nursed back to health by his "faithful Indian companion," Tonto, he became the Lone Ranger, wearing a black mask to conceal his identity. The Lone Ranger rode his white horse, Silver, through decades of radio shows, television programs, and motion pictures.³⁸ The theme of all of the Lone Ranger episodes was the same: Someone was in trouble, and the Masked Rider of the Plains came to the rescue.

36. Texas Department of Public Safety, "Historical Development."

37. Robinson, *Men Who Wear the Star*, 273.

38. *Ibid.*, 285.