Conflicting Identities: The Mexican American Quest for Inclusion in American Education Policy

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Since the 1990s, there has been a growing debate on multiculturalism in the United States. For proponents it is a way to include minorities without full assimilation, a way to preserve culture alongside the national identity. For opponents, it weakens the social fabric if minorities do not fully take part in the shared identity and become full members of the imagined community. This debate often infiltrates concerns over the state of American education today as cultural pluralism becomes a major focus for policy change. To explore this debate further, this thesis gives a detailed analysis of the Mexican American quest for inclusion in education policy to answer the question: how has the national identity and Mexican American identity been used to include or exclude Mexican Americans in education policy change? In three chapters, using three different time periods, the history of Mexican American identity will be discussed during 1900-1930s – the period of assimilation, the 1930s to the 1950s – the Mexican American Civil Rights Movement, and the 1960s to the 1970s – The Chicano/a Movement. The melting pot ideology of the first period restricted cultural pluralism, stigmatized Mexican Americans, and assigned to them a stereotypical vocational role in society. The second period focuses on the growth in power of the Mexican American elite middle class, and shows how identifying as White produces local education policy change. The third period explores a shift in the power balance in which sectionalism and a growth in group nationalism promoted a unique identity for the labor and student movements resulting in policy that directly responded to needs of the Mexican American group (i.e. bilingual education and full desegregation). Since Mexican Americans have the unique ability, as a biracial group to ascribe to whiteness or indigenousness, policy change can be explored depending on the identity ascription of the group in power allowing actors to influence institutional change resulting in two separate paths of institutional creation. In the end, a unique identity path produced policy change that encompassed more educational needs and fully included the group, a feat that could not be accomplished when ascribing to a White assimilationist identity path.

Photo of Lyndon Baines Johnson as a teacher at the Welhausen Mexican School in Cotulla Texas, 1928, no. 28-13-4. Credit to LBJ Library.

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Introduction

Constructing a Shared Identity

One can practically hear liberty bells when reading Arthur Schlesinger Jr.'s *The Disuniting of America*. His book is a rather famous critique on multiculturalism, as it exists in the United States today, or rather in the 1990s when critics of multicultural policies began voicing their discontent with this new ideology. Schlesinger argues that there has been a rise in the "ethnic interpretation" of American history, one that "reverses the historic theory of America as one people – the theory that has thus far managed to keep American society whole."[2] His worries are rooted in cultural pluralism, which he views as a "necessity in a multicultural society" but when multiculturalism, as an Anglo/Euro-centric backlash "become[s] an ethnocentrism of its own," he defies the whole construct.[3] In the end, he defines multiculturalism in two ways: an ideology that recognizes minorities and a militant idea "[...] in which it opposes the idea of a common culture [and] rejects the goals of assimilation and integration [...]."[4] Multiculturalism, then, should encompass cultural pluralism only to the extent that minority groups are recognized but not if recognizing "militant" multiculturalism creates a backlash.

Schlesinger's views represent the liberal strain of hybrid historical/sociological literature in which American society can only be held together through a shared history or identity, and "militant multiculturalism," which is destroying that social fabric. The national identity, according to this strain, has its roots in the period directly before and after the American Revolution when Americans with political voice were "[...] a mixture of English, Scotch, Irish, French, Dutch, Germans, and Swedes." These immigrants are what constitute the new American society, according to Hector St. John de Crevecoeur the author of *Letters from an American Farmer*, written in the 1760s. His description of an American was "an European, or the descendant of an European, hence that strange mixture of blood, which you will find in no other country. The American is a new man, who acts upon new principles; he must therefore

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[2] Arthur M. Schlesinger, *The Disuniting of America*, (New York: W. W. Norton & Company, 1998), 21.
[3] Ibid. 80.
[4] Ibid. 150-1.

entertain new ideas, and form new opinions."[5] Schlesinger uses Crevecoeur's description to show that the United States from its inception created this identity as a way to foster unity. This common culture would then become the foundation of American identity, an amalgamation of European immigrants who had abandoned certain cultural ties to their home culture (i.e. language) in order to become a unified whole.

Benedict Anderson refers to shared national identity as an imagined community where "the members of even the smallest nation will never know most of their fellow-members, meet them, or even hear of them, yet in the minds of each lives the image of their communion" because although they might come from different walks of life, or social classes, they are still members of the same community.[6] Using Anderson's concepts, Jon Stratton and Ien Ang, cultural researchers in Australia, argue that the ideology used to construct American national identity as an "imagined community" transcends "cultural and ethnic specificity." A national identity constructed with such an all-encompassing ideology, according to them, "can help explain why the multiple cultures and peoples that make up the United States are always to be subsumed under the overarching ideals which make America 'the promised land.'" They argue that multiculturalism is alien to American identity because of the common culture's inherent "suppression and repression, symbolic or otherwise, of difference."[7] In an effort to create civic solidarity, Will Kymlicka adds, American identity is purged of its darker history which requires pride and attachment that cannot be achieved if history reveals past acts of suppression and racial tension.[8] What's left of the American national identity is an umbrella culture that suppresses difference and then erases past atrocities from the collective memory.

A response to this suppression has been a bottom-up strategy of advocating multiculturalism, quite the opposite of official top-down implementation of federally recognized multicultural policies in other settler states such as Australia and Canada.[9]

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[5] Hector St. John de Crevecoeur, *Letters from an American Farmer,* (Blackmask Online Publishing), 2002.

[6] Benedict Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism* Revised Edition, (New York, London: Verso, 2006), 6-7.

[7] Jon Stratton and Ien Ang, "Imagined Communities: Cultural Difference and National Identity in the United States and Australia" in David Bennett (ed.) *Multicultural States: Rethinking Difference and Identity* (London: Routledge, 1998), 137-143.

[8] Will Kymlicka, *Multicultural Citizenship*, (Oxford: Clarendon Press, 1995), 238, note 14.

[9] Adapted from Stratton and Ang "Imagined Communities", 137.

Although a comparison of multicultural policies in each of these three countries would be a fitting topic for future research, the importance of mentioning bottom-up support for multiculturalism in the United States is the lack of legitimacy multiculturalism has if it is not given power by the federal government. This puts more pressure on subordinate groups to foster multiculturalism from below in order to correct the imbalance of the dominant culture's influence in the United States. For Americans, the dominant culture is so ingrained in the minds of many White Americans (as descendants of ethnic groups that have been assimilated) that they have lost a sense of their own ethnic history and identity. There is no "European American" in the common vernacular as opposed to African American, Native American, or Mexican American. The "politics of forgetting," as Henry Giroux labels this erasure of ethnic history, has a detrimental effect on a White American's ability to answer the question "What is culture?" because "whiteness" has failed to become its own cultural group. That is to say, White Americans might say they lack the *culture* that minorities have, choosing instead to reserve the word "culture" for people of color. The forgetting aspect, according to Giroux, has prompted many of his students to profess that Whites are "cultureless."[10] If viewed this way, multiculturalism becomes a way to allow minorities access to a unique culture, and White people opt out of the construct oblivious to the fact that ascribing to the national identity has erased their connections to a unique ethnic heritage. This phenomenon is most troubling for White students because, as Bob Suzuki has noted in his own classroom, White students that do not know their own ethnic past are less likely to identify with the struggle of their minority counterparts.[11] This makes education an important institution for (re)structuring identity in the next generation, and education policy a useful tool for examining how national identity and cultural identity conflict with each other.

Access to a unique culture apart from the common culture, is different for assimilated immigrants and national minorities because, according to Will Kymlicka, the United States' dominant culture has had relative success in assimilating immigrants, but "dominant cultures have had far less success accommodating national groups [i.e. Native Americans and Puerto Ricans] than ethnic groups. In multination states, national minorities have resisted integration

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[10] Henry Giroux, "The Politics of National Identity and the Pedagogy of Multiculturalism in the USA" in David Bennett (ed.) *Multicultural States: Rethinking Difference and Identity* (London: Routledge, 1998), 183.
[11] Bob Suzuki, "Unity with Diversity" *Liberal Education* 77 No. 1 (1991), 30-35.

into the common culture, and instead sought to protect their separate existence by consolidating their own societal cultures."[12] Building this distinction between immigrant and national minority is vital for the research that follows, especially when studying the Mexican American case. This group has been chosen as the major focus of this thesis because they have ties to national minority status and as recent immigrants. The challenge for the common culture, then, becomes how well it can accept the influence of an ethnicity with historic ties to the American Southwest, making them a national minority but also consisting of a growing immigrant population. This national vs. group culture clash becomes more salient when discussing the formation and evolution of identity as an evolving social norm.

The research by Stratton, Ang, Giroux, Kymlicka, and Schlesinger address a myriad of themes that will appear in the body of this thesis. The complexity of national vs. group identity, assimilation of immigrants, the retention of culture by national minorities, and the historical implications of a changing national identity that either accepts or rejects minority culture will be addressed in more detail as the narrative progresses in the chapters below. These themes are embedded in the historical context of the Mexican American experience, and help to outline how education policy has developed out of this history. In the case of Mexican Americans, there is an historical legacy that helps to explain their initial acceptance and later rejection of American shared identity. Examining identity politics from the perspective of one racial group clarifies the inclusivity/exclusivity of the shared national identity. Mexican American education history exemplifies this inclusive and exclusive dynamic making it an interesting approach to studying both identity formation and education policy change.

The Education Debate

Starting in the early 1990s, American public education began implementing new curricula to respond to diversity, which came to be called "multicultural education." According to Nathan Glazer, multicultural education was branded as a new concept, but it was a rather old issue. As far back as the 1880s and 90s, German immigrants began fighting for the right to hold instruction in German prompting the English-only laws that dominated "the nativist movement" in which people were to ascribe to the shared identity above all else. Advocates

[12] Kymlicka, *Multicultural Citizenship*, 79.

like Horace Kallen and John Dewey were influential in the fight for cultural pluralism in the period after the First World War in a response to the melting pot ideology that dominated public discourse at the time. If we fast forward to the end of World War II there is a distinct reversal of the assimilationist rhetoric of the previous era as a rejection of Nazism permeated the multiculturalism debate. Glazer notes that "it was in the interest of the war effort to teach equality, and tolerance," leading to "intercultural education" the elder brother of multicultural education. The African American push for desegregation in the 1950s was premised on assimilation, "blacks should not be treated differently because they were black" but desegregation policies during this period proved to be rather ineffective and in many cases unenforced. The 1960s became a transformative era in which minorities began to assert their ability to receive rights like bilingual education or Afrocentric education because they were of a different race and the education system had failed to accommodate their specific needs.[13]

Mexican American education history follows a similar path to Glazer's article. In the period after the Mexican American War of 1848, there was a distinctive assimilationist rhetoric that pushed the natives of Mexican-origin in the Southwest onto a path of becoming English-speaking Americans. The push for desegregation occurred during the Mexican American Civil Rights Movement of the 1930s – 1950s. At this time, organizations headed by middle-class descendants of largely assimilated Mexican Americans pushed for desegregation but upheld the idea that they were Americans and must assimilate. The Chicano/a Movement of the 1960s was a reversal of this rhetoric in which asserting a unique, identifiable, ethnic identity resulted in the formation of education policies directly applicable to the Mexican American experience. What social scientists like Schlesinger take issue with is this later movement.

Glazer notes that liberal historians lie on a spectrum where they are generally in favor of the "mild" version (teaching tolerance) but against the "extreme" versions (ethnocentric curricula).[14] Schlesinger spends an entire chapter focused on the need for cultural pluralism, but decries the influence of Afrocentrism[15] in public school curricula as "therapeutic: to build a

[13] Nathan Glazer, "School Wars" *Brookings Review* 11 No. 4 (1993), 16-20.

[14] Ibid.

[15] Afrocentric curricula are standards advocated by school systems with a largely African American population in which content originates from an African perspective as a replacement to the largely Eurocentric curricula of mainstream education.

sense of self-worth among minority children."[16] Brian Barry, another critic of multiculturalism, similarly has issue with Afrocentrism, and takes the stance that education of minorities in separate environments with unique curriculums is illiberal. He uses Latinos/as an example of a segment of the American population subject to an illiberal education because the opportunity cost of bilingual education takes time from learning valuable English skills. Barry would rather see Latinos/as in ESL (English as a Second Language) classrooms, immersed from the beginning in the dominant language, a practice much more assimilationist than integrationist. After a scathing critique of multicultural education, he quotes Jennifer Hochschild and Nathan Scovronick in saying "the idea of a common culture is sacrificed, the benefits of inclusion to all sides become secondary, and individual or small group goals triumph at the cost of collective ones" when schools cater to the demands of every cultural group.[17]

Barry and Schlesinger thus see cultural pluralism in education as something that can be tolerated up to the point where it denies access to a common curriculum. In a sense, they view multiculturalism beyond integrating "minority stories" into the curriculum as a step backwards in the way segregation of African American and Mexican students offered these minority groups access to a substandard education. A major piece of the puzzle missing from Schlesinger and Barry's arguments, however, are the historical reasons of why these minorities have decided to separate from the society at-large in order to receive an education apart from the majority. Just as Straton and Ang stressed, multicultural education, just like multiculturalism at-large, is a bottom-up strategy, fostered by disadvantaged groups that have ascribed to a particular identity in order to achieve some semblance of autonomy or control over their education. This does not necessarily mean that they have abandoned the construct of national identity, but by creating unity as a national minority (discussed in chapter 3) groups like Mexican Americans have resisted the exclusivity of the national identity. The separatism that minority groups exercise both in the community and in the classroom exist because the restrictive nature of the national identity described above has, throughout history, infiltrated the institutions of government leading to institutional racism, a topic of great importance in America today. This leads to the question, many liberal historians ask: Is

[16] Schlesinger *The Disuniting of America*, 86.
[17] Brian Barry, *Culture and Equality: An Egalitarian Critique of Multiculturalism*, (Oxford: Polity Press, 2001), 225-238.

multicultural education coaxing young people into straying from the shared identity, or should they "join in with the rest of us?"

To answer this question, a study conducted by Ashley Anglin and her colleagues in a majority Hispanic school in Georgia helps to color the situation. Their findings suggest that there is no significant difference between the civic engagement of Latino/a students and their White counterparts.[18] What this means is that even though these students, as a Latino/a minority are part of a minority group at-large, despite the "separatist tendencies" that minority groups have, they are not more or less civically engaged. If anything, the White minority students at this particular school were more likely to discover aspects of their own ethnic heritage because they were members of the minority which alludes to Giroux's argument that in order to correct the politics of forgetting, White people need to acquire an identity before they can identify with other groups.

Historians and sociologists who give a nostalgic feel for the assimilationist education of the past fear for the fraying of the social fabric. But there are several troubling aspects to their argument. Schlesinger's explanation of the national identity that uses Crevecoeur's 1760s description is essentially a White America…"a descendant of an European." Adhering to this static view of American identity is damaging to education, and detracts from the institution of national identity as a mental/alterable concept. Discounting any "radical" form of cultural pluralism is equally deleterious. As America moves toward the future, immigration has and will play a significant role in the way national identity and education policy are constructed and both of these institutions (identity and education) will influence and reflect each other. Crevecoeur's idea of the nation is outdated, which means Americans need to reconstruct a new national identity from more recent history, or rather adapt to the idea that American national identity is dynamic. Although identity can be a rather abstract concept, identity politics has had an unprecedented level of influence on the formation of education policy in the United States.

[18] Ashley Anglin et al., "Ethnic Identity and Civic Attitudes in Latino and Caucasian Youth" *Journal of Youth Studies* 15 No. 5 (2012), 633-638.

Thesis Structure

Research Questions

The introduction to this thesis, so far, has established that there is a conflict between national identity and group identity and that identity politics is a major force in influencing education policy today. But how identity has influenced the creation of education policy throughout history is the major concern of this paper. The following chapters of this thesis will examine Mexican American education history to address these developments and answer the following questions: How has the use of American national identity and Mexican American identity changed over time in American education policy to include or exclude people of Mexican descent? How has the conflict between these two identities developed in education policy over time and why? And what are the implications for future policy?

Methods

This paper will examine identity as an institution using Avner Greif's definition: "a system of rules, beliefs, norms, and organizations that together generate a regularity of (social behavior)." Adapted to this situation, identities both as a national and a group concept are a system of beliefs that regulate social behavior, and as time moves forward pieces of these past institutions affect the way future institutions are structured.[19] In other words, an informal norm such as identity, which is a very cerebral and abstract concept can help to explain how future education policy, as a more formal institution, is the result of conflict between American national identity and ethnic group consciousness. As national identity evolves, education evolves, influenced by both sets of identity. Education policy thus becomes a tool to measure how the national identity of the United States has restructured to include or exclude its Mexican American minority.

A well-known example of identity politics influencing the creation of education policy is the African American case. The desegregation of schools by *Brown vs. Board of Education* and the Civil Rights Act of 1964 are testament to the African American struggle for inclusion in

[19] Avner Greif, *Institutions and the Path to the Modern Economy,* (New York: Cambridge University Press, 2006) 30, 187-216.

education and society itself. Mexican Americans, however, achieved reform through different means, and thus it becomes necessary for an historical analysis to determine the conflict between national and group identity in the Mexican American context. This paper will closely examine the identity formation of the Mexican American group in three distinct episodes: Americanization (1900-1930s), the Mexican American Civil Rights Movement (1930s-1950s), and the Chicano/a Movement (1960s-1970s) that closely mirror Glazer's construct above. As national and group identity evolved during these periods, education policy took on various forms. The historical research that follows will attempt to bridge the gap between the sociological reasoning of the introduction with historical analysis of the Mexican American experience in education, marking it as historical sociology championed by such researchers as James Mahoney and Douglas North.

A prominent tool for historical sociology is that of path dependence, which, in the words of James Mahoney, goes beyond the mere statement that "history matters", and moves toward historical reasoning for why a path exists. If we adapt path dependence to the case of Mexican American education, there is a self-reinforcing sequence that can be explained by the acquisition of power by a previously subordinate group. This is called the "power explanation" in which an "institution is reproduced because it is supported by an elite group of actors."[20] For the Mexican American case, there are two sequences (paths) of events that have led to very different policy outcomes based upon a divergence of identity that stems from racial exclusion and sectionalism within the group. Disunity in the Mexican American case resulted in two distinct paths that resulted in the formation of education policy distinctly different as power changed hands. This will become clearer as the chapters progress to illustrate how racial definition of the Mexican American ethnicity divided the group into two parts based upon their skin color and status. Thus path dependence can be used to examine the Mexican American case of power exchange from the assimilationist "Spanish American" group to the formation of a unique ethnic identity as power was transferred to the labor and student movements of the 1960s. These two paths are the subjects of chapters two and three.

[20] James Mahoney, "Path Dependence in Historical Sociology" *Theory and Society* 29 (2000), 507-548.

Sources

To examine the Mexican American case, a variety of sources have been utilized to explore Mexican American education history as well as to provide the surrounding historical context of identity formation. Oral histories authored by Mario Gárcia and Manuel Gamio provide an insight into the lives of Mexican Americans from each of the three time periods. Articles written in each time period are also used to frame the arguments of educationists and social scientists like John Dewey, Emory Bogardus, Ellwood Cubberley, and George I. Sánchez. There is also an extensive look into the opinions authored by various Supreme Court justices, complimentary to Richard Valencia's work on Mexican American court cases, as well as legislation enacted by the Lyndon Johnson administration.

Added to this is a plethora of secondary source literature most important being Mel van Elteren's *Americanism and Americanization,* a thorough analysis of American national identity formation, and Ricardo Acuña's famous *Occupied America* that has become the seminal work for depicting Mexican American identity formation. Combining these two books has given a very vivid view of both the national identity and Mexican American identity. A few specific histories by Neil Foley, Gilbert González, David Gutiérrez and Victoria-María MacDonald have also helped to frame the historical context as well as identify education policy. The final bibliography, thus, is a vast collection of primary and secondary sources many of which are staple works in studying education history or Mexican American identity politics.

The sources used also focus on the two states with the largest Mexican American population: California and Texas. Because of this, policies from Arizona, New Mexico, and Colorado have largely been left out or briefly mentioned as a peripheral aspect of the historical context. Policies from California and Texas, however, were landmark Supreme Court decisions or statewide policies that helped to influence policies in other southwestern states. Combined with the analysis of federal policies, a clearer overview of the Mexican American experience can be achieved because of this narrower geographic location.

Chapter 1 – Anglo-Saxonism, Assimilation, and Segregation

In 1839, John O'Sullivan wrote a powerful speech entitled *The Great Nation of Futurity* in which he declared of Americans, "We are the nation of progress." It was up to the American people to spread this progress because the values America propagated: "universality of freedom and equality" were meant to be spread across the globe. America had "to establish on earth the moral dignity and salvation of man. […] For this blessed mission to the nations of the world, which are shut out from the life-giving light of truth, has America been chosen […].[21] It comes as no surprise that the same man wrote in 1845 that it was the "manifest destiny" of the United States to annex Texas, and claimed that California would soon follow as "The Anglo-Saxon foot is already on its borders."[22] The "Anglo-Saxon foot" O'Sullivan referred to was the racial ideology that had enveloped many of the politicians and adventure-seekers who looked to the West as lands ripe for the taking. Reginald Horsman described Anglo-Saxonism as "the concept of a distinct, superior Anglo-Saxon race, with innate endowments enabling it to achieve a perfection of governmental institutions and world dominance."[23] Anders Stephenson referred to Anglo-Saxonism as a way to reinvent America as an imagined community using concepts of Britishness and identity formation after the American Revolution.[24] The ideology became the foundation for westward expansion as Mexican territory came to be seen as land meant to be owned by the United States.

For years the Mexican government had allowed Americans access to the Southwest because it was underpopulated and underworked. So long as Americans respected the Mexican government and learned Spanish, they were allowed to stay in Mexican territory.[25] The pervasive nature of Anglo-Saxonism, however, gave the Americans a sense of superiority, and

[21] John O'Sullivan, "The Great Nation of Futurity" *The United States Democratic Review* 6 No. 23 (1839), 426-430.
[22] Reginald Horsman, *Race and Manifest Destiny: The Origins of American Racial Anglo-Saxonism* (Cambridge, Massachusetts: Harvard University Press, 1981), 219.
[23] Ibid. 9.
[24] Anders Stephenson, *Manifest Destiny: American Expansion and the Empire of Right* (New York: Hill and Wang, 1995), 28-30.
[25] Victoria-Maria MacDonald, *Latino Education in the United States: A Narrated History from 1513-2000* (New York: Palgrave Macmillan, 2004), 55-6.

they began to displace Mexican and Native American families. "To take lands from inferior barbarians was no crime; it was simply following God's injunctions to make the land fruitful," wrote Lansford Hasting, the author of *The Emigrants' Guide to Oregon and California*.[26] Protestants rejoiced at the prospect of dominating a Catholic power, but a few church leaders spoke out against expansion. William Ellery Channing, founder of the Unitarian Church in the United States, wrote that American greed would put the United States on a path of disgrace. In a widely distributed letter to Henry Clay, Channing remarked, "It is sometimes said, that nations are swayed by laws, as unfailing as those which govern matter; that they have their destinies; that their character and position carry them forward irresistibly to their goal…that, by a like necessity, the Indians have melted before the white man, and the mixed degraded race of Mexico must melt before the Anglo-Saxon. Away with this vile sophistry!"[27]

The culmination of this vicious expansion and dislocation of peoples in the West led to the Mexican-American War. Channing's words went unheeded, and the United States flexed its military prowess in lands it wanted to control. The Treaty of Guadalupe-Hidalgo (1848) afforded the Mexicans now living on conquered American soil rights to citizenship, land, and their language.[28] However, new local governments sprang to life in the territories that denied citizenship to anyone with African ancestry, denied many access to mining jobs, forcibly relocated Mexican Americans, or forced them South into the Mexican northern states.[29] For many of the *Tejanos* and *Californios* (the descendants of Spanish colonists residing in Texas and California) life became that of a working-class laborer. But over the years, these Mexican Americans would assimilate, gain wealth, and organize together to exercise their power as a collective force. The Anglo-Saxonism persisted and shaped new institutions of the American Southwest, but the Mexican Americans were determined to shape institutions themselves. This conflict between national identity and group identity would have a profound effect on the formation of education policy in the years to follow and it is this conflict that is the main topic of this chapter from 1900 to the 1930s.

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[26] As cited in Horsman, *Race and Manifest Destiny,* 211. See note 6.

[27] William Ellery Channing, "A Letter on the Annexation of Texas to the United States" (1837) as cited in Stephenson, *Manifest Destiny,* 49

[28] MacDonald, *Latino Education*, 56.

[29] Ibid. 57.

Americanization and Assimilation of Mexican Newcomers

The Push and Pull of Migration

As Table 2 (Appendix B) shows, there was a major increase in the immigration of Mexicans from 1900-1930 despite high economic growth in Mexico at the time. Under the Porfirio Díaz government (1876-1910), northern Mexico exploded with economic growth caused by an export boom brought on by government intervention.[30] This explains the relatively low (but increasing) movement of Mexicans into the United States. Mexican society was heavily divided into a caste system consisting of creoles (people of pure Spanish descent), mestizo (mixed Spanish and American Indian) and Native Americans, the lowest rung. The elites (mainly creole and high ranking mestizo) were making money on exporting minerals during the Diaz regime, but the Native American and mestizo population were often left out of economic advancement.[31]

The military was largely inactive during Díaz's rule, and became rather ineffective and "moderately competent" allowing a rather weak Revolution starting in 1910 to turn into an explosion of conflicts lasting until 1917. Francisco I. Madero took control of the government and appointed Victoriano Huerta to be his military commander. This mistake, as Huerta was committed to bringing Madero down, resulted in the *decena trágica* (the tragic ten days) from February 8-18, 1913 in which Huerta and Madero cost the lives of many innocent civilians in Mexico City. Eventually, the two signed a pact at the American Embassy that temporarily put a stop to the fighting. Huerta was exalted as a hero of the Republic by the wealthy, the Church, and the army.[32]

President Woodrow Wilson, however, was unhappy about Huerta's victory, and made it his mission to reestablish democracy in Mexico and American influence in Latin America. On April 20, 1914, the United States Marines took control of the customs house in Veracruz, which was seen as an act of aggression tantamount to an act of war. Huerta and his opposition,

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[30] James Mahoney, *Colonialism and Postcolonial Development: Spanish America in Comparative Perspective*, (New York: Cambridge University Press, 2010), 214.

[31] Alan Knight, "Racism, Revolution and Indigenismo: Mexico, 1910-1940," in Richard Graham (ed.) *The Idea of Race in Latin America, 1870-1940* (Austin, Texas: University of Texas Press, 1990), 68-71.

[32] John Rutherford, *Mexican Society during the Revolution* (London: Oxford University Press, 1971), 19-33.

Venustiano Carranza, were both opposed to American intervention, and Wilson saw he had clearly made a mistake intervening. Meanwhile, Carranza was wooing the working poor to join his side in the Revolution, only to begin passing legislation against labor union strikes in 1916. His opposition, however, made Carranza concede to new demands resulting in the Constitution of 1917. The new constitution allowed for compulsory secular education, a limiting of church power, and a whole host of labor laws. [33]

The Constitution of 1917 did more than enact sweeping reforms; it would lead to a rebirth of ideas in Mexico led by the *indigenismo* movement: a rejection of the caste-based system of separation based on race. But as Alan Knight points out, the official race-based discrimination might have died out, but unofficial racism - mostly based on class - became the new sort of racism in Mexico.[34] Throughout the Revolution, and afterward, the rural Mexican population remained poor and the worst off of any group were the Native Americans who could not afford to leave their homes. The underprivileged sub-sections of the Mexican population then began looking northward to make their fortune, or at least, feed their families. When Mexicans began immigrating to the American Southwest, however, they faced an entirely new form of racism, as described above, by the Anglo-Saxonism and religious fundamentalism of White American settlers moving into the region. In a sense, they were exchanging one form of racism for another but with the added construct of linguistic and religious differences.

Work the Men

Ricardo Romo's detailed account of Mexican immigration points out three major periods of immigration to the United States. The first two waves (1815-1860) involved heavy immigration of Germans, Irish, and British to American shores. The last wave, 1890-1914 consisted of Mexicans moving north, due to unrest caused by the Mexican Revolution, easier access to transport, and the pull of American employers seeking cheap labor. In 1900, the estimated Mexican American population stood at 100,000 and by 1930, this figure jumped to 1.5 million. This was a direct result of immigration quotas established for Asian and Southern European immigrants, namely the Johnson Act, signed into law in 1920 that limited the number of nationalities outside of Canada and Mexico to three percent of that nationality

[33] Ibid. 33-37.

[34] Knight, "Racism, Revolution and Indigenismo", 71-80.

already residing in the United States. Lobbyists succeeded in convincing government officials that Mexican immigrants were necessary as they were well adept at jobs in mining and agribusiness.[35] This affinity for Mexican immigrant labor was based on the stereotype and presumption "that the Mexican worker provided the perfect, docile employee, had no interest in intermixing with Americans, and would in fact, return to Mexico as soon as he/she became redundant."[36] But this turned out to be anything but true. Mexican immigrants were mostly men, and most of them returned to Mexico after their work stint, however, many stayed and found ways to have their family join them in the United States. Many poorer rural Mexicans who could not afford visas entered illegally.[37]

The institutions that arose from the race-based ideology in the US helped to perpetuate the stigma and role of the Mexican American worker. Vocational training became the norm which means even members of the Mexican American elite (the *Tejanos* and *Californios* described earlier) who could afford better alternatives were denied access to quality schooling based upon race.[38] American companies began offering Americanization programs of their own, notably the Ford Sociological Department which offered classes in English, citizenship, and factory discipline on the cusp of the First World War.[39] And although Mexican workers were mostly agricultural laborers, those who decided to work in manufacturing industries or moved to more urban environments were exposed to similar Americanization programs and vocational training. The men were met with steady opposition from the American Federation of Labor and various labor unions who viewed the Mexican labor force as a cheaper source of labor that jeopardized opportunities for White Americans.[40]

This led to backlash from the Anglo American community. "Carrigan and Webb estimate about 571 persons of Mexican descent were lynched in the United States, most of them in the

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[35] Ricardo Romo, "Responses to Mexican Immigration 1910-1930" in Michael R. Ornelas (ed.) *Beyond 1848: Readings in the Modern Chicano Historical Experience* (Dubuque, Iowa: Kendall/Hunt Publishing, 1993), 115-135.

[36] Mel van Elteren, *Americanism and Americanization: A Critical History of Domestic and Global Influence,* (Jefferson, North Carolina: McFarland & Company, 2006), 62.

[37] Romo, "Responses to Mexican Immigration", 118-119.

[38] MacDonald, *Latino Education*, 63.

[39] Elteren, *Americanism and Americanization,* 70.

[40] Leo Grebler et al. *The Mexican-American People: The Nation's Second Largest Minority* (New York: The Free Press, 1970), 74-75.

Southwest, between 1848 and 1928." Many of the crimes Mexicans were accused of included property crime, homicide, allegations of sex crimes, and theft. But when Mexicans claimed that they were being lynched as an ethnic group, and not just because of any criminal activity, White Americans responded with newspaper articles exonerating the actions of lynch mobs and proclaiming justice in the West.[41] Like the backlash and lynching of African Americans in the South, Mexicans had endured similar hardships. But unlike African Americans, Mexico was just across the border. Mexican Americans facing the harsh conditions of life in the Southwest could have moved back to Mexico, yet many decided to remain anyway.

In *The Mexican Immigrant: His Life Story*, Gamio told the stories of many Mexican newcomers and long-term inhabitants living in the United States. Pablo Mares, one of Gamio's interviewees, was born in Mexico and worked as a domestic servant as a child. "But I had to come to the United States," he said, "because it was impossible to live down there with so many revolutions." He ran from service under Pancho Villa, during the Revolution, and in 1915 made his way to Texas, California, and eventually to Miami as a miner. When talking about the States he told of the higher wages he could earn and the quiet life he led away from the drama of Revolution. But, there was some angst for his country's future in his testimony and shamefulness for the way Americans view Mexicans. "I think that as long as we have so many wars," he reflected, "killing each other, we will not progress and we shall always be poor. That is what these [Americans] want. It is here that the revolutions are made. It is over there that the fools kill each other. It is better for the [Americans] that we do that, for they want to wipe us out in order to make themselves masters of all that we possess."[42]

Del Ruiz wrote a history of her father in the Bracero History Archive, a project sponsored by the Institute of Oral History at the University of Texas along with various other universities and organizations. Her father, "Domingo Ruiz, Sr., was 12 when in 1915 he walked completely alone from San Luiz Potosi, Mexico [...] to San Antonio, Texas. The trip was dangerous," she wrote, and along the way he crossed the Panucho River, a valley on the other side, and the Sierra Madre Desert, all while avoiding bandits during the time of the Mexican

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[41] Michael J. Pfeifer, *Rough Justice: Lynching and American Society 1874-1947*, (Chicago: University of Illinois Press, 2004), 85-86.

[42] Manuel Gamio, *The Mexican Immigrant: His Life-Story* (Ayer Company Publishers, 1931), 1-4.

Revolution. When he finally arrived in San Antonio, he knew no one and had no money. "My father died in an automobile accident at a relatively young age, but not before leaving a family firmly established in this country," she wrote.[43]

Del Ruiz and Mares' stories show the horrid conditions Mexicans were put through in Mexico, and the strength they exuded to make it to the United States. Mares exemplifies many Mexican migrants at the time: uneducated, poor, blue-collar workers. The stigma attached to him involves each of those categories as the image of the "docile" employee, barely making enough money to live on, and badly in need of education. American employers needed Mexico to stay in shambles so that more were forced to the United States to be laborers illustrating the push and pull factors that brought so many Mexicans to the United States. To use Rodolfo Acuña's words, "Contrary to popular belief, the Mexican did not come to the United States because he wanted freedom or because he wanted to improve his social life style. [...] U.S. interests manipulated the Mexican economy to keep it underdeveloped, insuring to U.S. corporations the advantages of cheap labor and privileged treatment in Mexico..."[44] Del Ruiz's story of her father demonstrates the pull factor even amongst children as young as 12 who were willing to face the dangers of the borderlands to make their way North. Thus with a steady stream of labor, Americanization policies and vocational training were just the first steps in assimilating the Mexican migrant. Separate education policies were instituted for the women and children as well in order to Americanize the entire family and stamp out the foreign culture that grew as more Mexicans entered the United States.

Segregate the Children: IQ Testing and the Assimilation/Segregation Dichotomy

At the turn of the century, American national identity still contained much of the exclusionary aspects of the Anglo-Saxonism of the mid-Nineteenth Century, but assimilation also became the norm as more immigrants came to the United States. Multiple cultures were intolerable and minorities had to become American and ascribe to the shared identity. According to Carlos Ovando, "homogeneity became a well-established pattern" in the era he labeled "The

[43] Del Ruiz, "Some Came Alone," in Bracero History Archive, Item #3218 http://braceroarchive.org/items/show/3218.
[44] Rodolfo Acuña, *Occupied America: The Chicano's Struggle toward Liberation*, (San Francisco: Canfield Press, 1972), 123-128.

Restrictive Period: 1880s-1960s" in which English-only laws were passed to curb the influence of European nationalism as pockets of immigrants clung to their old language.[45] This dichotomy (exclusionary Anglo-Saxonism vs. assimilation) resulted in some minorities being labeled as "unassimilable" and others "assimilable." European White immigrants, especially from Western Europe, and even Mexicans were labeled as the latter, whilst many Southern Europeans and African Americans were labelled the former.[46] The new national identity was premised on that of *The Melting Pot*, a Broadway play written by Israel Zangwill that debuted in 1908. The dream of the main character was a new, better American assembled from the immigrants who came to her shores.[47] When applied to the schools, education was set with the task of making Americans from the variety of immigrants it was given. Ellwood Patterson Cubberley, an American education activist and historian wrote in 1920 that the United States and England had received more immigrants "from less advanced nations" than ever, and it was the "new duty" of the school system to instill within the immigrant population "some conception of the meaning and method and purpose of the national life of the people they have come among." He went on to say that although it is important to consider the variation of needs for these new immigrants, the "democratic character" of the school in the 1920s should be "instruments for the assimilation of the stranger within the nation's gates and for the perpetuation and improvement of the national life."[48] Thus schools, according to Cubberley, were charged with "the assimilation of strangers" - a step in the march toward modernization - as America evolved into a more capitalist-industrial society. As Mel van Elteren observed, "It meant learning to be a "good citizen," and to reject the "un-American" doctrines of socialism, communism, and anarchism."[49] These were the benefits seen of Americanization and assimilation programs, and thus it was the school's function to churn out good modern Americans. For Mexican American families, considering their origin in "less advanced nations," as Cubberley stated, they must be Americanized, but eventually, the hindrances caused by

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[45] Carlos J. Ovando, "Bilingual Education in the United States: Historical Development and Current Issues" *Bilingual Research Journal* 27 No. 1 (2003), 4-6.

[46] Elteren, *Americanism and Americanization,* 56.

[47] James A. Banks, *Cultural Diversity and Education: Foundations, Curriculum, and Teaching,* (Boston: Pearson Education Inc., 2006 5th Ed.), 40-41.

[48] Ellwood Patterson Cubberley, *The History of Education: Educational Practice and Progress Considered as a Phase of the Development and Spread of Western Civilization* (Boston: Houghton Mifflin, 1920), 739.

[49] Elteren, *Americanism and Americanization,* 71.

stigma and language barriers proved to be a stumbling block for the assimilation of Mexican American children.[50]

Prior to 1900, Mexican American students went to integrated schools to learn American citizenship values, English, and the skills necessary for their assimilation into society, much like their fathers if they worked for manufacturing companies. In fact there were no official policies in the Southwest that allowed *de jure* segregation of Mexican Americans like policies for African Americans in the South. Quite a few schools even had Mexican teachers.[51] As Gilbert González notes, soon this integration was seen as unfair for White students. Studies came about that rocked the psychological community and began an era of persistent IQ testing to determine intelligence based on race. These findings would be used to justify segregation and "maintain the social order as an efficient, harmonious, and cooperative organization."[52]

In a 1926 study, a researcher named Florence Goodenough conducted an intelligence study noting some discrepancies with linguistic complications in previous IQ tests. She developed a non-verbal test to account for this error because certain groups tended to use their ethnic language at home more often. Her results showed that Southern Europeans and African Americans ranked far below Americans and immigrants from Northern Europe which advanced the claims of other psychologists at the time that intelligence differed by racial category. She cited an amalgamation of previous studies; one in particular was that of William Herbert Sheldon who conducted a similar test for Mexican Americans (see Appendix A) with results showing intelligence on par with African Americans or Native Americans depending on the case. In each of the tests cited, White Americans, Jewish immigrants, and Northern Europeans scored the highest. Her reasoning was race-based and although she acknowledged the deplorable living conditions of Italian slums and African American communities in the South, her arguments concerning immigrant neighborhoods concluded that "inferior environment is an effect [in IQ tests] at least as much as it is a cause of inferior ability" because "the person of low intelligence" settles in a poor environment because it is cheap and once

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[50] Rubén Donato, *The Other Struggle for Equal Schools: Mexican Americans During the Civil Rights Era* (Albany, New York: State University of New York Press, 1997), 13

[51] MacDonald, *Latino Education*, 118.

[52] Gilbert G. González, *Chicano Education in the Era of Segregation*, (Denton, Texas: University of North Texas Press, 1990), 67-69.

there "reacts toward his surroundings along the line of least resistance. His children inherit his mental characteristics."[53]

Reading Goodenough's research, it becomes clear that it was commonly believed in the 1920s that immigrants who lived in substandard conditions or worked low-wage jobs were in those precarious positions because of racial inferiority and a lack of intelligence. This can be linked to the national identity element of the "self-driven American," a product of unrestrained capitalism.[54] For education, the IQ testing policies meant immigrants outside of Northwestern Europe were always labelled products of their family's unwillingness to better themselves. González noted that educationists and policy makers echoed the sentiments of school administrators. One such administrator "enrolled only 'low mentality' children. He wrote that the 'pupil of low intelligence' was prone to 'failure, tardiness, lying, cheating, and truancy.' He confidently asserted that 'inheritance' explained the problem."[55] The prominence of this research seeped into education policy, and some 4,279 studies like it by 1939,[56] laid the foundations for the segregation of schools in California and Texas.

Gilbert González identified three reasons for Mexican American segregation. First, administrators and teachers determined that there was a distinct cultural difference between White students and Mexican students, and thus it would be unfair to White students if they were slowed down by Mexicans who could not keep up with their faster paced learning. Second, Mexican students scored lower on IQ tests in relation to White children and should thus be separated again based on the White students' ability to learn at a faster pace. Third, they deemed that it was "socially inevitable" for Mexican children to end up like their parents: laborers and domestic servants. Given these reasons, it was to the Mexican child's own benefit

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[53] Florence L. Goodenough, "Racial Differences in the Intelligence of School Children" *Journal of Experimental Psychology* 9 No. 5 (1926), 388-397.

[54] Elteren, *Americanism and Americanization,* 24

[55] Gilbert G. González, "Segregation and the Mexican Children: 1900-1940" in José F. Moreno (ed.) *The Elusive Quest for Equality* (Cambridge, Massachusetts: Harvard Educational Review, 1999), 80. Quote from Joseph M. Sniffen, "The Senior High School Problem Boy," *Los Angeles School Journal*, 11 No. 32 (1928), 187-188.

[56] Donato, *The Other Struggle for Equal Schools,* 23.

if they were in a linguistically accommodating environment, with students of similar IQ, and learning skills that would be the most beneficial to them later in life (i.e. vocational skills).[57]

When students were supposed to be in school, many spent a large quantity of their time in the fields with their parents, making truancy a consequence of agriculture demand. In California, students spent weeks of time out of school to pick cotton. In Texas, the same phenomenon occurred: "16 percent of the children 6 to 15 years of age attended school for 24 to 35 weeks; for children of non-migratory families the attendance was 63 percent…In Crystal City, Texas, […] 65 percent of the children aged 7 to 18 of Mexican-American migrant families did not attend school at all in 1938; 16 percent attended part time, and 19 percent attended full time."[58] Finding work in agriculture was seasonable, and highly unpredictable as many Mexican American families moved from community to community in search of work. Laws pushing for mandatory attendance were infrequently enforced, causing a generation of Mexican American children to be lost to the fields.[59] Meanwhile, life for urban Mexican American children was no better. Parents were stuck in manufacturing jobs, and children were forced to work as well. In a 1929 study of 788 Mexican families in Southern California, "one-fourth of the children had part-time jobs" and their family income averaged $1500 a year, a figure at or below the poverty line. The high level of transiency also made school attendance next to impossible as more families looked to agricultural jobs as a way to escape the crippling poverty of city life.[60]

Schools generally started around 7:00am or 7:30 and finished at noon, allowing students to join their working-class parents at their jobs. They rarely attended school past the fourth or fifth grade (9-11 years old), and were unlikely if at all to attend high school (14-18 years old).[61] For middle-income Mexican American families, the story was different. Native-born families had acquired skills that lent themselves to prosperity, namely bilingualism and access to semi-skilled occupations. They were more acculturated than working class families exemplifying a

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[57] González, "Segregation and the Mexican Children", 75.
[58] Grebler et al., *The Mexican-American People,* 94.
[59] Ibid, 95.
[60] Richard Griswold del Castillo, *La Familia: Chicano Families in the Urban Southwest, 1848 to the Present*, (University of Notre Dame Press, 1984) 93-94, 96-98, 100-102, 104-106 in Chan et al., *Peoples of Color in the American West* (Lexington, Massachusetts: D.C. Heath and Company, 1994), 211.
[61] González, *Chicano Education in the Era of Segregation,* 121.

hybrid Mexican and American culture at home; women had more equality and opportunity, although still bound by traditional Mexican values (i.e. marriage and motherhood); and overall, women and children of the middle and upper-class Mexican American families enjoyed a higher level of security.[62]

School Life for Mexican Americans: A Testimony

Bert Corona, the child of a Mexican American teacher was a clear example of someone born into a more privileged home than the average migrant or wage laborer typical of the Mexican American community. His real name was Humberto, shortened to Bert by an Anglo teacher whilst attending school in the 1920s. His mother was a fluent English speaker, and along with his grandmother, was very persistent that he receive the best education possible. His mother began teaching him English from an early age, and as a result, he went to an Anglo school in El Paso where he was always ahead of his peers. The upper and middle-class Mexican American families were usually lighter skinned and privileged to have learned parents who could give extra instruction outside school. However, his mother was unhappy about Corona's school because "she knew what a good education was." Although he himself was not subject to the same discrimination as his more disadvantaged, darker, monolingual Spanish-speaking peers, she sent him to a boarding school in Albuquerque for two years to escape the atmosphere of the public school, but even this proved to be a challenge. He recanted an episode with a gym teacher whose job was to punish (and in many cases assault) students who "talked back" in class. Disagreeing with the teacher and speaking Spanish were common grounds for the punishment of his peers. Soon, his mother transferred him to Bowie, a "Mexican school" in 1929.

Corona was smart, and as a result he was promoted two grade levels ahead of his peers. His new school recently started offering academic instruction along with vocational education as a result of protest from the Mexican community, and his mother and grandmother made it their priority that Corona take only academic classes in contrast to the heavy emphasis placed on vocation at his boarding school, "Kids were simply sent home from school on some occasions;" he recalled, "at other times, they were beaten by the teachers. Some of the teachers

[62] Griswold del Castillo, *La Familia,* 209-210.

shifted the responsibility for these shameful actions by turning the students over either to truant officers to be whipped or to the physical education instructors, who were only too happy to give them a few belts." Teachers taught a biased version of history which sparked resistance from more outspoken students. He described the curriculum as "bare bones" and the teachers just "didn't give a damn."

At the age of 12, Corona went to El Paso High School, which he claimed was becoming more integrated with about a third of the student population having Mexican roots. He recalled a friend, Enrique, who graduated with high marks and received a Rhodes scholarship. "But because that scholarship had a clause stating that only candidates who furthered the advance of Anglo-Saxon values were eligible, Enrique was disqualified." In the end, Corona was a high school success, not because of the teachers, he claimed, but because his mother and grandmother spent so much of their time teaching him at home. They corrected his Spanish and taught the Mexican version of the Alamo and Mexican-American Wars; their own past education experiences proved to be Corona's biggest assets, and their activism in the community inspired him to become an activist himself. [63]

Corona's story shows the horrifying atmosphere for Mexican Americans in any type of school. Anglo school, boarding school, Mexican school, it did not make any difference. Those with lighter skin were given preferential treatment, and students that had maintained the balance of Mexican identity at home and Anglo identity at school proved to be the most successful. Although this story shows that Mexican families with more privilege were more successful in school, the discrimination still made it next to impossible for students of Mexican descent to continue their education. The IQ tests, segregation, and sluggish integration would be hard to overcome in subsequent years. Corona's story also illustrates the sectionalism within the Mexican American community whereby more acculturated *Tejanos* like himself were spared many of the inequalities faced by the migrant community.

[63] Mario T. García, *The Life and Narrative of Bert Corona*, (Berkeley and Los Angeles: University of California Press, 1994), 44-55.

Assimilate the Mothers

Mexican American women played a mostly traditional role in the home. They were mothers and caregivers for the entire family. But at the turn of the century, there was an increasing need for women to also be breadwinners. In El Paso, a sample of 393 households in 1900 revealed that "almost one-fifth (17.11 %) of Mexican households contained a working woman compared to 11.21 percent of American households."[64] Most of the working women did "women's work" as domestic servants although there was some discrepancy as to how well they could work in Anglo households. "Immigrant women have so little conception of domestic arrangements in the United States that the task of training them would be too heavy for American housewives," remarked Victory S. Clark, a Bureau of Labor inspector in 1908.[65]

In 1915, the California State Legislature passed into law the Home Teacher Act (HTA), a bill meant to Americanize the Mexican American woman, and by proxy, her children.[66] Although steps had already been taken to Americanize minority children in public schools, the law posits, their mothers had "been left almost entirely out of account." The authors of the HTA went on to say, "We have ignored the natural home-maker and yet tried to Americanize the home. We now see our error and are undertaking here in California to educate the entire family instead of discriminating against that important member, the mother."[67] Once the law took effect, Anglo-American women were sent into immigrant homes to teach women how to conform to White notions of how a household should be kept. They emphasized the necessity for immigrant children to attend school, the importance of cleanliness, speaking English, "and the fundamental principles of the American system of government and the rights and duties of citizenship." They even tried to alter their diet.[68]

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[64] Mario T. García, *Desert Immigrants: The Mexicans of El Paso, 1880-1920* (Yale University Press, 1981) 74-78 in Chan et al., *Peoples of Color in the American West* (Lexington, Massachusetts: D.C. Heath and Company, 1994), 174.

[65] Ibid. 175.

[66] George J. Sánchez, "Go After the Women": Americanization and the Mexican Immigrant Woman, 1915-1929" in Vicki L. Ruiz and Ellen Carol DuBois (eds.) *Unequal Sisters: A Multicultural Reader in U.S. Women's History* (New York: Routledge, 2nd Ed, 1994) 284-295.

[67] The Commission of Immigration and Housing in California, "The Home Teacher: The Act, With a Working Plan and Forty Lessons in English" (California State Printing Office, 1916).

[68] Commission of Immigration and Housing in California, "The Home Teacher, Immigrant Education Leaflet No. 5 (San Francisco, 1916) as cited in Sánchez, "Go After the Women", 288.

The motivation for enacting the HTA was premised on the belief that Mexican Americans, similarly to other White Americans, were capable of assimilation. "Although Mexicans might present a greater challenge than did Italians or Jews, they did not think there was something in the Mexican character that would make them unassimilable to the American way of life."[69] The other impetus for the law was that by teaching Mexican American women the way an Anglo house was run, the teachers could transform a goodly percentage of the women into domestic servants.[70] But the California lawmakers' vision for an assimilated Mexican American population whose women could make up for a lack of domestic servants in the Southwest was short-lived.

The Stock Market Crash of 1929 was the final deathblow to the law, but for a few years previous, the belief that Mexican Americans were assimilable began to wane. Immigrants and resident Mexican Americans proved to be resistant to assimilation as they tended to move from job to job in groups, and thus stayed connected to their linguistic and cultural roots. As George J. Sánchez notes, "[…] as the Mexican barrios grew extensively during the 1920s, the need for Mexicans to interact with Anglos lessened." The only thing the HTA succeeded in doing was disrupting the cultural foundations of the Mexican American household when young second generation girls decided to rebel against their families to "seek pleasure or avoid parental discipline and control."[71] As more and more of the younger generation were exposed to American culture, they began to identify with the national identity that advocated freedom of movement and idealized American values. This inter-generational sectionalism became a powerful division within the community in the coming years (see chapter 2).

The Opposition and Organization

Emory S. Bogardus, a researcher in the 1920s and 30s at the University of Southern California wrote extensively about the Mexican American family and segregation. In his article, he outlined major factors that halted Mexican immigrants from becoming integrated stating, "[The Mexican's] loyalty to Mexico is not to be treated lightly; it cannot be changed by preaching at him or by the fist of any governmental authority. Americanization as it is sometimes

[69] Elteren, *Americanism and Americanization,* 63.
[70] Sánchez, "Go After the Women", 289.
[71] Ibid. 294.

proclaimed does him more harm than good."[72] Bogardus described the condition of Mexican schools as "dilapidated" with overworked teachers and the disadvantage of waiting for better facilities as newly constructed buildings were proposed for Anglo neighborhoods first. "Americans as a class," he reasoned, "still treat Mexican immigrants as laborers and not as full-fledged human beings and potential citizens" and this was the reason behind segregation and poorly funded schools.[73]Bogardus was one of many sociologists that brought to the forefront the "Mexican Problem" in the Southwest. Gilbert González and Raúl Fernández described the sociologists like Bogardus in the 1920s as having "little if any concern for the 'Mexican Problem'" although their work had a powerful effect on the formation of public policy.[74]

For education policy, however, one important advocate, for a more responsible approach to integration was John Dewey, generally known as the "father of liberal education." One of his better-known essays outlines aspects of the national identity during the First World War. "Universal Service as Education," written in 1916, became a fierce rebuttal to the idea promoted by General Wood, a Major in the US army, that the best way to assimilate immigrants into Americans was to have them do compulsory military service. In an outrage, Dewey stated, "Until we have developed an independent and integral educational policy, the tendency to assume that military service will be an efficient tool of public education indicates a deplorable self-deception."[75] Of more importance was John Dewey's view on the melting pot, a concept he vehemently criticized. "The problem is not to reduce them to an anonymous and drilled homogeneity, but to see to it that all get from one another the best that each strain has to offer from its own tradition and culture."[76] To Dewey, full assimilation seemed impractical, and he was more obliged to believe that immigrants should retain aspects of their own culture: integration over assimilation. After years of segregation, vocational training, and Americanization programs, Mexican American migrants remained resistant. Education policy was only enacted as a negative response to Mexican culture which is contradictory to what

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[72] Emory S. Bogardus, "The Mexican Immigrant and Segregation", *American Journal of Sociology* 36 No. 1 (1930), 77.
[73] Ibid. 79-80.
[74] Gilbert González and Raúl Fernández, *A Century of Chicano History: Empires, Nations, and Migration*, (New York: Routledge, 2003), 86-7.
[75] John Dewey, "Universal Service as Education" (1916) in Jo Ann Boydston (ed.) *John Dewey The Middle Works, 1899-1924 Volume 10: 1916-1917* (Carbondale, Illinois: Southern Illinois University Press, 1980), 184-190.
[76] Ibid. 186.

Dewey outlines as the purpose of education. "The best that each strain has to offer" did not apply to this group, because the ideology that constructed the nation's identity could not recognize any of the positive aspects of Mexican culture.

Equally deplorable, according to Dewey was the promotion of vocational education above an academic curriculum. In his seminal work, *Democracy and Education* he stated that vocational programs would only breed inequality and "become an instrument in accomplishing the feudal dogma of social predestination." When different tracks were created, one academic and one vocational, it was always "the less fortunately situated" that are enrolled in the latter.[77] Dewey saw this division as a way to promote the division between classes, and in the case of Mexican Americans, access only to vocational training promoted a division between races. As a result, Mexican Americans were left on the fringes of American society as merely laborers who resisted assimilation. This only made it easier for the government to rid itself of Mexican Americans during the interwar period.

Between 1931 and 1934, thousands of Mexican Americans were sent back to Mexico in numbers anywhere from 300,000 to 500,000.[78] This was largely at the behest of Herbert Hoover's administration, which "aimed against what was believed to be the red-instigated unrest of the unemployed and included deportations of political 'undesirables,' the restriction of 'alien movement' within the country, and banning radical papers from the mails."[79] During Hoover's "send-the-Mexicans-back-to-Mexico" movement, according to Rodolfo Acuña, Mexican Americans were persuaded to leave because they were considered a burden on the welfare state in cities with larger Mexican American populations. "Even U.S. born Chicanos [persons of Mexican-origin]," he stated, "were not considered 'real Anglo-Americans,' of whom the government should take care." In many cases, the government's failure to meet the needs of its Mexican American citizens resulted in the formation of grassroots organizations called *mutualistas* in which Mexican Americans pooled their own resources to provide unemployment aid to families. In the 1930s, these groups became powerful nationalistic/integrationist organizations, signifying a moderate acquisition of power in path

[77] John Dewey, *Democracy and Education* (1916), (Hazleton: Pennsylvania State University, 2001), 327.
[78] Acuña, *Occupied America,* 190.
[79] Elteren, *Americanism and Americanization,* 74; ibid. 191.

dependence. Meanwhile, middle-class organizations began to be organized like the League of United Latin American Citizens (LULAC), founded in 1929, that adhered to a much more assimilationist rhetoric. The *mutualistas* became working class barriers to Anglo discrimination while LULAC and the middle-class organizations became a more powerful voice for change from the *Tejanos* and *Californios*.[80]

In 1934, a former LULAC president, George I. Sánchez, wrote about the conditions of Mexican American education and the consequences of reliance on intelligence testing." An IQ of 70 is valuable only in relation to the hereditary, cultural, social, and educational background of the child and the way in which that past history can be utilized and improved in making the child the *best possible person he is capable of being*."[81] With this article, Sánchez set out to prove that the educational policies in place for Mexican American youth were damaging to their educational future and the segregation promoted by IQ testing was based on faulty logic. LULAC and the Mexican American middle-class set out to discover how best they could change education policy. The middle-class acquisition of power is the topic of chapter 2, and illustrates the origin of their path to education change. The working-class would not gain significant power until the protests of the 1960s.

Conclusion: Persistent Institutions

If we turn to Schlesinger's argument in the introduction, American national identity is a construct similar to Crevecoeur's idea of the American: an amalgamation of all of her immigrants. "The ethnic revolt against the melting pot has reached the point, in rhetoric at least, though not I think in reality of a denial of the idea of a common culture and single society. If large numbers of people really accept this, the republic would be in serious trouble," he argues.[82] But for someone to speak about the common culture of the United States, Schlesinger fails to understand the intricacies of an evolving national identity. The melting pot is a relic of the early Twentieth Century, an institution the first chapter of this thesis has given evidence against.

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[80] Acuña, *Occupied America,* 188-193.

[81] George I. Sánchez "Bilingualism and Mental Measures: A Word of Caution" *Journal of Applied Psychology* 18 No. 6 (1934), 767. Italics in original.

[82] Schlesinger, *The Disuniting of America*, 140-141.

The purpose of this first chapter is to outline the complexity of the national identity and the sectional divisions within the Mexican American community from 1900-1930s. The Mexican residents of the Southwest were met firsthand with Anglo-Saxonism and racist ideology that made assimilation impossible. Bert Corona mentions that "the parent who was lighter than the children would go to the school to protest that the children were being shunted aside to vocational school," and he describes a family headed by a Spaniard with a Mexican wife whose children "were red-headed and freckle-faced, and, because of their wealth and appearance, they were accepted by the Anglos."[83] The level of one's power to effect change and a person's acceptance was clearly a matter of skin tone and class. Corona was an exceptional student because he exemplified the model Mexican: a light-skinned, English speaking, middle-class child. But this chapter proves that for darker-skinned, poorer Mexican American families, the situation was drastically different.

For education, policies developed that mirrored the exclusiveness of the Anglo-Saxon rhetoric espoused by the national identity. The stereotype that minorities were menial laborers invoked education policies that tracked minority students and put them on the path of vocational education. The stigma of Mexican American homes as inferior or dirty as compared to American homes brought about education policies that attempted to transform Mexican mothers into "American" women, and provided a byproduct of training to turn them into domestic servants. One could argue that the institutional fragments of these practices have followed Mexican Americans even into the present day. Although that is the subject of future research, a sequence in which animosity for Mexican Americans brought on by conflict in the American Southwest after the Mexican American War restructured the American national identity to perceive Mexicans as both inferior and in need of assimilation certainly has roots in this period.

The need for assimilation resulted in policies of segregation and typified the Mexican American as a laborer. Path dependence attempts to show the formation of institutions as the sequence leads from one contingent episode to another, and in this case, the next episode would lead to identity confusion in Mexican Americans: Spanish vs. Mexican – or "White" versus "Brown". There are also elements of class in this sequence in which a more acculturated

[83] Gárcia, *The Life and Narrative of Bert Corona,* 48 & 52.

elite headed organizations like LULAC that were better able to effect change starting in the 1930s due to the acquisition of power at the expense of the working class.[84] This era is the subject of the following chapter and will be addressed in more detail in the conclusion. For the time period in this chapter, suffice it to say, the trajectory of Mexican Americans as a group and in education policy rested on past institutions affecting the development and effectiveness of subsequent institutions. A dual path was created, one for the elite and one for the working class.

From a long-term perspective, assimilating immigrants has had dire consequences. A study of 1,243 Mexican immigrants and Mexican Americans in Los Angeles came to the conclusion that higher levels of acculturation and Americanization leads to a higher prevalence of alcoholism, drug abuse, phobia, and antisocial personality. Native Mexican Americans were more likely to experience these problems because they are more assimilated than their immigrant counterparts who "are under the influence of the stronger family ties, social controls, and traditional values associated with their cultural heritage.[85] If we extend to this study the history of assimilationist practices of the Mexican American community, a valid interpretation then becomes that the assimilationist practices put in place at the turn of the century have weakened the social fabric of the Mexican American group, disintegrating further from generation-to-generation.

Schlesinger lauds the assimilation of the Latino/a population making a bold claim that "the majority aspire to be Americans first."[86] And it is true that looking at the Founding Principles of LULAC, the first aim is "to develop within the members of our race the best, purest, and most perfect type of a true and loyal citizen of the United States of America."[87] But ascribing to be an American from 1900 to the 1930s was a product of citizenship that required a rejection of ethnic culture in order to become part of the American national identity. As this institution evolved, and as education policy evolved, the national identity retained pieces of its

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[84] Adapted from James Mahoney, "Path Dependence," 521.

[85] Alejandro Portes and Rubén G. Rumbaut, *Immigrant America: A Portrait* (Berkeley and Los Angeles: University of California Press, 1990), 169.

[86] Schlesinger, *The Disuniting of America,* 139.

[87] "Founding Principles of LULAC" *LULAC News* (Austin, Texas: LULAC Archives, Benson Latin American Collection, University of Texas, 1931) as cited in MacDonald, *Latino Education,* 127-8.

past form as an instrument of assimilation. The current shared identity is not structured in the same way as Schlesinger and other traditionalists believe it to be. Assimilation is damaging as a national identity built on the melting pot model.

Chapter 2 - The Fight for Civil Rights

As chapter one illustrated, power began to develop in the Mexican American community during the 1930s that was largely concentrated in the hands of the *Tejanos* and *Californios*. This middle-class group often identified as "Spanish American" or "Latin American," meaning they were lighter skinned, English-speaking or bilingual, acculturated, of the middle-class, and descendants of nineteenth century Spanish colonists. In contrast, a "Mexican American" was someone just arriving, a migrant laborer perhaps, which meant darker skin, with a certain level of Mexican nationalism, poor, and a monolingual Spanish speaker.[88] In a way, this concept of division within the Mexican American identity is a fragment of a much older Spanish colonial institution called the *Regimen de las Castas* mentioned in chapter one as the differentiation between creole, mestizo, and Native American. The lighter a person was, the more prestige obtained. To get around this complicated hierarchy, "it was possible to remove the taint of Indian, although not African, blood over the course of three generations by successive marriages to the caste that ranked next above in the pigmentocratic order…"[89] Essentially, you could "whiten" yourself. This institution was reinforced in the United States as some conservative elite Mexicans escaping the Mexican Revolution "carried across the border as part of their 'cultural baggage' the Porfirian homage to White supremacy."[90]

Added to the complicated racial structure was the importance put on location of birth. In the colonial era, "born in the Americas, [one] could not be a true Spaniard; *ergo*, born in Spain, the *peninsular* [a Spaniard emigrating to the colonies] could not be a true [Latin] American."[91] If this colonial institution is compared to the United States, a similar pattern can be seen: a member of the "Spanish American" minority was more privileged than his newly

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[88] Ramón A. Gutiérrez, "Ethnic Mexicans in Historical and Social Science Scholarship" in James Banks and Cherry McGee Banks (eds.) *Handbook of Research on Multicultural Education,* (San Francisco, California: Jossey-Bass, 2004), 270 and Neil Foley, "Becoming Hispanic: Mexican Americans and the Faustian Pact with Whiteness" in Neil Foley (ed.), *Reflexiones 1997: New Directions in Mexican American Studies*, (Austin, Texas: Center for Mexican American Studies, University of Texas at Austin, 1998), 53-56.

[89] John H. Elliott, *Empires of the Atlantic World: Britain and Spain in America 1492-1830* (New Haven, Connecticut: Yale University Press, 2006) 171.

[90] Foley, "Becoming Hispanic", 57.

[91] Benedict Anderson, *Imagined Community,* 59.

arriving counterpart. Bert Corona's testimony is good evidence of this situation; he being more assimilated than a newly arriving Mexican brought him one step closer to Anglo acceptance.

It is important to mention this complicated racial structure when examining the Mexican American Civil Rights Movement from the 1930s-1950s because it played a crucial role in the racial tensions of the United States in the mid-twentieth century. But more importantly, the struggle for civil rights was based on Mexican American whiteness. "Biological determinism, environmental/structural determinism, and cultural determinism repeatedly invoked the Spanish and Mexican categories to explain why Mexican Americans, despite many years of residence in the United States were not assimilating as quickly or as completely as northern Europeans had."[92] Placed next to the Spanish construct, one could ask: why hadn't they "whitened"? The short answer is that Anglos did not view Mexican Americans as White. Max Handman went so far as to say that the American community had "no social technique for handling partly colored races. We have a place for the Negro and a place for the white man: the Mexican is not a Negro, and the white man refuses him an equal status."[93] Thus segregation was justified because the Anglo-Saxon institutional fragment of the national identity gave White Americans a sense of superiority and excluded "partly colored races" as well as African Americans. For these reasons, the Mexican American Civil Rights Movement, which had a more powerful "Spanish American" vanguard, would argue that Mexican Americans were indeed White, and thus undeserving of the mistreatment from Anglos. This is significant in the formation of a "Spanish American" path of institutional constructs that are distinct from those developed in the 1960s, when "Spanish American" waned and was transferred to the working-class and student movements.

Segregation in Multiple Forms

The segregation of the Mexican American community came in different forms whether it was spatial, vocational, or institutional, all aspects of which melded together affecting the education of Mexican Americans. Spatial segregation came into being as a result of the working patterns of Mexican families. As more Mexican migrants came to the United States, a principle line of

[92] Gutiérrez, "Ethnic Mexicans in Historical and Social Science Scholarship", 270.
[93] Max Sylvius Handman, "The Reasons for the Coming of the Mexican Immigrant" *American Journal of Sociology*, 35 No. 4 (1930), 609-610.

work was in the railroad industry. This resulted in border towns or working towns where Mexican migrants stayed during their work stints or even afterward when several decided to become residents. In the 1950s and 60s, the Mexican American community became much more urban sparking the creation of Mexican *barrios* in East Los Angeles and other major cities. These specific areas of the city became receiving grounds for additional Mexican (im)migrants offering services in language, food, entertainment, and help with immigration documents that newcomers were unable to find elsewhere.[94]

The segregated nature of Mexican American communities was a result of their line of work, but it was also a consequence of migrants seeking the structure of a familiar community with a common language and values. George J. Sánchez wrote of the Mexican American family as a diverse unit in which "Some immigrants settled in largely Mexican communities along the border; others ventured further inland where the Anglo American population dominated." He went on to say the family unit was a mixture of migrant and resident population with some families composed of Mexican and American unions and each "acculturated and adapted in a multitude of ways." The result of *barrio* formation was cultural insulation in which culture and tradition remained a dominant force in Mexican American communities of the Southwest.[95] As a consequence of clinging to cultural heritage it was often the case that Mexican Americans were discriminated against based on their level of assimilation (i.e. language adaptation) or the composition of their neighborhood. For those living in Anglo communities, it very much depended on complexion as to whether or not a family could even find a place to live. "Mexican Americans with dark skin are more apt to encounter refusal to sell or to rent than those who are more fair-skinned," wrote Leo Grebler and his colleagues.[96]

For these reasons, Mexican immigrants formed social bonds across borders to establish networks for themselves, friends, family, and *paisanaje* (a word meaning "civil population" but also means a distant relative or someone from a kin connection). According to Douglas Massey and his colleagues, these social connections became the foundations for international migration. "As time passes, a growing number of people have friends and relatives who are, or

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[94] Grebler et al, *The Mexican-American People,* 272-3.

[95] George J. Sánchez, *Becoming Mexican American: Ethnicity, Culture and Identity in Chicano Los Angeles, 1900-1945*, (New York: Oxford University Press, 1993), 129-144.

[96] Grebler et al., *The Mexican-American People,* 267

have been, U.S. migrants. Eventually a critical mass of migrants is achieved, one capable of supporting an extensive network of social ties."[97] With these connections came a highly concentrated Mexican American population in very specific areas, which meant schools were more easily segregated simply because there were no other Anglos around to attend said school.

School district boundaries and education policies in the period up to the 1960s were largely left to State and local governments. In Los Angeles City School District, "neighborhood schools," a code for "Mexican School," were created "'because the district gerrymandered schools [so] that they can be nothing but foreign schools and remain foreign schools.'" [98] The Santa Ana school district, also of Southern California, "was divided into fourteen elementary school zones in 1920, and population patterns along with strategically placed boundary lines resulted in three of the zones becoming predominantly Mexican." Anglo families lodging complaints to the school board were granted transfers to White schools if they happened to live outside of a White school district. Mexican families requesting transfers to Anglo schools in the district where they lived were denied.[99]

Funding for education was (and still is) largely a state matter. State and local taxes provided a bulk of the funding for public schools, meaning without financial strings, the federal government was largely left out of education policy making. For funding, it was not so much the location of the school as its attendees that determined tax dollar allocation for supplies, maintenance, and new buildings as mentioned by Emory Bogardus (Chapter 1). Cynthia Orozco's research found, "Around 1930 in Corpus Christi [Texas], Mexican-origin children accounted for $6,000 in state aid, but officials spent $2,000 on them. From 1922 to 1932 the number of "Mexican" school districts in fifty-nine counties doubled from 20 to 40 and by 1942 increased to 122. In 1920, 90 percent of South Texas schools maintained separate schools for

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[97] Douglas Massey, Rafael Alarcón, Jorge Durand, and Humberto González, *Return to Aztlán: The Social Process of International Migration from Western Mexico* (Berkeley: University of California Press, 1987), 164-171.

[98] Emma Raybold, "Brotherization" *Los Angeles School Journal* 8 No. 9 (1925), 19 as cited in González, *Chicano Education in the Era of Segregation*, 17.

[99] Charles Wollenberg, "*Mendez v. Westminster*: Race, Nationality and Segregation in California Schools", *California Historical Quarterly* 53 No. 4 (1974), 319-320.

"Mexicans," some of which had the officially designated name "Mexican School."[100] The Texas Constitution of 1876 enshrined into law the segregation of White and "colored" children, but it did not explicitly segregate Mexican American children.[101] Similarly in California, segregation for Native Americans and Asian students was part of the education code, but there was no specific *de jure* segregation of Mexican Americans. Thus, based on a strict interpretation of the law, segregating their children was unfair not necessarily because they disagreed with segregated schools for Black children, but because they themselves were not Black or Asian.[102]

Desegregation and the Courts

Early Cases (1920s and 30s)

In an effort to correct the institutionalized racism of segregated schools, Mexican parents began suing their respective school districts in a myriad of court cases. Richard Valencia, a prominent Mexican American historian, compiled a table of twenty-five cases brought forth by Mexican American families (Appendix C) to which this thesis adds a decision summary for important cases in Valencia's work. In 1925, Adolfo Romo, Jr. put the first case forward in Tempe Arizona. His children were forced to go to the Eighth Street School, a Mexican School in which all but four "critic teachers" were teachers-in-training, and were thus under-qualified. Meanwhile, at the Tenth Street School, an Anglo school, teachers were qualified, trained professionals. Romo argued that this was unfair, and that his children should be allowed to attend the Tenth Street School as it was in the same school district and had better teachers. In the end, a judge on the Arizona Supreme Court sided with Romo, and used a previous decision of segregated schools in an African American case as precedent to make the claim that Mexican schools should be "as good a building and as well equipped and furnished and presided over by as efficient corps of teachers as the schools provided for the children of other races." Romo effected change and Tempe began the process of hiring qualified teachers in Mexican schools,

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[100] Cynthia E. Orozco, *No Mexicans, Women, or Dogs Allowed: The Rise of the Mexican American Civil Rights Movement*, (Austin, Texas: University of Texas Press, 2009), 30-1.

[101] Ibid.

[102] Foley, "Becoming Hispanic", 55-56.

but this was only a local change because the case was for his own children, and not a class-action lawsuit.[103]

In Texas, LULAC became the prominent organization for challenging segregation and in the 1930 case *Salvatierra vs. Del Rio Independent School District*, LULAC lawyers began assembling arguments for their first test case to desegregate Texas schools.[104] The plaintiffs sued "citing that they had been denied use of facilities used by 'other white races,'"[105] solidifying the claim that the language in the Texas Constitution was meant to segregate White and African American children, not Mexican Americans. The plaintiffs won, but in the appeal to the Court of Civil Appeals of Texas in San Antonio, the school board made the claim that because of the working class nature of the Mexican American community, Spanish speaking children were at a disadvantage having little to no knowledge of English. They were not separated based on race but on the grounds of language acquisition. Although LULAC lawyers argued that working class White children also lacked proper English language skills, Judge Smith made the claim that the school board had the authority to educate children and make judgments as they saw fit. If the general consensus was that Mexican American students lacked the language of instruction, then they were better off in Mexican schools. LULAC then appealed to the U.S. Supreme Court, but the court decided not to add the case to the docket, citing insufficient evidence to take on the case. As Valencia notes, "the school was more interested in maintaining White privilege than in providing educational equality for Mexican American children," and would continue to use inadequate English language skills as an argument for future cases. [106]

The reality of the desegregation litigation thus far was that the effects of court decisions were quite local. *Romo* and *Salvatierra* were not class action lawsuits, and the effects of the rulings were limited to that specific court's jurisdiction. Even *Alvarez v. Lemon Grove* a class

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[103] Richard R. Valencia, *Chicano Students and the Courts: The Mexican American Legal Struggle for Educational Equality*, (New York: New York University Press, 2008) 13-15.
[104] Ibid. 16.
[105] MacDonald, *Latino Education,* 119.
[106] Valencia, *Chicano Students and the Courts,* 17-18.

action lawsuit in California ended with a very locally applied win for the movement.[107] However, a notable distinction was made by Judge Claude L. Chambers, the judge writing the court opinion for the *Alvarez* decision. "He ruled that Mexican American children were considered White therefore, they could not be arbitrarily separated from other White children."[108] This laid the foundation for arguments of a similar nature in court cases to come and coincided with the middle-class ascription to the "Spanish American" aspect of Mexican American racial separation.

Postwar Activism and Desegregation in California

A lack of litigation in federal court was the product of a devolved approach to American education policy. Thus, each state developed its own policies of inclusion or exclusion and if grievances were to be voiced, they must be argued in state and local courts. This did not stop the Federal Office of Education (FOE) from conducting its own inquiries, however, and one such study was headed by Annie Reynolds the Associate Specialist in School Supervision of the FOE in 1933. In a rather phlegmatic tone, Reynolds wrote, "Occasionally instances are found in which members of local school boards prove unwilling to treat the Mexican school population as well as many of the school patrons would like in regard to quarters assigned to their use." She went on to say that Mexican Americans are not familiar with good building standards even in districts whose school boards are composed of Mexican Americans. To illustrate grievances in the 1930s by Mexican Americans and the state of education, she mentioned the Lemon Grove case with the comment, "Generally speaking, however, Mexicans have accepted proposals looking toward the segregation of Mexican school children without demur.[109]

Reynolds was most certainly wrong. The Mexican American community had a history of activism and resistance thus far.[110]Local victories had come to a stalling point, but their vigor would soon be renewed both during and after World War II. Raul Morin, a World War II

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[107] González, *Chicano Education in the Era of Segregation,* 20, Wallenberg, "*Mendez v. Westminster*: Race, Nationality and Segregation in California Schools", 324.
[108] Frederick P. Aguirre, "*Mendez v. Westminster School District*: How it Affected *Brown v. Board of Education*" *Journal of Hispanic Higher Education* 4 (2005), 328.
[109] Annie Reynolds, *The Education of Spanish-Speaking Children in Five Southwestern States* (Department of the Interior, Washington, D.C: United States Government Printing Office, 1933), 12-13.
[110] MacDonald, *Latino Education,* 119.

veteran from Texas, documented his firsthand account of reception when Mexican Americans returned from their stint in the military. In a very protesting tone he claimed:

> For too long we had been like outsiders. It had never made very much difference to us and we hardly noticed it until we got back from overseas. How could we have played such a prominent part as Americans over there and now have to go back living as outsiders as before? We began to ask ourselves how come? How long had we been missing out on benefits derived as an American citizen? Oldtimers had told us and we had read in books how the early settlers had invaded our towns and had shoved us into the 'other side of the tracks'. But we ourselves had never made much attempt to move out of there. The towns had grown up, population had increased, State, County, City and community government had been set up and we had been left out of it. We never had any voice. Here now was the opportunity to do something about it.[111]

Morin's words exemplify the feelings of many Mexican Americans when they returned from war as well as a shift in American national identity following a costly, devastating endeavor. America was not the same place as it once was, and minorities were imbued with a new sense of civil rights and the ability to effect change for themselves and their communities. World War II had the effect of unifying Americans, and although there were atrocities committed during the war, especially the internment of Japanese Americans, "World War II revived a unifying Americanism that was on the brink of extinction. [...] Americans took refuge within a collective identity that gained coherence from the fact that the country was under assault."[112]

For Mexican Americans, this new change in the national identity gave them the wherewithal to combat segregation in California. "The distinguished war record of Mexican Americans created both a feeling of ethnic pride and a consciousness of inequitable treatment at home."[113] This new pride would lead to a California landmark case: *Méndez et al. v. Westminster* (1946). The plaintiffs were Gonzalo Méndez, and other parents from Westminster

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[111] Raul Morin, *Among the Valiant: Mexican-Americans in WWII and Korea,* (Alhambra, California: Borden Publishing, 1963) 277-278 in Richard Griswold Del Castillo (ed.) *World War II and Mexican American Civil Rights*, Appendix A (Austin, Texas: University of Texas Press, 2008), 196-7.

[112] Elteren, *Americanism and Americanization,* 81-2.

[113] Wallenberg, "*Mendez v. Westminster*: Race, Nationality and Segregation in California Schools", 325.

school district and three other districts in California. In 1943, veterans from Santa Ana (a defendant district in the case) "formed a civil rights group, the Latin American Organization (LAO), specifically to combat school segregation" and they began requesting school transfers from Mexican schools to Anglo schools.[114] Méndez initially sought help from LULAC, "but at the time nobody wanted to step in there and help him" remarked Sylvia Méndez (Gonzalo Méndez's daughter) years later. Instead, she noted, he brought together people from the community to fight for the cause and created a grassroots approach to desegregating schools in California.[115]

The case, brought to federal court, would argue that Mexican American children were illegally segregated based on California statute. The California Education Code enshrined into law separate schools for a variety of races stating, "The governing board of any school district may establish separate schools for Indian children, [...] and for children of Chinese, Japanese, or Mongolian parentage."[116] The code did not mention anything about Mexican Americans because the California Education Code was often interpreted to segregate them as "Indian" or arbitrarily placed Mexican American students in segregated schools because of language (although there was no systematic language testing) or because of a Spanish surname.[117] Sylvia Méndez claimed that she was excluded, along with her siblings, because of their dark skin, despite fluent English skills and parents who were both American citizens. Her cousins, however, were allowed to attend the White school because of their light skin and blonde hair.[118]

In the court's decision, McCormick stated, "It is conceded by all parties that there is no question of race discrimination in this action."[119] And on the surface, McCormick's statement was technically true, segregation was *de jure* for Native Americans, Chinese, and Mongolians,

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[114] González, *Chicano Education in the Era of Segregation,* 190.

[115] "150 Years of Chicano/Chicana Education: Intergenerational Plática" in José Moreno (ed.) *The Elusive Quest for Equality*, (Cambridge, Massachusetts: Harvard Educational Review, 1999), 215.

[116] Section 8003 of the California Education Code in *Méndez et al. v. Westminster School District of Orange County et al.* Civil Action No. 4292. 64 F. Supp. 544 District court, S.D. California, Central Division, February 18, 1946, p. 551.

[117] A. Reynaldo Contreras and Leonard A. Valverde, "The Impact of *Brown* on the Education of Latinos", *Journal of Negro Education* 63 No. 3 (1994), 471.

[118] Moreno, "150 Years of Chicano/Chicana Education", 214.

[119] *Méndez v. Westminster*, 546.

but for Mexican Americans it "was a product of community pressure, sanctioned by professional educators and supported by the studies of educational psychologists."[120] When students with a light complexion were allowed to attend White schools and those of darker complexions attended Mexican schools, as Sylvia Méndez recollected, this created a rift in the Mexican American community between "Spanish" and "Mexican," described at the beginning of this chapter. "Thus, descendants of the 'Californios' were separated from the children of immigrants and contributed to the gap between the newcomer and the older families who occupied a special status in society."[121] The interpretation of Mexican Americans as "Indian," divided them from "Spanish Americans" and reshaped the *de facto* nature of their segregation to *de jure*.

If segregation were not a race issue in the eyes of the law for Mexican Americans in California, the plaintiffs had to devise a strategy to win their case using a different tactic. Their choice of argument came by using the Constitution's Fourteenth Amendment Equal Protection clause. This was not a new strategy, and in fact, the NAACP had been using the same strategy in previous higher education desegregation cases in an attempt to build precedent before arguing desegregation in public schools from kindergarten (age 5) through the twelfth grade (age 18). The aim was to be rid of the separate but equal doctrine established by *Plessy v. Ferguson* (1896).[122] McCormick sided with the plaintiffs and in his decision wrote:

> "The equal protection of the laws" pertaining to the public school system in California is not provided by furnishing in separate schools the same technical facilities, text books and courses of instruction to children of Mexican ancestry that are available to the other public school children regardless of their ancestry. A paramount requisite in the American system of public education is *social equality*. It must be open to all children by unified school association regardless of lineage.[123]

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[120] Wollenberg, "*Mendez v. Westminster*: Race, Nationality and Segregation in California Schools", 321.

[121] Christopher Arriola, "Knocking on the Schoolhouse Door: *Mendez v. Westminster*, Equal Protection, Public Education, and Mexican Americans in the 1940's" *La Raza Law Journal* (1995), 176.

[122] Valencia, *Chicano Students and the Courts,* 24.

[123] *Méndez v. Westminster*, 549. Emphasis added.

With these words, *Méndez* became the first desegregation case in American history decided on the premise that American education was a social equalizer. This could not occur if Mexican Americans are segregated in separate schools, whether or not the justification is de jure or de facto. The defendants appealed to the California Ninth Circuit Court of Appeals on the grounds that education was a state and local matter, meaning that the federal court was acting outside its jurisdiction. However, representation for the school districts failed to convince the judges that the federal court was overstepping its bounds, and Judge Steven's opinion made it clear that federal courts have legal jurisdiction in cases of civil rights abuse. Moreover, he made sure to add that the ruling would not overturn *Plessy v. Ferguson*'s "separate but equal" mandate, but that the *Méndez* case was strictly about adherence to California State Law. Since Education Code 8803 only permitted segregation "confined to Indians, and certain named Asiatics" Mexican Americans were falsely segregated because school districts were acting under "color of law," a situation in which one assumes the power to act is within the scope of the law but actually is unsanctioned.[124] The argument of whiteness, or rather not being Native American, was the precursor to school integration for Mexican Americans.

Méndez was also the first case to use expert opinion from social scientists to convince the courts to desegregate schools. Dr. Ralph L. Beals and Mrs. Marie H. Hughes, both education experts, claimed that segregated schools were a hindrance to assimilation, inculcated feelings of inferiority, and significantly reduced the ability of Mexican Americans students to learn English, leading them to the conclusion that "segregation does retard the development of the child of Mexican descent."[125] It inspired lawyers from the NAACP to issue an *amicus curiae* ("friend of the court") brief to test the foundations of *Plessy*. Judge Stephens acknowledged the brief, but explicitly denounced the idea of using the courts to accomplish what, in his mind, should be undertaken by the legislature. Stephen's opinion foreshadowed a significant change in the California Education Code on June 14, 1947, when Governor Earl Warren, soon to be

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[124] *Westminster School District of Orange County et al. v. Méndez et al.* No. 11310 161 F.2d774 Circuit Court of Appeals, Ninth Circuit, April 14, 1947, p.779-780.

[125] Reporter's Transcript Proceeding (p. 676-677) *Méndez v. Westminster,* 64 F. Supp. 544 (S.D. Cal. 1946) as cited in Valencia, *Chicano Students and the Courts,* 26-7.

Chief Justice of the Supreme Court, signed into law a repeal of segregation in California schools.[126]

Desegregation in Texas and Beyond

As Californians debated the Mexican American struggle for desegregated schools, Texas continued the same debate after *Salvatierra*. In 1948, Minerva Delgado and nineteen other Mexican American students filed a class action lawsuit in the US District Court of Western Texas. They were backed by LULAC and the American GI Forum assembling a team of attorneys along with George I. Sánchez, who had now become a prominent figure in the Texas Mexican American community as a civil rights activist and former LULAC president. Sánchez was committed to desegregation for the Mexican American community although LULAC itself was not initially involved in the *Méndez* case.[127]

In a deposition for the case, Mr. Dodson, the superintendent of the Bastrop Independent School District, was questioned to learn more about how and why Mexican Americans were segregated. In the Bastrop District, Dodson made it clear that students attending the "Latin American School" (he made sure to refer to Latin Americans instead of Mexicans because of the stigma of labeling)[128] were only there because of a lack of English skills. But when the opposing council posed the question, "Wouldn't there be some children who come from under-privileged or poor parents who for one reason or another don't speak English well or don't speak the kind of English which it is necessary to know in order to progress in other studies in the school?" Dodson replied that such students existed, but that their poor English was not because of a lack of fluency; they did not understand the technical aspects of the English language. Dodson soon conceded that keeping Mexican American children in a separate school was detrimental to their ability to speak English and that association with other Anglo children would benefit their English acquisition. Minerva Delgado, according to Dodson, was the only

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[126] *Westminster v. Méndez*, 780 and Wollenberg, "*Mendez v. Westminster*: Race, Nationality and Segregation in California Schools", 317.

[127] Valencia, 50 and Amy Waters Yarsinske, *All for One and One for All: A Celebration of 75 Years of the League of United Latin American Citizens (LULAC)*, (Virginia Beach, Virginia: Donning Company Publishers, 2004), 57.

[128] Orozco mentions the criticism of LULAC as a Latin American organization as a "play at whiteness rather than a Pan-American identity," 6. "Latin American" had more positive connotations in Texas rather than labeling a person "Mexican."

child who had been refused access to the White school because of a lack of English. "'She will have to go up there [Latin American school] until she can speak English well enough to do the work,'" he stated, remembering a phone call about admitting Delgado to the White school.[129]

The argument for the plaintiffs then became that separate schools were established for Anglos and for Mexican Americans (whom they refer to as "other White children"), which is not sanctioned under Texas law.[130] Essentially, they made the same argument that the plaintiffs in *Méndez* utilized: Mexican American children are White, or at the very least not Black or Native American, and therefore should not be subject to the same segregation as other non-White races. In Arizona, *Gonzales v. Sheely* (1951) concluded with a similar argument, "segregation of the Mexican-descent students was executed 'under color of state law'" and because Arizona did not explicitly allow for the segregation of Mexican American students, they were unlawfully segregated.[131]

After Judge Rice submitted his opinion in the *Delgado v. Bastrop* case, segregation for Mexican Americans in Texas became illegal except during the first year of school, and only if deemed necessary by "scientific and standardized tests, equally given and applied to all pupils, that they do not possess a sufficient familiarity with the English language to understand substantial classroom instruction in first-grade subject matters."[132] Judge Ling, in the *Gonzales* case made a similar argument that tests, justifying the separation of Mexican American children with English language deficiencies, "have been generally hasty, superficial and not reliable and separate classification has been determined largely by the Latinized or Mexican name of the child. Such methods of evaluating language knowledge are illusory and are not conducive to the inculcation and enjoyment of civil rights which are of primary importance in the public school system [...]."[133]

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[129] *Minerva Delgado, et al. v. Bastrop Independent School District of Bastrop County, Texas, et al.* Civil Action no. 388 United States District Court Western District of Texas Austin Division.

[130] Ibid.

[131] Valencia, *Chicano Students and the Courts,* 53.

[132] *Delgado v. Bastrop*

[133] *Gonzales et al. v. Sheely et al.* 96F. Supp. 1004 (1951) Civil Action No. 1473 United States District Court D. Arizona, March 26, 1951, p. 1007.

It is clear that *Alvarez, Méndez, Delgado,* and *Gonzales* all stem from the same argument that segregating Mexican American students was only illegal because there were no explicit laws that allowed them to be segregated, and that school officials were acting under color of law instead of explicitly following the law. For Earl Warren, this very technical application of the Fourteenth Amendment to desegregation was not enough. Frederick Aguirre's research draws parallels between Warren's California tenure and his *Brown v. Board* decision (1954) as Chief Justice of the Supreme Court. In 1946, he ordered the California district attorney to assist the plaintiffs in the *Méndez* case, and signed into law the desegregation of California schools shortly after the decision had been handed down. Warren worked tirelessly to persuade the associate justices of the Supreme Court not only to vote with him to desegregate, but to provide the American people with a unanimous ruling. Aguirre notes that Warren's ruling was worded quite similarly to McCormick's.[134] Where McCormick's ruling emphasized the social equality necessary for Mexican Americans in California schools, Warren's wording in *Brown* followed a similar argument that, "In these days, it is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity of an education. Such an opportunity, where the state has undertaken to provide it is a right which must be made available to all on equal terms."[135]

When Sylvia Méndez spoke of her father, she said, "He believed in the system - he was not an activist - and he believed that you could do everything the right way."[136]Her testimony shows that although her father was just a man who grew tomatoes and asparagus for the military, he was able to effect change. Unfortunately, what her father started did not end with her case or even *Brown*. School districts in the Southwest found ways to subvert the litany of desegregation rulings, by intentionally building schools in heavily Mexican American populated areas, effectively gerrymandering the districts (*Barraza v. Pecos Independent School District*, 1953) requiring Mexican American children to spend three years in the first grade, the allowable year for segregation under *Delgado* (*Hernandez v. Driscoll Consolidated Independent School District*, 1956), or simply mixing the Mexican American and African American students

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[134] Aguirre, "*Mendez v. Westminster School District*: How it Affected *Brown v. Board of Education*", 329-30.
[135] *Brown et al. v. Board of Education of Topeka Kansas*, 1954, p. 493 as cited in Aguirre, "*Mendez v. Westminster School District*: How it Affected *Brown v. Board of Education*", 331.
[136] Moreno, "150 Years of Chicano/Chicana Education", 214.

together to create a "desegregated" school (*Romero v. Weakley*, 1955).[137] The newest challenge in a post-*Brown* world was the question, "Does *Brown* apply to Latinos/as?" All of the time spent in previous cases arguing that Mexican Americans were "other White" proved difficult to undo as schools "integrated" without actually adding Anglo students to the mixture. This battle would last until the 1970s when new court cases would settle this question once and for all. (Discussed in chapter 3)

Postwar Migration and Group Conflict

American investments in Mexico under the National Financiera created an explosion of economic growth in that country from 1940-1970. American banks injected about $900 billion into the scheme giving it massive amounts of power over the economic future of Mexico. Cotton monopolies, the construction of the Pan-American Highway, irrigation projects all under National Financiera and financed by American capital resulted in population booms in Mexico's northern states leading to what Gilbert González and Raúl Fernández called "one of the most spectacular mass movements of people in the history of humanity. The northward migration of people from all corners of Mexico to its north, and for many, eventually the United States, was motivated by the same general force, *the economic dislocation caused by U.S. capital* [...]."[138]

The 1940s marked the beginnings of the Bracero program (1942-1964), which enabled American businesses to recruit Mexican laborers, largely to help with the World War II effort. Young men left their smallholdings or sold them and moved to the border towns hoping to be accepted into the program. Many wandered the border cities asking for food whilst their wives remained behind to raise their children alone. "Men who received contracts were often forced to display their ability to labor and endure arduous conditions by working without wages on large-scale farms in Mexico, many of which were owned by U.S. corporations."[139] By 1948, the numbers swelled to around 40,000. Arkansas received some 11,496 braceros and requested more after the war. "They were housed in shacks with no electricity, plumbing, toilets or

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[137] Valencia, *Chicano Students and the Courts,* 54-6, and Contreras and Valverde, "The Impact of *Brown* on the Education of Latinos", 471-2.

[138] Gilbert González and Raúl Fernández, *A Century of Chicano History,* 49-52. Italics in original.

[139] Ibid. 103-5.

kitchen facilities (the same shacks abandoned by the African American workers), paid low wages, no medical services – in short, according to one Mexican official, 2,000 braceros in Pine Bluff Arkansas, were living in 'a state of semi-slavery.'"[140] What started as a mutual program between the American and Mexican governments grew to be despised by Mexican authorities as a legal avenue for American companies to exploit the Mexican people.

Migrants were often received with hostility whether it was from the Anglos outside the barrios or the "Spanish-speaking Americans" who had strong ties to the region. In times of economic growth migrants were enticed by American wages, and in times of economic struggle, they were hastily repatriated, regardless of their citizenship.[141] But George J. Sánchez wrote that in Los Angeles, "young people demonstrated a greater willingness to participate in American political institutions." They had connected with America "intellectually and experientially," spurring a movement of political activism, "and, increasingly, the immigrant community joined with the American-born generation in economic and political activity that committed them to life in the United States."[142] Sánchez's recollection paints a much more positive interaction between the American-born and incoming migrants. But the interaction between these two groups was not always so peaceful.

David G. Gutiérrez claimed that the war years were a time of inter-generational conflict. The Great Depression had significantly reduced the number of immigrants into the United States (see Appendix C), which led to an identity crisis much more complex than Sánchez's version. Many second generation Mexican Americans raised in the United States were "caught between two cultures" that of their parents, and that of the society in which they grew up. This identity conflict gave rise to *pachucos*, gangs of Latino youth. In August 1942, José Díaz, a young Mexican American, was found dead near the Sleepy Lagoon, a "swimming hole" near Los Angeles, and after a trial with an all-White jury involving "highly circumstantial evidence," seventeen young Mexican American men were convicted of assault, battery, and first-degree murder. In 1943, the Zoot Suit Riots erupted in Los Angeles, when servicemen attacked young

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[140] Neil Foley, *Mexicans in the Making of America*, (Cambridge, Massachusetts: Belknap Press of Harvard University Press, 2014), 130.
[141] Richard Steele, "Mexican Americans in 1940: Perceptions and Conditions" in Richard Griswold del Castillo (ed.), *World War II and Mexican American Civil Rights* (Austin, Texas: University of Texas Press, 2008), 10.
[142] George J. Sánchez, *Becoming Mexican American*, 228-230.

Latino men in the streets, stripped and shaved them, and left them to be arrested by the police. These events resulted in media backlash and a frenzy of attacks on Mexican Americans and especially Latino youth for being barbaric and ill-suited for life in the United States. [143]

In Texas, LULAC went to court to argue for Mexican American rights to enter public spaces. In 1943, Jacob I. Rodríguez was refused entrance to a swimming pool in San Antonio, the owner of which testified, "We will close our establishment before we will permit the entrance of Mexicans or persons of Mexican origin, regardless of their state of culture, either social or economic."[144] Rodríguez won in his initial case, but on appeal it was decided that if the pool owner operated a private pool even for a profit, it was his decision to admit or bar entrance to anyone he pleased.[145] Discrimination in Texas, the Sleepy Lagoon incident, and the Zoot Suit Riots created sparks within the Mexican American community that forced LULAC and other organizations like the Sleepy Lagoon Defense Committee (SLDC), and the Congress of Spanish-Speaking Peoples (CSSP) to respond.

The SLDC succeeded in overturning the Sleepy Lagoon ruling on appeal exonerating those who were charged. They also "employed what appeared to be explicitly assimilationist rhetoric that emphasized American patriotism as well as the critical need for Pan-American unity in wartime."[146] These organizations, including LULAC, controlled by the *Tejanos* and *Californios* "all believed that they could best improve their people by embracing American values in the fight for full rights of citizenship."[147] What existed then, was a host of organizations pushing for Americanization and assimilation within the Mexican American community that combined with unrest at every subsection of the community. The level of sectionalism that developed: intergenerational, migrant vs. established minority, assimilation vs. cultural pluralism came to a head as LULAC, the CSSP, and the SLDC stood firmly by the need to assimilate.

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[143] David G. Gutiérrez, *Walls and Mirrors: Mexican Americans, Mexican Immigrants, and the Politics of Ethnicity*, (Berkeley: University of California Press, 1995), 117-124.

[144] Jack Danciger to Gov. Stevenson, December 15, 1943, box 4-14/156, folder "Interracial Discrimination," Stevenson Papers as cited in Foley, *Mexicans in the Making of America,* 88.

[145] Ibid.

[146] Gutiérrez, *Walls and Mirrors,* 128.

[147] Richard Griswold del Castillo, "The War and Changing Identities: Personal Transformations" in Richard Griswold del Castillo (ed.), *World War II and Mexican American Civil Rights* (Austin: University of Texas Press, 2008), 71.

LULAC was at odds with the Bracero program, and leaders felt that reopening doors to Mexican migrants in the 1950s would undo a lot of the civil rights progress the organization had accomplished. Theodore Chacón, president of LULAC in San Gabriel California, wrote a letter to George I. Sánchez addressing those fears and voiced his concern that new Mexican migrants would just exacerbate the idea of the "Mexican Problem." When he spoke of the schools, and LULAC's progress there, he mentioned,

> "If...segregation in the public schools, where begins the education of the American and foreign-born Mexican, an education predetermined to make of him a moral, economic, and social delinquent, is the way the American people have solved the 'Mexican problem,' the more reason, then, why the Bureau of Immigration in Washington should refuse to allow Mexicans now living in Mexico from becoming social pariahs in the United States. Definitively, the immigration quotas and standards should not be lowered to further perpetuate injustices upon a humble, defenseless, and disunited people.[148]

Sánchez agreed with Chacón, because to him, the braceros "transform[ed] the Spanish-speaking people of the Southwest from an ethnic group which might be assimilated with reasonable facility into what I call a 'culturally indigestible' peninsula of Mexico."[149] If Sánchez's words are representative of the older organized generation, there was a clear break in how the more acculturated Mexican Americans viewed their migrant counterparts.

The word "bracero" actually comes from the Spanish word *brazos* which means "arms." The original intention of the Bracero Program during World War II was to extend a Mexican arm to its American neighbor to help with the war effort. In reality, however, the Bracero Program became an extension to the permeating tendrils of American business and influence in Mexico. The social networks mentioned above by Douglas Massey and his colleagues provided a stream of workers to the United States without the need for official recruiters to do so. This gave rise to the *coyote* "a notorious term of demonization for unauthorized Mexican

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[148] Theodore A. Chacón to George I. Sánchez, July 12, 1941, Box 68, "Correspondence File – LULAC, 1941-43," Sánchez Papers as cited in Gutiérrez, *Walls and Mirrors,* 136.

[149] Carlos K. Blanton, "George I. Sánchez, Ideology, and Whiteness in the Making of the Mexican American Civil Rights Movement, 1930-1960" *The Journal of Southern History* 72 No.3 (2006), 584.

labor recruiters," and as González and Fernández write about the 1990s, their words color the program(s) with heavy disdain. "Recruiters on both sides of the border acting in tandem brought new brigades of cheap labor by the thousands in the mid-1990s, reproducing the social images wrought by the earlier migrations of the 1920s and the bracero era."[150] As more migrants entered, the stigma given to them not only by the Anglo community but by natives like Sánchez and Chacón reinforced the stereotypical image of the Mexican worker, a bracero whose *brazos* do not contribute to any war effort, but feed American capitalism. As more were added and fewer repatriated, the Mexican American population of the United States began to swell. Families reunited and new Spanish speaking children found their way into increasingly desegregated schools struggling with language and trying to find their niche within society.

Conclusion: Establishing Whiteness

> Identities are never-ending constructions, elaborations of ideas and practices that are drawn from a historical culture as well as from contemporary necessities. It is evident that a monolithic Mexican or Chicano identity does not exist. It is more accurate to speak of many possible identities and to emphasize that these are in constant change. Regional, class, gender, and generational differences affected the impact of the war on Mexican Americans and the identities.[151]

This quote from Richard Griswold del Castillo gives credence to the purpose of this chapter on the Mexican American Civil Rights Movement. The institution of identity is a "never-ending construction" and the evolution of this institution is crucial to understanding the ways in which national identity and cultural identity conflict within education policy. Thus the beginning of this chapter exemplifies certain themes within the Mexican American community from the Great Depression to the postwar period. These themes include the racial division within the Mexican American group, the formation of social networks and other forces that have influenced the spatial segregation of Mexican Americans, the argument of whiteness as a precursor to desegregation, and the conflict between newcomers and the established

[150] González and Fernández, *A Century of Chicano History,* 108-9.
[151] Richard Griswold del Castillo, "The War and Changing Identities: Personal Transformations", 71.

population. Each of these components is evidence of institutional change that affected the formation of education policy.

Making the claim that American identity went through a fundamental change after the Second World War is a rather common statement. Samuel P. Huntington wrote, "The identification of Americans with their country reached its highest point in history during World War II." Countries like France, Germany and Russia all experienced a surge in nationalism accompanying their participation in the war. In a similar fashion he mentioned, "American identity as a multiethnic society dates from and, in some measure was a product of World War II."[152] For Mexican Americans, a surge in nationalism for the United States can be seen in official statements of assimilation pushed forward by powerful actors working through organizations like LULAC and the CSSP. Their propensity to argue for whiteness in desegregation cases was a rather ingenious tactic to push for the image of the "Spanish American" as the symbol of the Mexican American people rejecting the Mexican migrant as lesser and stripping a subsection of the population of power and voice.

Huntington's assessment of American society as "multiethnic" as a result of the war, however, does not fully cover the Mexican American case. On the surface, organizations might have been pushing for integration, but as the letters from Chacón and Sánchez show, the Mexican American group itself could not accommodate fracturing within itself as new braceros made their way north and the younger generation created conflict with their older counterparts. A growing war sentiment that valued loyalty and "an uncritical and unquestioned acceptance of the status quo"[153] helped to perpetuate the idea of an unchanging society quite different from Huntington's version. This can be seen in the court case litigation discussed at length above. The resistance put forth by the school boards, subjugating desegregation rulings by "integrating" schools without adding Anglo students, and making students remain in the first grade for three years proves that the United States may have become physically "multiethnic" but ideologically White. This created a school system that failed a significant proportion of the population. The question asked in the introduction of how

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[152] Samuel P. Huntington, *Who Are We? The Challenges to America's National Identity*, (New York: Simon & Schuster, 2004), 58 & 136.

[153] Elteren, *Americanism and Americanization,* 84.

education policy reflects the identity of the Mexican American group can be answered during the Civil Rights Movement as accepting a "White" middle-class version of their identity. This, however, was only a projection of middle-class power. It did not, and could not represent the wishes of the subsections of the population that the civil rights organizations had left subjugated.

Within the Mexican American group, there was no real identity formation that could make a middle-class Tejano or Californio fight for the rights of a migrant. For the 1940s and 50s, the movement was content on keeping the argument that Mexicans were eligible for all of the privileges available to White people not because they had an equal right to those privileges as a human being, but because they were White. This feeling of superiority of the Mexican American elite, and the fracturing within the group had to be eradicated for real change to occur, and this could only happen if Mexican Americans accepted their identity as a unique entity apart from whiteness. Bonding these disempowered factions is the subject of the next chapter on the Chicano/a Movement.

Chapter 3 - The Chicano/a Movement[154]

Gloria Arellanes is a second-generation Chicana, her father and mother having been born in Mexico and immigrated with their parents to Southern California. Arellanes' father was light-skinned and her mother, dark-skinned which created a lot of tension with her paternal grandmother, who often despised her mother and brother for being darker. She recalled an episode where being light-skinned helped her father gain favor in the eyes of a realtor, but upon seeing her mother, the realtor realized they were a Mexican family. "You can't buy this house. They won't accept Mexicans in this neighborhood," she wrote of him. In school, she was conflicted, torn between being an English-speaking Chicana but also as simply an American. Her father reinforced his national identity at home: "'You're a Chicano,' my dad would insist. 'No, Dad. I'm American!' Here I was going to elementary school where I recited the Pledge of Allegiance, but my dad was insisting that I was a Chicano, not an American. I cried and said, 'But they told me I'm American!'" School life was difficult for her, ignored by her teachers and subject to the racial epithets of her Anglo peers, but graduated and went off to college. It was in college that Arellanes joined the Brown Berets, a paramilitary group of community activists similar to the Black Panther Party of the African American Civil Rights Movement. At first she thought the Berets were "very radical" and "seemed very nationalistic," but through the group she felt that she could reverse some of the discrimination of the community and stand up for the rights of Chicanos/as. Her parents were less than pleased. "I still lived at home, and needless to say, my father hated my joining the Berets. […] Although he accepted the term 'Chicano,' he felt that the movement and especially the Berets were too radical and maybe communists."[155]

From Arellanes' story there are a myriad of themes that have already been discussed in the previous two chapters of this thesis. The racial identity of her mother and grandmother and the divisiveness it caused as well as the generational differences between her father's

[154] In this thesis, the term "Mexican American" or derivations such as "Mexican origin" are the terms the author has used to identify American citizens or migrants of Mexican descent. The term "Chicano/a" is a racially heavy term, and as a non-Hispanic American, the author chooses to reserve this word for Mexican American scholars who choose to identify with this term. The only time "Chicano/a" will be used is when referring to the movement.

[155] Mario T. García, *The Chicano Generation: Testimonios of the Movement* (Oakland: University of California Press, 2015), 113-134

generation and her own were reflective of the entire community. As the postwar era came to a close in the late 1950s, American identity began to shift significantly. The community became radical and outspoken as Arellanes claimed of the Brown Berets. Out of the Chicano/a Movement of the 1960s came a movement that wanted more change than LULAC and the other organizations like it could deliver: congressional representation, unionization, and more education reform being three of the biggest issues. To unite the community, a new nationalism developed, *chicanismo*, a pride in being Mexican American, in being a Chicano/a. This formulation of new vocabulary and the nationalism that followed are signs of what Benedict Anderson calls "anticolonial nationalism" in which "Spanish-speaking mestizo Mexicans trace their ancestries, not to Castilian conquistadors, but to half-obliterated Aztecs, Mayans, Toltecs and Zapotecs."[156]

This quote by Anderson is exemplary of the birth of Mexican nationalism, yet analogous for the nuances of chicanismo, birthed in the 1960s. According to J. Jorge Klor de Alva, Chicano/a nationalism was, in one way, class-based. "Since most Chicanos and Puerto Ricans are at the bottom of all classes, especially the working class, they form 'subordinate' ascriptive[157] class segments." In an altogether different way, it was cultural, invoking a reverence to the homeland in the form of symbolism. Aztlán, the mythical origin place of the Aztec people, "was a 'class'-based symbol useful to the ruling elite [of Mexico] as a part of their founding myth and charter of legitimacy." This symbolism evolved in the 1960s as US residents of Mexican origin employed Aztlán "as a source of ethnic pride [...] and as a flag capable of uniting the heterogeneous Mexican communities of the United States which are composed of members of all social classes, are geographically dispersed and therefore have divergent historical experiences and whose political ideologies extend from ultra-right to extreme

[156] Benedict Anderson, *Imagined Community*, 153-4.

[157] An ascriptive identity, defined by Amy Gutmann, is an identity derived by ascribing to a particular set of characteristics of a group that cannot be changed such as color, gender, sexual orientation, or even a disability such as an organization for the deaf. Those who ascribe to these groups, however, "also differ, often quite strikingly, in their interpretations of that identity, supporting the idea that identity depends to some large degree on how individuals view themselves." Amy Gutmann, *Identity in Democracy* (Princeton, New Jersey: Princeton University Press, 2003), 133.

left."[158] Thus Chicano/a nationalism evolved out of an ideology employed by the Mexican elite to establish legitimacy, the origins of which are colonial.

As John Elliott notes, during the Spanish colonial period, and especially during the late seventeenth and early eighteenth centuries there was a steady flow of Spanish settlers to the New World. *Peninsulares,* as they were called, were high-ranking members of the elite, gifted with jobs in government or the clergy upon their arrival. Given their position, it was in the best interests of the *peninsulares* to retain their Spanish identity as a barrier between themselves and the creole population. Creoles - citizens of Spanish descent born in the Spanish colonies - competed with the *peninsulares* for status, breeding hostility between the two factions. Creoles faced extreme prejudice from the mother country and were viewed as tainted simply by being in the presence of American Indians. A lack of status prompted the creole population to construct their own identity, which they did by appropriating Aztec culture, erecting monuments and producing art distinctly Native American.[159] Much like the formation of American national identity, the patriotism produced by the subordinated creole population was also based on "*a selective interpretation of the past* - and provided at least some of the elements that could be used to create a new sense of national identity."[160]

Building a nation required unity. The creole population of Mexico centuries previous, as well as the leaders of the Chicano/a Movement, extracted unity from indigenousness. The distinct flavor of the movement was contradistinctive to the Mexican American Civil Rights Movement in that it contained nationalistic discourse derived from being a unique ethnicity, not by being White. The divisive/assimilationist discourse espoused by the older generation was replaced by a change in ascriptive identity, marking a turning point in Mexican American education history. The previous two chapters of this thesis have demonstrated the themes most salient to education reform for Mexican Americans: Americanization (chapter 1) and resistance through organization and government institutions (chapter 2). As the conflict between the exclusivity of the national identity and Mexican American identity became more

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[158] J. Jorge Klor de Alva, "Aztlán, Borinquen and Hispanic Nationalism in the United States" in Rudolfo A. Anaya and Francisco A. Lomelí (eds.), *Aztlán: Essays on the Chicano Homeland*, (Albuquerque: University of New Mexico Press, 1989), 135-153.

[159] Elliott, *Empires of the Atlantic World,* 234-241.

[160] Ibid. 397, emphasis added.

salient, the local education policy changes produced by Californio and Tejano activism were not progressive enough for the next generation. The power of the group began to wane as a new more powerful voice of the younger generation, inspired by working class activism, took on the task of challenging education policy. The institutions created by this alternate path (established alongside the middle-class path during the 1930s and gaining full power in the 1960s) demonstrates the ability of a unique identity to effect change, the formation of which is the foundation of education policies today that directly affect the way Mexican Americans are educated. A 1960s shift in power from the older generation's middle class to the younger generation and working class mark an institutional revolution fit for the final chapter of this thesis.

The Origins of Resistance

As evidenced by the *mutualistas* in chapter 1, grassroots collective organizations became the major avenue for Mexican Americans to gain some sort of safety net in the 1930s. Labor organization became more common in the interwar period as activists began to identify with a leftist stance on workers' rights. This was a critical moment in the formation of the Chicano/a movement in that Mexican Americans, who were largely treated as expendable, began to organize for themselves in order to gain power and voice within the working class. Community organizers like Louisa Moreno, a Latina of Guatemalan heritage and voice for the Communist Party, became influential in the labor movement in the 1930s, leading urban Chicanas in southern California under the United Cannery, Agricultural, Packing and Allied Workers of America (UCAPAWA). Moreno worked for a time as part of the American Federation of Labor, but was unconvinced that America's largest labor organization would make a wholehearted effort to organize Mexican Americans. UCAPAWA and the International Garment Workers Union (ILGWU) were products of Moreno's vision for a unified Mexican American workforce. She, along with Dorothy Ray Healey and Rose Pesotta, staged walkouts and protests of unfair working conditions, which created sparks mainly amongst Mexican American women.[161] The Mexican American labor movement gained a foothold in the 1930s and 40s, as a show of force

[161] Vicki L. Ruiz, *Cannery Women, Cannery Lives: Mexican Women, Unionization, and the California Food Processing Industry,* 1930-1950, (University of New Mexico Press, 1987), 69-81 in Chan et al., *Peoples of Color*, 377-389.

that was quite different to organizations like the Congress of Spanish Speaking Peoples and LULAC that had taken to the larger institutional framework (i.e. the courts) to effect change.

The labor movement was radical, a distinctly different way of voicing the needs of the community. This was dangerous as McCarthyism became the dominant ideology in which questioning loyalty and hunting suspected communists became more prevalent during the period known as the Red Scare. From 1945-1957, the House Un-American Committee began its notorious investigations of leftist activists led by Senator Joseph McCarthy. Major supporters of McCarthy were "recently assimilated immigrants, often Catholics, 'intent on demonstrating that the purity of their "Americanism" was superior to that of the old-established but liberal and cosmopolitan Anglophile Protestants.'"[162] This was a period when Americans (and many immigrants aspiring to be American) were desperate to show their loyalty. Government officials went through mandated loyalty screening, 80 percent of teachers were required to demonstrate their loyalty through testing, and New Deal legislation benefiting the American worker was swept aside in favor of big business interests.[163]

In California, new organizations began to emerge after World War II and grew into distinct grassroots organizations in the 1950s called the Unity Leagues. These new groups conducted voter registration drives and promoted the election of Mexican Americans to local government, although their more radical approach to "political action" made them likely targets of McCarthy and his supporters. The Unity Leagues represented more than middle-class interests or labor interests, making them a unique force for change in politics.[164] In 1959, the Mexican American Political Association (MAPA) came into being with a similar intent on bringing about election reform by supporting Mexican American politicians and protesting long abhorred practices such as gerrymandering and the poll tax. [165] Bert Corona, one of the founders of MAPA, saw a need for election reform but at the same time, he could not ignore the labor activism he saw around him. Corona began organizing Filipino farmworkers, and when they decided to strike, in 1965 and organized a boycott of the grape industry in Delano

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[162] William Pfaff, *The Wrath of Nations: Civilization and the Furies of Nationalism* (New York: Simon & Schuster, 1993), 187 as cited in Elteren, *Americanism and Americanization,* 84.
[163] Elteren, *Americanism and Americanization,* 84-85.
[164] Acuña, *Occupied America,* 209.
[165] Gutiérrez, *Walls and Mirrors,* 179-80.

California, the National Farm Worker's Association (created in 1962) joined the fight headed by Cesar Chavéz. [166]

Corona put aside MAPA's earlier cause and began to provide support for Chavéz's unionization effort. "I couldn't help but relate to the radicalism of the time," he remembered. Through Chavéz's leadership and dynamism, the strike exploded, and became "the largest and most solid strike in U.S. agricultural history." The United Farm Workers Organizing Committee of 1966 developed as Chavéz's union and the Filipino union merged together. According to Corona, it was this strike that really united the entire community. "The *huelga* [strike] reached out and moved a lot of Anglos and people of all races. Numerous people supported the strike and the boycott because they understood the contradiction involved when the workers who harvest the food of the country don't have enough money to enjoy the fruits of their own harvest."[167] In the end, the strike made Chavéz an inspiration to the Chicano/a Community, a hero that kept the strike moving whilst stressing the importance of non-violence, much like the tactics used by Martin Luther King. Chavéz capitalized on rising tensions in the African American Civil Rights Movement that had ignited the South. According to Acuña, White supporters of African American civil rights found themselves alienated as the movement progressed, but "Chavéz's nonviolent approach attracted many others who would not confront Establishment groups through sit-ins, large-scale demonstrations, etc., but who would picket a local market, boycott table grapes, or contribute money."[168]

The Tension Rises

The younger generation began to look at the labor movement with inspired eyes. The working class had always been a voiceless people, just as many students felt voiceless during their parent's fight for change in education policy. But many young people "grew increasingly impatient with the pace of social change." [169] The Civil Rights Organizations had promoted loyalty because radicalism was unconscionable during the early years of the Cold War, and as a result there was a great deal of fracturing within the ethnicity as a whole. The 1960s, however,

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[166] García, *The Life and Narrative of Bert Corona,* 245
[167] Ibid. 245-7.
[168] Acuña, *Occupied America,* 179.
[169] Gutiérrez, *Walls and Mirrors,* 184

was a different time. The younger generation was well aware of the contributions their parent's generation had made to the progress of the movement, but their unrest and organization created a shift in voice and power. Just as powerless braceros began organizing, powerless students like Arellanes took their tactical cue from their parents and became founding members of groups like the Brown Berets. The message of the student groups, however, was much more radical than that of their parents.

Violence became more commonplace in California as tension between minorities and White people escalated into riots. In Los Angeles, the riots in Watts (an African American majority neighborhood) in 1965, Vietnam War protests, and the counterculture movement prompted the federal government to reinstate the United States Commission on Civil Rights.[170] In 1967, the Commission took statements and addressed the grievances of California minorities. Jack Sandoval, the Project Director of Horizons Unlimited in San Francisco, a program funded by the Office of Economic Opportunity (part of President Lyndon Johnson's "Great Society" programs) produced a scathing statement about the state of Mexican American education. His program, Horizons, provided instructional support for minorities (majority Mexican American) who would potentially drop out of school. Sandoval's students were at a disadvantage beyond his control when it came to keeping students in school because they lacked the income support they needed at home, and their families were often under-educated. Although steps were taken by introducing programs to correct or "reshape" poor children who were "out-of-step", according to Sandoval, real change needed to happen within the education system as a whole. "In all respects to the educators and those concerned with better education," he said, "the teaching methods in existence today are of the equivalent of giving a man aspirin to cure cancer. Until we improve our quality of education and offer education equality to all, our society will continue to rot from within." Inferiority developed because the school system treated Mexican Americans as if they were nobody, second-class citizens, and pushing them out of school instead of students willingly dropping out. If this trend continued, Sandoval argued, students would follow the path of this self-fulfilling prophecy, identifying themselves as inferior. The current trend of demoralizing Spanish speakers, predetermining the amount of intelligence they had, and tracking them – separating them from other students

[170] MacDonald, *Latino Education,* 216.

– would only serve to create a second generation of Mexican Americans as disadvantaged as their family members had been.[171]

The Commission also allowed students to take part in the dialogue, and one student, Patricia Delgado, voiced her experience with education in California. She explained that many of her fellow students wanted to eventually go to college, but after a while the benefits of education were unseen because as she stated, "You go back to your crummy little house and try to get a crummy little job and all you know is that your accent is different from everybody else's and so you just can't make it." Many Spanish speakers, according to Delgado, acquired a majority of their prior knowledge from the education system in their home country because there were no programs in place that allowed for English acquisition or bilingual education in the United States so that Latinos/as from migrant families could participate in the regular classroom environment. Students were actively recruited to join the armed forces instead, and they were not adequately informed of programs like the Educational Opportunities Program at the University of California. Charles Goldberg, another student, explained that students were kicked out of school when they reached 18 years of age and forced out of school by their lack of English. "The people, the staff at our school are encouraging us to drop out," he said. After a heated backlash from the Commissioners, Sandoval made one final statement:

> There is continuous ugly discrimination and segregation. There always has been. Nobody ever comes up to my face and tells me, "You're a dirty Mexican," but I can hear them when I walk off. I know exactly what they are thinking, but you know what the problem is? It is not our problem. It has been over 200 years. It is a problem of the Anglo society, *the monolingual, monocultural society cannot accept, does not realize what the bicultural problem is*. [...] Monolingual, monocultural people do not understand the Spanish-speaking bicultural problem. [...] It is hell to be a Spanish-speaking person, believe me, and I think it is time that everybody woke up.[172]

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[171] United States Commission on Civil Rights, *Hearing before the United States Commission on Civil Rights: San Francisco, California* (United States Government Printing Office: May 1-3, 1967), 392-394.
[172] Ibid. 406-421. Emphasis added.

The significance of Sandoval's statement was in his emphasis on the exclusionary nature of American society since acquiring the Southwest from Mexico. Using words like "monolingual" and "monocultural" are examples of the pervasive nature of American national identity that began with Anglo-Saxon hegemony (chapter 1). America was not monolingual or monocultural, but rather this statement reflected the national identity's wish for every community to unite under a single umbrella culture. For many Mexican Americans, this was impossible. Sandoval's statement was a sign that the assimilationist discourse of the older generation was being supplanted by a younger generation unwilling to accept that American identity should only adhere to one specific dominant culture.

The Blowouts

Raul Ruiz was a newspaper reporter in Los Angeles in the 1960s. He worked his way through college as a postal worker, got a job as a draftsman, and eventually went back to school at California State University majoring in English and history. He told the story of his time as an activist in the Chicano/a Movement as editor of *Eastside Times* - a newspaper he created to bring news to teens at Eastside High School (ages 14-18) in Los Angeles. In 1968, the activists were planning a way to motivate the students to rise to the challenge of protesting school conditions in Los Angeles, and they decided the best way was to stage a walkout.

> "We were focused on the schools, but in a way some of us also understood that the proposed walkouts would be a kind of coming out for the Chicano movement in Los Angeles. Our time had come. We had all been influenced and inspired by César Chávez and the farmworkers' struggle. We looked up to César. We were aware of the student and youth protests in the country and in Mexico. But this was going to be our thing here in L.A! It wasn't just the school issue; it was also police abuse, the poverty, the lack of political power – all these things motivated us. The walkouts would be only the beginning.

Ruiz and his fellow activists met at a nearby church where they wrote articles for the newspapers and planned their strategy. For weeks they distributed leaflets to students and one Mexican American teacher, Sal Castro, became a voice for school reform. Before they knew it, Ruiz and his comrades had the United Mexican American Students (UMAS) and the Brown Berets committed to changing the atmosphere of East LA schools. "That week about ten thousand students left the schools," he remembered, sparking similar "blowouts" (a term

coined by a student running through the halls of one of the schools) across the Southwest. Parents became involved, organizing under the Educational Issues Coordinating Committee (EICC) and together with the students produced some 38 demands to the Board of Education including: bilingual and bicultural education, new history textbooks with accurate depictions of Mexican Americans, smaller classes, more academic counselors, less vocational education and more college prep classes, teachers who were actually living in the barrios, more parental involvement, and new high schools in East L.A. The board accepted none of the demands.[173]

For Sal Castro, the blowouts were a response to the unrest in Watts. "I, of course, didn't support violence, but Watts showed me that only when minorities rebel or publicly resist in such a way to bring attention to their grievances would the rest of society listen," he stated. Inspired by his father's organization of railroad workers in Mexico and the farm workers struggle, he began attending MAPA meetings and met with César Chávez. Before the blowouts, he was concerned about the curriculum and policies of his school. Having more power over the content of his classes in the 1960s meant that Castro could inject more Mexican and Mexican American history into his classroom. This was a response to the Black Power movement in 1965 when African Americans began organizing with the slogan "Black is beautiful" motivating Castro to speak about the origins of Mexican identity at his school. "To be *mestizo*," he taught, "was to be part of both the Indian and the Spanish histories," emphasizing that people of Mexican origin have a dual history of Spanish and indigenousness and thus, a dual identity. Although many of Castro's students were on a vocational track, he also felt it necessary to reach out to Mexican American students in the college track who were not getting the same history and pride in their identity as his own students were. Many of them were off to college soon, and Castro knew that if the students in this track, who were basically assimilated, would not stay in the community; they would be part of a brain drain. "These self-haters are going to get a college degree and get the hell out of the community and never help in any way. They're

[173] Mario T. García, *The Chicano Generation: Testimonios of the Movement,* (Oakland: University of California Press, 2015), 34-49.

just going to be Spanish surnames on to do something else," he said. It was up to him to make sure they knew who they were, giving the community one more voice for the movement.[174]

As Ruiz's story shows, the Board of Education was unwilling to hear any of the proposals for education policy change. It was up to teachers like Sal Castro to inspire their students to become part of their community and become connected to their heritage. The reforms discussed later in this chapter were not a direct result of the blowouts, but García and Castro note that the most significant change the blowouts were responsible for was a change of mind. "This generation – the Chicano Generation – would no longer accept invisibility, irrelevance, marginalization, discrimination, racism, and second-class citizenship. Embracing a new empowered identity and a new sense of their human worth, Chicanos, including many in the larger community now would not be taken for granted."[175] It was this inspiration "a new spirit" - as García and Castro styled the experience - that became the catalyst for reforms to come.

Youth, Unity, and Nationalism

On June 2, 1968, the Los Angeles Police arrested a number of political activists involved in the blowouts. They were called the "LA Thirteen" and included Sal Castro and other activists labeled as communists, disturbers of the peace, and leaders of the "Brown Power" movement. Police and students clashed in San Francisco and Berkeley as strikes and walkouts increased across the Southwest. Students demanded the creation of Raza Studies or Chicano Studies programs at their universities. And although not officially labeled "affirmative action," they wanted universities to make minority admission easier and a priority. The establishment of the Third World Liberation Front (TWLF) showed the willingness of all minorities to make their voices heard as African American, Asian American, and Mexican American students organized together to demand that California Universities create culture programs. And from California the protests spread to Crystal City, Texas and Denver, Colorado. "In Denver, the strike contributed to the further development of the Crusade for Justice and made Corky Gonzáles, a national leader of the emerging Chicano movement. In contrast to the relatively violence-free

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[174] Mario T. García and Sal Castro, *Blowout! Sal Castro and the Chicano Struggle for Educational Justice*, (Chapel Hill: University of North Carolina Press, 2011), 126-133.
[175] Ibid. 6.

student strike in Los Angeles, the Denver demonstrations resulted in violent confrontations between police, students and members of the Crusade for Justice, and Corky Gonzáles was himself arrested."[176]

Despite the arrests, Gonzáles returned to activism and with his Crusade, hosted one of the most influential gatherings in the history of the Chicano/a Movement in 1969: the National Chicano Youth Liberation Conference in Denver. According to Jorje Klor de Alva, it was the Conference that established the *Plan Espiritual de Aztlán*, a response "to the material conditions of the time and, although not class based, it articulated a program for the 'liberation' of a national minority." This marked the formation of a unified Chicano/a Movement and established the ideology of Aztlán as the motivating force for unity. Klor de Alva emphasized that the establishment of this new nationalism largely left class analysis out of the formation of the identity, but only "because it would not have been politically feasible at the time; unity, after all, had to precede everything else, especially since national consciousness was clearly more developed than class consciousness."[177] It is this dichotomy between the working class movement largely led by Chavéz and the student movement that marked a divergence in the Chicano/a Movement. Students were often caught between their working class parents and their own rise toward the middle class. It was here that identity confusion was at its highest and helps explain the unrest experienced in the 1960s. In the words of Rodolfo Acuña:

> While their fathers had rejected their Mexicanism, the third generation did not identify with their parents' aspirations of blending into the system. They identified with their grandparents. By this time, many of them no longer spoke Spanish; nevertheless, they attempted to learn it. They also sought to revive cultural symbols. This is important for the colonized. In Africa and Asia, the conquered could be distinguished easily from the conquerors by their dress and their language, but in the United States, only color distinguished the oppressed.[178]

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[176] Carlos Muñoz, Jr., *Youth, Identity, Power: The Chicano Movement* (Verso Publishers, 1989), 64-72 in Chan et al, *Peoples of Color in the American West*, 507-517.
[177] Klor de Alva, "Aztlán, Borinquen and Hispanic Nationalism in the United States", 151-2.
[178] Acuña, *Occupied America,* 228.

In 1969, The Mexican American Youth Organization, the Mexican American Student Association, the United Mexican American Students, and the Chicano Associated Student Organization, held a meeting with other groups at the University of California at Santa Barbara. It was here that the groups "formed a single umbrella organization called the Movimiento Estudiantil Chicano de Aztlán (MEChA), which deliberately rejected the appellation "Mexican American" and the conformist agenda of traditional, middle-class organizations like LULAC."[179] The result of this meeting was the *El Plan de Santa Barbara*, an outline of the agenda that would provide a vision for the final years of the student movement. The plan recalled the nature of the colonizer and the colonized, stating "the *barrio* and *colonia* remained exploited, impoverished and marginal." To correct this, it was up to the movement to establish self-determination and political action. With heated rhetoric, they stated, "The Mexican American is a person who lacks respect for his cultural and ethnic heritage. Unsure of himself, he seeks assimilation as a way out of his 'degraded' social status. Consequently, he remains politically ineffective." With this passage, the Plan de Santa Barbara clearly drew a line between the work of the older generation and the vision of the young. MEChA would be a force that operated against assimilation and would unite the student organizations of the Southwest together, establish supportive groups for new students, emphasize the importance of Chicano/a community outreach in the barrios, and grow the importance of printed media to muckrake and expose discrimination.[180]

The Plan de Santa Barbara was significant in that not only did it create unity for the many student organizations, but it created a vision distinctly different from the Mexican American Civil Rights Movement. The tactics of the Tejano and Californio middle-class were unrepresentative of the entire ethnic group. MEChA was a rejection of "Spanish American" whiteness and marked the evolution of embracing the indigenous aspect of identity, just as the introduction of this chapter presented. Embracing Aztlán and chicanismo was a way to build a cross-border Mexican identity and marks the origins of a pan-ethnic movement.[181] As it was stated in the Plan Espiritual de Aztlán at the conference in Denver, "Before the World, before all of North America, before all our brothers in the Bronze Continent, We are a Nation, We are a

[179] Foley, *Mexicans in the Making of America,* 172.
[180] MEChA, *El Plan de Santa Barbara: A Chicano Plan for Higher Education* (Oakland: La Causa Publications, 1969).
[181] Foley, *Mexicans in the Making of America,* 177.

Union of free pueblos, we are Aztlán. Por La Raza todo, Fuera de la Raza nada. (For the [Chicano] people everything; for [non-Chicanos] nothing)."[182]

Reform Policies

Out of the Denver Youth Conference, the Santa Barbara meeting, and the Blowouts, it became clear that Mexican American students in secondary education and higher education were unwilling to accept poor funding, unequal access to public and higher education, an exclusive curriculum, and English as the sole language of instruction. The Plan de Santa Barbara was circulated to other areas of the Southwest to advocate change in higher education. Community organizations like the EICC began to make more demands at local school boards for change in public schools. When it came to real reform, however, changes introduced by the federal government carried the weight necessary to effect real change. In 1964, the Civil Rights Act was passed by the progressive Lyndon Johnson administration, authorizing the Attorney General to take legal action against refusal to desegregate public facilities (Title III) or schools (Title IV). It also authorized the United States Commission on Civil Rights to "serve as a national clearinghouse for information in respect to denials of equal protection of the laws because of race, color, religion or national origin"[183]which led to the testimonies by Sandoval and his students discussed above. The Civil Rights Act also gave protection under Title VII against firing a person because of their race, color, religion, sex, or national origin, protecting teachers like Sal Castro who temporarily lost his job due to litigation proceedings involving his participation in the blowouts. Coupled with the Voting Rights Act of 1965, "Mexican Americans were finally empowered to register to vote, which allowed them to select candidates who would promote their political interests." [184] With more representation in Congress, Mexican Americans were able to grow the political voice of their community. The La Raza Unida Party (LRUP) grew out of the student movement in Texas in 1967, and targeted local school board positions in mostly Mexican American dominated areas in rural Texas. With renewed vigor in

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[182] First National Chicano Youth Liberation Conference, "El Plan Espiritual de Aztlán," in *Aztlán: An Anthology of Mexican American Literature,* ed. Luis Valdez and Stan Steiner (New York: Alfred A. Knopf, 1972), 403-404 as cited in Gutiérrez, *Walls and Mirrors,* 185.

[183] United States Congress, "The Civil Rights Act" Public Law 88-352, (July 2, 1964) p. 241-250.

[184] MacDonald, *Latino Education,* 218.

the political process, LRUP won 15 elections for mayor, school boards, and city councils in south Texas in the 1970 election.[185]

As a former teacher at a Texas Mexican school (see cover photo), Johnson knew all too well the poverty experienced by Mexican Americans. In his State of the Union Address in 1964, he spoke to Congress voicing concerns that "Unfortunately, many Americans live on the outskirts of hope – some because of their poverty, and some because of their color, and all too many because of both." With these words, he declared an "unconditional war on poverty" proposing reforms in education, housing, job opportunities, and health to improve the wellbeing of every person regardless of color.[186] Programs like Project Open Future, Upward Bound, and Horizons Unlimited (Sandoval's school discussed in the United States Civil Rights Commission Report above) catered to a wide range of minorities and received funding from the Office of Economic Opportunity as part of the War on Poverty campaign.[187] Although he pushed a whole host of programs through Congress, Johnson's education victories in remedial education and college work-study programs helped change the outlook for minority access to education at every level.[188]

In 1965, Johnson's government passed the Elementary and Secondary Education Act (ESEA) "In recognition of the special educational needs of children of low-income families and the impact that concentrations of low-income families have on the ability of local educational agencies to support adequate educational programs […]." Essentially, the policy was designed to distribute federal funds to local school districts so long as the funds were used to "contribute particularly to meeting the special educational needs of educationally deprived children."[189] This was a major win for Johnson and the Democratic supermajority in Congress because the allocation of about $1 billion to local districts meant that Johnson's War on Poverty reforms would become a successful attempt to really eradicate poverty. Yet the National Education Association (NEA), a union of teachers and school professionals, felt that the federal

[185] Foley, *Mexicans in the Making of America*, 171.
[186] Lyndon Baines Johnson, "President Lyndon B. Johnson's Annual Message to the Congress on the State of the Union January 8, 1964," *Public Papers of the Presidents of the United States: Lyndon B. Johnson, 1963-64,* Volume I, entry 91 (Washington, DC: Government Printing Office, 1965), 112-118.
[187] MacDonald, *Latino Education,* 226.
[188] Foley, *Mexicans in the Making of America,* 165.
[189] Elementary and Secondary Education Act of 1965, Public Law 89-10, U.S. Statutes at Large 79 (1965) 27-58.

government was overstepping its role, and that any allocation of funds to private schools was out of the question. According to Janet Thomas and Kevin Brady, the misuse of ESEA funds on salaries and materials not specifically for underprivileged children brought into question the validity of the law. Some 94 percent of schools were receiving some form of ESEA funding, leading groups like the Washington Research Project and Phyllis McClure of the Legal Defense and Education Fund of the NAACP to the conclusion that "more than 15% of Title I funds had been misappropriated."[190]

Despite funding issues related to faulty language in the ESEA, the Johnson government was well underway to become the most important era for welfare reform since Roosevelt's New Deal. The African American Civil Rights Movement, however, was the major catalyst for Johnson's policies and thus did not address many of the complaints expressed by the Mexican American community. According to Rodolfo Acuña, "for the most part, [Congress] had never seen a Chicano and did not know his needs."[191] Of course, many of the laws passed were just a few years previous to the 1968 student protests at the height of the Chicano/a Movement. The rush of the administration to establish a legacy apart from its involvement in Vietnam led to good intentions but hastily adopted laws. This led to the ESEA amendments. One such amendment was the addition of Title VII to the education code, known today as the Bilingual Education Act (BEA), signed into law in January 1968.

Language Policy

During the assimilationist period (1900-1950s) bilingualism was considered "divisive and un-American," a hindrance to student learning and thus became the major argument of educators who advocated segregation policies. On the other side of the argument were LULAC and Mexican educators in the 1940s and 50s who opposed segregation but advocated an English-only approach to instruction.[192] Despite leaving a legacy of opposition to a dual culture in the

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[190] Janet Y. Thomas and Kevin P. Brady, "Chapter 3: The Elementary and Secondary Education Act at 40: Equity, Accountability, and the Evolving Federal Role in Public Education" *Review of Research in Education* 29 No. 51(2015), 51-53.

[191] Acuña, *Occupied America,* 225.

[192] Delores Delgado Bernal "Chicana/o Education from the Civil Rights Era to the Present" in José F. Moreno (ed.) *The Elusive Quest for Equality: 150 Years of Chicano/Chicana Education* (Cambridge, Massachusetts: Harvard Educational Review, 1999), 103.

Southwest, George I. Sánchez wrote in 1966 that allowing Mexican American students to drop out of school simply because of their frustration at not having acquired sufficient English was a travesty. Spanish persisted in the Southwest, he argued, because attempts to assimilate Mexican Americans had been fruitless and for a vast majority, negligible schools set before them a path of socioeconomic disadvantage. To overcome these issues, he recommended that schools allow bilingual education for the first two years in school.[193]

Sánchez's logic would never have passed scrutiny a few decades previous to the 1960s. Bilingual programs established previously, as mentioned in the introduction, were met with hostility as the imagined community came to be "monolingual." Sandoval's statement in the USCRCC hearing echoes this reasoning. Resistance to bilingual education was affirmation of the exclusivity of American national identity and undoing state and local level legislation proved to be difficult. For years it had been the prerogative of the National Education Association and other Mexican American educators to highlight "the plight of Spanish-speaking students, 'the invisible minority'" and the 1960s proved to be the perfect opportunity for Republicans and Democrats to join together in the bipartisan bilingual movement.[194]

The BEA was the first significant piece of federal legislation that specifically targeted a Mexican American education issue head-on and not simply a law meant to benefit African Americans and later applied to Mexican Americans. "Enacted at the apex of the Great Society, [the Johnson administration's policies akin to the New Deal - KG] the Bilingual Education Act of 1968 passed Congress without a single voice raised in dissent," wrote James Crawford. The wording of the BEA was wrought with ambiguity just as debate continued over the real purpose behind the ESEA. In its 1968 form, the main goal of the BEA was "to provide financial assistance to local educational agencies to develop and carry out new and imaginative elementary and secondary school programs designed to meet these special educational needs [of students with limited English proficiency]."[195] The allocation of funds for Title VII went to

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[193] George I. Sánchez, "History, Culture, and Education" in Julian Samora (ed.), *La Raza: Forgotten Americans* (Notre Dame, Indiana: University of Notre Dame Press, 1966), 1-26.

[194] James Crawford, *At War with Diversity: US Language Policy in an Age of Anxiety,* (Clevedon, United Kingdom: Multilingual Matters, 2000), 88.

[195] Elementary and Secondary Education Amendments of 1967, Public Law 90-247; 81 Stat. 783 [H.R. 7819] *Laws of the 90th Congress, 1st Session, January 2, 1968* in MacDonald, *Latino Education*, 250.

teacher training programs, instructional materials, and educational programs but "school districts could receive federal funds under the Bilingual Education Act without using languages other than English."[196]

The BEA was a giant leap forward for Mexican American students, but just as civil rights legislation inspired by the Black-White struggle applied to Mexican Americans, so too was the BEA applied to other minorities. In 1974, the *Lau v. Nichols* Supreme Court decision made the BEA applicable to Chinese students. Justice Douglas' decision referred to the Civil Rights Act to make it clear that programs receiving federal funds could not discriminate based on race. "Basic English skills," wrote Douglas, "are at the very core of what these public schools teach. Imposition of a requirement that, before a child can effectively participate in the educational program, he must already have acquired those basic skills is to make a mockery of public education." Douglas also made sure to denounce the practice of "tracking" students and placing them on "dead-end" permanent tracks, a procedure Mexican American students were all too familiar with.[197] Thus at the heart of this issue, according to James Crawford, was that "Unlike African-Americans fighting exclusion, the language-minority plaintiffs in the San Francisco case [*Lau v. Nichols*]sought to establish the principle that children with different needs are entitled to different treatment by the schools."[198] This same principle can be applied to the Mexican American fight for bilingual education. On the one hand, their fight for desegregation was ongoing, and exemplified their desire to be fully included. On the other hand, pushing for bilingual education, according to Sánchez, "would involve the 'segregation' of the foreign home-language child" a practice "intolerable" as society rejects the "separate but equal doctrine." Thus it was up to the education community to decide alternatives such as partial instruction to strike a compromise between these two opposing ideologies.[199]

Desegregation: An Endless Battle

The Johnson administration legislation took a bold stance in assuming power over education, much to the benefit of minorities and the chagrin of local policy makers. But just as *Méndez* and

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[196] Ovando, "Bilingual Education in the United States", 8.

[197] *Lau et al. v. Nichols et al.* 414 U.S. 563 (1974) No. 72-6520 Supreme Court of the United States, January 21 1974, p. 566

[198] Crawford, *At War with Diversity,* 92.

[199] Sánchez, "History, Culture, and Education", 20.

Brown became enforceable under federal case law, so too would the fight continue using the courts to further desegregate schools for minority students. As Appendix C shows, desegregation litigation came to a standstill for much of the 1960s with just one case (*Chapa v. Odem*) of minor importance. This all changed in 1970 with another landmark ruling.

José Cisneros joined a class action lawsuit against the Corpus Christi Independent School District (CCISD) in southern Texas. Cisneros initially lodged a complaint against the school because of a lack of teaching materials, projectors, and other items one might expect to find in the average 1970s classroom. Cisneros and other African American and Mexican American parents attended school board meetings and made sure to voice their complaints. This struggle went on for two years until Cisneros and twenty-five other fathers filed suit in the U.S. District Court for the Southern District of Texas. In previous decisions, LULAC and the plaintiffs had used "whiteness" as a tool to achieve desegregation. "Beginning with *Romo* (1925), for more than four decades plaintiffs' attorneys in these cases relied heavily on the "other White/no statute" argument." But because schools had been "desegregating" by adding African Americans and Mexican Americans ("other White" under the *Méndez* ruling) the plaintiffs had to devise an alternative strategy.[200]

Mexican Americans sought protection under *Brown*, but if there was already precedent of whiteness, the courts had to make a decision of whether or not *Brown* was applicable to Mexican Americans. In his decision, Judge Seals asked if *Brown* could apply to Mexican Americans, and if it could, should it apply in this particular case? Judge Seals ruled that Mexican Americans were "an identifiable, ethnic-minority group, and for this reason have been segregated and discriminated against in the schools in the manner that *Brown* prohibits [...] they are certainly entitled to all the protection announced in *Brown*." It is important to note that Judge Seals invoked the history of racial prejudice against Mexican Americans in Texas, having just as many identifiable characteristics as any other racial group. He even noted the Chicano/a Movement in stating, "Our nation is becoming polarized and fragmented, and this has the effect of radicalizing many of our young people." Thus it was up to the courts to solve the segregation question once and for all because "the public school institution, as I see it,"

[200] Valencia, *Chicano Students and the Courts,* 60-1.

wrote Seals, "is the one unique institution which has the capacity to unite this nation and to unite this diverse and pluralistic society that we have."[201]

The CCISD appealed to the Fifth Circuit Court of Appeals in which Judge Dyer flagrantly dismissed the use of *de jure* and *de facto* distinctions when arguing segregation cases. The CCISD made the argument that Mexican Americans were only segregated based on the location of their neighborhoods, and because they cannot choose where a person lives, the Mexican Americans were segregated of their own accord. Judge Dyer adamantly opposed this line of argument stating, that a reliance on the historic location of Mexican Americans to justify segregation was unconscionable and against the law. Mexican Americans, according to Judge Dyer, were an "identifiable, ethnic-minority class entitled to the equal protection guarantee of the Fourteenth Amendment," echoing the opinion authored by Judge Seals.[202]

The Federal Courts in California, Texas, and even Colorado experienced a litany of court cases after the *Cisneros* decision. Mexican Americans had successfully argued that *Brown* was applicable to their situation as an identifiable ethnic group that had a past history of discrimination. This was a huge reversal of argument from previous court cases in the 1940s and 50s. Grassroots organizations and the Mexican American Legal Defense and Education Fund (MALDEF), the Mexican American equivalent to the NAACP Legal Defense Fund, replaced organizations headed by the middle class to make the argument of racial uniqueness. MALDEF was hugely influential in the *Cisneros* decision, and the group played an even bigger role in subsequent cases such as *Keyes v. School District No. 1, Denver, Colorado* in which the Supreme Court decided that Mexican Americans were a legal minority.[203] As seen in Appendix C, litigation continued up to 1985 in which case-after-case following the *Cisneros* decision attempted to expose school districts that had *intentionally* tried to segregate Mexican Americans. The *de facto* segregation argument premised on the fact that many Mexican Americans had "self-segregated" in neighborhoods was shot down if plaintiffs could prove that their district had been gerrymandered. The final case in 1985, *Diaz v. San José Unified School*

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[201] *José Cisneros et al. v. Corpus Christi Independent School District et al.* 324 F. Supp. 599 (1970) Civil Action No. 68-C-95 United States District Court, Southern District Texas, Houston Division, 604-627.

[202] *José Cisneros et al, Plaintiffs-Appellees, v. Corpus Christi Independent School District et al., Defendants Appellants* 467F.2d 142 (1972) No. 71-2397 United States Court of Appeals Fifth Circuit, 146-149.

[203] MacDonald, *Latino Education,* 219.

District exposed a daunting problem that has occurred up to this day: White flight – the mass movement of White people from urban centers to mainly racially homogenous suburbs. Quickly desegregating schools prompted the justices in *Diaz* to accept a less intensive desegregation plan, yet according to Richard Valencia's research, in 2004-2005, 28.7% of the student population of the SJUSD was White compared to 57% in 1984-1985.[204] As Mexican Americans look to the future, White flight will continue to remain a hotly contested issue that further exacerbates racial tension in the United States. This will be discussed further in the conclusion of this thesis.

Conclusion: Changing Identity

The Chicano/a Movement laid the groundwork for establishing Mexican American identity as an entity apart from whiteness. César Chavez's organization of the working class was an inspiration to the entire community, prompting leaders like Sal Castro and Corky Gonzáles to organize students and young people to fight against discrimination and acquire their fair share of legal rights. As a result of this movement, identity change and the fight for rights was not left solely in the hands of an elite middle class and their organizations. The rise in nationalism -a reification of the indigenous past - brought together Mexican Americans of all classes, documented or undocumented, to show that solidarity could be achieved if there was a way to adhere the group to a shared identity. This movement was influential in creating legislation like the Bilingual Education Act that was a direct response to a Mexican American grievance. In the courts, recognition of Mexican Americans as a distinct ethnic group allowed for more scrutiny into practices that had left Mexican Americans trapped on a path of inferior education.

Much of the legislation passed during the Johnson period has a reciprocal form today. The Elementary and Secondary Education Act is now called the No Child Left Behind Act (2001), a constantly debated policy change that has prompted a huge backlash from the educational community. Reforms in teacher accountability and funding reallocation have added to the strength of the federal government over education policy. In an effort to raise the educational attainment of every minority group, the new policy sets an "average yearly progress" that schools must meet according to race, class, and disability in order to keep their

[204] Valencia, *Chicano Students and the Courts,* 73.

funding and avoid sanctions.[205] Although debate over the benefits of this policy, or lack thereof, could fill a thesis much larger than this, it is clear that Johnson's administration proved that the federal government could involve itself in matters previously left to the states.

This marks a huge shift in the function of government during the 1960s and illustrates the ability of institutions to evolve. As Mel van Elteren notes, "From the late 1960s onwards, a separatist urge around the issues of ethnicity, 'race', and gender began to dominate the agenda of radical activists, and the idea of a common culture of Americanness was left far behind." The common identity of the United States "the American Dream" mentality, according to Elteren, now became part of the right of the political spectrum and as an extension of this new right mentality, identity politics began to influence the creation of liberal policies. This led to a "restoration" of conservative politics under the Reagan administration.[206] The research in this thesis would extend the argument further that this change in power at the federal level has left little faith in local governments among minorities. The struggle of the EICC to change local board policies and the constant struggle in federal courts to end segregation once and for all are evidence of the Mexican American use of federal policy venues to enact real change.

Another important development during the 1960s and 70s was the creation of minority coalitions. Policies that were dreamed up during the Johnson administration to combat the poverty and racial discrimination of the past were largely a product of the African American Civil Rights Movement. This dynamic has led to a more firm foundation for the formulation of institutions that are meant to ease the lives of the African American population, but these institutions are often not as effective in improving the lives of Mexican Americans. The Civil Rights Act, the Elementary and Secondary Education Act, and even *Brown v. Board of Education* are all examples of this dichotomy in which Mexican Americans had to fight, through additional litigation, for their right to be included as a racial group apart from whiteness.

As identity of the Mexican American group evolved during the Chicano/a Movement into one that adhered to their ties with indigenousness, a unique identity emerged in which their "White" racial identity was supplanted by ties to Native American culture. If this idea is expanded further, one could argue that ascriptive identity can evolve as well. Amy Gutmann, a

[205] Thomas and Brady, "The Elementary and Secondary Education Act at 40", 55-6.
[206] Elteren, *Americanism and Americanization,* 85-6.

prominent researcher in identity politics has defined identification by ascription as a group that organizes "around characteristics that are largely beyond people's ability to choose, such as race, gender, class, physical handicap, ethnicity, sexual orientation, age and nationality." When one changes their ascriptive identity, according to Gutmann, it is interest-driven. "Democratic politics is *both* interest *and* identity driven in ways that depend on particular historical, cultural, and political circumstances, and the identity-driven direction has been neglected by conventional political science."[207]

The Mexican American drive to change their previously established political identity from White to Indigenous is illustrative of Gutmann's phenomenon. Ascribing to whiteness did not allow the group full desegregation or full participation in the political arena. Whiteness also had alienating attributes that created sectional disputes between generations and classes within the Mexican American group. Combined with the stigma placed on the group by Anglo-Saxon hegemony in the period of assimilation (chapter 1) shows that Mexican Americans could never fully ascribe to whiteness. The progress made by African Americans, who had no hope of ascribing to whiteness, proved to Mexican Americans that claims to a unique identity had the ability to inspire reforms such as the Civil Rights Act. As a biracial group, Mexican Americans have the unique ability to change their dominant racial identity, and doing so culminated in specific policies that met their needs. The Bilingual Education Act, the desegregation of schools as an identifiable ethnic group, and the student movement's push for curricular inclusion are a direct result of claiming a unique identity apart from whiteness. This was the major contribution of the Chicano/a Movement to Mexican American education history and illustrates the full extent of the alternative path to power achieved by the underprivileged subsections of the Mexican American identity.

[207] Gutmann, *Identity in Democracy,* 117-125.

Conclusion

The introduction of this thesis posed the question of how education policy represented both American national identity and Mexican American identity to include or exclude people of Mexican origin, and how this construct has developed over time. This question was embedded within the larger context of the debate on multiculturalism: the present attitude toward education policy creation since the 1990s. In three chapters, three historical episodes have been expanded upon in order to best answer this question. The analysis begins in the early 1900s and ends in the 1970s. Many of the education policies in existence in American education policy today are in large part due to the reforms of the Johnson administration and because of this, the 1980s to the present have largely been excluded. It is possible that later research could embellish upon these years, but for the moment, the policy analysis is restricted to 1900-1970s the formidable years of policy change for the Mexican American community. There are a myriad of themes and issues that run parallel to each other in the chapters above including national identity exclusion, group sectionalism, and ascriptive identity. The following subsections will expand upon these themes and apply a path dependency framework to the "Spanish American" case and the "Mexican American" case.

The "Spanish American" Path

Chapter one emphasized the exclusive nature of the national identity, which featured a racist Anglo-Saxon ideology. This ideology is fundamental for the origins of the path dependency analysis as it permeated the Southwest and labeled the new Mexican American citizens in the region with a racial stigma, an institutional fragment of which still exists. Coupled with the Spanish colonial institution of the *Regimen de las Castas*, citizens with a lighter complexion ranked higher on the color spectrum than those with more indigenous features. With immigration to the area extremely low from the period between 1848 and 1910 (Appendix B), the "Spanish Americans" also called *Tejanos* and *Californios* in Texas and California were mainly pegged as laborers but grew to be largely assimilated, giving them access to skilled labor. They were monolingual English speakers or bilingual and gained power as an elite middle class from 1920-1940. Despite having a considerable amount of influence, especially amongst the Mexican American communities that began to develop during periods of higher immigration during the First World War, many Tejanos and Californios were segregated in "Mexican Schools" especially if they had retained the Spanish language. Segregation based on

Spanish surname also angered this group because they viewed themselves as assimilated Americans with origins different to newcomers.

The middle-class elite formed new institutions in the form of Civil Rights Organizations like LULAC and the CSSP that espoused assimilationist rhetoric. With this ideology in mind, desegregation cases fought for by this elite class were based on the argument of whiteness. Ascribing to this particular identity allowed the group several victories in federal court including the landmark *Méndez v. Westminster* case. Proving to the legal system that being White was grounds for desegregation was a successful point of departure and only further confirmed that the group was an assimilated sub-section of the Mexican American group. According to James Mahoney, when a previously subordinated group like the Tejanos and Californios gains power, actors (in this case, acting through the civil rights organizations) weigh the costs and benefits in their ability to create new institutions. The origins of their power are "not a predictable outgrowth of pre-existing power arrangements" and in this case the collectivization of voice within new institutions of the civil rights organizations was not predictable other than collectivization resulting as a reaction to subordination by Anglos. Their middle-class endowments also enabled them to fund these new organizations to fight against desegregation and manipulate education policy transformation.[208] To conceptualize the path of the "Spanish Americans," the list below outlines the path more explicitly.

A: Exclusivity of the Anglo-Saxon national identity stigmatizes the Mexican American group.

B: Without newcomers, Tejanos and Californios assimilate as White, English-speaking Americans.

C: Power was consolidated as an elite endowed middle class.

D: Power was collectivized in civil rights organizations to combat segregation that occurred when more Mexican Americans arrived. Segregation of Mexican Americans by surname adversely affects the elite group as well.

E: Whiteness is established as the desegregation argument.

[208] Adapted from Mahoney, "Path Dependence", 521.

F: Desegregation litigation results in locally applied victories throughout the Southwest.

For the early court cases addressing equal access to education, Tejano and Californio actors weighed their options and decided upon the best possible solution to meet their needs. However, in doing this, the established elite alienated a growing proportion of the Mexican American population. Newcomers during the First and Second World Wars under the Bracero program were alienated from this powerbase and their Spanish-speaking children were alienated within the school system. Their path to equal voice in influencing education policy has similarities with the "Spanish American" elite, but a new power balance created a path dependent argument all their own.

The Mexican American Path

After the Mexican American war, new state governments in the Southwest began denying access to citizenship based on race despite the Treaty of Guadalupe-Hidalgo. Many "dark-skinned" Mexican Americans or those with more indigenous features were pushed south beyond the northern Mexican border, leaving the "Spanish Americans" in the southern states to adapt to living alongside an increasing influx of Anglo Americans. The First and Second World Wars allowed for a major increase of migrants to help with both war efforts, and despite government intentions, especially under the Hoover administration (1929-1933), to repatriate Mexicans in the interwar period, many stayed and were reunited with their family members. A stigma developed during this period of the docile Mexican worker that was easily expendable. In response to rising tension, job insecurity, and possible deportation, laborers of Mexican origin began to develop grassroots organizations to ensure their access to a safety net. Growing unionization efforts also allowed Mexican laborers access to new institutions to voice grievances and gain labor rights.

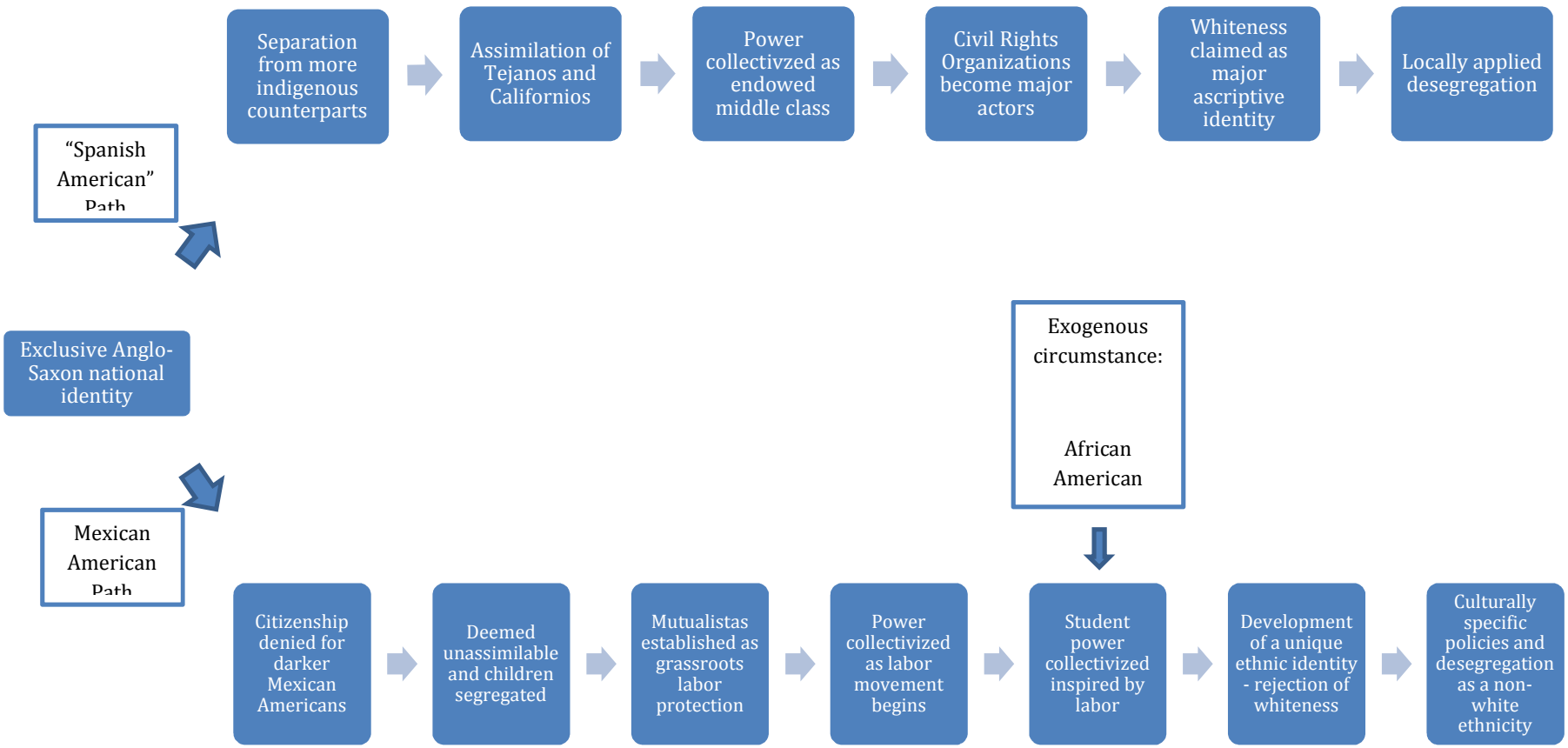
The growing labor movement from the 1930s to the 1970s directly inspired the Chicano/a Movement and the student protests of the 1960s. César Chavéz grew to be a valuable leader for labor and inspiration for the second-generation. Growing unrest amongst young Chicanos/as over the "sluggish speed" of their parents' generation to effect change prompted the Blowouts and protests over un-inclusive curricula, continued segregation, and lack of access to higher education. The African American students' struggle for equal rights also inspired the Chicanos/as to act. Nationalism developed out of the student movement in a way similar to colonial elite claims to legitimacy. Students wanted a unification of the Mexican

American/Chicano/a community no matter their status. Rejecting the older generation's ascription to whiteness, the Chicano/a Movement established a unique ethnic identity that emphasized the indigenousness of the multiracial ethnicity. These events led to more progressive forms of identity recognition in education policy creating legislation and litigation responses that enabled the *Brown v. Board of Education* decision to directly apply to Mexican Americans as a unique ethnicity, cultural programs on university campuses, and the Bilingual Education Act.

Just as the Tejanos and Californios were able to collectivize and gain power to effect change, the Mexican Americans were able to achieve a similar path. The difference being that the Spanish American claims to whiteness resulted in policy changes like localized desegregation (despite later attempts to subvert federal rulings by individual school boards) that were equivalent to mainstream White education. Mexican American actors with a unique ethnic identity, however, were able to voice their concerns for policies that matched their unique experience as Spanish-speaking adherents to a dual culture. The Mexican American path dependency case can thus be seen more explicitly in the list below.

A. Exclusive Anglo-Saxonism denied citizenship to many "non-white" Mexican Americans.
B. Migrant workers were deemed "unassimilable" and children segregated based on language and stigma.
C. *Mutualistas* – grassroots organizations – and established social connections combine to provide Mexican Americans with services as they are often excluded by the elite and by government programs.
D. Labor rights movements grew the voice of the working-class giving more power to the group.
E. The student movement developed out of the labor rights movement and power grows further as nationalistic rhetoric is introduced.
F. A unique ethnic identity developed as an argument for education policy change.
G. Desegregation as an ethnic group, bilingual education, cultural studies programs, and improved access to higher education were introduced.

Figure 1- Paths to Education policy



Power and Institutional Change

Each sub-section of the Mexican American group was able to gain power and argue their case in a different way. Figure 1 above shows the institutional development that resulted from a similar historical context. However the institutions that developed along these separate paths were directly related to exclusion from the national identity and group sectionalism. To answer the question in the introduction, national identity was instituted from the beginning in a very exclusive way targeting Mexican Americans that did not fully assimilate, leading to segregation and English-only education. Power shifts within the ethnic group enabled the once subordinate "Spanish Americans" to effect change using their identity as a White group, thereby gaining power to effect further change. "Spanish American" and national identity exclusiveness resulted in the creation of an alternative path, labelled here as the "Mexican American" path. The Mexican American rise to power challenged the exclusive national identity *and* the argument of the "Spanish American" elite resulting in policies that directly targeted their unique disadvantages. In sum, an exclusive national identity originally excluded people of Mexican descent in education policy. Education policy changed over time to include people of Mexican descent, but the level of change was dependent upon the power of the group effecting change. Elite power linked to whiteness created local change, but a unique identity created a fundamental countrywide shift in education policy.

Looking back at the introduction, the debate between liberal historians and multiculturalists laid the groundwork for the discussion of the Mexican American case. If Nathan Glazer's observance that liberal historians are at odds with the more "radical" positions in education policy such as Afrocentrism or bilingual education because these methods do not permit full inclusion in the imagined community, this research can shed light on the problem. "Spanish Americans," ascribing to whiteness and positioning themselves within the debate as assimilationists, represent an ethnic group similar to the largely assimilated European Americans under the Melting Pot aspect of the national identity. Yet even these characteristics did not stop the group from undergoing harsh treatment from the education system under segregation. Mexican Americans faced an even worse situation as non-English speakers and newcomers arriving with their working-class parents. In either case, it did not matter how deeply one attached him/herself to the American creed, education policy controlled by Anglo-Americans in local school districts did not fully include them or their unique situation. It is this

weakness of the imagined community in accommodating difference that resulted in Chicano/a nationalism, as the path dependence demonstrates. Both of these cases started in a similar place with one case accommodating the national identity and one case rejecting it.

Samuel Huntington, has argued that "Mexican-Americans no longer think of themselves as members of a small minority who must accommodate the dominant group and adopt its culture," and that if Mexican Americans aspire to become part of the "American Dream" they must do so as assimilated speakers of English. As immigration levels rise, "American society and culture could eventually change America into a country of two languages, two cultures, and two peoples," he argues.[209] Schlesinger states that bilingualism encourages "self-ghettoization, and ghettoization nourishes racial antagonism. [...] The bonds of cohesion in our society are sufficiently fragile, or so it seems to me, that it makes no sense to strain them by encouraging and exalting cultural and linguistic apartheid."[210] There is no doubt that much of what Huntington and Schlesinger, talk about is true. Mexican American adherence to their own unique culture and identity has increased and solidified the unity of their group consciousness. But as far as a critique of multiculturalism goes, these two authors have only given more fire for the multiculturalism movement. Top-down government initiated policies of multiculturalism have become a way to alleviate cultural tension in Australia and Canada, argue Stratton and Ang in the introduction of this thesis, but without the legitimacy offered by federal government power, the United States will never be able to accommodate a growing national minority culture. High levels of immigration into the United States has increased, but xenophobia cannot be the best solution to accommodating newcomers. Future policy must come from the top, and education must evolve in a way that incorporates more multicultural policies so that people do not fear the imagined community is a relic of the past.

On a final note about xenophobia, Mark Crepaz has shed some light on the situation. In his book, *Trust Beyond Borders*, Crepaz has undertaken some insightful analysis of trust in modern welfare states. Notable in his chapter on xenophobia is his analysis of education as an institution that attempts to permeate the stigma many "nativists" have placed on immigrants in

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[209] Huntington, *Who Are We?,* 251-256.
[210] Schlesinger, *The Disuniting of America,* 113 & 147.

diverse societies. In his conclusion after thorough examination of a multi-regression analysis on the factors influencing trust he states:

> It is heartening and revealing to see the strong negative effect of education on xenophobia. Much of xenophobia is about prejudice and stereotypes, and, as with many such concepts, these are constructed. Education, which is also a form of construction, is shown to be a counterweight to these primordial fears, as well as a ray of hope, for it demonstrates that the roots of primordial sentiments grow most prolifically in an environment of ignorance. The observation that higher education leads to less xenophobia demolishes the essentialist, primordial claim that categorical differences must separate individuals from each other and creates space for the possibility that education can reduce hatred between humans of different races, religions or ethnic backgrounds even further.[211]

There is no doubt that education is an institution that can break barriers constructed between races. Denying equal access, and denouncing policies that will increase educational attainment, whether that means integrating cultural history into the curriculum or allowing a few years of bilingual education, only hampers this institution's ability to create trust and solidarity. Applied to the liberal line of thought - multicultural education and multiculturalism policies in general reduce adherence to the social fabric - is an idea that must be relegated to the annals of history and pushed aside in modern America for full reconciliation to occur. Instead of promoting immigration reduction and assimilation, it is time for more policies that allow multicultural education to instill within the next generation of Americans the ability to become insightfully aware of the diversity around them.

Implications for Future Research

Focusing on the specific case of Mexican Americans has given the opportunity for in-depth analysis on how education policy has evolved for one ethnic group in the United States. Future research could extend the arguments of this thesis when investigating the Chicana feminist

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[211] Markus M. L. Crepaz, *Trust Beyond Borders: Immigration, the Welfare State, and Identity in Modern Societies*, (Ann Arbor, Michigan: The University of Michigan Press, 2008), 92.

movement of the 1970s and equal access for women in education or policy change for Mexican Americans in the 1980s just before the multicultural debates of the 1990s. Ethnicities in the United States, other than the well documented African American case, could provide additional arenas for applying the power approach to path dependence in the context of the Native American or Asian American quest for identity inclusion. Outside of the United States, a cross-country approach could also be useful in policy research between multicultural settler states like Australia and Canada as well as an investigation into increasing diversity in much of Western Europe that has contributed to a growing debate concerning multiculturalism on that continent.

In the American context, there is still more room to improve equal access to education as an institution with the ability to alleviate poverty. According to Morris Janowitz, "Massive support for the expansion of public education, including higher education, in the United States must be seen as *a central component of the American notion of welfare* – the idea that through public education both personal betterment and national and social and economic development would take place." Abram de Swaan expands Janowitz's reasoning, arguing that American public education was introduced at an early stage in development because state and local governments found collective interest in education as a competitive asset.[212] Expanding education's role as a way to enhance the abilities of American minorities to achieve some aspect of the "American Dream" would also make an interesting approach to studying the necessity for equal access to education as well as how future policy implementation could help more disadvantaged subsections of the populations increase their social mobility.

[212] Abram de Swaan, *In Care of the State: Health Care, Education and Welfare in Europe and the USA in the Modern Era,* (Cambridge, United Kingdom: Polity Press, 1990), 209 quote from Morris Janowitz, *Social Control of the Welfare State,* (New York: Elsevier, 1976). Emphasis added.

Appendix A – Table 1

Amalgamation of IQ Test Research by Various Authors

Racial Stock	Cases	Test used	Results/Mean IQ
White American	249	Stanford-Binet	95
White American	100	Stanford-Binet	104
White American	49	Stanford-Binet	106
American Negro (Ohio)	71	Stanford-Binet	88
American Negro (Tennessee)	All children 8-10 yrs. In several schools	Pressey	75
American Negro (Arkansas)	247	N.I.T.	14 – yr. negroes equal to 10-yr. whites
American Negro (Northern)	349	I.E.R	4 % negroes passed median score for whites of same grade
American Negro	Over 1000	N.I.T. and Myers	Negro average 1-1.5 years below whites (mental age)
English	24	Stanford-Binet	97
English	90	Stanford-Binet	101.8
Italian	313	Stanford-Binet	84
Italian	25	Stanford-Binet	84
Italian	Several hundred	Army Alpha and Beta	About 83
Italian	51	Stanford-Binet	77.5
German	37	Stanford-Binet	91
German	67	Stanford-Binet	102.3
Jewish	79	Stanford-Binet	95
Jewish	Several hundred	Pressey	Jews approx. equal to white Americans
Chinese (San Francisco)	109	Stanford-Binet	97

Chinese (Hawaii)	513	Pintner non-language	99
Spanish-Mexican	100	Stanford-Binet and Cole-Vincent	89
Spanish-Mexican	37	Stanford-Binet	78
Portuguese	119	Stanford-Binet	86
Portuguese	23	Stanford-Binet	84
Norwegian	34	Stanford-Binet	103.8
Swedish	187	Stanford-Binet	101.9
Austrian	28	Stanford-Binet	99.5
French	199	Stanford-Binet	95.4
Finnish	226	Stanford-Binet	90
Slavish	130	Stanford-Binet	85
Hungarian	99	Stanford-Binet	89
Indian (Michigan)	268	Goddard-Binet	5.8 % of Indians tested at age or above
Indian	711	Otis	Whites excel Indians by 1.6 P.E. of latter. Correlation between degree of white blood and score = .51 ±.017

Note: The "reported by" column used to report from which sources each data set came from can be found in the article along with Goodenough's bibliography. Mexican American test scores highlighted. The most commonly used test is Stanford-Binet, developed in the 1880s by Alfred Binet and Theodore Simon. This test was the first to establish "mental age" as a concept for intelligence benchmarks and set this as a precedent for IQ tests today.[213] Source: Goodenough, 389-390.

[213] Anya Kamenetz, *The Test: Why Our Schools are Obsessed with Standardized Testing but You Don't Have to Be*, (New York: Public Affairs, 2015), 44-45.

Appendix B – Table 2

Number of Mexican Immigrants Compared with All Immigrants, 1900-1968

Period	Mexican	Total	Mexican as percent of total
1900-1904	2,259	3,255,149	.07
1905-1909	21,732	4,947,239	.44
1910-1914	82,588	5,174,701	1.60
1915-1919	91,075	1,172,679	7.77
1920-1924	249,249	2,774,600	8.98
1925-1929	238,257	1,520,910	15.68
1930-1934	19,200	426,953	4.50
1935-1939	8,737	272,422	3.21
1940-1944	16,548	203,589	8.13
1945-1949	37,742	653,019	5.78
1950-1954	78,723	1,099,035	7.16
1955-1959	214,746	1,400,233	15.34
1960-1964	217,827	1,419,013	15.35
Annual Figures			
1960-1964	43,565	283,803	15.35
1965	37,969	296,697	12.79
1966	45,163	323,040	13.98
1967	42,371	361,972	11.71
1968	43,563	454,448	9.59

Source: Leo Grebler, Joan W. Moore, Ralph C. Guzman, *The Mexican-American People : The Nation's Second Largest Minority* (New York: The Free Press, 1970), 64 Table 4-1. Cited source from Annual Reports of the U.S. Immigration and Naturalization Service and its predecessor agencies.

Appendix C – Table 3

Mexican American School Desegregation Cases

Case	Year	State	Deciding Court
1920s			
Romo v. Laird Tempe schools began employing qualified teachers in Mexican schools. Very limited effect.	1925	Arizona	Maricopa County Supreme Court
1930s			
Independent School District v. Salvatierra School segregation for Mexican students in Texas allowed based on sporadic school attendance, which caused English language deficiencies. Pedagogy becomes the common argument for segregation (i.e. language, learning disabilities)	1930	Texas	Court of Civil Appeals of Texas
Alvarez v. Lemon Grove School District Segregating Mexican American students reduced their ability to acquire adequate English skills and were thus provided unequal education. (First class action win)	1931	California	San Diego Superior Court
1940s			
Méndez v. Westminster Landmark win. The first case arguing that separate was not equal under violation of the Fourteenth Amendment Equal Protection Clause. Judge McCormick writes in his decision that social equality is the primary goal of American education not just equal facilities. First assault on *Plessy v. Ferguson*. Segregation of Mexican Americans is illegal and the case becomes an inspiration for *Brown vs. Board of Education.*	1946 1947	California	U.S. District Court for the Southern District of California and Ninth Circuit Court of Appeals
Delgado v. Bastrop Independent School District Texas equivalent to *Méndez*. LULAC and American GI Forum back the plaintiffs and used *Méndez* as precedent. Judge Rice agreed that Mexican American children were unlawfully segregated but allowed separate classrooms for the first year of instruction.	1948	Texas	U.S. District Court for the Western District of Texas
1950s			
Gonzales v. Sheely Judge Ling rules that Mexican American students in Arizona are unlawfully segregated because Defendants, acting under color of law, did not have the explicit authority to segregate Mexican Americans.	1951	Arizona	United States District Court D. Arizona

Ortiz v. Jack Dismissed without judgment	1952	Arizona	Federal Court
Barraza v. Pecos Independent School District Case filed with commissioner of Education, Dr. J.W. Edgar in which a school was built within a heavily Mexican populated area, segregating the students. Edgar dismissed the claim failing to find "intent to segregate."	1953	Texas	Texas Commissioner of Education
Orta v. Hondo Independent School District Case filed with Commissioner of Education Edgar, but again found no evidence of intentional segregation when students were placed into classrooms according to achievement test scores.	1953	Texas	Texas Commissioner of Education
Romero v. Weakley First case with Mexican American and African American joint plaintiffs. Judge Hall rules that *Brown* does not apply to California because it lacks a school segregation statute. He also ruled that further desegregation cases must go through the California courts before they are argued in federal court. The Ninth Circuit reversed Hall's decision, and allowed the case in federal court as a civil rights violation, but the case was eventually settled out of court.	1955	California	U.S. District Court for the Southern District of California and Ninth Circuit Court of Appeals
Cortez v. Carrizo Springs Independent School District Dismissed without judgment	1955	Texas	Federal Court
Salinas v. Kingsville Independent School District Dismissed without judgment	1956	Texas	Federal Court
Hernandez v. Driscoll Consolidated Independent School District Judge Allred ruled that segregating Mexican American children for more than the allowable year under the *Delgado* ruling because of English proficiency was illegal. The defendant claim to require Mexican American parents to speak only English at home and forbid their children to speak Spanish was thrown out.	1956	Texas	U.S. District Court for the Southern District of Texas (Corpus Christi Division)
Villarreal v. Mathis Independent School District Dismissed without judgment	1957	Texas	Federal Court
1960s			
Chapa v. Odem Independent School District Judge Woodrow Seals enjoined the district from operating a separate Mexican School based on arbitrary testing of English language deficiency.	1967	Texas	U.S. District Court for the Southern District of Texas (Corpus Christi Division)

1970s			
Cisneros v. Corpus Christi Independent School District Joint filing of Mexican and African American parents due to substandard building and teaching materials. Given that Mexicans were considered "legally White" school boards used the argument that any segregation was *de facto* and thus unintentional. Judge Seals ruled that Mexican Americans were an identifiable minority and thus protected under *Brown*. The appeals court confirmed the district decision that Mexican Americans were a cultural, racial, and linguistic minority that required desegregation.	1970 1972	Texas	U.S. District Court for the Southern District of Texas (Corpus Christi Division) and U.S. Fifth Circuit Court of Appeals
Perez v. Sonora Independent School District	1970	Texas	
Ross v. Eckels Joint filing of African American and Mexican Americans against the Houston Independent School District for use of "equidistant zoning" that segregated minority students. The appellate court upheld the zoning as an adequate measure for desegregation, prompting protests and boycotts from the community.	1970 1983	Texas	U.S. Fifth Circuit Court of Appeals
U.S. v. Lubbock Independent School District	1970	Texas	
Alvarado v. El Paso Independent School District	1971	Texas	
People v. San Diego Unified School District	1971	California	
Tasby v. Estes	1971	Texas	
Thomas v. Bryan Independent School District	1971	Texas	
U.S. v. Texas Education Agency (Austin)	1971	Texas	
U.S. v. Texas (Del Rio)	1971	Texas	
Arvizu v. Waco Independent School District	1973	Texas	
Keyes v. School District No. 1 of Denver Joint filing of African American and Mexican Americans for segregating schools in Denver. Jude Doyle ruled in favor of the plaintiffs stating that Mexican Americans have been deprived of equal schooling, as their problems are different from Anglos. Segregation exacerbated these socioeconomic problems and their history of discrimination. The Supreme Court ruled that Mexican Americans were an "identifiable class" and therefore were protected under the Fourteenth Amendment and *Brown*.	1973	Colorado	U.S. District Court for the District of Colorado and United States Supreme Court
Morales v. Shannon	1973	Texas	
Soria v. Oxnard School District Board of Trustees Joint filing of African American and Mexican Americans against segregated schools in Oxnard. Again, the school district argued that the districts, if they were segregated, were only so because of where students lived. The appellate court remanded the case back	1974	California	U.S. District Court for the Central District of California and Ninth Circuit

to the district court to ask for clarification. School Board minutes from the 1930s showed willful intent to segregate Mexican Americans and thus must be reversed.			Court of Appeals
U.S. v. Midland Independent School District	1975	Texas	
Zamora v. New Braunfels Independent School District	1975	Texas	
Crawford v. Board of Education of Los Angeles	1976	California	
1980s			
Mendoza v. Tucson Unified School District	1980	Arizona	
U.S. v. CRUCIAL v. Ector Country Independent School District	1983	Texas	
Diaz v. San Jose Unified School District Mexican American plaintiffs argued that the SJUSD was intentionally segregated, but the court ruled in favor of the District in saying the district was drawn according to residential patterns. The appellate court, after several rounds of remand, found in favor of the plaintiffs. Desegregation, however, prompted White flight leaving SJUSD still highly imbalanced.	1985	California	U.S. District Court for the Northern District of California and Ninth Circuit Court of Appeals

Source: Adapted from Richard R. Valencia, *Chicano Students and the Courts* (New York: New York University Press, 2008), 8. Summary of decisions and deciding court added by Kyle Gray using Valencia's work along with majority published decisions.

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