

# Chicano Education in the Era of Segregation

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Philadelphia  
The Balch Institute Press  
London and Toronto: Associated University Presses

University of Houston Libraries

## Introduction: Background to Segregation

The American public school system has treated Mexican-Americans differently from other Americans; the consequences have contrasted markedly with the proposed objectives of dominant educational policies and practices. To understand the full nature of this contrast, we must first begin by acknowledging that historically, political domination and socioeconomic inequality have dictated the course of educational policy in America. As a result, we find that various factors and conditions external to the Chicano community have shaped the educational experience of that community. This appears evident in the Southwest, for example, where regional agricultural economies relied heavily upon migrant family labor and where the seasonal nature of this type of work affected the schooling process for members of the entire region and for Chicanos in particular. This does not mean, however, that regional factors dominated educational policy as applied to Chicanos. To be sure, that policy originated in national theoretical and practical constructions such as mass compulsory education, intelligence testing and tracking, curriculum differentiation, vocational education, Americanization, and segregation. In part, such international conditions as World War II and the cold war also influenced the development of this policy. This educational process has resulted in the inequality in educational achievement between Chicano and Anglo populations, and, as a result, it has impelled Chicano political action to overcome it.

The twentieth-century history of Chicano education may be divided into four periods. The first period, 1900–1950, represents the era of *de jure* segregation. Although there were no laws that mandated the practice of segregation, educators did invoke the state power granted to school administrations to adapt educational programs to the special needs of a linguistically and culturally distinct community. Thus, for example, as early as 1919, the superintendent of the Santa Ana, California, School District referred to a state attorney general's opinion upholding segregation as a legitimate educational policy for meeting the "special needs" of Mexican children. During the initial forty years of this period, educational policies for Chicanos involved the application of principles of biological determinism. Throughout the

period, the Mexican community participated to a high degree in the agricultural economy, although many took up residence in cities and adapted to an urban industrial environment.

During the second period, 1950-65, the pattern of segregation remained, but without the deliberate official sanction of Mexican schools. For the most part, this period witnessed an educational policy that adhered to the culture concept: that is, Chicano culture was recognized as an impediment to Mexican-American adaptation to Anglo-American culture. In keeping with this perspective, educational programs tended to emphasize the acculturation of Chicanos to the dominant American culture, while at the same time Chicano laborers experienced an increasing shift away from agriculture and toward urban employment.

The third period, 1965-75, marked the militant and reformist era. Not surprisingly, education received much of the attention of the Chicano movement during this period, and the mass demonstration of discontent and demands for change forced substantial reforms of the schooling process. Programs such as bilingual and bicultural education, affirmative action, integration, curriculum reform, special admission to higher education, and financial aid, provided a substantially modified educational atmosphere. The reform phase, short-lived and quickly subverted by a conservative retrenchment, constitutes the fourth period beginning in 1975. Marked by a political conservatism emphasizing reliance upon traditional individualism and the marketplace and de-emphasizing and questioning the effectiveness of state-sponsored reforms, this period has witnessed at least a halt and, in some instances, a rollback of the reforms enacted during the previous period.<sup>1</sup>

A comprehensive study of the educational history of the Chicano community has yet to appear. I hope to provide the beginning of such a study in this book by examining the education of Mexicans in the Southwest during the era of de jure segregation covering the first half of the century. My intent includes an interpretation of the roots of inequality in education. The few texts examining the history of Chicano education somehow do not explain oppression. On the other hand, they are long on factual evidence. My analysis emphasizes the political economy (and not merely racial oppression as in most texts) as the key factor in shaping the social relations between the dominant and minority communities. Thus, I focus on an examination of that oppression by dissecting it and holding it up for analysis. In addition, I will look at one of the key efforts to overcome subordination in the 1947 case, *Mendez v. Westminster*, one of the major desegregation court cases in U.S. legal history.

The Chicano struggle to overcome segregation in schools has had a

long history, and as Guadalupe San Miguel has recently shown, the League of United Latin American Citizens (LULAC) was at the forefront of that struggle. Because this organization remained limited to Texas until the 1940s, its efforts resulted in a number of court cases that unfortunately had no major effect on segregation until the 1960s and 1970s when the Chicano movement made its impact felt. A key consequence of the *Mendez v. Westminster* case was the inspiration it provided for a renewed campaign to terminate segregation, which resulted in more positive consequences than previous efforts. This study will focus upon *Mendez v. Westminster* as one example (and a major one, I might add) of a rather widespread movement in the Chicano community to overcome educational oppression.

Before proceeding, I must raise three points. First, the terms *Chicano* and *Mexican-American* had not yet become popular in the period under study; therefore, all persons of Mexican nationality or descent living in the United States are referred to as "Mexican." Second, I concentrate primarily on those areas of the Southwest that had a substantial Mexican population. I exclude the New Mexican Hispano population because these communities were isolated and historically distinct from those formed by Mexican immigrants of the twentieth century, and because the Hispano educational experience should be examined in light of the peculiar economic institutions shaping Hispano life. New Mexican villages are islands of traditional institutions and, during the de jure segregation period, stood outside of the educational developments taking place in the Southwest. Events since World War II have made it quite appropriate to include New Mexico in any analysis of southwestern Mexican communities today, but the immigration that has woven New Mexico into the Mexican Southwest was not a factor during the period under study. Third, I focus upon public education and exclude all religious and church-sponsored institutions of learning. In an effort to narrow my topic to manageable proportions and to identify the main currents in this historical period, I have concluded that an analysis of de jure segregation in public schools is comprehensive, logical, and significant.

Finally, in my research I utilize written documentation expressing those educational ideas predominate during the era under study. This does not negate the significance of classroom practice, however. This study will report upon that educational ideology that directed educational practice. There is sufficient reason to expect that the overwhelming pedagogical unanimity extant during the era of segregation would significantly impact upon classroom practice. Consequently, in the examples of classroom practice that I draw upon, the reader will readily note the unity between theory and practice.

An understanding of school segregation is contingent on an exam-

ination of two key factors that condition the educational process: the national political economy and the socioeconomic position of Mexicans within a class society.

### Political Economy and Educational Reform

Ironically, during the first half of this century, as the United States rose as a world power and as an industrial giant, its domestic social policy often proved to be oppressive and antidemocratic, especially toward minorities. Others have argued elsewhere that its supporters designed this broad social policy so as to insure the necessary internal social and political conditions for the realization of domestic and foreign policy objectives. Historian James Weinstein has concluded that Progressive "liberalism incorporated the concepts of social engineering and social efficiency that grew up alongside industrial engineering and efficiency."<sup>2</sup> Consequently, as Clarence Karier notes, a pervasive social engineering significantly affected the educational program of the United States, and as it did so, it maintained the existing socioeconomic and racial hierarchy in society. According to Karier, "The important theme which appears in the educational literature of the first three decades of the century was social efficiency and managed social order . . . the schools were used to standardize the future citizen as interchangeable parts for an intricate production and consumption system."<sup>3</sup>

The educational programs of the turn of the century fit the social conditions created by the growing corporate economy.<sup>4</sup> The reforms accomplished in the first few decades reflected new economic forces and social conflicts. An increasing concentration of production within large-scale enterprises and an industrial working class emerging on a national scale, were key factors leading to the rise of labor unions and labor-capital conflicts that threatened the social order.<sup>5</sup> Progressive reformism represented essentially the political face of the economic evolution of U.S. capitalism. By and large, schooling programs throughout the nation assumed the task of creating among minorities, the political consciousness and productive skills necessary for stability and growth in the economy.

The first item on the Progressives' agenda consisted of a critique of prevailing social theory and the presentation of alternatives that corresponded to new realities. It forecasted that as society became more industrialized and capital more concentrated, an "organic society" must be created. The organic society, the central concern of Progressivism, was posited in various theoretical ways by a number of social scientists and social philosophers, including the preeminent

John Dewey.<sup>6</sup> The second item on the reformers' agenda expressed the need to inculcate the Progressive ideology of political culture in the population especially in the working class. Many reformers were academics and became leaders in the fields of sociology, psychology, anthropology, and political science, helping to organize research and instruction to fit the social, political, and economic needs of the emerging social order.

The general aim of reform (and the task to which scholarly research was put) involved the realization of the conditions for an integrated, efficient, and stable social order without altering the basic economic institutions and the class structure linked to them. If all classes shared a political culture, democratic capitalism could be preserved from political instability. Influential reformers and adherents of organic theory including Dewey, William James, E. A. Ross, Teddy Roosevelt, Walter Lippmann, and Lewis Terman, considered many key traditional ideas and institutions to be out of touch with contemporary realities. They focused on competitive individualism, the labor theory of property and classes, and laissez-faire economics. These same reformers argued that in the absence of an effective socialization institution in the new urban industrial order, the state, through the local schools, had to intervene in the social process and guide its minions. The goal was stable, peaceful social relations based on the existing social division of labor. In the final analysis, schools became the key institution for socializing the individual to the emerging corporate industrial order. The movement to alter the ideological and institutional structures of society had a large-scale impact affecting policies nearly everywhere.

Progressive educational reforms operated on two levels. On the level of culture as shared information, Progressives aimed at inculcating a common culture that would bind together the various classes. On the level of the educational process, they sought effective training of the individual as a producer. The reforms instituted to these ends included testing, tracking, curriculum differentiation (i.e., vocational education vs. courses for the "gifted"), Americanization, and segregation. As they spread and took root, the mass migration from Mexico began its long historical course, and the immigrant community confronted not only the new large-scale economic enterprises, but also the reforms they had spawned.

### The Socioeconomic Character of the Mexican Community

The economic integration of the Southwest into the national economy during the second half of the nineteenth century laid the

foundations for its development in the twentieth. This process began as the capitalist political and economic system replaced the Mexican feudal system. The emergence of an incipient national democratic capitalism and the penetration of U.S. corporate enterprises into Mexico coincided with agricultural and extractive growth in the American Southwest. The increasing tempo of economic development in the agricultural economy of the Southwest—a labor intensive enterprise at the time—created a labor vacuum filled by a number of nationalities and native workers. Immigration from Mexico became a crucial factor in the economy of the Southwest in the early 1900s and has continued to be so. Between 1910 and 1930, 661,538 Mexicans legally crossed the border, and it has been estimated that during the 1920s, at least 3 percent of the population of Mexico emigrated to the United States. The vast majority of the immigrants included small families (husband, wife, and unmarried children) whose able-bodied members sold their labor to corporate farmers, mining, commerce and industry, and transportation for construction and maintenance jobs.<sup>7</sup>

The sharp rise in Mexican residents during this period far outstripped the increase in the white American population. In the five southwestern states, the Mexican community grew from some 159,000 in 1910, to 1,283,000 by 1930, while the total non-Mexican population grew from 8,605,000 to 13,397,000 during that same period. In terms of percentages, Mexicans comprised 4.2 percent of the population in these five states in 1910, and nearly 10 percent by 1930. In one generation Mexicans had become much more visible and, in a rapidly changing environment, much more identifiable.<sup>8</sup>

The flow of Mexican immigrants into rural and urban areas where their labor was in demand, created a strained and unequal relationship between the Mexican communities and the more privileged sectors of the society. Poverty, segregation, and employment in low-skilled occupations, characterized the experiences of the Mexican community during the era of school segregation. A 1928 study in California showed that 35.7 percent of the first- and second-generation Mexicans were primarily employed as agricultural laborers, most often in the form of migrant family labor; 31.4 percent were employed in manufacturing, 12.2 percent in transportation (other than railroad) and trade, and 10 percent on the railroads.<sup>9</sup>

Mexican workers replaced Greek, Italian, Japanese, and Korean workers on the Southwest railroads between 1909 and 1929. For example, in 1909 Greek workers numbering 7,653, comprised nearly 22 percent of the total work force on nine western railroads. By 1929 only one tenth as many Greeks (767) were employed by these same nine railroads. In 1909, 5,972 Mexicans were employed on the same

lines, comprising 17.1 percent of the force. In 1929 Mexican workers numbered 22,824 and constituted 59.5 percent of that force. In the same two decades, the Italian percentage fell from 17 to 3.5 percent, whereas the combined Japanese and Korean percentage fell from 11.2 to 1.0 percent.<sup>10</sup>

According to one study of agricultural workers in the Southwest, three fourths of the fruit and vegetable workers and half of the cotton workers were Mexican in 1922.<sup>11</sup> Seven years later three quarters of the 400,000 migratory cotton workers in Texas were Mexican. Because of a long-standing reliance upon foreigners for cheap labor, the southwestern labor force was largely segmented according to nationality. Because of concentration of Mexican labor in particular industries and their relegation to a limited range of unskilled and semiskilled occupations, Mexican labor became synonymous with unskilled, cheap manual labor. Differentials in living and wage standards between the United States and Mexico allowed employers to lower wage levels for Mexican labor, taking advantage of the lower expectations and often desperate situation of the immigrant. According to Victor Clark, a "Mexican wage" existed in agriculture as early as 1908. West Texas farmers, for example, paid Mexican workers \$1.00 to \$1.25 daily and native Anglo labor \$1.75 to \$2.00. Twenty years later Paul S. Taylor found that Dimmit County farmers paid Mexican workers \$1.50 to \$2.00 daily, while American workers received \$2.50.<sup>12</sup> Such differences in wage rates also appeared in mining, railroads, and industry.

The rapid rise in immigration and the concentration of immigrants about their places of work created a "belt" of Mexican settlement approximately 150 miles wide extending from San Francisco south along the Pacific Coast, then inland along the Mexican border through Arizona, New Mexico, and Texas to the Gulf of Mexico. The cotton growers of the Rio Grande Valley, the Imperial and San Joaquin Valley farmers of California, the Salt River Valley enterprises of Arizona, and the great citrus and truck ranches of southern California, actively recruited a large force of Mexican families to work the fields. Mexican immigration was, moreover, not restricted to rural areas. Large numbers settled in or near cities as early as 1920. Indeed, 51 percent of the Mexican population was urban by 1930 (compared with 56 percent for the total population). In Mexico only 31 percent of the population was urban in 1930.<sup>13</sup>

Contemporary studies have documented the extreme precariousness and poverty of life in the barrios in the twenties, thirties, and forties. Dirt streets, makeshift shacks, dirt floors, and single-room habitations for entire families were common conditions in the hundreds of barrios

in both the rural and urban centers of America. A higher incidence of disease and mortality prevailed in these communities than in the dominant community. The urban and rural *colonias*, labeled "spiketowns" and "Little Mexicos" by outsiders, existed neatly tucked away, often across a natural division such as a river or gulley or across the railroad tracks. Of course, the dominant society found this useful mainly for locating a necessary force of workers, even though its members classified Mexicans as "problems," "misfits," "welfare burdens," "carriers of disease," and "social deviants."<sup>14</sup>

Another salient feature of the Mexican population was its youthfulness. In 1930 the median age for Mexicans was twenty, in contrast to a median for the rest of the population of twenty-six.<sup>15</sup> Large numbers of preschool and school-aged Mexican children posed administrative and teaching problems for public educators. Fifteen percent of the Mexican population was of preschool age and 35 percent of school age;<sup>16</sup> for the total U.S. population, the corresponding figures were 9.3 and 30 percent. Forty-eight percent of all Mexicans were of working age, as compared with 56 percent for the total population. As compulsory education extended to all residents, disproportional numbers of the poorest sector in the society found themselves forced into the educational enterprise.

Mexicans became integrated into a dynamic economic process that conditioned their lives as capitalization in railroads, mining, agriculture, and industry created the basis for the incorporation of Mexicans into the nation. Almost without exception they became part of the working class—albeit a limited labor sector within that class. The status of Mexicans within the larger economic class structure without question influenced the educational experience of the Mexican community. The education of Mexicans reflected two emphases: political socialization shaped by the dominant economic forces at play, and training for horizontal movement on the hierarchical socioeconomic scale. Thus, public education of the Mexican community via segregation, tended to reproduce its class character from one generation to the next.

### Framework for Segregation

As early as 1892, Mexican children were being denied entrance into "American" schools in Corpus Christi (Texas). Taylor found that "practically coincident with the entry of Mexican children to the city schools, a separate school was provided for them."<sup>17</sup> By the late 1890s, enrollment in the Corpus Christi Mexican school stood at 110, and thirty years later the same school enrolled 1,320.

While Mexicans integrated into the economy and as their numbers increased, school boards established a *de jure* segregationist policy that was to last until midcentury. A typical scenario across the Southwest was recorded in the Ontario, California, Board of Education minutes for 11 April 1921. "Mr. Hill made the recommendation that the board select two new school sites; one in the southeastern part of the town for a Mexican school; the other near the Central School. . . ." <sup>18</sup> His motion was seconded and passed unanimously. By 1920 most communities with sizable Mexican populations segregated Mexican children as a matter of course. In Texas, school districts often segregated Anglo, black, and Mexican children in a tripartite system. <sup>19</sup> Although Texas law mandated the segregation of only black children, Texas custom prevailed throughout as district officials assigned each black and Mexican minority to its own school. Thus, as the pattern of Mexican residential segregation into *colonias* developed, school segregation followed. Educational theory quickly assimilated the practice, and thus academics legitimized, strengthened, and otherwise assisted in the extension of the segregation of Mexican schoolchildren.

Rather than being shaped by local or regional pressures, as some scholars have suggested, <sup>20</sup> the education of Mexican children has always been an integral part of national educational theory and practice. Officials practiced segregation, for example, on a national scale in addition to widespread use of progressive educational techniques such as testing, tracking, curriculum differentiation, and Americanization. Moreover, U.S. foreign policy in the decade of the 1940s played a key role in an antisegregation campaign orchestrated from Washington that affected social attitudes as well as the desegregation court decisions of the 1950s. The segregation of Mexican children attempted to extend an existing duality demarcating the colored minorities, including Mexicans from the Anglo communities. Thus, segregation reflected and recreated the social divisions within the larger society formed by residential segregation, labor and wage rate differentials, political inequality, socioeconomic disparities, and racial oppression. Public school segregation involved an extension of a prior condition to the socialization process—the psychological and socioeconomic reproduction of a social relationship dividing a dominant from a subordinate community. Education for the Mexican community therefore meant change as well as the preservation of their subordination. It brought the community into contact with new knowledge and skills, but at the same time prevented it from changing its economic and political relationship to the dominant society.

In the mid-1930s one study found that 85 percent of surveyed districts in the Southwest were segregated in one form or another,

some through high school, others only through the fifth grade.<sup>21</sup> In some areas, such as in the south Rio Grande Valley of Texas, strict segregation existed through most of the grades. In others, as in some of the smaller districts of California, no such uniform pattern prevailed. Nevertheless, de jure segregation of Mexican children remained common throughout the Southwest until the late forties and early fifties when various court orders declared such segregation a violation of the Constitution's equal protection clause. According to educators favoring segregation, its general purpose was to "Americanize" the child in a controlled linguistic and cultural environment, and its specific purpose was to train Mexicans for occupations considered open to, and appropriate for, them.<sup>22</sup> Nevertheless, the "acculturated" Mexican child (one who had assumed the dominant society's language, dress, manners, and the like) experienced segregation as well. Although proponents justified segregation on grounds of language and culture, the essential factor involved the economic function of the Mexican community as cheap labor.<sup>23</sup> Popular as well as academic opinion held that Mexicans posed an "educational problem," a consequence of an alleged intellectual, social, economical, cultural, moral, and physical inferiority.<sup>24</sup> Whether U.S.-born or naturalized, many members of the dominant society commonly looked upon them as aliens or cultural outcasts whose principal function was to sell their productive human capacities, that is, their labor, in the lowest-paid occupations. Consequently, the American community perceived equal educational opportunities for Mexicans as a burden and of little value for the Mexican community. Segregation became, therefore, the ideal policy when legislators and other authorities enacted and enforced compulsory education laws. These laws created an inferior and separate education that reflected and reproduced the socioeconomic relations in the surrounding community and region.<sup>25</sup>

Inadequate resources, poor equipment, and unfit building construction made Mexican schools vastly inferior to Anglo schools. In addition, school districts generally paid teachers at Mexican schools less than teachers at Anglo schools, and many times a promotion for a teacher at a Mexican school meant moving to the Anglo school. Quite often, however, teachers in Mexican schools were either beginners or had been "banished" as incompetent. One investigator, a high school teacher in Sugarland, Texas, wrote that teachers placed in a Mexican school were resentful and that "most of the teachers in the Mexican schools hope to be transferred to the school for the other whites as soon as vacancies may occur."<sup>26</sup> They often realized their wishes because the frequent moving of teachers from Mexican to Anglo schools seems to have been the rule. Consequently, instruction was

often left "in charge of teachers who are not specially prepared by training or experience for the particular work of teaching the Spanish-speaking pupils."<sup>27</sup> Pauline R. Kibbe noted that in 1943 in one six-room Mexican school in West Texas, which enrolled 357 pupils, the head teacher "changed three times," and that in several classes a new teacher arrived "every three weeks." One wonders what degree of Americanization could take place in such a setting. Officials in urban areas elaborated better-organized programs of segregation.

For the most part, instruction periods for Mexican schools in agricultural areas coincided with farm-labor demands. Thus, school officials shortened or modified semesters depending on the dominant agricultural products of the region in which the schools were located. Moreover, children of migrant farm workers usually had little or no access to public schooling.

If, however, Mexicans attended school, whether in a segregated school, in a specific Mexican room within a nonrestricted school, or in a mixed school, the transition from Spanish to English was expected to take place in the first and second grades. Consequently, in many school districts the bulk of the children enrolled in the first two grades, with a rapid decline in enrollment by the sixth and seventh. The policy requiring Mexican children to repeat the first and second grades, combined with the practice, in many districts, of modifying the academic year to allow for child labor, tended to retard school progress. In addition, the unwritten tradition of tracking Mexican children into vocational and slow learner classes became institutionalized almost everywhere. By their sixteenth birthdays, many Mexican children had barely reached junior high, and the dropout problem, which subsequently became notorious, began to manifest itself. Since the schools strongly advocated manual vocations, and since most Mexican families lived in poverty, many expected the majority of Mexican children to leave their segregated schools before high school in order to enter the labor force.

The legal justification for segregating Mexican children generally rested upon educational, not racial grounds. Meyer Weinberg notes that, in a 1930 unofficial opinion, California State Attorney General U. S. Webb declared segregation justifiable on the basis that Mexicans were Indians and therefore subject to the state law allowing their segregation.<sup>28</sup> Webb's interpretation strained credulity as well as the law. Of course, it did not apply to *all* Mexicans in fact, but law and facts do not always converge. A 1935 revision of the California education code attempted to close Webb's loophole by legalizing the segregation of "Indians" (excepting descendants of U.S. Indians, who, after 1924, were citizens of the United States). Certainly, one could have

interpreted the revised code in such a way as to justify the segregation of Mexicans given that they descended from Indians.<sup>29</sup> However, it seems that the code seldom if ever applied to the segregation of the Mexican community. It made no direct mention, however, of the Mexicans even though this group comprised the most commonly segregated community in the state. Therefore, where segregation existed, it did so mainly on the basis of educational argument. In the research of Dr. George I. Sanchez—professor of education at the University of Texas, Austin—and Virgil E. Strickland on segregation in Texas, a survey of ten school districts found that the “language handicap is the official reason [to justify segregation] found in the school board minutes.”<sup>30</sup> However, most arguments went beyond language; a San Bernardino, California, teacher stated that segregation was the outcome of the deliberations of the Anglo community and “based largely on the theory that the Mexican is a menace to the health and morals of the rest of the community.”<sup>31</sup> These opinions attached “a stigma to [the Mexicans’] very being,” prompting one investigator of the segregation of Mexican children to write that Americans take for granted that, among other things, “Mexicans are dirty, lawless, disease spreaders, stupid, and lazy.”<sup>32</sup> Not surprisingly, given the strength of such public and official opinions, the practice of an official though illegal segregation eventually anchored educational policy with regard to the Mexican community.

Not all opinions justifying segregation demonstrated such a vicious attitude toward the Mexican community. A number of prominent researchers and academics viewed segregation as the preferred method of meeting the educational needs of the Mexican community. They often considered this practice an educational asset for the Mexican community. Yet even here, these shallow arguments masked the same prejudices that motivated the overt racists. The Arizona State Department of Education, for example, concluded that segregation “gives opportunity for the inauguration of a special program to meet the bilingual group interests.”<sup>33</sup> A superintendent of a southern California district alleged that experience had demonstrated the pedagogically sound nature of segregation by showing “that Mexican children advance more rapidly when grouped by themselves,” and therefore profited “most by the instruction offered in such classes.”<sup>34</sup>

Although 10 percent of the students in one South Texas Mexican school were tracked into the educationally mentally retarded group, one of its teachers argued that “the Mexican child is not discriminated against,” and that “in the majority of cases, the [class] room is the child’s best home. . . .”<sup>35</sup> In describing the impact on Mexican children, another teacher wrote of “a most impressive” change in them.

"Their faces radiated joy, they had thrown off the repression that held them down when they were in the schools with the other children. . . . There was no one to laugh at any peculiarity they might possess, and they were free."<sup>36</sup>

These two arguments justifying segregation often intertwined. For example, the superintendent of the Garden Grove, California, elementary school district stated on the witness stand in the *Mendez v. Westminster* desegregation case, that integration would make Mexican children "feel inferior because of their clothing they have to wear."<sup>37</sup> This same superintendent had also written on the education of Mexican children in which he justified segregation with an opposite approach.

Because of (1) social differences between the two races; (2) much higher percentage of contagious disease (among Mexican children); (3) much higher percentage of undesirable behavior characteristics; (4) much slower progress in school, and (5) much lower moral standards, it would seem best that . . . Mexican children be segregated. . . .<sup>38</sup>

Most districts that practiced segregation maintained a "Mexican" school, which admitted only Mexican children. Some districts, such as the Los Angeles City School District, segregated via districting boundaries (rather than a simple identification of nationality), because, according to one teacher, "One of the first demands from a community in which there is a large Mexican population is for a separate school."<sup>39</sup> In Los Angeles, the district did not refer to these separate institutions as "Mexican schools," as in many districts, but as "neighborhood schools" and sometimes as "foreign schools." One Los Angeles school administrator wrote that neighborhood (read "Mexican") schools existed as such because the district gerrymandered schools [so] that they can be nothing but foreign schools and remain foreign schools."<sup>40</sup> The consequences of either policy were the same, although the Los Angeles system may have appeared to be a de facto system of segregation.

According to arguments raised by educators, one of the main aspects of the Mexican school was that it allowed a curriculum tailored to the needs of the student, thereby preparing him to transfer to an American elementary or junior high school. In the American school, educators expected Anglos and Americanized Mexicans to eventually compete in an integrated setting. Actually, that rarely happened. Mexicans seldom, if ever, Americanized to the extent that they no longer remained bilinguals. In fact, most retained their Mexican cultural heritage. Segregation seldom accomplished its objectives,

then, and as Mexican children moved into integrated junior high, school officials tracked them into slow learner groups. This practice, wrote one teacher about a southern California school district, "appears to be a disadvantage to many of the Mexican boys and girls. With few exceptions these students are placed, as a result of the testing program, in the slower-moving classes. . . ."41

However, since many, if not most, students began dropping out at this point, such integration usually affected only a minority. Thus, a different type of segregation followed Mexican children when they graduated from their Mexican school to what was, for all practical purposes, an Anglo school that opened its doors to Mexican enrollment. In the late twenties at one Los Angeles junior high, Mexican children comprised sixty out of eighty entering lower-track students; the percentage of Mexican children in lower tracks at four other schools varied from 33 to 55 percent.<sup>42</sup> By the midforties the situation remained as such, prompting the superintendent of the Los Angeles County schools to comment that when the Mexican child entered the junior high, "he again finds himself segregated" into ability groups, and consequently, a "vicious cycle" of segregation was unbroken even in an "integrated" setting.<sup>43</sup>

A most significant aspect of the segregated program was that it not only applied to the education of children; it also included the adults of the community, especially women. In fact, in most districts where the segregation of schoolchildren appeared, a segregated adult education program generally accompanied it. In one southern California district, educators offered language instruction for both men and women. However, for women, these courses addressed "the care of infants, cleanliness, house sanitation, and economical house management, including sewing, cooking, and thrift"; for men these programs offered "courses in thrift, in gardening, and . . . principles of the American government."<sup>44</sup> Both adult and children's programs had similar objectives for substantially identical reasons, and through the same general method—the segregated school.

Segregated schools functioned not only as the center of the socialization of the Mexican child, but also as laboratories for research into the "Mexican educational problem." In the early 1920s, the California State Department of Education assigned Grace C. Stanley, formerly of the Los Angeles School District, to undertake and supervise "an experiment in the education of the foreign child." Ten schools were selected throughout southern California "as centers for experimentation, with the "Mexican school" in Cucamonga as the principal station for experimentation, and it was from this project that teaching "meth-

ods were recommended throughout the State,"<sup>45</sup> including schools with "foreign" populations other than Mexican. Many districts established special departments entrusted with the design of the curriculum for the education of Mexican children. In the Southwest, various names identified such departments: the Department of Immigrant Education, the Department of Americanization, or simply the Department of Mexican Education. In one district in southern California, the superintendent, Merton Hill (who was soon to become the director of admissions for the University of California), ordered the Department of Mexican Education "to make a scientific study of the Mexican . . . the temperament of the race . . . those qualities and abilities that are recognized as peculiar to the Mexican people. . . ."<sup>46</sup> Furthermore, the "peculiar attitudes of these good-natured and kindly people" should be "developed along the best possible lines," and their "capacities to perform different types of service should be set forth [so] that their employers may utilize them to the best interests."<sup>47</sup> Such studies merely reinforced existing theories and practices subordinating the Mexican community in nearly every phase of their lives to the larger society.

Such schooling resulted in an education that recapitulated the migration of Mexicans to the United States as a supply of flexible and cheap labor. Thus, segregation grew out of policy decisions corresponding to the economic interests of the Anglo community; it became a means of domination and control, the antithesis of equality and freedom; and it was intrinsically racist both in that it was based on racial social theories, and in that it led to educational practices that reinforced a pattern of social inequality based on nationality and race.

### Politics of Desegregation

The Mexican community never accepted segregation. Indeed, records for the twenties and thirties demonstrate the fact that community organizations and representations voiced their opposition and struggled against segregation.<sup>48</sup> However, the big wave of protest occurred during and shortly after the Second World War, about the same time that anti-Mexican hysteria was sweeping Los Angeles and other urban centers. Ironically, the Mexican community resorted to the legal system to gain its democratic rights despite the violent attacks against Mexicans, the sympathetic defense of these attacks by police and courts, and the historical bulwark in defense of segregation by the courts.

The most significant court case affecting the de jure segregation of Mexican children in the Southwest was the *Mendez v. Westminster* decision of 1947 in California. The 1930 *Lemon Grove* case, also in California, the nation's first successful desegregation court decision, had had only local repercussions, and the *Salvatierra, Texas*, case of the same year, which enunciated the doctrine that Mexicans could not be legally segregated (as were blacks) on the basis of race, had simply underscored the widespread opinion that the only basis for separate schooling for Mexicans was educational (language, culture, etc.) and, in any case, it was struck down by the *Delgado, Texas*, decision of 1947. The plaintiffs in the *Mendez* case could not have known that their struggle would lead to an historic legal decision reaching far beyond their small community. It was the first federal court decision and the first use of the Fourteenth Amendment to overturn the widespread segregation of a minority group. That social scientists came forward to offer "expert" testimony in a court trial added to the case's significance. The anthropologist Ralph Beals, for example, successfully argued that segregation retards rather than helps the assimilation process. Robert Carter, one of the frontline attorneys for the NAACP (National Association for the Advancement of Colored People), was impressed by the utilization of social science knowledge to criticize segregation. Carter suggested to his friend Thurgood Marshall that the "social science approach would be the only way to overturn segregation in the United States."<sup>49</sup> Later, attorneys for the NAACP employed with success this particular strategy in the 1954 Supreme Court decision, *Brown v. Board of Education*. Carter, who later became a district court judge in New York, also felt that the *amicus curiae* that he and Marshall filed in the appellate court in support of the district court's *Mendez* decision was a "dry run for the future." Indeed, the attorney for the *Mendez* plaintiffs, David Marcus, provided Marshall with all of the briefs and notes compiled during the case. It is probably true, therefore, that *Mendez* was the first stage in the process of overturning the *Plessy v. Ferguson* doctrine of "separate but equal."

The *Mendez* case can be ranked as one of the key legal cases in U.S. history. Thus, one contemporary legal analyst wrote that the *Mendez* decision "must be ranked among the vanguard of those making a frontal attack upon the equal but separate canon of interpretation of the equal protection clause."<sup>50</sup>

The immediate effects of the *Mendez* case in the Southwest were widespread, and Mexican parents and civil rights organizations such as the LULAC and the GI Forum in Arizona, Colorado, New Mexico,

and Texas, entered the campaign against school segregation shortly thereafter. Eventually, de jure segregation in schools ended throughout the Southwest,<sup>51</sup> but not before an educational policy reinforcing socioeconomic inequality severely victimized generations of Mexican children.

## The Rise and Fall of De Jure Segregation in the Southwest

The practice of segregation created its political opposition, and although this study has focused on the action of segregation, the social movement to end segregation is of critical importance to understanding the era of segregation. Furthermore, we cannot fully appreciate the process of desegregating American society without recognizing the role of the Mexican community acting through the *Mendez* case within the legal system. The historical accounts that have addressed the *Mendez* case, such as Francisco Balderrama,<sup>1</sup> Charles Wollenberg,<sup>2</sup> and Thomas P. Carter and Robert D. Segura,<sup>3</sup> have not engaged in any discussion of the actions taken by the Mexican-American parents, community, and community organizations that led to that successful desegregation court case. The case proved significant by itself, but its legal ramifications alone did not make the case a historical landmark. Also, the plaintiffs and the local community breathed life into the legal system as a result of the case as they brought it to bear upon the desegregation of California schools. I shall now examine and document this aspect of this important legal juncture. In doing so, I will highlight the political behavior of the Mexican community as a key factor in this case. The legal arguments and their consequences did not provide the only lessons from this case. The actions of the community also figured decisively in the termination of de jure segregation.

While this historical approach is not new, however, in the literature on the *Mendez v. Westminster* case, such an analysis certainly is long overdue. I want to know what it took in terms of the parents, the community, and organizations, to bring this case to court. I want to know how they decided to file suit, who actually made the decisions, and the support given (beyond the plaintiffs) which furthered the cause. I want to examine the social side of this essentially political conflict resolved in the courts. For if indeed a political conflict did take place, then we should acknowledge the principals who won this battle for democracy in education.

Given the significance and wide effect that this case had on subsequent desegregation decisions affecting Mexican children, it becomes important to sharpen the analysis and also to bring forward the social aspect of this process that has not been discussed in the literature.

### The Development of Segregation in a Southern California City

Our attention turns first to the process of the development of the segregation of Mexican children in a single community. I have decided to use the history of the segregation of Mexican children in Santa Ana, California, given that it was a key defendant in the *Mendez v. Westminster* case. I gleaned the information contained in this chapter primarily from the minutes of the Santa Ana Board of Education. The clear images of the development of the segregation of Mexican children, of its justification, methods to maintain it, and the controversy over the eventual court order dismantling it, also appear in the minutes.

Located forty miles south of Los Angeles, Santa Ana is the county seat of Orange County. Until the 1950s wave of urbanization, Orange County was predominantly agricultural with Santa Ana as the hub and largest city. The county grew prosperous on the production of oranges, lemons, nuts, beans, and vegetables. Within this rich agricultural area, a large and mostly permanent population of Mexican agricultural labor (some 17,000 in 1930) settled in the various cities and towns migrating within the county and to neighboring counties to harvest and tend the crops. As the economy grew, so did its reliance on Mexican labor, and as one student wrote, "In the development of a large part of the citrus industry in Orange County, California, the Mexican has played the role of . . . Atlas, bearing upon his shoulders in an inconspicuous manner the foundations of this prosperity."<sup>4</sup>

The largest Mexican settlement lived in Santa Ana, and in the late twenties, 4,000 dispersed into three main barrios: Artesia, Logan, and Delhi. In 1930, Mexicans comprised about 14 percent of the county population (17,000 of 288,000) and constituted about 15 percent of the Santa Ana population. The schools of Orange County generally segregated Mexican children in the larger districts, although in cases where the Mexican population remained relatively small, mixed facilities were used.<sup>5</sup> In the midforties about 80 percent of Mexican children in the elementary grades attended 14 segregated schools. In all, 4,037 Mexican children enrolled in elementary schools, or one quarter of the county school population.

Discussion of the segregation of Mexican children in Santa Ana first

appears in the superintendent's Annual Report of 1913 and coincided with the initial phase of Mexican migration to the Southwest. That report revealed that administrators set special rooms aside for "Spanish" [*sic*] children at the Washington School. This first form of segregation appeared to be an ad hoc arrangement setting up a Mexican classroom on the grounds of an otherwise Anglo school. The report also showed that the Mexican room had a substantially different curriculum. Schools expected both boys and girls to study manual training and according to the expenditures of the "work done at Washington School by the Spanish pupils,"<sup>6</sup> Mexican boys engaged in gardening, bootmaking, blacksmithing, and carpentry; girls were involved with sewing and homemaking. The school district carpenter instructed the boys. The separate room arrangement soon became too cumbersome to manage because of the increasing Mexican enrollment, so it evolved into the construction of separate schooling facilities. In 1913 Superintendent J. A. Cranston recommended that the district use Washington or Central School exclusively during the coming year, for the accommodation of those "Spanish" children who can't understand or speak the English language in order that they receive special attention and the progress of other children continues uninterrupted.<sup>7</sup> The superintendent contended that the focus on manual training in the separate room arrangement should also extend to the separate school.

This past year, in giving instruction to this class of children, special emphasis has been laid upon the use of spoken and written English, reading, writing, spelling, the most simple and practical use of numbers, sewing and mending for the girls, and manual training for the boys, and better habits of living for both. The manual training for the boys has taken varied lines of activity, as carpentry, repairing shoes, basketry, haircutting and blacksmithing.<sup>8</sup>

The school divided students into classes according to economic function—that is, manual training for Mexican children, academic preparation for white children—and it also divided students along sexual lines within the segregated classes. Thus, the pattern of segregation tended to reinforce the traditional sexual division of labor within the Mexican family and to add and develop those divisions particular to an advanced capitalist society.<sup>9</sup> Training for girls emphasized domestic work and certain kinds of unskilled industrial employment open to women. Boys prepared for manual labor traditionally relegated for males. In fact, the emerging curricular track, known as industrial preparation, became the lone curricular program available to the Mexican children.<sup>10</sup>

For nearly two generations, from 1911 to 1947, the school district practiced segregation until ended by the Ninth District Court decision on a suit brought by a group of parents whose children attended segregated schools in Westminster, Orange, El Modena, and Santa Ana in Orange County, California. The schools educated Mexican children by molding them into a source of labor for the lowest-paid and most physically demanding productive tasks in the local economy. These institutions practiced a channeling function that ignored the need and yearning for knowledge of the Mexican children, and instead altered the child's interests to fit the expectations of the school.

The educational system's cultural and political manipulation and Americanization programs also targeted Mexican parents. Thus, just as schools established Mexican rooms for the young, they also established Mexican rooms for the older generation. As early as 1913 the board "agreed to grant the request for two rooms at Roosevelt School as a night school for the Mexicans."<sup>11</sup>

In 1916 the board deliberated further on the practice of separating Mexican children. The Committee on Buildings "reported favorably for a six room building to be located near the present Fifth Street building, and a two room building for the East part of the city for the use of the Mexican children."<sup>12</sup> However, the district often referred to classrooms for Mexican children as the "Mexican School," and the teacher in the "Mexican School" as the "Mexican teacher"; if such a teacher headed the "Mexican School" she (always she) became known as the "Mexican School principal." Thus at Roosevelt School, two parallel administrative and educational units existed, each functioning separately and for distinct educational objectives.<sup>13</sup> By the early 1920s the school district established a Foreign Adult Education Department and an Americanization Department for Elementary and Secondary Schools, each with a director and staff to administer the education of the Mexican community. The district hired teachers either for a "Mexican School," or for an Anglo school. Clear distinctions emerged between the faculty of the Mexican and Anglo schools and their hiring practices. By 1918 the practice of segregation was in full swing, characterized not only by physical separation, but also by distinct and unequal curricular programs.

The Superintendent's Report of 1918 proudly pointed out its new program of IQ testing and classifying of pupils under the tutelage of Dr. J. Harold Williams of the Whittier State School.<sup>14</sup> In addition, this program would devote increased attention to vocational guidance in the intermediate grades with course work in the occupations, preparing students for the type of study selected in the high school. High school freshmen would place in a course level according to the vocabu-

lary test of the Stanford Revision, and information gained from the "so-called Otis Group tests in addition to class marks and teacher's estimates of intelligence. . . ."15 This selection procedure characterized the education of the Anglo child. Under the heading, "The Industrial School," the superintendent reported on the selection process of the Mexican children.

You have already approved my recommendation for a new school for those Mexican children who are unable to speak or understand the English language. This school will make it possible to give such children personal attention and a kind of training suited to their needs, a training that is impossible when they are placed in the same class with pupils who are not thus handicapped by language and culture.<sup>16</sup>

For the Mexican parents, the report continued, a special night school was established for "instruction in oral and written English, Arithmetic, Writing and Spelling and in the history and laws of our country, and in hygienic methods of living." In addition, the schools hired a Mexican nurse, a Mrs. Rodriguez, as an experiment "in connection with the home life of our Mexican people." Her task required, among other things, that she "visit the homes, study their mode of living and teach them sanitary methods." Authorities deemed the experiment a success; consequently they decided to continue the program.

Mrs. Rodriguez has done . . . a wonderful work for her people in teaching them more sanitary ways of living, in arousing their interest in American life, its opportunities, and advantages. . . . She has succeeded in interesting many of the mothers in work, in taking lessons in cooking and sewing, and during the past two years has conducted a very successful Mexican PTA in which the fathers and mothers took a lively interest in learning better methods of bringing up and educating their children.<sup>17</sup>

However, that cultural intervention did not pose an immediate danger for the basic division of labor within the Mexican family. Instead, it worked to reinforce certain features of it. On the other hand, by sponsoring courses in vocational work for girls, the schools promoted the entrance of Mexican women into the ranks of labor, thereby effecting subtle but significant alterations in the family structure and in the sexual division of labor within the Mexican community.

The early process of segregation evolved not without conflicts and antagonisms. For some Anglos, the program to build Mexican schools seemed too slow, while many Mexicans demanded its termination.

Consequently, the board felt pressed to examine the legal basis for its segregation practices and to provide some justification for its practices. The first salvo came during the summer of 1918 in a lengthy resolution from the (all Anglo) Lincoln School PTA, urging "that the Board do something in regard to the Mexican School, . . ." and that read in part that "segregation is eminently desirable from moral, physical and educational standpoints," and that it "would be a rank injustice to our school, our teachers and our children"<sup>18</sup> if Mexican children continued to attend.

Sufficiently moved by the resolution, the board instructed the board president to "procure bids for material for [the] Mexican building." However, in order not to unwittingly create more reactions, the board met at a later date with representatives of the Anglo PTAs and "talked over the Mexican segregation question."<sup>19</sup> There, the board and Anglo PTAs came to an agreement: all Mexican children would hereafter attend Mexican schools. In essence, the plan outlined by Superintendent Cranston in his June 1913 Annual Report for the segregation of Mexican children, provided the basis for agreement.

The Mexican community also attacked the board's policies. The board minutes record that in 1919 a local Mexican patriotic organization, the Pro Patria Club, "was objecting very strongly to segregating their children in the Schools and asked that they be allowed to return to their respective schools."<sup>20</sup> The superintendent subsequently invited the city attorney Scott, to present "an opinion on the legality of conducting separate schools. . . ."<sup>21</sup> On one side stood the segregationist board, backed by the Anglo community, and on the other, a small, but vocal group of Mexican parents who demanded freedom of choice and nonsegregation. The city attorney provided the legal defense for the board's segregation policies. He informed the board that although the law of the state permitted separate schools for "Indians, Chinese, and people of Mongolian descent," that it contained no provision to "maintain separate schools for Mexicans." However, he continued, it was legal to segregate Mexicans on the grounds of language, age, or regularity of attendance. Therefore, from a legal standpoint, the current practice of segregating Mexican children appeared "fully supported by the law."<sup>22</sup> A motion to continue segregation unanimously passed, and it read, ". . . agreed, that for the best interest of the Schools and especially for the great benefit to the Mexican children, to continue the Mexican school work as at present," that is, in segregated facilities.

The Santa Ana Board of Education never again faced a need to defend segregation until 1943 when Mexican parents raised the demand for nonsegregated schooling. During that span the board classi-

fied three schools, Artesia, Delhi, and Fremont, as Mexican schools. On 5 June 1919, the "plans and specifications for the [just permanent] Mexican school buildings were approved and the secretary was instructed to advertise for bids. . . ."23 The temporary arrangement evolved into the first Mexican school building in Santa Ana, named the Sante Fe School. Thus, the process of segregation, begun in 1912 with separate classrooms, reached its completed form in 1920 with the establishment of a separate Mexican school. In 1921 the district added Logan, another Mexican school, and incorporated a third, Delhi, in 1924. The Santa Fe School was later renamed Artesia in 1924, closed down in the late twenties, and redesignated as Fremont. Thereafter, one thousand Mexican children faced busing if necessary to achieve the segregation of the nationalities.

The district hired instructors for the Mexican children according to not only their particular tasks, but also to a particular hiring policy and wage scale. The pay for teachers at the Mexican schools, on the average, ranged from \$80 to \$100 less per year than teachers at Anglo schools.<sup>24</sup> The principal at the Mexican school received \$135 less per year than principals at the Anglo schools. This salary differential implied that Mexican schoolteachers, although all Anglo, held a less important status and because of such, seemed responsible for less demanding teaching assignments. Although its policy restricted the board from hiring married women whose husbands could support them, it made an exception in the case of the Mexican schools. By 1923 the board had established a policy allowing the hiring of married women with or without husbands "able to support them" to teach in Mexican schools. We can only speculate as to why the board encountered difficulties in employing teachers for the Mexican children and consequently changed its criteria in order to enlarge its pool of applicants. On the other hand, through hiring married women with existing means of support, the board could impose a substantially lower wage scale for Mexican school teachers upon unemployed teachers.<sup>25</sup> In general, the board not only applied differential criteria to the people of the community, but it also used a differential hiring and wage scale for teachers of segregated and nonsegregated schools.

The most controversial issue relating to segregation until the desegregation decision of 1947 concerned the recommendations made based upon an educational survey of Santa Ana conducted by two University of Southern California professors, Drs. Osman R. Hull and Willard S. Ford. After much fanfare and to-do, the board contracted with Hull and Ford to carry out a survey of the educational facilities with the purpose of formulating a comprehensive building program, taking into consideration immediate and future needs and conditions. Their

study completed in 1928 affords insights into the quality of the physical buildings in the Mexican and non-Mexican schools. The controversy raised by the study also tells us how low Mexican children placed on the list of educational priorities in Santa Ana and underscores the overwhelming inequality between Anglo and Mexican educational facilities. The report, entitled the *Santa Ana School Housing Survey*, proved a bombshell, in spite of its thorough and professional quality. The board vehemently rejected the survey's recommendations to tear down two Mexican schools and build two entirely new ones. However, Hull and Ford had good reason to make such recommendation: the Mexican schools, from a physical standpoint, represented the worst schools. Of the twelve elementary schools, the survey rated the three Mexican schools, Artesia, Grand Avenue, and Delhi, the least fit for educational purposes. With all schools graded on a 1,000-point scale, the Mexican schools received the lowest ratings: Artesia scored the lowest with a 191 rating, followed by Grand Avenue with 217, and Delhi with 330; the Anglo schools scored between 433 and 699. The descriptions of the Mexican schools contained in the report provide a commentary on segregation.

The Delhi school is a wooden structure which is a fire hazard and poorly constructed [and] provides less than one-third of the required amount of light. . . .

The Grand Avenue School . . . is a two story frame structure entirely unsuited to school use . . . it had been condemned for years.

The most unsatisfactory school that is now being used . . . is the Artesia school. . . . It is a frame building with no interior finish. It has a low single roof with no air space, which makes the temperature in many of the rooms almost unbearable. Since no artificial light is provided in the building, it is impossible to do satisfactory reading without serious eye strain on many days of the year.<sup>26</sup>

The board met, along with an Advisory Committee of the Chamber of Commerce, to discuss the recommended program. The suggestions to replace two Mexican schools with new plants proved to be a lightning rod of criticism. Harvey Gardner, of the Chamber of Commerce, reportedly objected to so much money spent on a Mexican school; he especially claimed, "When we do not have proper facilities for the American school children." Cushman, also of the chamber, also found that the recommendation for the Artesia School to be excessive. Thus, the board unanimously and decisively rejected plans for improving facilities for Mexican children.<sup>27</sup>

The board commissioned the survey in order to utilize the information as part of an argument in upcoming bond elections. However, the researchers made a fatal error in requesting too much for the Mexican community. Consequently, the board requested that they prepare a second set of recommendations, one that both the board and the voters could support. On 27 March 1928 Dr. Ford presented a revised program to the board and to the Advisory Committee of the Chamber of Commerce. It reduced the elementary building programs to one, instead of two Mexican schools, and it lowered the amount of money earmarked for the Artesia School from \$170,000 to \$112,000. Not sufficiently impressed, the board and the Advisory Committee again requested a revision of the Artesia School figure. "There seemed to be the unanimous opinion that Drs. Hull and Ford allowed too much for the Mexican School," read the minutes.<sup>28</sup> On 20 April 1928, the board addressed the third Hull and Ford program, which was also rejected and led to their abrupt termination as consultants to the district. "Superintendent Cranston consequently recommended that the President appoint a committee to decide on a Mexican school."<sup>29</sup> The committee recommended a new \$65,000 Artesia school building [down from the original \$170,000 Hull and Ford estimate], a new kindergarten for Delhi at a cost of \$500, and rather than build a new Grand Avenue school, it suggested the restoration of the old and vacant Logan school and an addition made to it at a cost of \$32,000. The committee reported further that

in the Mexican situation, we believe Artesia should be developed as a permanent school, with the new buildings of a fair construction. We have gone over the Lincoln-Logan-Custer district situation carefully, and feel that any effort to locate a Mexican school outside the district itself will meet with decided and instant opposition. We, therefore, suggest and recommend that the old Logan school grounds be enlarged to include lots to the East on Lincoln Street, and one or two lots on the north. We would regard this school as temporary as the Mexican will likely be crowded out soon.<sup>30</sup>

However, the committee's revision to the Hull and Ford plan angered Anglo residents near the Artesia School, and on 22 May, two representatives of the area met with the board to discuss relocating the Artesia School within a Mexican neighborhood.<sup>31</sup> The board decided to take up the matter in consultation with the Advisory Committee of the Chamber of Commerce "for further consideration."<sup>32</sup> During the following year, the critical school buildings issues that administrators debated, included relocation of the Grand Avenue School to the vacant Logan School site and a new addition to existing school buildings constructed. In addition, the new Artesia School continued to face

opposition from Anglo parents, and on 29 January, they presented a petition of two hundred signatures at a regular board meeting urging the relocation of Artesia to a Mexican neighborhood. In spite of the petition the board split over the site of the Artesia School. Their discussion sheds light upon the political relationship of school to the Mexican community during the era of segregation.

Dr. Horton expressed his opinion that the people of that District had a just argument but said the big question before the Board is that of finding a better site than the present site. Mr. White . . . spoke of all properties around the Artesia school carrying race restrictions and felt the school should be moved, nearer the center of the Mexican population. Dr. Ball spoke of the disadvantages found at other Mexican schools in being located in the center of the [Mexican] population, stating adults lounged around the buildings during the day as well as at night and were a public nuisance. After discussion Mr. White stated that if the Board of Education persisted in locating that school where it is now, all the voters in that district would do all in their power to defeat any school bonds which come before the people.<sup>33</sup>

The debate continued long into the night without a final resolution. Board members agreed, however, to defer final decision until residents of the Artesia district conferred at length with the Advisory Committee of the Chamber of Commerce and the board.

On the matter of the Grand Avenue School, board members raised a similar set of points. The central issue centered on whether to relocate the Grand Avenue School on the Logan School grounds, and to purchase additional properties for expansion, or to move the school out of the Mexican barrio and "across the tracks." On 26 April 1929, a special meeting convened to discuss "the status regarding the building site and buildings for the new Mexican school, final settlement of the question being the reason for which this meeting was called."<sup>34</sup> The discussion followed similar lines as in the past; Herbert L. Miller of the board, expressed the opinion of the majority at that meeting.

Mr. Miller had not changed his opinion from that of the previous meeting and stated that he felt a definite line should be drawn and the school kept on this side of the tracks; buying additional lots and squaring up the property would clean up a "bad hole"; it would also avoid the criticism which would be bound to come if the school were placed across the track as the section East of the track is going to be a [Anglo] residential property in the near future. . . .<sup>35</sup>

When the board asked the Chamber of Commerce Advisory Committee for their opinion on the proposed Logan School, all agreed to build on that site although in the Mexican barrio. Next, the committee

passed a motion to purchase additional lots around the Artesia site and to construct a new Mexican school there.

The board and its Advisory Committee had finally overcome the impasse that had impaired its progress on the school construction program and chose to ignore the Anglo citizens' objections. On 30 April 1929, at the regular board meeting, the committee from the Artesia district urged the board to reconsider its decision and to "select another site for the Artesia school." After considerable discussion, no change occurred in previous decisions.<sup>36</sup>

The new Artesia School, renamed the Fremont School and enrolling 475 children, opened in the 1929-30 school year. Logan enrolled 232, and Delhi 319, for a total of 1,026 Mexican children, or well above one quarter of the district's enrollment of 3,514.

By 1930 segregation had reached its ultimate form, and it rarely became a topic again for discussion at board meetings. Of more critical interest in the 1930s was the depression and district finances. Although massive repatriation drives reduced the Mexican population in some areas by a third, the Mexican population in Orange County remained fairly stable. In fact, the Mexican school population grew during the depression, and one researcher found an average increase of 16 pupils per Mexican school between 1930 and 1934.<sup>37</sup>

Segregation resulted from a mandatory attendance policy, not from a policy of neighborhood schools. Officials generally drew school districts so that Mexican children would attend only Mexican schools, and when an Anglo child happened to live in a Mexican district, school authorities routinely accepted requests for transfers. On the other hand, when Mexican youngsters lived outside of a Mexican district the school authorities would arrange for transfers to a Mexican school. The transfer of pupils to achieve segregation was commonly achieved through busing, an ironic commentary on current efforts at busing to achieve integration. Throughout the era of de jure segregation, any request by Mexican parents to transfer to Anglo schools were routinely denied. Thus, while the board offered a legal justification for segregation on the basis of language, age, or attendance, seldom did it accept these as criteria for transfer.

Mainly utilized in the agribusiness of the area, the Mexican community served an economic function that clung to them even as they left the fields and orchards and entered the classrooms. And this economic function persisted within and outside of the community, not because of a cultural affinity. Through the segregation period, schools operated only half a day during the walnut-picking season. Board policy limited schooling to half a day to satisfy both the minimal compulsory education laws and maximal agribusiness interests.

Child labor proved valuable to the area and the board felt some responsibility in supplying child labor. At the 13 September 1943 board meeting, the district attendance officer

recommended that we follow . . . plan of a walnut session in the Mexican schools as this would permit these children to get their education and also to work five hours per day. He stated that unless otherwise directed he will continue our policy of not excusing students to work in the morning and of issuing no permits to students under fourteen of age, as provided by law. It was stated that if a father contracts for the whole family a work permit is not necessary for those under 14. It was the consensus that the above policy be followed and it was thought that such a plan would meet with approval of the growers. It was thought that they would furnish transportation for students with a supervisor who would receive \$1.00 per hour for such supervision.<sup>38</sup>

In contrast to its willingness to organize the educational program to accommodate the labor needs of local growers, the board refused to provide free nourishment to needy children. On 12 February 1940, the board concluded "that the providing of food to underprivileged children is not an educational program," and announced "that they cannot supply food for underprivileged children."<sup>39</sup> Thus, segregation included more than just the separation of nationalities; broader economic and social issues also figured significantly.

#### The Fight for Democracy in Education: Mendez et al. v. Westminster Board of Education

On 2 March 1945, Gonzalo Mendez, William Guzman, Frank Palomino, Thomas Estrada, and Lorenzo Ramirez, filed a class action suit against the Westminster, El Modena, Garden Grove, and Santa Ana school districts "to enjoin the application of alleged discriminatory rules, regulations, customs, and usages."<sup>40</sup> They filed the complaint "on behalf of their minor children, and . . . on behalf of 'some 5000' persons similarly affected, all of Mexican or Latin descent. . . ."<sup>41</sup> Events in Santa Ana and Westminster in 1943 leading to the filing of that petition illuminate the nature of that important episode in the history of the Chicano people. These events represent lessons in antidemocracy.

In 1943 returning Santa Ana veterans formed a civil rights group, the Latin American Organization, specifically to combat school segregation. One of the first actions taken by the LAO was confronting the Board of Education with requests for transfers.

On 25 October 1943, Mrs. Leonides Sanchez and Mrs. Frank Garcia appeared before the Santa Ana Board of Education to "protest the denial of a request to send their children" to the primarily Anglo Franklin School. According to the board minutes, the two "wished to have their children educated in an American School so that they would have all the advantages of American children and learn to speak English as Americans do." The mothers charged that "it is a matter of discrimination when Mexican children are forced to go to the Mexican School." Sanchez and Garcia stated that if the board did not grant the transfers, they would "send their children to school elsewhere."<sup>42</sup>

The board reaffirmed their stance. Superintendent J. A. Cranston, who had supervised the development of the segregated schools in 1913 and was still with the district, admitted that the board regularly granted transfers to Anglo children because "it would be educationally unsound to send them to a school made up entirely of Mexican children." However, the board saw little basis for transferring Mexican students out of Fremont School. Attendance officer Smith agreed that Anglo children regularly transferred, some thirty-four having transferred out of Fremont during the 1943 academic year, but the "present policy" aimed at diminishing transfers, not increasing them. Thus, if these families (the Garcias and Sanchezes) "continue to reside in the Fremont District they attend that school." The board also called in the Fremont principal, Mrs. Edith Gilbert, to back up the denial. She, like the superintendent, discussed the "positive side" of Fremont School. She mentioned that "the older girls are taught to do the cooking" in the cafeteria and Mexican "students are encouraged to speak English at all times, on the grounds as well as in the classroom." The board instructed the attendance officer not to grant the transfers, arguing that "if they (the boundaries) are moved for one family there will be a great many requests for transfer."<sup>43</sup>

Nevertheless, the Sanchez and Garcia request forced the board to reconsider its segregation policy. The board began a process of "studying on the problem of Mexican children" and focused its attention upon a seminar on intercultural education and Mexican children offered at the Claremont colleges.<sup>44</sup> Although prepared to make some token efforts at placating the Mexican community, the board did not propose to end de jure segregation. Events that followed shortly, forced the board into a noncompromising position, for the Mexican parents were not in a mood for tokens or compromises.

A year later the superintendent reported that Sanchez and Garcia enrolled their children in the Franklin School in spite of the board's ruling the previous year. The board "discovered that false addresses were filed in order that the children could so enroll." Quickly the

board decided "that as soon as facts have been verified, the children will again be enrolled in their rightful district, Fremont."<sup>45</sup> The fight had barely begun when on 23 October, Charles Martin, the attorney representing Mr. and Mrs. William Guzman, parents of Billy Guzman, and other parents from the Fremont school district, among them Mr. Leonides Sanchez, Mr. Fuentes, and Mr. Reyes, appeared before the board to request permission to send young Billy Guzman to the Franklin School. The struggle had escalated from that of individual parents with the support of the LAO protesting before the board, to that of a legal representation prepared to carry forward a struggle on the basis of law.

The board did not capitulate without determined resistance. Its strategy did not change. It ultimately denied the request with its usual expressions of disbelief that anyone would refuse to send their child to Fremont. At first the board responded that it was in the process of "considering district boundary problems" and requested time to study Guzman's "problem" before coming to a final decision. Martin replied that his client would agree to a ninety-day period before approaching the board for the final decision. Three months passed without the slightest change in board policy.

Nearly concurrent with the conflict in Santa Ana, a parallel situation developed in Westminster, located about fifteen miles from Santa Ana. The families involved in both cases eventually joined their struggles to fight the antisegregation legal battle. It is instructive to review the series of events orchestrated by the Westminster parents.

In the small farming community of Westminster, Gonzalo and Felicitas Mendez experienced for the first time the denial of equal educational opportunity for their children. Rather than accepting segregation, they refused anything less than a democratic school system, and in the months and years that followed, they and their comrades fought the political power of Orange County. It was the Mendezes who gave their name to one of the most significant legal cases in the history of the Southwest, *Mendez et al. v. Westminster School District of Orange County*.

At the time they filed the suit, the Mendez family leased a sixty-acre farm owned by a Japanese family then interned in a concentration camp.<sup>46</sup> They raised asparagus, tomatoes, cabbage, green beans, peppers, and lettuce. Their venture proved moderately successful, and by the midforties, they had a work force of thirty people during peak season.

Gonzalo and Felicitas, children of migrant agricultural workers, grew up in that same setting. Gonzalo, a native of Mexico but raised in southern California, had earned the reputation of "champion" orange

picker in his youth, and he attended grammar school in Westminster when that town did not yet have a segregated school system. Felicitas, a native of Hongos, Puerto Rico, came to the United States when Arizona farm agents recruited her family to work on the cotton farms of the Salt River Valley. Like all migrant families, they worked in several different places until they settled down in Orange County as agricultural workers. By dint of several years' hard work, they managed to do well enough and had become respected and popular figures in the *colonia*. In the early forties, they decided to lease a farm in nearby Westminster; this meant that their children would enroll in the Westminster school.

On the first day of the 1944 school year, the three Mendez children were taken by their aunt Soledad Vidaurri to the nearest school, the Westminster Elementary School, to enroll them. Ironically, Gonzalo had attended years before, but by the 1940s, the school admitted only Anglos. Soledad's own children had gained admission and attended that school but only because, as she later found out, of their light complexions and their last name, Vidaurri, which was thought to be French. However, the school denied admission to the Mendez children on the grounds of language deficiency, although their cousins also Mexicans, were allowed to attend.

Furious because the school sent away her two nephews and niece, Soledad immediately withdrew her own children and returned to the farmhouse and informed Gonzalo and Felicitas about what had occurred. The Mendez approved of her action, but instead of trying only to gain admission for their children, they decided upon organizing a local group of parents to petition the board to desegregate the schools. Thus, on 8 September 1944, the group sent a letter to the clerk asking an end to segregation. The petition read:

Dear Sir,

We the undersigned parents of whom about one-half are American born, respectively call to your attention to the fact of the segregation of American children of Mexican descent is being made at Westminster in that the American children of non-Mexican descent are made to attend Westminster Grammar School on W. 17th Street at Westminster and the American children of Mexican extraction are made to attend Hoover School on Olive Street and Maple Street. Children from one district are made to attend the school in the other district and we believe that this situation is not conducive to the best interests of the children nor friendliness either among the children or their parents involved nor the eventual thorough Americanization of our children. It would appear that there is racial discrimination and we do not believe that there is any necessity for it and

would respectfully request that you make an investigation of this matter and bring about an adjustment, doing away with the segregation above referred to. Some of our children are soldiers in the war, all are American born and it does not appear fair nor just that our children should be segregated as a class.<sup>47</sup>

In effect, the superintendent responded by arguing that Mexican children belonged in the Mexican school; however, he continued, in this case he would make an "exception" and offer special enrollment for the Mendez children. Gonzalo and Felicitas rejected the idea of an "exception," and argued that since their children should be regularly enrolled, they would keep them out of school until the board allowed for such. The district made its last attempt at compromise, but this effort also failed, thus prompting the Mendezes' decision to use the courts not only to gain admission, but to eliminate the practice of "Mexican schools."

Although Gonzalo and Felicitas had at that point decided on a legal course of action, they had no one in mind to represent them. Upon the suggestion of their produce truck driver, Henry Rivera, Gonzalo learned of an attorney, David Marcus. Rivera mentioned that Marcus had done effective work in the interests of the Mexican community and convinced Gonzalo to meet with him. Having won the court battle to desegregate the San Bernardino public parks and pools and handled legal matters for the Mexican consulates in Los Angeles and San Diego, Marcus had experience in desegregation cases.<sup>48</sup> In the attorney's Los Angeles office they met to discuss the issue. Marcus expressed that their chances for winning an injunction against segregation appeared very good. They agreed upon the strategy and the terms, and several years of dedication and commitment to the cause of desegregation followed.

On 2 March 1945, the Guzman family of Santa Ana and their friends Gonzalo and Felicitas Mendez and with Mexican parents of Garden Grove and El Modena school districts filed suit in the Ninth Federal District Court seeking an immediate injunction against the segregation of Mexican schoolchildren. Gonzalo Mendez practically became Marcus's assistant, driving him throughout the county to gather evidence and supportive data, and to interview individuals. Gonzalo threw himself so completely into the cause that he left the farm for Felicitas to administer for over one year. She not only ran the farm well, but it became more prosperous than ever. Thus, both dedicated themselves to a long struggle.

In addition to her work on the farm, Felicitas also organized in the community in order to gather support for the cause. She initiated

meetings with the local parents, which eventually developed into an educational support group known as the *Asociacion de Padres de Ninos Mexico-Americanos*. For nearly a year the organization provided support of a moral nature, for it had no organizational experience nor funds to speak of. It served an important purpose in that it conveyed to the school officials the message that the Mexican community supported the efforts of the Mendezes, Guzmans, Palominos, and others. But it also expressed to the plaintiffs that they did not stand alone in their battle. However, one of the main functions of the group involved attending the trial to display a show of strength to the court. Since it consisted mostly of farm workers who did not have the funds to cover the cost of travel plus loss of work, Gonzalo and Felicitas agreed not only to cover their transportation costs, but also to reimburse them for their loss of pay. The Mendezes thus carried the burden of the lawyer's fee, compensation for their backers, and time and effort devoted to manage the legal battle. Their effort to a large extent, represented an individual struggle, yet they not only did it themselves. They also acted in the interests of the entire Mexican community. A contemporary reporter wrote that two principles motivated Gonzalo Mendez.

One is that the purpose of the law suit is to benefit the whole Mexican community, not a mere handful of fortunate ones; and the other is that his little Sylvia, Gonzalo, and Geronimo . . . can never be good Americans if this insulting and painful segregation continues.<sup>49</sup>

Given the strength of their convictions, it should not appear surprising to find that the Mendezes contributed well over one year's time, labor, and income to cover the lawyer's fees and other expenses, such as reimbursing their supporters' lost wages. Well over one thousand dollars (a considerable sum at the time) came out of their pockets and made it possible to carry the case to its conclusion. In the end, their individual fight had far-reaching ramifications.

The *Mendez* suit claimed that segregation of Mexican children violated the Fourteenth Amendment in the absence of specific state laws that required or enabled the local school districts to mandate a Mexican school system. State education codes allowing or requiring school segregation applied only to "nonwhite" races, specifically Indian children (except Native American Indians), Chinese, Japanese, and Mongolian. The suit alleged that no legal "racial" status had been applied to Mexicans other than that they were members of the Caucasian race and therefore not subject to the discriminatory education codes. Consequently, the suit demanded that no grounds existed for the segregation of Mexican children and therefore its practice should

end. The defendants, represented by the county counsel, Joel Ogle, countered that the federal courts had no jurisdiction over essentially a state matter. Furthermore, the district did not practice segregation of Mexican children on the basis of race or nationality, but on the basis of the educational needs of Mexican children, that is, special instruction in English and in American culture.<sup>50</sup> As such, no constitutional issues pertained to this case; moreover, argued Ogle, segregation on the basis of race or nationality was constitutional as long as districts maintained separate but equal facilities for each race or nationality.

The essence of the *Mendez* case revolved around the charge that segregation operated "to deny or deprive equal protection of the laws" to English and non-English-speaking Mexican children. That argument impressed the presiding judge, Paul J. McCormick, and on 18 February 1946, he issued an injunction prohibiting the segregation of Mexican children. McCormick allowed that the federal court had jurisdiction over the case since the state of California did not have legislation establishing segregated Mexican schools.<sup>51</sup>

The defendants raised the separate but equal doctrine, thereby obliging McCormick to address the Plessy doctrine, that is, separate did not imply inequality. In his decision, he responded to Ogle's contentions by stating that "the 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." In so stating, the judge broke with Plessy and clearly defined a distinction between physical equality (facilities) and social equality. In this case, separate but equal facilities were unconstitutional because it created a social inequality. Thus, rather than acting as a protection for the practice of segregation, the Fourteenth Amendment served to repeal segregation.

Moreover, McCormick contended that no evidence existed that showed segregation aided in the development of English proficiency, that on the contrary, evidence demonstrated that segregation retarded language and cultural assimilation. Consequently, the segregation of Mexican children had no legal or educational justification.<sup>52</sup>

The court's decision countered each point made by the defense. Nevertheless, the four school districts decided to appeal to the United States Circuit Court of Appeals in San Francisco, Joel Ogle again representing the districts. On 14 April 1947, the seven judges of the appellate court unanimously upheld the Ninth District Court decision.

*Mendez* immediately gained widespread attention from legal scholars who quickly recognized the historical significance of the court decision. An article in the *Columbia Law Review* stated that in the past

“so long as equal facilities were made available to both groups,” no constitutional issues existed to be raised. However, the article continued,

The courts in the [Mendez] case breaks sharply with this approach and finds that the Fourteenth Amendment requires “social equality” rather than “equal facilities.”<sup>53</sup>

Another analyst commented in the *Yale Law Journal* that the Mendez decision

has questioned the basic assumption of the Plessy Doctrine. . . . Modern sociological and psychological studies lend much support to the District court’s views. A dual school system even if “equal facilities” were provided does imply social inferiority.<sup>54</sup>

Judge McCormick’s ruling had an immediate effect upon the Mexican community and upon the Board of Education. Protests against segregation became much stronger, as evidenced by the visit to the Santa Ana board by Hector Tarango of the Latin American Organization, along with Fred Ross, a “field worker for the American Council on Race Relations.” The minutes portrayed the pair as “belligerent and antagonistic . . . concerning the matter of the Mexican-American children.” Ross informed the board that “he had instructed the Mexican children to go to the school of their choice on the opening day of school and if they were not admitted, the Board of Education would be cited for contempt.” The board discussed the strategy now spoken of openly by the organized Mexican community and discovered that a number of Mexican children had enrolled at the all-Anglo McKinley school but were sent back to their former school. The board “feared that they might have been sent [to McKinley] purposely to see what action the schools would take.”<sup>55</sup>

The action the school districts decided upon represented tokenism in its narrowest form, a favorite tactic of segregationist boards in the fifties and sixties. Rather than dismantling segregated schools, the Santa Ana board agreed to meet with community representatives to discuss an “amicable solution.” It agreed to allow transfers of Mexican children out of their district “in the same proportion as Anglo-Americans are transferred out of their district.” However, the board imposed discriminatory restrictions:

1. That they [Mexican community] understand that such transfer would not be granted into a class or school which is already filled to reasonable capacity.

2. That the Mexican-Americans impress upon their group the necessity for a continuous emphasis upon those things which will make the Mexican-Americans socially acceptable in transfer.
3. That the Mexican-Americans continue their training in such a manner as to continuously foster good relationships in this adjustment.<sup>56</sup>

Thus, the Santa Ana board would not give up segregation as a policy, but it did begin a policy of token reforms. Not long after the decision to grant token transfers in order to maintain segregation, the appellate court upheld the McCormick ruling. The board knew that it could no longer sustain segregation nor tokenism against the organized protestations of the community and court rulings. Shortly before the appellate court ruled, the Santa Ana LAO formed a League of United Latin American Citizens chapter, acting as an umbrella organization in the desegregation struggle throughout the county. Thus the common demand for integrated schooling generated a political mobilization, which eventually reshaped the political balance of power.

On 5 June 1947, the board voted to inform the county counsel, Joel Ogle, that it "does not wish to appeal [further] the Mexican segregation case."<sup>57</sup>

On the opening day of the next school year, 1947-48, the board enforced a policy allowing Mexican-American transfers, and the formerly all-Anglo Franklin School became 50 percent Mexican and 50 percent Anglo.<sup>58</sup> Shortly before the appellate ruling, the legislature of the state of California struck down the educational codes that legally required the segregation of Indian and Asian children. Thus, *Mendez* reverberated beyond the confines of Orange County. Segregation, if it continued to exist, would be de facto; the era of de jure segregation, however, had ended in California.

The *Mendez* case inspired renewed antisegregation efforts by the GI Forum and the League of United Latin American Citizens in Arizona and Texas. Their struggles resulted in legal decisions enjoining school districts from segregating Mexican children. Some twenty Mexican parents in Bastrop, Texas, allied themselves with the LULAC and successfully carried out a legal battle to terminate segregation in the *Delgado v. Bastrop* case. The *Delgado* decision reaffirmed *Mendez* in that it represented a "momentous victory" that "undermined the rigid segregation of the pre-1948 Texas school system."<sup>59</sup>

In face of this, the main question remains squarely in focus: Did the termination of de jure segregation of Mexican children substantially alter the educational practices of schools attended by Mexican children? The answer is yes and no. Yes in that legal segregation ended,

which in itself marked a substantial change and a political victory for the Mexican community. On the other hand, schooling for Mexican children continued to come under the significant influence of pseudo-scientific intelligence testing, with its heavy tracking into slow learner, vocational, and EMR (Educationally Mentally Retarded) classes. Coercive acculturationist objectives continued to dominate education, and high dropout rates continued to plague the Mexican community.

Although Mexican schools no longer operated, there still existed many schools with a predominantly Mexican enrollment and administrators and teachers perceived these institutions as Mexican schools. A large number of school districts in Texas continued a form of Mexican schools via bureaucratic impediments as well as the subterfuge of "free choice"—that is, Mexican parents had the choice of either sending their child to the local, or nearby, school (the old Mexican school), or to the distant integrated (or old Anglo school). Rarely did school districts exchange students so as to integrate both schools. Usually these districts achieved integration only if Mexican parents sent their children to the old Anglo school. Quite often they achieved integration by closing down the old Mexican school, a practice seldom applied to the old Anglo school. Thus, as de jure segregation terminated, a variation on the old theme of segregation and discrimination appeared.<sup>60</sup> Much of the old internal system remained intact, such as tracking and the emphasis on vocational education. However, the official Mexican school eventually became a distant figure in the history of the Mexican people in the United States.

Not until the 1960s with the Chicano Movement, did inequality and cultural oppression through institutionalized techniques come under direct attack. In Texas, segregation resurfaced as an issue in the midsixties, as the LULAC and MALDEF (Mexican American Legal Defense Fund) took up the campaign to legally enforce the court decisions of twenty years before. Eventually that struggle evolved into the campaign for bilingual education as the fundamental tool to overcome inequality in education. Nevertheless, the desegregation campaign of the forties and fifties stands out as a significant chapter in the Chicano struggle for democracy, thus earning consideration as a precursor to the Chicano Movement of the sixties.<sup>61</sup>

## Conclusion: Continuity and Change in the Education of Chicano Children

Most historical accounts of the Chicano educational experience tend to blend the various aspects of this history into a single, unilinear, and unbroken process. In this study, I have taken the opposite approach by separating the segments composing this history and by analyzing them as particular entities, which together formed a single educational process. I have also looked at the changes occurring over time, the causes of these changes, and their consequences for the Mexican community.

I have consistently related the educational process to the political and economic institutions at large by viewing education as a political institution with an economic function to fulfill. Thus, segregation grew out of an undemocratic political decision-making process, which reproduced a socioeconomic bifurcation in society. However, the mere segregation of children by itself could never lead to these consequences; it needed certain techniques to accomplish its politico-economic goal. Americanization, testing, tracking into vocational education, and slow-learner and mentally retarded classes, provided the internal machinery that made segregation an effective tool.

Fashioned by the emerging social scientists and reformers in the early period of the century, various theoretical constructions legitimized the use of these educational techniques. These ideas generally coincided with the manner in which wealth, power, capital, and labor was divided in society. The social function of one key institution appearing in this century, mass compulsory education, to a large extent, originated in social science thought. The general application of the functionalist theory of the organic society established the overall guidelines for the educational establishment. The universal use of IQ testing, for example, and its educational consequences, had their roots in the social science concept of intelligence, which corresponded with organic theory. Americanization was extensively applied, and it was based on assimilation theory, which also was linked closely with organic theory. Consequently, in order to understand the nature of the segregated schooling period, the "hidden" aspect, social science the-

ory, must be appreciated for its significance upon educational practice in the Mexican community.

In addition, I analyzed the noneducation of a significant element of the Mexican community, migrant children. In this instance, a common practice unfolded that deliberately denied migrant children a constitutional right to equal educational opportunity, even if such involved a segregated school. Consequently, the segregated period in Chicano educational history contained at least two widely divergent experiences from compulsory noneducation to compulsory education (with variations between them). This division generally corresponded to the two main economic experiences, the rural agricultural and urban industrial employment settings.

Aimed at eliminating a nonmodern culture and substituting it with the culture of the American middle class, Americanization also appeared as a significant activity in the Mexican school. In general, Americanization placed value judgments upon virtually all things Mexican. Thus, language, religion, dress, recreational activities, family traditions, and home life-style, constituted social as well as political problems that needed to be either eliminated or reconstructed upon a new foundation. However, such a task could not be completed only in the school room, and only among youths. Consequently, the main target of Americanization included both girls and women—the future and current mother and homemaker. They faced isolation in special Americanization programs geared toward producing an agent for the Americanization of future generations.

While the overall objective of the segregated school concerned the Americanization of the Mexican community, the more successful practice involved that of reproducing the class character of the Mexican community through the use of testing and tracking. Based upon prevalent social science and educational theory, schools slotted students upon a hierarchical scale, from superior intelligence to inferior intelligence. Their educational program reflected this hierarchy, and thus superior students received an academic preparation, while the inferior students received a preparation for manual vocations. In such an educational program, schools commonly slotted Mexicans en masse into the slow and inferior classes and based this practice upon the uncritical application of IQ tests for predictive purposes. To no surprise, therefore, the Mexican school became commonly known as the industrial school of the district. Within this setting, boys and girls received separate types of training. The former generally received traditional male training for unskilled or semiskilled occupations, while the latter received preparation for becoming a homemaker, mother, wife, or an employee in an occupation related to her domestic

role, such as seamstress, laundry worker, and waitress. By the end of the segregation period, an unwritten tradition existed among educators that viewed Mexican children as best suited by "temperament" or "IQ" for vocational education.

The practice of segregation and its programs insured that the political and economic relationship between the Mexican and Anglo community would not only remain, but that it would also gain strength. However, there was a price to be paid for segregating Mexican from Anglo children: as adults they would remain separate and lack the political integration necessary for social stability. Thus, a serious contradiction in the reproduction of the dominant-subordinate relationship existed. This contradiction was manifested in bold relief at the eve of World War II when the antagonisms between minorities and nonminorities become potentially explosive areas threatening wartime solidarity. Consequently, the federal government launched national reform programs, such as intercultural and inter-American education, to ameliorate minority-nonminority relations and to mobilize society for war.

The method employed in this reform program was education. If the two sides could interact, learn of each other, and become accustomed to one another, then antagonisms would melt away. In addition, inter-American education encompassed both the Southwest and all of Latin America. The proponents of this type of education viewed the amelioration of Anglo-Mexican relations in the Southwest as indispensable to the realization of U.S. foreign policy objectives in the hemisphere. Essentially, policymakers in Washington, along with social scientists and many educators, opposed segregation (although accepting of the teaching methods within the segregated school) because it fostered antagonisms, created separatism, retarded assimilation, and hindered the wartime solidarity effort. Lastly, Latin perceptions of Anglo-Mexican relations in the United States greatly influenced the ability of the United States to realize policy objectives in Latin America.

Consequently, in such a climate certain reforms became acceptable and even mandatory. The termination of segregation of Mexican children had become the key objective of reform through a campaign directed from Washington by the Office of Inter-American Affairs and led by Nelson Rockefeller.

Coincident with this reform atmosphere, a maturing political awareness within the Mexican community manifested itself in numerous actions opposing segregation. Local community political organizations also appeared, which began to contend for political decision-making power, eventually extending to statewide and regional bases. Within a relatively short period of time, a generation of Mexican-

American activists made their presence felt. The combination of the minority's political thrust and the government-sponsored reform campaign made the termination of de jure segregation inevitable. However, it is crucial that recognition be given to the role played by the international factor appearing in cold war aspects as well as national liberation movements. To a large extent the international factor emanated from the interrelationship between the political actions of U.S. minorities and of dominated peoples in underdeveloped areas of the world. Thus, a wide number of separate political actions on a local level created an international pattern having the potential to disrupt U.S. foreign policy objectives.

The development and maintenance of the de jure segregation of Mexican children involved a political relationship, especially a relationship of domination. Eventually, however, the subordinate community gathered itself and began a process first of balancing and eventually emerging as the politically dominant actor. This evolution of political subordination to political dominance (in this instance, limited to the struggle to desegregate) could not occur without certain favorable external conditions that gave the subordinate group added and decisive leverage. It is probably true, therefore, that at least since World War II, no significant minority democratic struggle in the United States can exist in isolation and must touch on national and, therefore, international issues.

Such a perspective leads to the conclusion that one cannot separate the education of the Mexican-American people, and of its political relationship to the dominant community, from the international relationship binding the destinies of Mexico to the United States. The debate over bilingual education, for example, raises an international, as well as national question. Americanization of Mexican immigrants remains a goal of the educational process. In a recent testimony before a congressional committee, Colorado Governor Richard D. Lamm warned of "perpetual tension and strife" if Latino immigrants "do not assimilate into American life."<sup>1</sup> Such provides an example of the continued concern over the assimilation of Mexicans. In another instance, the Texas legislature voted in 1975 to deny the right to an education for the children of undocumented workers. The courts, however, struck down that legislation in 1980. Nevertheless, the general educational issue for the Mexican-American community, whether it is bilingualism, Americanization, or mandatory exclusion, continues inseparable from the general migration question.

The continued inequality in educational outcomes distinguishing Mexican from Anglo communities remains, to a large extent, a lingering consequence of an historical relationship between a developed and

underdeveloped nation. This does not mean that no educational improvement can be expected for the Mexican-American community until Mexico emerges as a developed country. It is to say, however, that a number of major problems confronting the Mexican-American community stem from the ties binding this immigrant community to the vicissitudes of an international relationship. As a subordinate and dependent nation, Mexico cannot exist independently of the economic power of the United States. Consequently, continued and massive migration, the major consequence of this international tie, maintains, reproduces, and deepens a long history of socioeconomic inequality separating the Anglo from the Mexican-American community. The educational process tends to integrate this segmentation into its structure and thereby maintains, rather than alters, this socioeconomic relationship. Education in this society, as in any society, tends toward reflecting the social relationships imbedded in society.