

When the constitutional convention convened in 1910, it faced the daunting task of writing the governing rules of our new state. When it was completed, the Santa Fe New Mexican reported that the document contained 20,000 words in 130 sections grouped into twenty-two articles. Among its unique features was Article VII, Section 3, guaranteeing that the right of any citizen to vote, hold office, or sit on a jury would never be restricted or abridged on account of religion, race, language, or color; or the inability to speak, read, or write in English or Spanish. Victor Ortega, the delegate from Rio Arriba and Santa Fe counties, was one of thirty-two Spanish-surnamed men who wrote this and other protections for Spanish-speakers into our constitution. These important safeguards have kept New Mexico unique and culturally rich.—Frances Levine, Ph.D.



DON VICTOR ORTEGA

A CHIMAYÓ PATRÓN
GOES TO THE
CONSTITUTIONAL CONVENTION

by Don J. Usner



Some called him the *rico* (rich man), others the *patrón* (the boss), the *cacique* (head man), or the *jefe político* (political boss). Whatever the appellation, Victor de Jesús Ortega was a strong—some might say domineering—leader in Chimayó. But his influence went far beyond the confines of the small plaza where he was born and raised. Through sheer force of character—and a particular gift for oratory and politicking—he earned positions in regional government, including justice of the peace, probate judge, and county commissioner. He served as a member of the House in the thirty-third legislative assembly in 1899 and rose to high positions in the Rio Arriba and Santa Fe County and state Republican Party organizations. As he hobnobbed with the power brokers in Santa Fe, he often advocated for the interests of his kin back home. But perhaps his most significant accom-

New Mexico State Constitutional Convention, Santa Fe, New Mexico, photograph by William R. Waldon, 1910, in the territorial capitol building, now the Bataan Building. While Victor Ortega is surely in this room, and likely within the frame of this photograph, he has not been definitively identified. He is possibly the very tall man seated beneath the second column to the right of the door. Courtesy Palace of the Governors Photo Archives (NMHM/DCA), Neg. No. 008119.

Top: Victor Ortega, ca. 1910. This photograph appears to be similar to the one used in the map on page 45, where Ortega's portrait is in the fourth row down on the left column and fourth one in from the left margin. Courtesy Palace of the Governors Photo Archives (NMHM/DCA), Neg. No. 146739.



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plishment was serving as a delegate to the convention that produced the New Mexico constitution in 1910—the document that gained New Mexico entry into the United States in 1912. Remarkably, Ortega accomplished all this without ever learning English and with minimal education.

Standing six feet four inches tall, Ortega was a commanding figure who fit the part of *patrón* well. Handsome, mustachioed, and always well-dressed, Ortega, still remembered as don Victor, came from a long line of leaders in Chimayó's Plaza del Cerro. His father, José Ramón Ortega, the previous *patrón* of the plaza, served as sergeant-at-arms during the eleventh legislative assembly in 1861 and was a member of the sixteenth territorial assembly in 1866. He was a key figure in the Republican political machine in Rio Arriba County. Going back another generation, Ortega's grandfather, Gervacio Ortega, was a justice of the peace and a member of the seventh legislative assembly of the territorial legislature in 1857. Back yet further, Gervacio's grandfather, Grabiél Ortega, was a landowner of considerable property and influence, as evidenced by his signature on numerous legal documents in the area in the eighteenth century.¹

The Ortegas were not the only Hispanic political figures to rise to positions of influence in the territorial or state governments. There were others, with deep roots in all parts of the state, and many of them participated in writing failed

constitutions—in 1850, 1872, and 1889—that preceded the 1910 constitutional convention that Ortega attended. Indeed, the man that many considered to be the single most powerful figure in the convention was Salomón Luna, and surnames like Armijo, Otero, Martínez, Romero, and Vigil—thirty-two Hispanic names in all—were included on the roster of one hundred men who assembled at the Capitol in Santa Fe on October 3, 1910.²

Calling leaders such these *patrones* conjures notions of despotic rulers in an archaic, quasi-feudalistic society. In this view, people like Ortega might be seen as authoritarian and ruthless overlords in a culture of passive dependency. In their power and reach, some of the Hispanic power brokers at the constitutional convention may have approximated this caricature. For most, though, the story is not so simple, as a consideration of Ortega's position in Chimayó demonstrates. Yes, he held sway as a dominant political figure, and the local people looked to him for counsel on questions of legal propriety. In addition to his political and governmental roles, he owned and ran the local mercantile store and served as postmaster for twenty-eight years. His record books indicate that he helped people by providing credit at his store and by granting outright loans to his neighbors to help them through tough times. As the region fell into the grip of the Great Depression, Ortega had the connections to help people find work in government programs.

Although there were *patrones* with a powerful grip entrenched in the sheep industry's *partido* system, Ortega and other Hispanic community leaders in northern New Mexico did not fit the mold of the archetypal *patrón*, one who owned a vast parcel of land and controlled legions of *peones*, or laborers, perpetually in debt to their boss. Northern New Mexico offered little opportunity for this kind of arrangement, for there were few large tracts of grazing land available in the small valleys of the northern Rio Grande. In any case, the old *patrón-peón* dynamic in New Mexico had begun to break down decades before Ortega's time.³ Another kind of *patrón* emerged in the region, one with less absolute power, engaged in a more reciprocal arrangement with the people in his community.⁴





This more accurately describes Ortega's relationship with *Chimayósos* (people from Chimayó). Ortega provided petty loans, political favors, legal advice, and, sometimes, employment. His payback came at election time, when he called upon his friends and neighbors to vote Republican. Ortega, in turn, was beholden to the state Republican Party, which expected him to deliver votes—and he did, reliably, for many years, before the Great Depression turned the political order upside down.

One Chimayó elder described Ortega's stature among Chimayósos like this: "Don Victor was a big man there [in the plaza]. He was a smart man ... they considered him a guy that knew more about the things that went around, you know. He knew more than a lot of people around here."⁵

Clearly, Ortega had a knack for small-town politics, but he also did well on the larger stage. There he drew strength from his ability to connect with those in positions of influence and from his public speaking skills. As Ortega's son Ben explained

to me in 1990, "He only went to school until the fourth grade, but he read a lot, and he had a vocabulary that most people didn't have then, [even the] college men. And they'd seek him out for oratory, for the political conventions, for the state or county, and he'd speak for an hour, keep his audience, tell them jokes. He could keep an audience that long. He was very well known all over the state."

The *Santa Fe New Mexican* described Ortega in similar terms when it editorialized upon his death in 1948, "A man with a keen but kindly sense of humor, [Ortega] usually had his audiences shaking with mirth. Knowing his people, he often spoke in parables, bringing in various 'santos'—always to the benefit of the GOP."

The "parables" mentioned in the newspaper almost certainly refer to *dichos*, the Spanish-language folk sayings that were once a regular part of daily parlance in northern New Mexico. These clever, often bitingly humorous sayings distill much of the wit and wisdom of northern

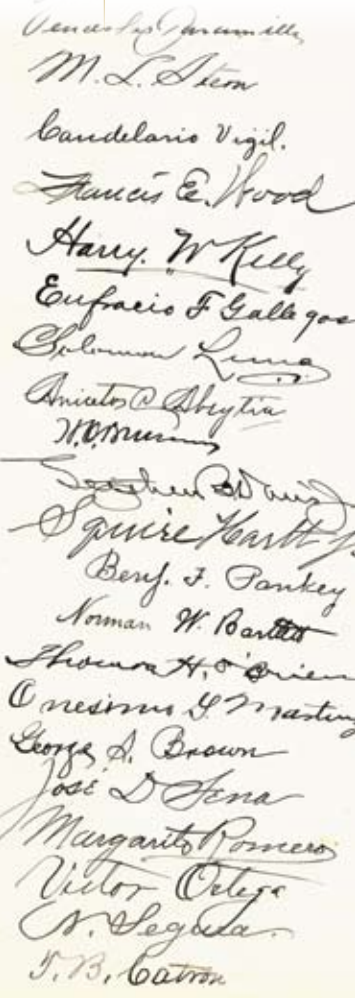
Opposite: *New Mexico State Constitutional Convention, Santa Fe, New Mexico*, by William R. Waldon, 1910. Courtesy Palace of the Governors Photo Archives (NMHM/DCA), Neg. No. 008118.

Above: *Map of the State of New Mexico with Portraits of Delegates to the Constitutional Convention*, (Trinidad, Colorado: The Lithograph Map Pub. Co., 1910). Photograph by Blair Clark. On display in *47 Stars*, at New Mexico History Museum. Another copy is included in *Between the Lines: Culture and Cartography on the Road to Statehood*, in the Governor's Gallery at the New Mexico State Capitol through May 4, 2012.



Opposite: *Bird's-Eye View of Chimayó, New Mexico*, by Jesse Nusbaum, 1912. Courtesy Palace of the Governors Photo Archives (NMHM/DCA), Neg. No. 013767.

Below: Detail showing Victor Ortega's signature, New Mexico Constitution, SN 7041, page 65, New Mexico Secretary of State Records, Courtesy New Mexico State Records Center and Archives.



New Mexico's Hispanic culture. Deploying the *dichos* in his oratory must have endeared Ortega to a wide constituency of Spanish speakers, "his people." Likewise, in making reference to *santos*—the numerous holy figures whom Catholics venerate and petition for intercession in daily tribulations—Ortega would have been paying homage to his roots, all in the service of the GOP.

It's remarkable that Ortega drew accolades for invoking such folklore in his oratory, for at the time Hispanic culture was derided in the midwestern and eastern press and by elected officials in Washington who sought to deny New Mexico entry into the Union. With rhetoric that can only be described as racist, *pols* and pundits fearmongered about the danger of admitting New Mexico, a territory populated by Hispanic, Spanish-speaking Catholics. Typical were comments such as those made by the *Chicago Tribune*, which opined that New Mexico's population was "not American, but 'Greasers,' persons ignorant of our laws, manners, customs, language, and institutions."⁶

This kind of overt racial bias makes it all the more astonishing that Ortega ascended to prominence in the Anglo-oriented political world without learning English. Some of the non-Hispanic politicians of his day would have spoken Spanish, at least in rudimentary fashion, but nevertheless it took a lot of pluck for Ortega to perform on the political stage as he did.

One of those Spanish-speaking Anglo politicians, Thomas B. Catron, was among Ortega's close associates. A leading figure in the Republican Party of the late nineteenth and early twentieth centuries, Catron held numerous positions, including attorney general of the New Mexico Territory, US attorney, a member of the territorial legislative council, delegate to Congress, and, after statehood, the first senator from the state of New Mexico. But his legacy is not all positive. In many quarters, Catron has been consigned to infamy because of his participation in the Santa Fe Ring, a loose confederation of attorneys, politicians, land speculators, and others who amassed great wealth by acquiring, largely through knavery, vast landholdings in New Mexico, including many Spanish and Mexican land grants.

At one time Catron was the largest landowner in the US, holding interest in over six million acres in at least thirty-four land grants.⁷

Just as Ortega maintained a network of underlings (referred to as his "*hijitos*," literally "little sons"), Catron, nearly twenty years Ortega's senior, kept in tow a cadre of local politicians throughout the state from whom he could call in favors. He had a special penchant for recruiting and maintaining ties with Hispanic leaders, in part because he spoke Spanish fluently. (Legend has it that when territorial governor Edmund Ross told Catron he would be appointed attorney of the third district if he could learn to speak Spanish, Catron at once moved to Rio Arriba County and learned to speak it fluently in six months.)⁸ By all indications, Ortega was among Catron's confidants and protégés, as well as his client.

Catron and the rest of the Santa Fe Ring advocated strongly for New Mexican statehood, and when a territorial initiative called for the election of delegates to a constitutional convention, he no doubt thought of Ortega as a candidate who would advance the Republican cause at the convention. With Catron's support, and the overwhelming backing from voters in Santa Fe County, Ortega easily won election on June 28, 1910, as one of five delegates (all Republicans) from the county.

The Republican Party controlled a clear majority in the territorial legislature as well as the convention. Salomón Luna, the powerful chair of the Committee on Committees, appointed Ortega to the Committee on State, County, and Municipal Indebtedness and went to work on October 3, 1910.

The committee drafted Article IX, reflecting a conservative attitude toward public debt in any form—a personal aversion of Ortega's, who always strove to keep Chimayó from taking on debts that would incur taxation. Democrats protested some sections of Article IX, just as they would later protest the overall constitution, but thanks to skillful maneuvering and the assurance of a strong block of support from Hispanics, a draft of the constitution was adopted by the constitutional convention on November 21, 1910. Not surprisingly, the constitution protected the

economic and political interests of the Old Guard Republicans who dominated the convention and were entrenched in state government. It was far more conservative than the constitutions of other western states; it excluded progressive reforms such as a statewide initiative process or the direct election of senators, and it did not give women the right to vote. Also, recall was limited to local officials, and the referendum was restricted.⁹ (Interestingly, Ortega's grandson, attorney Victor R. Ortega, was a member of the New Mexico Constitutional Revision Commission, whose recommendations led to a proposed new constitution for New Mexico in October, 1969; the new constitution failed to pass in a special election later that year.)

Although progressives were stymied at the convention, the constitution includes some unique elements with regard to protection of the rights of Spanish-speaking citizens. One can't help assuming that the monoglot Ortega helped to advance them:

Section 3 of Article VII of the constitution states that "The right of any citizen of the state to vote, hold office, or sit upon juries, shall never be restricted, abridged or impaired on account of religion, race, language or color, or inability to speak, read or write the English or Spanish languages."

Section 8, addressing teacher training, reads: "The legislature shall provide for the training of teachers in the normal schools or otherwise so that they may become proficient in both the English and Spanish languages, to qualify them to teach Spanish-speaking pupils and students in the public schools and educational institutions of the State."

And Section 10 says: "Children of Spanish descent in the State of New Mexico shall never be denied the right and privilege of admission and attendance in the public schools or other public educational institutions of the State, and they shall never be classed in separate schools, but shall forever enjoy perfect equality with other children in all public schools and educational institutions of the State."¹⁰



The constitution further makes Spanish an official language of the state, equal to English, and makes it obligatory that for the first twenty years of statehood, all laws be published in Spanish and English.

Even as he worked on the constitution and served in his political roles at the state and county levels, Ortega continued to manage his ranch in Chimayó and serve as the local patrón. "He would get up at day break to *escardar* [(weed)," Ben Ortega recalled. "All that property [behind the plaza] was his, and we used to plant it with corn, wheat, whatever crops. . . . Early in the morning he was out there, and we were out there with him.

"He was justice of the peace, and when something bad happened they'd go over there to see him first thing. Like when there was a murder in Cundiyo.

"And my father was one of those that fought the construction of the Santa Cruz dam," Ben continued. "See, on account of the taxation to build the dam. He got the people that were against the dam to fight it in court, and they accepted. They didn't want to pay the taxes."

Ortega kept a library of law books, in Spanish and in English, which he referred to in order to advise his friends and neighbors on legal matters, although, as Victor's grandson points out, he was never licensed to practice law.

Ortega came to the aid of Chimayó weaving businesses in 1908, when the board of the New Mexico Territorial Penitentiary was considering

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a plan to introduce carpet weaving as work for convicts. Chimayó weavers presented Ortega with a petition signed by more than fifty weavers who opposed the idea because they feared it would be detrimental to their own livelihoods. Ortega forwarded the petition to Catron with a request that Catron to speak with territorial governor George Curry about the plan. The governor replied to Catron, “Nothing will be done to compete with the people of Rio Arriba, or any other county in the territory, in their manufacture of blankets.”¹¹

After the Depression, Ortega’s influence waned. Some of Ortega’s own hijitos became turncoats and joined the rising Democratic Party, a trend throughout the once predominantly Republican state. His power diminished as these new patrones made inroads into his turf and the majority of Hispanic voters, long a bastion of the Republican Party, jumped ship and joined the Democrats.

Victor Ortega was the last of the patrones of the Plaza del Cerro in Chimayó. A stalwart of the GOP, he was listening to the Republican National Convention on the radio in his Chimayó home when he died. His wake in the old plaza in Chimayó was a grand event that is remembered as well as the crafty politics and hometown kindnesses of the patrón himself.

“I remember that big, shiny black cars came and lined up all around the plaza,” recalls former plaza resident Aaron Martinez. “It was like a funeral for a head of state.”

“I was just a teenager,” Victor R. Ortega remembers, “but I was really impressed by the *velorio* [wake]. It seemed like it went on for days. He was lying in state in there, in his house, and the mournful singing and praying went on all night long. The two kitchens in his house were continually churning out food for the people who came and went—and there were a lot of them, Democrat and Republican, it didn’t matter. They all respected him. Big shot Democrats like US Senator Dennis Chávez, Lieutenant Governor Joe Montoya, and Governor Tom Mabry—who was also a delegate at the constitutional convention with my grandpa—were there.”

Victor de Jesus Ortega was laid to rest in the courtyard of the Santuario de Chimayó, which he had helped transfer to the ownership of the Catholic

Church, thereby assuring its preservation as a treasured shrine. Although patronage politics in northern New Mexico is often disparaged, Ortega represented a kind of benevolent community leader whose relationship with his constituents edged toward the ideal of representative democracy. His knowledge of and intimate connection to his community allowed him to advocate for the concerns of his *vecinos* in the Plaza del Cerro and ordinary New Mexicans in other plaza towns. He was indeed farsighted, and his legacy stretches from that small valley churchyard where he lived to the Capitol in Santa Fe and beyond. ■

Notes

1. Ortega Papers, New Mexico State Records Center and Archives. His essay, “Saving History: Ortega Papers Trace Family’s Three Hundred Years in Chimayó,” appears in *El Palacio* 115 (2), spring 2010.
2. Rick Hendricks, “The Importance of the Constitution,” Office of the New Mexico State Historian, newmexicohistory.org/centennial/TheConstitution.html and newmexicohistory.org/centennial/Delegates/1-Delegates-splash.html.
3. Phillip Gonzales, “El Jefe: Bronson Cutting and the Politics of Hispano Interests in New Mexico, 1920–1935,” *Aztlan* 25, no. 2 (fall 2000): 77.
4. Clark Knowlten, “Patron-Peon Pattern among the Spanish Americans of New Mexico,” *Social Forces* 41, no. 1 (1962): 12–17.
5. My interviews with Camilo Trujillo, Jr. and other elders from Chimayó can be found at the Center for Southwest Research at the University of New Mexico, econtent.unm.edu/.
6. *New Mexico Historical Review* 37, no. 3 (July 1962): 169.
7. Michael Miller, “Lo de Mora: A History of the Mora Land Grant on the Eve of Transition,” Office of the New Mexico State Historian, newmexicohistory.org/filedetails.php?fileID=21925.
8. *New Mexico Historical Review* 37, no. 3 (July 1962): 163.
9. Calvin A. Roberts and Susan A. Roberts, *New Mexico* (Albuquerque: University of New Mexico Press, rev. ed., 2006), p. 151; ballotpedia.org/wiki/index.php/Laws_governing_recall; Nathaniel A. Persily, “The Peculiar Geography of Direct Democracy: Why the Initiative, Referendum and Recall Developed in the American West,” *Michigan Law and Policy Review* 2 (1997): 11–41.
10. New Mexico State Constitution, photocopy of original posted at newmexicohistory.org/centennial/Constitution.html.
11. Robert J. Torrez, “A Protest by Chimayó Weavers,” *Round the Roundhouse*, Dec. 17, 1998–Jan. 28, 1999.

Don Usner is the author of several books, including *Sabino’s Map: Life in Chimayó’s Old Plaza* (Museum of New Mexico Press, 1995) and *Benigna’s Chimayó: Cuentos from the Old Plaza* (Museum of New Mexico Press, 2001), and plans to write another book about Chimayó. His photographs of Chimayó are currently on view in the *Contemplative Landscape* exhibition at the New Mexico History Museum.





Victor Ortega's Chimayó

Clockwise from left: Storefront of Victor Ortega's general store, still extant, though no longer in use, on the Plaza del Cerro in Chimayó, ca. 1995; original sign from Victor Ortega's Store (no longer on the storefront), ca. 1999, which reads: "Victor D J Ortega, Comerciante En Abarrotes Y Efectos, Compra y Venta De Productos Del Paiz," ("Victor de Jesús Ortega, Merchant in Groceries and Goods, Purchase and Sale of Local Produce"); upper Chimayó in fall, ca. 1999. Photographs by Don J. Usner. See elpalacio.org for a slideshow with more of Usner's Chimayó photographs.

