

**Clean Sweeps and Chain Gangs: Extending the Carceral Net in Merced, California,
1880-1890**

By Sarah Lee¹

In the latter years of the nineteenth century, the budding Central Valley city of Merced, California was in crisis. While the rest of California basked in the glow of a real estate boom, Merced's boosters struggled to inspire sufficient community action to realize their dreams of an equally impressive local boom amidst population pressures, inadequate urban infrastructure, and near constant public health concerns.² Rather than solely address these issues however, Merced's local press located the crisis elsewhere, specifically in bounded ethnic enclaves on the West Side of the tracks. There, the press situated reports of Main Street overrun by Chinese owned houses of ill-repute alongside a surging population of white male "tramps" and raucous fandango houses in the city's Mexican Quarter, echoing Foucault's warning of a delinquency crisis, "as very close and quite alien."³ According to Merced's local press, the city's very soul hung in the balance. Threatened by a potentially devastating social contagion where Merced's upstanding youth came in direct contact with a 'known,' "festering cancer," they urged for decisive spatial disciplinary actions, meant to both contain racialized and criminalized bodies and produce Merced's imagined place along the lines of other booming California cities.

Merced's nascent professionalized law enforcement heard the message of spatial crisis loud and clear. On February 26, 1887, District Attorney John W. Breckinridge announced his remedy to the crisis of criminality hindering Merced's economic and moral growth, through "...a

¹ The author, being also an editor, recused himself from the editing process regarding this article. It received no special treatment and was required to conform to all standard requirements.

² "Nearing Merced," *San Joaquin Valley Argus*, February 5, 1887, 3, Merced County Library.

³ Michel Foucault, *Discipline & Punish: The Birth of the Prison*, trans. Alan Sheridan (New York: Vintage Books, 1995), 286.

clean sweep of the dance houses, opium dens and criminal roosting places that exist in Merced.”⁴ The “clean sweeps” campaign continued for several months, while the press discursively located the criminal roosting places in Merced’s Mexican Quarter,⁵ to the point where the site itself was marked by an infectious criminality. While Breckinridge orchestrated the “clean sweep” campaigns that spatialized Othered bodies in Merced, the Board of Supervisors announced in the *Merced Express* on March 19, 1887 Ordinance no. 25, which ordered all prisoners arrested for a misdemeanor and “guests” in the county jail to serve their time on a chain gang.⁶ While Merced had a pre-existing chain gang, Ordinance no. 25 expanded the Sheriff’s ability to exercise state-sponsored violence against residents. The clean sweeps targeted Mexican, Chinese and transient white males; Ordinance no. 25 allowed those swept up to be put to work on public and private projects. These efforts thus worked in tandem to discipline alleged threats to the city’s growth and transformed those same people into cheap labor for public works that would become key booster selling points.

Taken together, the simultaneous emergence of targeted police raids, an expanded chain gang, and an investment in producing imagined place reveal part of the process whereby a professionalized police force became entrusted arbiters and producers of place in Merced. Using Merced’s local papers the *San Joaquin Valley Argus*, the *Merced Express*, and the *Merced Star*, this paper situates Merced in a larger conversation concerning space, race, and class in the American West amidst the overlapping national and imperial projects. To grapple with the protean nature of policing the American West, I offer a Foucauldian Marxist reading of

⁴ *The Merced Express*, February 26, 1887, sec. Local Brevities, 3, Merced County Library.

⁵ *Merced Express*, March 26, 1887, sec. Local Brevities, 3, Merced County Library; *Merced Express*, April 2, 1887, sec. Local Brevities, 3, Merced County Library; *Merced Express*, May 7, 1887, sec. Local Brevities, 3, Merced County Library.

⁶ “Board of Supervisors-March Term,” *Merced Express*, March 19, 1887, 3, Merced County Library.

differentiated policing across bounded, racialized spaces as a means of unlocking the spatial codes that undergirded different, racialized disciplinary mechanisms. Traditionally, policing is thought only to discipline racialized Others, which it most certainly does. However, social investments in cartesian space meant to manifest boosters' aspiration of white, male Western places made the policing of white bodies imperative. The presence of white bodies did not explicitly threaten the national and imperial American projects, but the social, cultural, and economic practices of undisciplined white bodies did. Therefore, I offer a conceptual framework for thinking about the disciplinary mechanisms of the police: class and colonial panopticism. I use class panopticism here to articulate the urgent and pervasive class concerns attached to whiteness in the West,⁷ where policing white bodies requires examination according to normalized, middle-class performance. I use colonial panopticism to describe the racial spatialization of marginalized Others through marked criminality, constant policing, and captivity within the carceral net.⁸ In Merced during the late 1880s, rhetoric surrounding the “clean sweep” initiative in the Mexican Quarter and its connection to racialized pathology, coupled with Ordinance no. 25 and the push for a real estate boom, reveal both class and colonial panopticism as mutually constitutive disciplinary functions of the police in the American West.

⁷ See Stacey L Smith, *Freedom's Frontier: California and the Struggle over Unfree Labor, Emancipation, and Reconstruction*. (University of North Carolina Press, 2015); Sidney L Haring, *Policing a Class Society: The Experience of American Cities 1865-1915* (Chicago: Haymarket Books, 2017); Susan Lee Johnson, *Roaring Camp: The Social World of the California Gold Rush* (New York: W.W. Norton, 2000); Kelly Lytle Hernandez, *City of Inmates: Conquest, Rebellion, and the Rise of Human Caging in Los Angeles, 1771-1965* (Chapel Hill: The University of North Carolina Press, 2017); Peter Boag, *Re-Dressing America's Frontier Past* (Berkeley: University of California Press, 2011).

⁸ See Angela Y Davis, *Are Prisons Obsolete?*, 2003; Eric A Stanley, Nat Smith, and CeCe McDonald, *Captive Genders: Trans Embodiment and the Prison Industrial Complex, Second Edition*. (Edinburgh: AK Press, 2015), <http://public.eblib.com/choice/publicfullrecord.aspx?p=4548733>; Hernandez, *City of Inmates*; Keeanga-Yamahatta Taylor, *From #BlackLivesMatter to Black Liberation*, 2016, http://ebook.3m.com/library/neworleanspubliclibrary-document_id-kpt4kr9; Rashad Shabazz, *Spatializing Blackness: Architectures of Confinement and Black Masculinity in Chicago* (Chicago: University of Illinois Press, 2015), <http://public.eblib.com/choice/publicfullrecord.aspx?p=4306044>; Langeegger, Sig, *Rights to Public Space Law, Culture, and Gentrification in the American West*. (Palgrave Macmillan, 2016), <https://login.proxy.bib.uottawa.ca/login?url=http://link.springer.com/10.1007/978-3-319-41177-4>.

Constructing Imagined Place: The Press and Future Visions of Merced

Merced's urban development into a city on par with the rest of 'booming' California, and thus the nation, was an ever present concern. The local press worked feverishly to construct the imagined place of Merced, publishing instructive pieces on the proper behavior of towns folk to produce a boom, focusing on home ownership, economic independence, and patronizing respectable local businesses.⁹ As explained in the *Express* in April 1887, "The Merced citizen who lives to see 1890 will witness great changes in Merced county. Small farms, canals, irrigating ditches, neat residences and long avenues of shade trees will be seen all around Merced."¹⁰ Amidst the active construction of Merced's imagined place were persistent lamentations that Merced had come up so short in containing its problematic people and places, thus destroying any hope of becoming a fully formed, legitimate American city. Rowena G. Steele, the editor of the *San Joaquin Valley Argus*, advocated for disciplinary mechanisms to bring the 1890 version of place praised by the *Express* into being on Merced's unruly landscape as early as 1883. Steele reported "ten or twelve houses of ill-repute," adjacent to Chinese wash houses on Main Street, resulting in a "...festering cancer which is slowly but surely eating its way into the very heart of town."¹¹ It neither mattered if Chinese businesses were legitimate, legal enterprises or decidedly not—to the *Argus*, this ethnic intrusion into the heart of town presaged only devastating consequences for the production of a future Merced that matched the white, bourgeois ideal for Western cities: infrastructurally sound, politically orderly, with

⁹ "How To Improve a Town," *Merced Express*, February 26, 1887, 3, Merced County Library; "How to Make Lively Times," *The Merced Star*, February 17, 1887, 2, Merced County Library; *Merced Express*, April 16, 1887, sec. Local Brevities, 3, Merced County Library; *Merced Express*, March 5, 1887, sec. Local Brevities, 3, Merced County Library; *Merced Express*, February 26, 1887, sec. Local Brevities, 3, Merced County Library; *Merced Express*, January 15, 1887, 2, Merced County Library.

¹⁰ *April 16, 1887, 3.*

¹¹ "SHOULD BE MADE TO MOVE ON," *San Joaquin Argus*, December 1, 1883, Merced County Library.

citizens engaged in appropriate occupations and governed by the rule of law. Through an explicit sociospatial solution facilitated by police action, the press supported disciplinary mechanisms adapted to ideas of place and race, meant to contain the crisis of criminality and produce the imagined place Merced's boosters so desperately desired. The result left no room for any criminalized space or its residents, informing the community, and the local police as a part of that community, to who did and did not belong in Merced.

Place Becomes Territory: Criminalizing and Racializing Merced's Mexican Quarter

The spatial solution to Merced's crisis of criminality necessitated a dialogic between place and territory as a mechanism of both class and colonial panopticism. Newspaper rhetoric tied cartesian space, occupied by those deemed useless and societally dangerous, to race and criminality in order to justify a regime of territorialization executed through police raids. On March 26, 1887, the *Express* alerted the general public to a gang of escaped convicts from San Quentin that had taken up residence "in the tules near Lone Tree." The announcement called for immediate police action, claiming

That they have visited the Mexican quarter [*sic*] of this town on several occasions recently, is certain. That they and their associates are connected with the recent horse-stealing in Merced, is probable. That they should be captured or driven out of Merced county is a public necessity.¹²

The *Express* rhetorically tied the outlaws' identity to the cartesian space of the Mexican Quarter, as their definitive visit there signified criminality on par with the alleged horse theft. Police and community alike understood the expected behavior of those in the Mexican Quarter as inextricably linked to crime and subversion of community values, and thus those who *visit* stood in antithetical opposition to the imagined place of Merced as a growing, prosperous, and orderly Western city. In this way, the press supported District Attorney Breckinridge's push for police

¹² *Merced Express*, March 26, 1887, sec. Local Brevities, 2, Merced County Library.

intervention into the Mexican Quarter through his “clean sweeps,” as Merced’s placehood necessitated control over territorialized space.

As Breckinridge’s “clean sweep” targeted the Mexican Quarter, the press ensured that reports of successful sweeps included mentions of Chinese vice, thereby using the territorialization of one criminalized space to spatialize Chinatown residents as well. Amidst the vitriolic praise for Breckinridge’s success making Merced “too hot for evil doers,”¹³ the *Express* reported dissatisfaction among some business owners whose “...trade is injured by the decrease of population in the Mexican quarter [*sic*].” However, the report interjected, “...public sentiment is in favor of the District Attorney and his active crusade against the fandango *and* opium dens.”¹⁴ The *Express* facilitated further ‘public sentiment’ through subsequent police reports focusing on the ‘crisis’ of Chinese vice specifically, like that of six Chinese men arrested for opium related crimes on the same day; one for owning the ‘joint,’ three for “hitting the pipe,” and two for later attempting to smuggle the drug to their associates in the county jail.¹⁵ Thus, the public message conveyed conditional support to the police for raids in the Mexican Quarter, where negative economic consequences must be offset by the inclusion of all ethnic undesirables into the colonial panoptic gaze. The result used the police’s extension of territory to maximize the efficiency of panoptic measures.

Further maximizing the efficiency of policing the Mexican Quarter was the extension of the chain gang ordinance. Meant to resolve a long standing tramp menace through territorialized space, the ordinance constructed class panopticism alongside colonial panopticism. The ‘genus tramp,’ as dubbed in the press, presented direct challenges to spatial practices influencing

¹³ *Merced Express*, March 5, 1887, sec. Local Brevities, 3, Merced County Library.

¹⁴ *Merced Express*, April 2, 1887, sec. Local Brevities, 3, Merced County Library; emphasis added.

¹⁵ *Merced Express*, April 16, 1887, sec. Local Brevities, 3, Merced County Library.

Merced, particularly in light of the frequent press coverage of tramps and their refusal to work, their petty crime, and their building of shanty towns.¹⁶ As such, their nonnormative white performance presented a similar threat to the ‘festering cancer’ of fandangos and opium dens, with their own targeted disciplinary mechanisms meant to work with the colonial compartmentalization of Mexican and Chinese residents. “There is a certain element of the population that is not valuable to any community,” the *Express* lamented, “Pity there is not something more useful for these healthy specimens to do than to ornament the sidewalks[...].”¹⁷ Ordinance no. 25, passed a month after Breckinridge began his initiative, was a targeted response to solve the crisis of Merced’s white, tramp population, who typically took up residence in the West Side’s irrigation ditches and could be arrested in “clean sweep” raids on misdemeanor vagrancy.¹⁸ The *Express* reported that while on the chain gang, arrested tramps, “...work diligently on the streets...,”¹⁹ followed a few months later by the paper’s pleasant surprise that the Court House grounds could be kept, “...as attractive as...any public grounds on the coast,” at such a small expense.²⁰ The choice presented to white bodies through the discourses undergirding differentiated policing and the disciplinary mechanism itself was to work toward a boom independently or to work toward a boom as a ward of the state. Either choice produced something that undeniably favored bourgeois interests: a disciplined and docile population of the right kind of white bodies and a constrained, cheap source of carceral labor to build Merced. Whether or not tramps physically resided exclusively in the Mexican Quarter or Chinatown, their

¹⁶ “SHOT AND KILLED,” *Merced Express*, September 21, 1881, 3, Merced County Library; “TRAMPS AND THEIR PRIVILEGES,” *San Joaquin Argus*, January 25, 1879, 2, Merced County Library; “Belligerent Tramps,” *Merced Express*, April 16, 1881, 3, Merced County Library; *Merced Express*, February 5, 1887, sec. Local Brevities, 3, Merced County Library; *Merced Express*, January 29, 1887, 3, Merced County Library; *Merced Express*, December 27, 1881, sec. Local Brevities, 3, Merced County Library.

¹⁷ *Merced Express*, February 26, 1887, sec. Local Brevities, 3, Merced County Library.

¹⁸ “Los Banos Items,” *The Merced Express*, March 26, 1887, 3, Merced County Library.

¹⁹ *Merced Express*, March 26, 1887, sec. Local Brevities, 3, Merced County Library.

²⁰ *Merced Express*, March 28, 1887, sec. Local Brevities, 3, Merced County Library.

inclusion in the “clean sweep” campaign tied them to the criminalized territory and implicitly racialized their bodies in order to minimize their threat and maximize their disciplinary potential. Together with the “clean sweep” initiative, it becomes clear that both the crisis and the two mutually constitutive disciplinary mechanisms meant to resolve that crisis, were manufactured for a specific outcome—gaining absolute sociospatial control over Merced’s growth.

The specific, inclusive discourses surrounding the Mexican Quarter “clean sweeps,” chain gang, and boom demonstrate the potential of using rhetoric of place to justify a regime of territorialization for absolute sociospatial control. Writing about twentieth and twenty-first century gentrification in Denver, Colorado, geographer Sig Langegger noted a dialogic between imagined place and concrete territory. As Langegger explains, “ideas of place are essentially normative; they frame what should and should not occur in specific localities. In this way, place legitimates territorial regimes.”²¹ Territory, as a concrete boundary that establishes specific temporal and spatial regulations on behavior that is normalized, requires social actors to control it in order to match abstract conceptions of place.²² In Merced, and the urbanizing American West during the late nineteenth century more generally, I argue, police took on the burden of articulating and enforcing regimes of normalization within territories. Police powers to scrutinize, discipline, and incarcerate, alongside laws and lawyers that supported those powers, played instrumental roles in manifesting ideas of place into Merced’s spatial reality to uphold Anglo, bourgeois supremacy.

The work of territorializing the Mexican Quarter lies directly in policing fandangos, opium joints, and tramps amidst collective community support through crisis rhetoric to criminalize and racialize. Through the targeted oversurveillance and intentional violent arrest of

²¹ Langegger, Sig, *Rights to Public Space*, 32.

²² *Ibid.*, 33–41.

inhabitants or visitors to the territorialized Mexican Quarter, police denied a sense of belonging in place to anyone who did not fit within the regime of normalization, namely whiteness. For Langegger, abstract conceptions of place undergird the “semantic soothing” of gentrification, where rhetoric pathologizing inner cities is replaced by a rhetoric of revitalization. The rhetoric, Langegger argues, “removes the inherent violence of urban renewal...replacing [it] with an apparently irreproachable good,”²³ similar to the rhetoric supporting Breckinridge’s “clean sweeps” and Merced’s chain gang. The different disciplinary mechanisms conveyed the necessity of being an active contributor to Merced’s imagined place, the ‘irreproachable good’ antithetically positioned to anything associated with the Mexican Quarter. “Thanks to the persistent efforts of our efficient District Attorney,” the *Express* praised, “Merced has become a law abiding quiet town,”²⁴ effectively soothing any potential objections to the violence of police raids and forced labor through the ‘irreproachable good’ of law and order.

Conclusion

By analyzing the rhetoric that ideologically undergirded the police’s actions in Merced, my intention is to begin to expose a process—to demonstrate that Eastern hierarchies and institutions, like the police, did not magically move West under their own power and re-root whole cloth. Instead, individuals and groups carried these ideas as emigres, altered them with everyday decisions as settlers, and reshaped them to serve dynamic and unprecedented local circumstances as residents. And yet, all rationalizing attempts needed to contend with the power of marginalized bodies, who viscerally understood their spatialization, but negotiated and resisted through constructing spaces of their own. Differentiated policing, and all the sociospatial codes that instigate it, reveals the process through which racialized, gendered, hegemonic

²³ Langegger, Sig, *Rights to Public Space*, 37.

²⁴ “Democratic Record,” *Merced Express*, April 23, 1887, 3, Merced County Library.

‘populations’ are produced. While navigating spaces within the carceral net of surveillance, normalization, and examination, individuals understand where they are allowed to be subjects and where they are relegated to objectivity. That cognitive map is internalized, driving our behaviors, decisions, and our complicity within hierarchies of power.²⁵ This research uses the spatial to locate the racial, where police regulate access to space and behavior within it as a reflection of relations of power. Policing decisions determined by the racial perception of place are the physical manifestations of imagined space.²⁶ Police act as the mobile agents of spatial practice, inscribing racialization as they move, and as territorial agents, are on the front lines of place production as arbiters of what constitutes normative behavior according to their assessment of place formed by their own disciplining and position within the community. The public concerns of police movement within Merced specifically and the Western city more broadly, (to the extent that newspaper rhetoric allows), reflects the importance of professionalized, socially sanctioned mobile enforcers of space. The significance of my research lies in the ability to trace the choices made during “states of becoming,” that have shaped what the present moment understands as an unquestionable, timeless state of being.

Examining the process and functions of professionalizing the police as ‘becoming’ rather than ‘being’ interrogates larger issues of the American imaginary that have consequences in our present moment. Deconstructing the discourses that legitimized policing in the West forces a tracing of our understanding of the frontier, and thus the collective memory we continue to hold.

As Keeanga-Yamahtta Taylor explains,

[...]violent policing does not exist in a vacuum: it is a product of the inequity in our society. The police exert their authority in a *fundamentally disordered society*. The

²⁵ Langegger, Sig, *Rights to Public Space*, 27–39; Shabazz, *Spatializing Blackness*, 8–9, 11–12; Boag, *Re-Dressing America’s Frontier Past*, 159–87.

²⁶ Langegger, Sig, *Rights to Public Space*, 32.

clearer we can see these threads connecting police mayhem to the disorder in our society, the clearer we can express our need for a different kind of world.²⁷

Clean sweeps and a chain gang did not *redeem* the upside-down world of Merced during its perceived crisis of criminality or transform it into the sophisticated, prosperous metropolis it so desperately wanted to become. Recognizing the hidden way that power operated through the mass circulated press and ideas of place help reveal the ways in which the *fundamentally disordered society* in which we live, replete with millions incarcerated, concentration camps on our Southern border, and white cops freely gunning down unarmed black youth in the streets, was imposed through a process that can be undone. Power successfully operates by presenting unwanted solutions that have no seeming alternative, which is particularly true in the case of incarceration and capitalism. Often if alternatives are posited, they are discounted as unsustainable because of their perceived incapability with “human nature.” Understanding that things were not always this way—that America had to work toward institutionalizing violent, racist policing—pushes us to engage with proposed alternatives with more good faith than power wants. It unnaturalizes a constant in our lived experiences, releasing us to imagine a new beginning.

²⁷ Taylor, *From #BlackLivesMatter to Black Liberation*, 217–18.

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