Disentangling Desire in 1950s Houston:  
On Assemblages and Racial Disparity in American Criminal Justice

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“I have nothing to hide.” I came across these words in a 1956 issue of the Houston Informer on January 31, 2014. By that time my paper had long been submitted to and graded by Dr. Randal Hall, but I was so excited by the find that I immediately e-mailed him to ask advice about tracking down some more documents. These words were an excerpt from a letter written by Johnny Elwood Gordon, a black man on death row after having been convicted of raping a white woman in Houston in 1954. I believe I am the first person to have written a history of Gordon's trial, so every fragmentary source is not only important to telling a fuller story, but each one also compels me to ask about where the next little piece might be hiding. Indeed, this project began in much the same haphazard way.

During the fall semester of 2012 I had been scanning microfilm in Fondren's basement, looking through the major Houston newspapers—the Post, Chronicle, and Informer—for information about school desegregation in the city. However, despite finding compelling stories of desegregation battles waged throughout Houston, I found myself even more drawn to headlines about cross burnings, capital crimes, and the ever-looming communist threat. The city appeared vibrant and forward-thinking, yet decidedly chaotic and confused about its future. Though I completed a paper about desegregation politics in the Informer that semester, by the time I had completed my microfilm journeys I had also scanned dozens of pages of crime stories and editorials about those crimes. I didn't quite know what to do with them, so I left them untouched on my USB for another semester.
That following semester, I participated in the SWGS 502 seminar, “Feminist Debates,” with Dr. Susan Lurie. She, and the CSWGS Graduate Colloquium, introduced me to the work of Jasbir Puar. Her work employed an ontology I had never heard of: assemblage theory. It was confusing and dense, but it leveled what I felt were legitimate critiques against some of the basic assumptions I had about the social world: is everything really a social construction? Does intersectionality really capture the complexity of identity and structure? Assemblage theorists, it turned out, answered no to both of these. My most immediate concern, then, was understanding how this would affect my approach to studying race and gender. I had to get my hands on Manuel DeLanda's *A New Philosophy of Society*. Thanks to Fondren's Interlibrary Loan, I soon had a copy of the book and I spent several weeks with it—or rather, several weeks fighting through it. I was on my way to a new way of understanding race, gender, and the power of contingency.

Then, this past semester, my microfilm scans and my growing understanding of assemblage theory came together after I happened upon a disturbing YouTube video. Two young black men were stopped and frisked in Philadelphia by two white police officers in October 2013 for saying hello to a stranger. One of the young men recorded the entire incident on his cell phone camera, which for the majority of the video had been knocked out of his hands by one of the officers. The video captured the embodiment of a rapacious criminal justice system attacking two vulnerable bodies—two young men who had committed no crime, who were not suspected of committing a crime, and who had no warrants out for their arrests. Racialized language soon made explicit what was already obvious: the men's bodies and their physical locations carried significant meaning to these officers and the criminal justice assemblage of which they were active parts. The Philadelphia Police Department condemned the officers for their “individual”
acts, and assured residents that racism was not endemic to police work in the city. This a familiar refrain.¹ But it does beg the question: why does a purportedly non-racist, non-sexist criminal justice system continue to produce statistically unjustified disparities in terms of race and gender?

To answer this question, I took assemblage theory and looked to the past. I rediscovered Johnny Elwood Gordon in the microfilm scans and began to piece his story together with the fragments I had from the three newspapers. Then, I journeyed downtown to the Harris County District Clerk's Office, and with the help of the wonderful staff at the warehouse, began to take photographs of all of the documents in Gordon's case files. Several weeks later, after writing out a step-by-step narrative based on what I had collected, I realized there were still important fragments missing. I ventured back to Fondren and more closely looked through the newspapers in microfilm for particular reference to Gordon's case. I also used the ProQuest Historical Newspapers collection, the University of North Texas Libraries' online historical newspapers, and Fondren's access to State of Texas Court of Appeals decisions through LexisNexis to flesh out further details in Gordon's story.

I now had a much better narrative, but it was largely decontextualized. I needed to know about the social world that produced Johnny Elwood Gordon as an indicted man and the legal world that transformed Johnny Elwood Gordon into a criminal. The Woodson Research Center provided me with books about and photographs of the Houston Police Department (HPD) during

the 1950s. Additionally, Fondren maintains physical and electronic copies of the now defunct *Rice University Studies* journal, in which a former doctoral student published a thoroughly researched project on the history of HPD. These resources proved invaluable. I also consulted Fondren's large physical copies of census records from the 1940s and 1950s. The newspapers and court documents gave me exact locations for the events in Gordon's, but there was no demographic context. By pairing these census statistics with actual census sheets available through Fondren's subscription to HeritageQuest, I was able to plot major characters and events in contextualized places as well as find family information about important people to the story who are otherwise lost to history. Lastly, I needed more voices. What were the lived experiences of people like Johnny Elwood Gordon in 1950s Houston? I used NAACP papers on microfilm and the Fondren's trial subscription to the HistoryVault on ProQuest (and I sincerely hope Fondren can subscribe to the entire project in the future) to find some of those voices. I also found oral histories at the Houston Public Library and the Jamail Center for Legal Research at UT Austin.

This project was, first and foremost, a primary source treasure hunt. But once I had the story, I needed the argument. I needed a way to read it and make sense out of it. I consulted nearly ninety books (through the catalog), articles (through E-Journals and ILL), and dissertations (through ProQuest) in order to place Gordon's story within existing historiography and to ascertain what kinds of questions were being asked, which were missing, and what kinds of answers were being offered. One precious book, *Scottsboro Boy*, Haywood Patteron's 1950 autobiography, is available at a relatively small number of libraries and retails for nearly ninety dollars. The Library Service Center keeps a pristine copy of this treasure. The library's electronic journals (and sometimes print copies of older issues) were also invaluable; germane research to
my project ranged from law to sociology, from philosophy to political science, and from feminist studies to American history. This world of research gave me the tools I needed to read this new narrative I had constructed and to apply that reading to multiple contexts: the sociohistorical world in which Gordon lived and died and the politically charged landscape in which this kind of work might be read. Thankfully, Zotero helped me organize and automatically cite all of these secondary source documents.

I found at least one answer to my question (why does a purportedly non-racist, non-sexist criminal justice system continue to produce statistically unjustified disparities in terms of race and gender?). Gordon was made into a criminal; whether he committed the crime or not is something we cannot know, but we can be sure that a material and symbolic judicial process transformed a man into a criminal. That is significant for multiple reasons. It disturbs any notion that justice is an ideal to which we can aspire, and reminds us, in a very real way, that justice is something we create. And we create it under the pretense of objectivity. We are race-blind, but like the officers that stopped those two young men in Philadelphia, we literally cannot but help to see color. And we cannot escape the ways in which we have learned to signify upon that color. Or that sex. Or that body size. Or that posture. So the challenge in my historical reconstruction of this story became to unsnarl that process of bodily signification from the process of criminal-making. Though the two are definitely intimately involved throughout American history, they are not the same and do not necessarily derive from the same sources. In “Disentangling Desire,” I argue for a reading of America's racial past that, perhaps paradoxically, hopefully disallows “racism,” as an explanation unto itself, from obscuring actual processes that produce racial disparity. This work could not have been done without the primary and secondary resources available through Fondren and in the City of Houston.