“TO SECURE THESE RIGHTS”: THE CAMPAIGN TO END SCHOOL SEGREGATION AND PROMOTE CIVIL RIGHTS IN ARIZONA IN THE 1950S

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During the 1950s Mexican Americans in Tucson participated in civil rights campaigns as members of organizations such as the Alianza Hispano Americana, Arizona Council for Civic Unity, and Tucson Council for Civic Unity. Their goal was to end school segregation laws and to pass legislation abolishing segregation in public accommodations and facilities. Mexican American civil rights leaders and their allies in Tucson worked with an interracial coalition of civic-minded activists to promote civil rights for all Arizonans in the post–World War II era. This article contributes to our understanding of civil rights activism by Mexican Americans in Tucson and their role in advancing the larger anti-segregation and civil rights movements in Arizona and the Southwest.

In 1948, Dr. Fred G. Holmes organized the Arizona Council for Civic Unity (ACCU) to promote interethnic and intercultural understanding. Inspired by President Harry S. Truman’s Committee on Civil Rights (PCCR), Holmes formed the ACCU with a cross-section of diverse Arizonans to challenge both de jure and de facto segregation locally and in concert with larger civil rights activism in the United States.1 The ACCU had two affiliates, the Tucson Council for

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1 In 1947, Dr. Fred G. Holmes, M.D. worked with Louis Wirth of the American Council for Race Relations in Chicago when the report To Secure these Rights, The Report of the President’s Committee on Civil Rights was released in October 1947. In December 1946 President Truman signed Executive Order 9808, creating the President’s Committee on Civil Rights (PCCR). The PCCR was charged with investigating civil rights violations, segregation, violence against ethnic, racial, and religious minority groups, and provide public policy recommendations to improve race relations.

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Civic Unity (TCCU) and the Greater Phoenix Council for Civic Unity (GPCCU). This interracial coalition of civic-minded individuals and organizations, including the Alianza Hispano Americana (Alianza), was composed of people who believed that discrimination against any person based on “race, creed, color, or national origin” violated the human spirit and the spirit of democracy of the U.S. and Arizona constitutions. In 1949, the ACCU issued a report entitled, Close the Breach: A Study of School Segregation in Arizona. The report described the extent to which Mexican,


3 I use the term interracial rather than interethnic even though interethnic reflects the prevailing ethnicity theory used by social science researchers before and after World War II. More recent theories offered by Michael Omi and Howard Winant highlight the lived experiences of African Americans, Mexican Americans, Native Americans, and Asian Americans that belie the ethnicity theory because of their racialized status in the United States. They argue that the “ethnicity paradigm” that prevailed in the 1940s and 1950s due to Gunnar Myrdal’s 1944 report, An American Dilemma “lay outside the experience of those identified (not only today, but already in Park’s and Kallen’s time), as racial minorities: Afro-Americans, Latin Americans, Native Americans, and Asian Americans.” (p. 26). I use Anglo American to be consistent with primary and secondary sources. I use Mexican American, Mexicanos, and Tucsonenos depending on historical reference and to be consistent with terms used by Mexican people in Tucson. Many people in Tucson refer to themselves as Mexicanos regardless of citizenship. The Mexican-origin population includes U.S.-born Mexican Americans, Mexican immigrants who were Mexican nationals, naturalized citizens, legal residents, and undocumented immigrants. See Michael Omi and Howard Winant, Racial Formation in the United States, 2014, 21-29, 53-69.

4 Close the Breach was written by University of Arizona faculty Emil Haury, Professor of Anthropology, Glenn H. Nelson, Professor of Education, Edward H. Spicer, Associate Professor of Anthropology, Harry T. Getty, Assistant Professor of Anthropology, and Charles Lebeaux, Instructor,
Black, and Native American students were segregated in public schools, especially in rural areas. It noted that Arizona strictly enforced the segregation of Black students more than any other western state despite a relatively small population. By the late 1940s, de jure and de facto school segregation of these students were pervasive in urban and rural areas throughout the state, especially the segregation of Black students, which was sanctioned by Arizona law.

In 1909, the territorial assembly enacted a law permitting school officials to segregate African American pupils in public schools despite their low proportion of the state’s population at 1.5 percent. Upon statehood in 1912, legislators amended the law to mandate segregation at the elementary school level since the Arizona Supreme Court ruled that segregation of African American pupils was constitutional under Plessy v. Ferguson (1896). In 1921, legislators made segregation at the high school level optional “wherever 25 or more Negro pupils were enrolled.” By 1928, school officials were permitted to segregate African American students “in all schools other than high schools.” Then in 1934, the Arizona Supreme Court broadened School Board Trustees’ power to “classify and segregate groups of pupils for any reason, at any time.” School officials interpreted this provision as authorization to segregate

5 In 1900, the “Negro” population represented only 1.5 percent of the state’s population and a mere one percent in 1910. In 1930, “Negro” pupils represented a mere 1.7 percent of the entire public-school enrollment; Case, C.O. Superintendent of Public Instruction, State of Arizona, The School Law of Arizona, 1917, Phoenix: Superintendent of Public Instruction, 1917, 16.


10 Arizona Council for Civic Unity, Close the Breach, 7.
Mexican-origin, Native American and other non-White students as they saw fit or for so-called pedagogical reasons.  

Although state segregation laws did not specifically target Mexican-origin students, schools segregated these students in both urban and rural areas. The ACCU’s report noted that school officials segregated Mexican American and Native American students for so-called language “difficulties” and “cultural differences,” albeit not uniformly. Some schools segregated Mexican-origin pupils in first through eighth grade, while others did so in the first four grades or first grade only. The report noted that “only in a few communities is any attempt made to separate the Spanish-speaking (those with actual deficiencies in English) from those who are simply of Mexican descent or origin.”

School board officials made no distinction between monolingual Spanish-speaking, English-speaking, and bilingual Mexican-origin students. Americanization and English-language instruction became the sole justification for segregating these students in separate classrooms, basements, and schools in Gilbert, Scottsdale, Clifton, Bisbee, Miami, Phoenix, Tolleson, Tempe, Tucson, Flagstaff, Williams, Glendale, Pyrtleville, Douglas, Nogales, and other parts of Arizona.

The ACCU criticized school districts for enforcing the doctrine of “separate but equal,” arguing that this approach was detrimental to fundamental notions of democracy and was “inconsistent with the fundamental equalness of the American way of life in that it marks groups with the brand of inferior status.” The report noted that separate meant “unequal facilities for minority peoples.” The ACCU concluded that “there is no adequate defense of segregation” and clearly deemed it as anti-democratic and anti-American. It recommended that the governor establish a committee to monitor the issue and called for the repeal of the state’s school segregation and antimiscegenation laws. It hoped to guarantee fair employment opportunities for all teachers and equal treatment of all children in the schools.

Mexican Americans also viewed school segregation as antithetical to notions of equality and American democracy. During the 1950s Mexican Americans in Tucson,

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12 The segregation of African American pupils was optional in New Mexico, Colorado, and Wyoming but outlawed in California in 1875. Native Americans in Arizona did not have voting rights until 1948 when the Arizona Supreme Court granted Indian suffrage under the State Constitution; Arizona Council for Civic Unity, Close the Breach, 4–5.

13 Ibid.


15 Arizona Council for Civic Unity, Close the Breach, 3.

16 Ibid, 15.
participated in a civil rights campaign to end de jure school segregation. As members of the Alianza, they worked with like-minded members of the ACCU and TCCU to organize conferences, educational workshops, and other grassroots activities to end discrimination. They also helped shape the discourse on the ills of school segregation and other discriminatory policies through the *Alianza* magazine, and they challenged discriminatory policies through the courts. In doing so, they advanced the anti-segregation and civil rights movements in Arizona and the Southwest. Mexican American civil rights activism in Arizona is little known. Much of the scholarship on Mexican Americans focuses on California, Texas, and New Mexico. This article documents the ways Mexican Americans and their allies in Tucson worked to abolish school segregation laws and other discriminatory policies during the 1950s. It augments the history of civil rights activism, especially around education, by uncovering how Mexican Americans in Tucson promoted civil rights and social justice for all Arizonans.

World War II marks a watershed for civil rights activism in the United States as many Americans worked to challenge racism and discrimination in employment, education, housing, and public accommodations in the postwar era. Increased civil rights activism by various groups, especially veterans, gave rise to important legal cases, new organizations, and new organizational strategies that accelerated the pace of abolishing racial discrimination and exclusion from mainstream institutions. In Arizona mining towns such as Clifton, Morenci, Douglas, and Miami, Mexican American veterans fought longstanding employment discrimination and worked to abolish the dual-wage system by forming their own chapter of the United Mine, Mill, and Smelter Union. In addition to equal pay for equal work, they demanded medical benefits and opportunities for promotion, and they advocated for a right-to-work ballot initiative, which passed in 1946. Upon his return to Phoenix from the Navy, Ray Martínez and other Mexican American veterans formed an American Legion post, Thunderbird Post 41, to fight poverty and challenge discrimination, especially the “No Mexicans Allowed” policy at Tempe Beach, a public swimming pool and recreation center. Although a federal court ruled that the exclusion of Mexicans and Mexican Americans was unconstitutional in 1943, the policy remained intact until 1946 when Martínez and other veterans intervened and convinced the Tempe Chamber of Commerce to withdraw their support of the policy, helping to end it.

At the federal level, the PCCR’s 1947 report *To Secure These Rights* drew national attention to civil rights violations and racial violence against racial, ethnic, and
religious minorities. The report especially highlighted inadequate and inferior education that Black, Mexican American, and Native American children received in segregated schools.\textsuperscript{19} The PCCR argued that school segregation prevented children from fully developing their knowledge and talents as human beings and was incompatible with a democratic society. Ending school segregation thus became the focus of civil rights activists and organizations. A unified group of activists called for the “elimination of segregation based on race, color, creed, or national origin from American life” after the war.\textsuperscript{20}

By the time the PCCR completed its report in 1947, Mexican Americans had filed several lawsuits in Arizona, California, and Texas challenging the segregation of Mexican-origin students, including the 1925 case \textit{Romo v. Laird}.\textsuperscript{21} A year and a half before the PCCR issued its report, Mexican American parents in Southern California won a major victory in their fight against school segregation when

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\textsuperscript{20} The PCCR’s report recommended reforms to redress past injustices and promote the “protection of civil rights” for all Americans regardless of race, ethnicity, gender, national origin, and religion, as well as “the right to equality of equal opportunity” in employment, housing, education, healthcare. It also called for the enactment of “fair educational practice laws for public and private educational institutions to prohibit discrimination in the admission and treatment of students based on race, color, creed, or national origin.” Wilson, et al., \textit{To Secure These Rights}, 63–7 and 166–8; The PCCR’s report was heavily influenced by Gunnar Myrdal’s \textit{The American Dilemma: The Negro Problem and Modern Democracy} (New York: Harper Brothers Publishers, 1944). See Riehm, “Forging the Civil Rights Frontier,” 28, 33, 48, and 51–5.

Mendez et al v. Westminster was decided on February 18, 1946. In this landmark case, attorneys David Marcus and A.L. Wirin argued that California’s application of Plessy v. Ferguson (1896) did not apply to Mexican Americans since they were considered legally White and that segregation violated their equal protection rights under the Fourteenth Amendment. Marcus showed that Mexican students were excluded from their regular schools because of their ethnicity, national origin, culture, and language. In his ruling, U.S. District Court Judge Paul J. McCormick concluded that segregating Mexican students for so-called cultural and language “deficiencies” violated their constitutional rights under California and federal law.

McCormick’s ruling not only abolished school segregation in Orange County schools, it motivated other groups to continue challenging local segregation policies. The historian Gilbert González credits the abolition of the Mexican school in the Southwest to the success of the Mendez case. The case not only compelled the California state legislature to abolish de jure segregation in the state, it also prompted Mexican American parents in Texas to challenge segregation policies in Delgado v. Bastrop Independent School District (1948), and parents in Arizona in Gonzales v. Sheely (1950). Educational historians Guadalupe San Miguel, Jr., Carlos K. Blanton, and Richard Valencia note Mendez’s significance in challenging the “separate but equal” doctrine as unconstitutional. They argue that the Mendez attorneys’ strategic use of social science research to show that segregation was harmful to the educational process and academic success of Mexican pupils proved useful in Delgado and Gonzales.

Marcus’s legal strategies in challenging the “separate but equal doctrine” received widespread attention from legal scholars and support from advocacy and civil rights groups such as the League of United Latin American Citizens (LULAC), the National
Association for the Advancement of Colored People (NAACP), the American Civil Liberties Union (ACLU), the Congress of Racial Equality (CORE), the American Council on Race Relations (ACRR), the American Jewish Congress (AJC), the Japanese American Citizens League (JACL), the National Lawyers Guild, and the Alianza. Activists from these groups would later work with and participate in interracial coalitions to challenge Arizona’s segregation laws. Both the Mendez ruling and the PCCR report thus had reverberating effects on civil rights activism in the 1950s as evidenced by the influence of Mendez v. Westminster on Alianza lawyers who filed a similar desegregation lawsuit against Tolleson School District No. 17 in Gonzales v. Sheely in 1950.

At mid-century, Mexican-origin people and other racial groups in Arizona did not have access to equal educational and economic opportunity or to adequate political representation. They faced discrimination in housing, recreation facilities, and public accommodations. As elsewhere in the Southwest, Mexican people in Arizona were racialized as non-White despite their legal status as White citizens under the Treaty of Guadalupe Hidalgo. Historical notions of race that equated ethnicity, race, national-origin, citizenship status, and cultural and linguistic differences with “racial inferiority” figured heavily in casting Mexican Americans, African Americans, Native Americans, and Asian Americans as non-White, non-citizens, and not real Americans.


Anglo Americans who viewed Mexican-origin people as “foreigners” regardless of nativity, citizenship, or English-language skills, supported policies and practices that promoted a dual-wage system, school segregation, housing discrimination, anti-miscegenation laws, and discrimination in public accommodations, recreational facilities, and social services. The historian Natalia Molina argues that the process of racialization of non-Whites dates to the nineteenth century, as institutionalized racism in social, economic, political, and educational systems targeted at African Americans and Native Americans became deeply entrenched in American society. Molina’s concepts of racial scripts and counterscripts are useful to describe how Anglo American notions of superiority informed actions, policies, customs, and ideologies that were applied to Mexicans in Arizona. Anglo notions of racial and cultural superiority vis-à-vis Mexicans were reinforced in the 1830s and 1840s with the Texas Rebellion and the U.S.-Mexico war. Molina expands on legal scholar Laura Gómez’s argument that situates U.S. colonization and conquest of Mexico’s northern frontier as a watershed “in which Mexican Americans first became constituted as a racial group.” Gómez argues that the driving ideology of Manifest Destiny not only led to the social construction of “the Mexican American race,” but also occurred simultaneously with the racialization and subordination of African Americans and Native Americans.

In Arizona, “racial scripts” ascribed to African Americans and Native Americans were brought by Anglo American migrants from southern states who poured into the territory after 1880 when the railroads were completed. In 1894 these Anglos created a local chapter of a nativist organization, the American Protective Association. That same year, Carlos Velasco and other Mexicano elite in Tucson responded by organizing the Alianza as a counterscript “for the express purpose of providing for Mexicanos in the United States an institutionalized means, not available to them in Anglo society, of assuring some stabilized economic base for social mobility while maintaining cultural identity,” and to defend and protect Mexicans’ rights in the face of increasing hostility in a foreign Anglo American society. In the postwar era, Arizona’s

32 Molina, How Race is Made in America, 24–5.
33 Gómez, Manifest Destinies, 3–10 and 16–7.
35 The Alianza Hispano Americana was founded in Tucson by prominent middle-class Spanish and Mexican community members to defend Mexican Americans against discrimination. It also held social and cultural events for the Spanish-speaking community. In 1897, it was incorporated as a fraternal insurance society or mutualista (mutual aid society) and established its first lodges in Florence, Clifton, Bisbee, Globe, Tempe, and Nogales. By 1913, the Alianza had lodges in California, Texas, New Mexico, Colorado, and Sonora and Chihuahua, Mexico. By 1927 there were 127 lodges, and by 1929 there were 240 lodges with a membership of 14,125. By 1944 its membership had reached 20,000 in 300 lodges across the Southwest and northern Mexico and had evolved into a national advocacy organization for Mexican-origin people across the Southwest and northern Mexico.
Mexican-origin population still constituted a racialized, subordinated population. Like African Americans, Native Americans, and Asian Americans, they were excluded from mainstream institutions, including public schools. Mexicanos in Tucson responded to historical racial scripts with their own counterscripts by mobilizing their community to participate in organizational efforts to combat racism and discrimination through the Alianza. These experiences and knowledge paid off in civil rights activism in the postwar years.

Arizona also had a small cadre of middle-class Mexican Americans, especially veterans. Like other veterans, some Mexican Americans improved their socioeconomic status and standard of living via educational, housing, and expanded employment opportunities offered under the G.I. Bill.\textsuperscript{36} For the most part however, Mexican-origin people were poorer than other Americans.\textsuperscript{37} Despite a robust postwar economy wrought by military installations, defense contractors, high-tech industries, mining and smelter operations, and public works projects, not all Arizonans benefited equally from the economic growth and prosperity. The anthropologist Thomas Sheridan aptly describes Arizona’s racialized and gendered economic structure when he states, “about all the boom meant was more jobs as laborers and maids for Mexican Americans, African Americans and other minorities in the postwar era.”\textsuperscript{38} Local actors and


\textsuperscript{37} In 1950, the median annual income for Spanish-surnamed persons over the age of fourteen was $1,408 compared to $1,881 for whites, and $1,040 for “Negro” persons. Hourly wages for Spanish-surnamed persons ranged from $1.04 to $2.22 depending on the skill level of the job. The prevailing hourly wage for field hands was $.60 per hour; most of these workers seldom made more than $6.00 per day. A small percentage of Spanish-surnamed persons earned an annual income of $2,500, and only two percent earned over $5,000. Spanish-surnamed people in Arizona, however, fared better than those in Colorado, New Mexico, and Texas with median incomes of $1,052, $1,156, and $980 respectively, but not as well as those in California who earned a median income of $1,628; Raymond J. Flores, \textit{The Socio-Economic Status Trends of the Mexican People Residing in Arizona, A Thesis} (San Francisco: R and E Research Associates, 1973), 16–31; U.S. Bureau of the Census, \textit{U.S. Census of Population: 1950} (Washington, DC: Government Printing Office, 1950), 3C–23; Robert H. Talbert, \textit{Spanish Name People in the Southwest and West: Socio-economic Characteristics of White Persons of Spanish Surname in Texas, Arizona, California, Colorado, and New Mexico} (Fort Worth: Leo Potterishan Foundation and Texas Christian University Press, 1955), 61 and Cadava, \textit{Standing on Common Ground}, 46–7 and 82–3.

decision-makers implemented policies that relegated Mexican-origin people and other racialized minorities to low-skilled, low-wage, menial jobs or low-level clerical jobs. For instance, Mountain States Telephone and Telegraph Company would not employ Mexican Americans for clerical positions or operators because they assumed “all Mexican-American girls have a language difficulty.” In 1950, Mexican-origin people remained the main source of low-skilled, low-wage labor in mining, agriculture, railroads, construction, and the service sector, and had lower levels of education.

Much of the postwar civil rights activism by Mexican Americans in Arizona and other parts of the Southwest was accomplished by the children of immigrants who came of age in the early twentieth century and became politically active between 1930 and 1960. Hailed as the Mexican American Generation by the historian Mario T. García, this group of Mexican descent Americans, especially World War II veterans, provided valuable leadership required for a vigorous civil rights campaign. As for activists in other Mexican American Generation organizations such as LULAC, the American G.I. Forum, and Community Service Organization (CSO), the quest for social justice compelled members of the Alianza to embark on a more forceful civil rights campaign. By 1950 the Alianza shifted its efforts from promoting social and cultural activities to combating racism and eliminating barriers to equal opportunity, especially educational equality. For Aliancistas, poor education or the lack thereof was directly tied to the community’s low socioeconomic, occupational, and political status.

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rights in the postwar years, motivated members of Alianza to become more involved in changing the oppressive conditions Mexican Americans faced in Arizona.

The Alianza’s growing interest in protecting Mexican Americans’ civil rights was due in part to the leadership of Gregorio García, Arturo Fuentes, and Rafael (Ralph) Estrada between 1950 and 1962. Complaints of discrimination were often made to Estrada, an attorney and a prominent member of the Mexican American community. Because of his strong connections in the community, local and state political ties, and personal knowledge of discrimination, Estrada was very much aware of how Mexican Americans in Arizona and other states were racialized via policies and practices that denied them their civil rights. Estrada hailed from a middle-class family in Tempe and attended law school at the University of Arizona in 1936; by 1940, he was practicing law and focused on challenging racism and discrimination in Arizona. Estrada’s longstanding connections with the Alianza and political activism in Phoenix enabled him to spend much of his professional career defending Mexican Americans’ civil rights and promoting social and political equality for Arizona’s Mexican American community. The historian Laura Muñoz places him among the cadre of important Mexican American generation leaders who led the fight for social, economic, and political equality and gained national recognition as community leaders in postwar Arizona.

With the election of García, an attorney, as Alianza’s supreme president in 1950, protecting Mexican Americans’ civil liberties became more critical to the organization’s vision of advancing the community’s social, economic, and political progress. With the organization’s guiding principles in mind, Protección, Moralidad, e Instrucción (Protection, Morality, and Education), García aimed to recapture the spirit of the organization’s founding mission, a viewpoint captured in an Alianza editorial: “But the founding spirit of Alianza has always been dominant. In this definite manner, the society will follow the path of right and duty.”

García and his like-minded associates, Estrada and the community organizer Ralph Guzmán, believed that Mexican Americans’ marginalized and racialized status in the dominant society was a social injustice that would continue if discriminatory policies such as segregation were not repealed outright. Drawing from their professional experience as attorneys and community organizers, their sense of social justice, upbringings, and personal experiences, they believed assimilation and self-improvement were not enough to gain full acceptance as rightful citizens in the U.S. mainstream. They knew this mainstreaming was not currently possible because

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discriminatory barriers precluded Mexican Americans from equal opportunities on all levels.47

Under their leadership, the organization was transformed into a vehicle for promoting civil rights by challenging institutionalized racism and discrimination head-on through legal action and coalitional work. Like other Mexican American generation civil rights organizations that fought segregation and discrimination in the post-war era, the Alianza used the court system to fight school segregation and obtain educational equality. The Alianza’s zeal to end segregated schools was demonstrated in the legal cases García, Estrada, Guzmán, and their associate Wirin filed and litigated, challenging segregation in schools and recreational facilities, and other discriminatory policies.

On May 5, 1950, Estrada, an Alianza lawyer, filed a class action lawsuit against the Tolleson School District 17 on behalf of three hundred Mexican Americans who contested the segregation of their children in inferior “Mexican” schools. González, et al. vs. Sheely, et al. named the principal, superintendent, and the board of trustees as defendants. Modeling the case after Mendez v. Westminster, Estrada filed the lawsuit and tried the case with García and Wirin. As chief council for the American Jewish Congress and the ACLU, Wirin had previously worked with Thurgood Marshall, head council for the NAACP, the ACLU, and the JACL in the class action suit of Mendez v. Westminster in Southern California.48 Wirin had also worked on the 1947 Delgado v. Bastrop case in Texas with the scholar and activist George I. Sánchez. Through his relationship with Sánchez, he became familiar with the educational research and legal arguments used to challenge the segregation of Mexican American students.49

Segregation in Tolleson, a rural, agricultural area west of Phoenix, was not new in 1950 but had been firmly established between Anglo and Mexican migrants by the 1920s. As in other southwestern states, early Anglo settlers who migrated from southern states “brought with them their southern prejudices for people different than themselves.”50 Racial ideologies and racial scripts of longstanding de jure segregation of African Americans provided the ideological justification to segregate Mexican Americans. The de jure segregated school system in Arizona reflected similar racial prejudices, notions of White supremacy, and southern tradition of Jim Crow practices as well as nativism and anti-Mexican sentiment that permeated the Southwest during the first half of the twentieth century. By 1950 Mexican American parents began


challenging the segregation of their children. With the help of Estrada, concerned Mexican American parents and other residents of Tolleson formed the Comité Movimiento Unido Mexicano Contra la Discriminación (Committee of the United Mexican Movement Against Discrimination).51

Using the same legal strategies deployed in the Mendez case, Estrada, García, and Wirin argued that segregating Mexican American students for any reason violated the equal protection clause under the Fourteenth Amendment. Their arguments used social science research and educational theory to confirm the detrimental effects of segregation on students’ socialization and ability to learn. Estrada and García drew from Mendez’s legal strategies when they challenged Tolleson’s segregation policy requiring separate language instruction. They argued that since school officials never tested Mexican children’s English language skills upon entering school, so-called language “deficiencies” could not justify segregating these students in separate schools if they did not segregate Anglo students for the same reason.52

Alianza lawyers further argued that Tolleson’s Mexican school was significantly inferior to the regular school that Anglo American children attended. A witness testified that the Mexican school was a 20 × 40-foot unit constructed of chicken wire and stucco with no screens on the windows and no shades, trees, play equipment, or showers for the children. He also pointed out that “[i]n order to participate in recreation, the Mexican school children attending Unit #2 are required to cross the street to have access to the recreational facilities at Unit #1.”53 School officials claimed that the separation was not based on prejudice or racial discrimination but was necessary for instructional purposes because Mexican children supposedly lacked English proficiency and their presence would be detrimental to English-speaking children.

Judge David Ling agreed with the plaintiffs, stating that “segregating persons of Latin and Mexican descent in separate schools within the Tolleson School District No. 17, . . . is arbitrary, discriminatory, illegal and void, and . . . is violative of petitioners’ rights under the Constitution and laws of the United States.”54 He then ordered all schools in the district to end the segregation of Mexican children and other forms of racial discrimination. Ling’s ruling resembled the rulings in both Mendez and Delgado.

While the trend toward desegregation was apparent in many southern and southwestern states by 1950, as state and federal courts, including those in Arizona, anticipated the repeal of de jure segregation laws, school segregation persisted. Federal courts signaled the demise of de jure segregation with the Supreme Court rulings in *McLaurin v. Oklahoma State Regents* and *Sweatt v. Painter* in 1950, which resolved questions related to the segregation of Black students in institutions of higher learning, equal access to graduate and professional schools, and equal treatment after they were admitted and reaffirmed earlier rulings that held segregation violated students’ constitutional rights.\(^{55}\)

Educational and legal scholars weighed in on the debate over whether segregation violated students’ rights to equal facilities and curricula and, more importantly, to co-mingle with their peers regardless of racial, ethnic, linguistic, or cultural background. These scholars agreed that dual facilities not only reinforced feelings of inferiority and caused psychological trauma, they also worked to “deny to the Negro and Mexican child ‘equal protection of the laws’ in every meaningful sense of the words.”\(^{56}\)

Despite the success in *Gonzales v. Sheely*, its limited impact motivated Alianza lawyers to file another lawsuit in 1951 against the Glendale Board of Education, Superintendent of Glendale Elementary School District No. 40, the State Board of Education, and Governor Howard Pyle. In *Ortiz v. Jack*, Alianza lawyers demanded that the State Board of Education end segregation wherever it existed, particularly since de facto segregation continued in many communities because of residential patterns that were linked to low income and socioeconomic status.\(^{57}\) The school conditions challenged in *Ortiz v. Jack* were much like those in *Gonzales v. Sheely*, providing Alianza lawyers with another opportunity to challenge the constitutionality of the Mexican school and segregation. In this case, Estrada and Wirin sought the assistance of Gus García, a San Antonio attorney who would later argue *Hernandez v. Texas* (1954) before the U.S. Supreme Court, and Fred Okrand, an ACLU lawyer.

That same year, Sánchez, who worked with Wirin in *Delgado v. Bastrop*, published *Concerning the Segregation of Spanish-Speaking Children in the Public Schools*. He criticized the educational wisdom of segregating Mexican students for so-called pedagogical or language “deficiency” reasons, arguing that it belied educational wisdom because it was detrimental to children’s social development and stifled English-language acquisition among Spanish speakers.\(^{58}\) Seeing what was coming,

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\(^{58}\) Sánchez, *Concerning Segregation of Spanish-Speaking Children*, 16–47 and 67.
Glendale educational officials voluntarily decided to discontinue segregating Mexican children and integrate the Glendale School District, leading to the Court’s dismissal of the case. Muñoz credits this case with “the death knell of de facto Mexican American school segregation in Arizona.” Ultimately, the pre-Brown school desegregation cases filed and litigated by Alianza lawyers further contributed to the demise of de jure school segregation by reinforcing the legal leverage required to overturn the Plessy doctrine of “separate but equal” in *Brown v. Board of Education, Topeka, Kansas* (1954).

Estrada and Wirin went on to fight the exclusion of Mexican, Black, and Native American youth from the public swimming pool in Winslow by filing a lawsuit in the Phoenix Federal District Court in *Baca v. Winslow*. In this case, non-White youth could only swim in the pool on Wednesdays, the day before the pool was drained and cleaned. The Wirin-Sánchez connection also led to a positive outcome in this case as in 1954 before it went to trial. After a hearing, the Court ruled in favor of the plaintiffs, resulting in the pool being opened “to all people at all times.”

The Alianza’s legal activism coincided with the efforts of the ACCU, TCCU, NAACP and Tucson Urban League who also moved toward promoting positive interracial relations by ending segregation and discrimination in Arizona. Activists from the Alianza joined efforts with these organizations because they provided appropriate vehicles for coaltional work, civic engagement, and civil rights activism. Since the ACCU and its affiliates were created to promote intercultural and interracial understanding and harmony through education, their purpose and goals aligned with those of the Alianza. Coalitional work via civic unity leagues provided activists a broader organizational framework to collaborate with like-minded individuals from diverse backgrounds to work toward common goals. For members of this interracial coalition of socially conscious individuals, racism and discrimination for any reason was “immoral and violated the human spirit of both the discriminator and the discriminated.” Their goal was to “close the breach” of inequality in the state’s institutions.

In Tucson, the Alianza worked closely with TCCU because they were intricately linked in terms of their shared membership, goals, and activities. They worked to

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63 Prominent members of the TCCU included Maria Urquides, a local educator, Emilio Carrillo (member of Pioneer Tucson family) Roger Yoshino, professor of Sociology at the University of Arizona, Dr. Robert D. Morrow, Superintendent of Tucson School District No. 1, Judge James A. Walsh,
end school segregation through grassroots activities because they believed the racial nature of segregation divided Arizonans along racial lines as described by the ACCU’s study and Alianza Magazine. On April 15, 1950, the TCCU’s Intercultural Education Committee, chaired by Rosamond Spicer, held a conference on human relations at Mansfeld Junior High in Tucson to address the issue of school segregation. The objective of the conference was to educate the local community about the effects of segregation, prejudice, and discrimination on children, schools, and the larger community, and to develop a strategy for ending segregation and discrimination in the state. The conference included sessions on housing, law enforcement, civil rights, education, employment, health, and recreation. Conference sessions were chaired by TCCU and Alianza members Morris K. Udall, Raúl H. Castro, Rafael Brandes, Dr. Frederick A. Conrad, and Dr. A.B. Thompson. Conference speakers addressed topics such as equal employment opportunity, trade union practices, discrimination in public accommodations, the role of health care providers in promoting unity, restrictive covenants, housing discrimination, police-community relations, interracial tensions, and juvenile crime. Conference attendees resolved to promote interracial understanding, abolish discriminatory laws and practices, and promote civil rights.

Given that segregation was codified in the state’s laws, members of the Alianza, ACCU, TCCU and other allies recognized they had to change the laws. Collectively, they proposed, supported, and advocated for Proposition 318, a ballot initiative for the November 1950 general election that called for the abolition of segregation laws that permitted segregation for any reason in public schools and for integrated staffs at all schools. The proposition also called for the amendment of sections 54-416 and 54-430 to allow for a tenure system and the repeal of section 54-918 of the Arizona Code, which permitted school district officials to segregate Black students at the high school level. If passed, the amendments would remove all language requiring the segregation

Don Hummel (Mayor of Tucson), Joe Walton, Stewart Udall (U.S Representative 1955–1960), Morris K. Udall (Pima County Attorney 1952–1954 and U.S. Representative 1961–1991), Mr. and Mrs. Morgan Maxwell (Tucson educators, Edward Spicer, professor of Anthropology at the University of Arizona, and his wife Rosamond B. Spicer, Judge Raúl Castro (later governor of Arizona), Rabbi Bilgray, Dorothy Barber, Laura Banks, Thomas Bahti, Harry Gin (Judge) and Samuel Goddard (Governor of Arizona, 1965–67) and Aliancistas Ralph Estrada, Gregorio García, Arnold Elias, Ed Goodin, Mayor Don Hummel, Emilio Carrillo, Manuel L. Pérez, Tito Flores, Vidal Rivera, Pedro Guerrero. TCCU, “Records of the Tucson Council for Civic Unity, 1947–1966,” Folders 7–8, Box 2, Special Collections, University of Arizona Library.


65 Other participating organizations included B’nai Brith of Tucson, Holy Name Union (Tucson), the Tucson Branch of the NAACP, Pima County Council, Parent Teachers Association, Society of Friends, Tucson Central Trades Council, Tucson Council of Churches, Tucson Service Council of the National Urban League, and United Council of Churchwomen. TCCU, Correspondence and Conference on Human Relations Schedule, 1950, Records of the Tucson Council for Civic Unity, 1947–1966, Folders 7–8, Box 2, Special Collections, University of Arizona Library.
of pupils. The language would be changed to prohibit segregation: “there shall be no segregation of pupils for reasons of race, creed, color or national origin, nor shall any distinction or classification of pupils be made on account of race, creed, color or national origin.” By repealing Section 54-918, the language that authorized the segregation of “pupils of the African race in high school” would be deleted from law. According to TCCU records, the 1950 ballot measure was the first time in U.S. history that the people could vote on the issue of segregation.\textsuperscript{66} The Alianza, TCCU, and other members of the coalition organized grassroots activities to urge Tucsonans to vote for Proposition 318 and lobby conservative members of the Arizona Legislature to pass the anti-segregation legislation. They held public meetings and sponsored conferences, public speakers, and educational workshops in order to educate Tucsonans about cultural difference and the detrimental effects of racism on individuals and the community.\textsuperscript{67}

Gregorio García informed Aliancistas about the proposition and the reasons they should support and vote for it as the only remedy to end school segregation:

> De todo lo anterior, resulta obvio que nuestros niños son segregados por el único hecho de que son mexicano-americanos. Tal cosa es mala de suyo, pero está permitida por las leyes que actualmente rigen en la materia. La ley dice “el Consejo de Educación tiene derecho a separar grupos de estudiantes” y la Suprema Corte de Justicia del Estado de Arizona, ha rendido un fallo dictaminando que es constitucional la segregación escolar por cualquier razón y en cualquier tiempo. Por lo tanto, solo hay un camino para reformar esta situación: necesitamos modificar las leyes... Votando en favor de esta medida, clasificada en la boleta bajo el número 318 (debe votarse 318-YES) votaremos porque en nuestras escuelas impere un régimen más democrático, bajo el que nuestros niños aprendan juntos a vivir juntos. \textsuperscript{68}

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\textsuperscript{67} TCCU, “Background Information 1948-1963” Records of the Tucson Council for Civic Unity, 1947–1966, Folders 1–6, Box 1, Special Collections, University of Arizona Library.

\textsuperscript{68} Translation: “Based on the above, it is obvious that our children are segregated solely because they are Mexican-Americans. Such a thing is bad in and of itself, but it is permitted under current school laws. The law states that “the Board of Education has the right to segregate groups of students” and that a Supreme Court Justice ruled that school segregation is constitutional for any reason at any time. Therefore, there is only one way to reform this situation: we need to change the laws... In voting in favor of this measure, classified on the ballot as Proposition 318 (You should vote 318-Yes), we are voting because in our schools there is a more democratic regime under which our children learn together to live together.” Gregorio García, “Contra la Segregación de Nuestros Estudiantes,” \textit{Alianza}, Vol. 43, Octubre de 1950, Número 10.
The Alianza and their allies also knew that abolishing school segregation laws would allow students to attend their regular neighborhood schools. More importantly, integrated schools allow children of different backgrounds to learn to live together, an important step in preparing youth for democratic life and promoting positive human relations. García vehemently opposed segregated schools as anti-American and anti-democratic because he knew that Mexican children were segregated solely because of their ethnicity. He also viewed this type of segregation as immoral because it divided people based on artificial notions of race and violated Christian principles of brotherhood:

La segregación es antiamericana, porque nos divide cuando debíéramos estar unidos y porque en dos guerras hemos aprendido que los hombres hemos de vivir juntos si queremos vivir. . . . La segregación es anticristiana, porque todos somos hijos de un solo Dios y no debemos permitir que nos separen barreras artificiales que El no reconoce.69

As a fraternal organization, promoting brotherhood and equality and protecting its members lay at the heart of creating community through self-sacrifice for the common good. The Alianza’s motto Protección, Moralidad, e Instrucción reflects these values rooted in the religious origins of mutualistas (mutual aid societies) stemming from confraternal societies developed in the eighteenth century.70 The Alianza, ACCU, TCCU and other organizations engaged in interracial coalitional work to end segregation because the practice excluded minorities and subordinated them to Anglo Americans. Legal scholar Kevin Johnson asserts that collective work by marginalized groups from diverse backgrounds represents an important means to successfully challenge and dismantle the dominant White power structure to the benefit of all Americans.71 The scholars Richard Delgado and Victor Romero however, disagree, arguing that multiracial coalitions are often not conducive to promoting concrete social change because divergent interests of individuals and groups from different ethnic, racial, and class backgrounds preclude them from promoting justice for all.72

69 Translation: “Segregation is anti-American because it divides us when we should be united and because in two wars, we have learned that men must live together if we want to live. . . . Segregation, finally, is anti-Christian because we are all children of one God and we must not allow ourselves to be separated divided by artificial barriers that He does not recognize.” García, “Contra la Segregación de Nuestros Estudiantes,” Alianza, Vol. 43, Octubre de 1950, Número 10.


however, also asserts that diverse groups who work toward anti-subordination can be more successful because “An anti-subordination coalition will therefore concern itself less with the number of jobs or congressional seats its members occupy, but more with the idea that whoever occupies those jobs or creates laws for society’s welfare does so with an eye toward benefiting the less-privileged, socioeconomic, or otherwise.”

Romero argues that coalitions who operate within a framework guided by the principles of self-sacrifice and stewardship can be more successful by shifting the goals from equal access of power to pursuing the common good. The president of the TCCU articulated this view in an article published in the Alianza magazine:

> Unless we, who believe that discrimination of any kind was a great moral wrong, become more effective in obtaining the election of sincere candidates committed to fair treatment of all people, it is likely that we will have more years of frustration ahead of us in attempting to obtain public accommodation legislation from the Arizona Legislature.

García and other Alianza leaders viewed segregation as immoral, as evidenced by the discourse in the Alianza magazine. García not only criticized the segregation of Mexican American children in Arizona’s public schools, he also indicted local school officials who built and maintained separate schools for pedagogical purposes based on so-called language “difficulties.” García argued that the most of these children could and did speak English but were not tested upon entering school to determine their language skills. He argued that, in any case, language difference was clearly just a pretext to justify segregation, given that many Mexican American youth were segregated well beyond the age necessary for the average child to learn English. García believed, instead, that the school system racialized Mexican Americans, a view that had merit given his firsthand knowledge of Tolleson’s policies directing Mexican-origin children to the Mexican school. Finally, García criticized the Arizona Supreme Court for empowering school officials to practice any form of segregation. Although school officials defended their system as being based solely on “language difficulties” and not on racial grounds, the fact that Arizona’s highest court sanctioned the practice constituted de jure segregation.

In his study of school segregation, González argues that de jure segregation existed when state agencies or legislative bodies made or sanctioned policies and practices
that promoted segregation. Garcés also viewed it this way, and he argued that the only way to end state-sanctioned segregation was to change the law and abolish segregation outright. In advocating for the abolition of segregation laws, Garcés challenged the constitutionality, morality, and common sense or “racial script” of segregating any group for any reason in schools. This issue was important since state-sanctioned school segregation served as a tacit approval for other forms of racial discrimination in employment, housing, public contracts, restaurants, hotels, and other public spaces. When the Tucson Urban League requested that a theatre manager desegregate his place of business, the manager responded:

I’d like to oblige you, but you can’t expect us to not segregate when the state law and policy provides for segregation in schools. Get the school laws repealed first, and then we can talk this thing over.

Repealing the segregation laws was exactly what activists from the Alianza and allied groups intended by proposing Proposition 318. They knew they had to work collectively to convince Arizonans to push the state legislature to repeal school segregation laws through legislation.

Arizona voters defeated Proposition 318 by a vote of 104,226 to 57,970. However, the fact that members of the Alianza and TCCU proposed and supported a ballot measure to end school segregation advanced the civil rights movement in the state and nation. It demonstrated their commitment to ending racist laws and their faith in American democracy by using the ballot box to assert their voice and democratic values. The New York Times reported on the defeated measure along with other measures stating, “Decision on these matters, and on scores more, were duly taken by the voters as part of the variegated but impressive processes of the American democracy.”

The collective efforts of the Alianza and allied coalitions yielded a partial victory in June 1951 in compelling Arizona legislators to delete language mandating segregation in public schools by changing the language from “shall” to “may.” This concession allowed Robert Morrow, who was both a TCCU member and the superintendent of Tucson School District No. 1, to begin desegregating the district in fall 1951. Morrow played an active role in the anti-segregation campaign, working with other coalition members to persuade Arizona’s lawmakers to approve a partial desegregation order. After the state legislature made segregation optional rather than mandatory, Morrow pushed school board members to immediately abolish segregation in all grades rather

77 García, “Contra la Segregación de Nuestros Estudiantes,” Alianza, October 1950, 3 and 15.
than gradually as proposed in other districts. As the top administrator of the first school district in the state to desegregate, Morrow took pride in achieving his goal three years before the Brown case. According to TCCU member Ed Goodin, “the activity of the Tucson Council for Civic Unity, Alianza and the many other cooperating groups had created so favorable a climate of opinion that the School Board found it possible to make the change in the next school year.” This favorable political climate motivated Sunnyside and Amphitheatre school districts in Tucson and those in Eloy, Casa Grande, Mesa, Chandler, Williams Air Base, Globe, Marana, and Safford to voluntarily desegregate. In Phoenix, conditions were ripe for activists to challenge the constitutionality of the state’s law that permitted racial segregation at the high school level and some community colleges. In 1953, lawyers from the GPCCU, the NAACP, and the Urban League filed a desegregation lawsuit to abolish segregated high schools in Maricopa County in Phillips vs. Phoenix Union High Schools and Junior College District Superior Court of Arizona in Maricopa County in 1953. The Superior Court judge ruled in favor of the plaintiffs stating, “a half century of intolerance is enough.”

On January 25, 1955 House Bill 68, Equal Public Employment Opportunities Act was introduced in the Public Institutions Committee of the Arizona House of Representatives to prohibit discrimination in public employment based on race, creed, or national origin and by firms holding state contracts. It was signed and endorsed by every member of that committee and signed by the governor on March 14, 1955. That same month, Alianza and TCCU members succeeded in getting an Equal Employment Opportunities law enacted by the Tucson City Council and convinced Tucson’s Mayor Don Hummel, a fellow Aliancista, to appoint a Human Relations Commission. Between 1955 and 1965, they proposed bills to abolish discrimination in public accommodations and a comprehensive civil rights bill in every state legislative session. In 1956, TCCU proposed a state law to prohibit discrimination in public accommodations. Estrada endorsed the proposal and encouraged Alianza lodges to also support it and sent copies of the proposal to local Alianza representatives. The bill passed the House of Representatives and almost cleared the Senate, but toward the end of the legislative session, the committee

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chairman decided not to support the bill and kept it in his committee where it died when the legislature adjourned.84 Throughout the civil rights campaign, Estrada and other Aliancistas used the Alianza magazine to inform the community about their work and raise awareness about school segregation and other issues affecting Mexican Americans. The magazine was an important means of communication and served as a culturally relevant vehicle to report their concerns and complaints.85 At the height of its membership and popularity in the 1950s, the magazine had a wide readership and was an appropriate media to promote the message of progress and uplift through education, activism, and civic engagement. It also served as a useful vehicle for protest and served to rally support for legislative proposals by encouraging Mexican Americans to vote. The magazine provided an intellectual space in which the organization articulated its opposition to school segregation and other discriminatory practices.86

Numerous articles were also dedicated to language and identity and to critiquing the educational system for failing to capitalize on Spanish-speakers’ home language and culture to promote academic success among Mexican Americans. These critiques were closely tied to school segregation, given that school districts used language and cultural differences as reasons for segregating Mexican American students. While members of the Alianza believed that English proficiency was important, they did not believe it should come at the expense of Spanish. From its inception to 1942, the Alianza was published completely in Spanish. When Candelario Sedillo became president in 1942, he introduced the first issue in both English and Spanish, making it bilingual. Under Sedillo’s leadership, bilingualism and biculturalism were appropriate and beneficial in the bilingual, bicultural milieu of the Southwest, particularly in areas closest to the U.S.-Mexico border. This bilingualism lasted until 1950 when García became supreme president and reverted the magazine back to the Spanish-only.87


For Alianza leaders like García and Sedillo, negation of the Spanish language and Mexican culture was not conducive to Mexican Americans’ economic mobility or personal happiness. Maintaining some degree of biculturalism, bilingualism, and biethnic identity by retaining aspects of Mexican and American cultures—a process the historian Vicki Ruíz calls “cultural coalescence”—were important community values. This cultural negotiation was a means of social and economic survival, but it may have also been a response to the “racial script” of forced Americanization, discrimination, and exclusion by the dominant society. Alianza leadership advocated the virtues of preserving Mexican Americans’ heritage, culture, and language through Spanish-language articles, editorials, commentaries, and announcements in the Alianza. This sentiment was evident in an article published in English and Spanish stressing the importance of bilingualism and biculturalism:

[T]he individual who takes up the struggle with English, resists the temptation to escape either into his own native culture or into his secondary culture to the exclusion of the other and who continues on to a mastery of both, emerges confident and capable of attracting the confidence of the whole population if he otherwise possesses those additional qualities universally recognized as necessary to leadership.

The article’s author went on to praise Sedillo’s leadership during his presidency, because “what Brother Sedillo has done for the Society as a whole, he hopes that every logia will be able to do in every community.” Effective leadership in the Southwest required one to be bilingual and bicultural to serve the entire community. Given that the Alianza was a national and international organization with lodges on the U.S. and Mexican sides of the border, knowledge of the Spanish language and Mexican culture was not inconsistent with being American. For many Alianzancistas, bilingualism and biculturalism were important to maintaining a Mexican American identity and successfully navigating two worlds in the northern borderlands.

Articles in the Alianza also informed Aliancistas about the importance of political engagement and voting. Although neither the Alianza nor the TCCU claimed to be political organizations, members knew they had to use the legislative system and elect...
candidates who supported their anti-segregation, anti-discrimination campaign to obtain equality for all Arizonans. A 1958 article reflected this conviction:

All too many people in public life today are grossly and unashamedly bigoted and many others are hypocrites, making a sham for the sake of obtaining votes... After three years as President of the Tucson Council, I approach the State Presidency with misgiving, knowing that only a few persons in public life are sincerely interested in equal treatment for all. Although the Civic Unity and Alianza are not organizations which engage in politics, we as individuals must scrutinize every candidate to see if we can establish his true feelings and emotions in this matter. It is the most important issue before Democracy today, as it faces the world in which the majority of people are not white... In the next ten years we need to work together as closely as we have in the past. The specific job that lies ahead of us is to obtain City Ordinances in Tucson and Phoenix prohibiting discrimination in places of public accommodations.91

The writer clearly understood Arizona’s political system and pointed to the racism that pervaded the State Legislature and public office. The critical language reflected the Alianza’s and TCCUs’ position that state laws that supported school segregation and discrimination in public services and accommodations were both racist and immoral. It was these values that united members of the Alianza, TCCU, and other allies in Arizona’s anti-segregation movement. The article also reflects the members’ commitment to abolishing discrimination in public accommodations by passing legislation that guaranteed equal opportunity for all Arizonans. The Alianza’s and TCCU’s coalitional work toward this end finally paid off when Governor Samuel Goddard signed “the broadest civil rights law in the history of Arizona” on April 1, 1965, and created the Arizona Civil Rights Commission.92

91 No author was listed on the letter in the Alianza article, but he/she had been the president of the TCCU for three years and seems to have been a member of both the TCCU and the Alianza. Some individual members of the Alianza and TCCU ran for public office. In 1962, Emilio Carrillo, a member of Tucson’s Mexicano pioneer families, ran for Representative for the 3rd Legislative District of Arizona. Carrillo was a member of the Alianza Board of Directors, TCCU, Latin American Club, ACLU, and Political Association of Spanish-Speaking Organizations (PASSO). Another Aliancista, Jacob S. Fruchthendler, a longtime member of the Tucson District No. 1 school board and advocate for public schools ran for reelection that same year. NA, “DIRECTOR OF ALIANZA ANNOUNCES HIS CANDIDACY,” Alianza, September 1962; “Member of Lodge 400 Seek Re-Election,” Alianza, September 1962 in TCCU, “Background Information 1948–1963,” Records of the Tucson Council for Civic Unity, 1947–1966, Folders 1/1–1/6, Special Collections, University of Arizona Library.

In 1955, Estrada took the lead in directing the Alianza’s civil rights program when he created a Civil Rights Department to provide a formal mechanism to investigate specific complaints of discrimination and to “defend the legal rights of the Mexican American people within the framework of American democracy.” Estrada was elected supreme president in 1954, as the national civil rights movement gained momentum. Forming a separate department enabled Estrada to expand the Alianza’s legal activities beyond the scope of school segregation and geographic boundaries of Arizona. Estrada and his colleagues Guzmán and Wirin inaugurated the new department with a lawsuit against the El Centro School District in Imperial County, California. On February 9, 1955, Estrada and Wirin along with Richard Petherbridge and four other lawyers from the NAACP filed separate but identical complaints against the El Centro School District Superintendent and School Board, Central Union High School District, and Imperial County Superintendent of Schools and County Board of Supervisors in Romero, et al. vs. Weakley, et al. and Burleigh et al. v. Weakley et al. Both lawsuits charged school officials with “ethnic and racial discrimination and segregation by regulation, custom and usage, rules and regulations and orders, in the operation, management and control of their said systems and facilities.” The court consolidated the two cases after both parties agreed.

Funded by the American Council of Spanish-Speaking People (ACSSP), an organization founded by Sánchez, Romero vs. Weakley also demonstrates the influence of the Wirin-Sánchez relationship on the Alianza’s zeal to end segregation. It was the first case in which Mexican Americans and African Americans collaborated to successfully challenge school segregation immediately after Brown was decided. Blanton asserts

93 Ralph Estrada, NEW HORIZONS AND NEW TECNIQUES: Introducing Our New Civil Rights Department,” Alianza, March 1955, 12–3.


96 El Centro is a small city in Imperial County located just south of San Diego, California on the Arizona-California border. Romero et al. v. Weakley et al. and Burleigh et al., v. Weakley et al., 131 Cal. F. Supp. 818 (1955), 819–20.

that it also represents “another point of connection between the two civil rights move-
ments.” Romney, et al. vs. Weakley, et al. and Burleigh et al. v. Weakley et al. were the
culmination of a four-year investigation of racial segregation in El Centro’s elementary
schools by the ACLU, the Anti-Defamation League of B’nai B’rith, and the NAACP.

After Lester P. Bailey, a field representative for the NAACP, conducted a study that
revealed Mexican children were also segregated, he contacted Estrada and the Alianza
for assistance.

For years, the El Centro School District promoted segregation by gerrymandering
elementary school boundaries. Black and Mexican children attended Douglas and
Washington schools exclusively, which were “60 percent Negro and 40 percent
Mexican.” Anglo children however attended west-side schools even if they lived
within the attendance boundaries of Douglas and Washington. The teaching staff at
both Douglas and Washington were entirely Black, except for a White principal.
Black teachers were not employed at any other school in the District. The complaint
centered on the district’s actions in promoting segregation through gerrymandering,
through allowing Anglo parents to transfer their children out of their neighborhood
schools, and through discriminatory employment practices.

The case was initially filed in the U.S. District Court, Southern District of
California in San Diego, and heard by District Judge Pierson M. Hall. Recognizing
that Plessy’s separate-but-equal doctrine had been recently overturned by Brown and
that California had no statute permitting segregation, the defendants filed a motion to
dismiss. Hall stayed the case to allow the plaintiffs to seek relief in the California State
Court, stating that Brown did not control as there was no constitutional legal question
at hand. According to Judge Hall federal intervention would “destroy the local powers
of the States and of their citizens in the regulation and conduct of their schools, which
is one of the remaining important powers of the various states, as sovereign units in
the indestructible union of indestructible states.”

Recognizing a strong states’ rights position in the judge’s language, the Alianza and the NAACP appealed to the Ninth
Circuit Court of Appeals for fear their case would not get a fair hearing in the state
courts and to preserve their rights to recourse in federal courts. The JACL, ACLU,
and Greater Los Angeles CIO Council supported the case by filing Amicus Curiae
(Friends of the Court) briefs. On appeal, Chief Justice Denman of the Ninth Circuit
agreed with the plaintiffs’ allegation of racial discrimination and that Brown

98 Blanton, George I. Sánchez, 189.
99 I use the term “Negro” here to be consistent with the primary documents. Antonio Ibarra
Sánchez, “Guerra a la Discriminación,” Alianza, September 1953, 46, 9, 5; “Background on El Centro
Segregation Case: Joe R. Romero et al. vs. Guy Weakley et al.,” Alianza, November 1955, 48, 11; Ralph
Guzman, “How El Centro Did It: The End of Segregation in One School System,” Alianza, February
1956.
100 Ibid.
101 Ibid; Romero et al. v. Weakley et al. and Burleigh et al., v. Weakley et al., 832–3; Valencia,
Chicano Students and the Courts, 56.
controlled. He reversed the District Court’s ruling and remanded the case back to the state level for trial. The case ended in November 1955 after parties settled out of court by reaching an agreement to end the segregation of Black and Mexican children in public schools, to discontinue gerrymandering of school attendance zones and frivolous inter-zonal transfers, and to institute fair hiring practices without regard to race, creed, or color.102

The Alianza not only celebrated this case for its victory against segregation, but also for being the “first time in the history of the Southwest that Negroes and Mexicans have united and effectively met a common social problem.”103 The Alianza’s collaboration with the NAACP to end school segregation not only demonstrated their commitment to promoting equality and social justice for all Americans, it also demonstrated their contributions to the legal challenge of racial segregation as Constitutional violations, and their role in advancing the goals of the larger anti-segregation and civil rights movement to dismantle an unequal, oppressive school system.104

This article documents the collaborative efforts, grassroots activities, and legal action that members of the Alianza and other socially conscious individuals engaged in to end state-sanctioned school segregation and discrimination in public accommodations, employment, and recreation facilities. Under the leadership of the civil rights activists García, Estrada, Guzmán, and Wirin, the Alianza contributed to the larger civil rights and anti-segregation movements in Arizona, the Southwest, and nation. Estrada especially drew from the broad-based influence and established network of contacts that he acquired through his professional career, political experience, legal expertise, and grassroots organizing skills to carry out the Alianza’s civil rights activities. While the political conditions of the postwar era were ripe for civil rights activism, the Alianza’s legal work in Gonzales v. Sheely; Ortiz v. Jack; Romero, et al. vs.


Weakley, et al; Burleigh et al. v. Weakley et al.; and Baca v. Winslow—along with their and coalition work—contributed to the favorable climate that promoted positive social change. The historical significance of the Alianza’s efforts lies in their success in abolishing segregation in Tolleson, Glendale, Winslow, and El Centro, which contributed to the larger struggle to end de jure segregation. Their collective work with TCCU, ACCU, and other organizations encouraged other civic-minded individuals to participate and support the grassroots activities around school segregation that motivated school districts in Tucson, Eloy, Casa Grande, Phoenix, and other parts of Arizona to voluntarily desegregate their schools and motivated state lawmakers to pass antidiscrimination legislation and to create a Human Rights Commission. The legal work in defending Mexican American rights in immigration, citizenship, and criminal justice cases expanded Mexican American civil rights in Arizona beyond the issue of school segregation to protecting their civil liberties. Ultimately, the persistence and self-sacrificing work of activists and leaders of the Alianza as stewards of democracy augments the history of civil rights activism, especially around educational segregation, by Tucson Mexican Americans who promoted civil rights and social justice for all Arizonans.