

JOSE CISNEROS V. CORPUS CHRISTI INDEPENDENT SCHOOL DISTRICT:
MEXICAN AMERICANS, AFRICAN AMERICANS, AND THE FAILED PROMISE OF THE
DESEGREGATION OF SCHOOLS

by

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CHAPTER 1

INTRODUCTION

Corpus Christi, a once thriving urban city, is located on the southeastern coast of Texas. This city is the seat of Nueces County and is 130 miles from San Antonio, Texas. Up until the 1970s, the city was primarily controlled by Anglo Americans despite its large Mexican American population. Throughout the Southwest, Mexican Americans have endured a long struggle for political and educational reform. In the state of Texas, the legal fight for equal education was fought as early as the 1930s by the League of United Latin American Citizens (LULAC), the preeminent Mexican American civil rights organization founded in Corpus Christi. Although Corpus Christi is home to several civil rights organizations, the city's power brokers stifled community activism in the minority communities.¹

The legacy of American institutional racism was heavily embedded within the Corpus Christi public education system. In 1938, Corpus Christi Independent School District (CCISD) began operating under a neighborhood school policy that perpetuated patterns of residential segregation in the education system. Even after the collapse of Jim Crow, minority students attending CCISD still experienced racial discrimination and segregation. The majority of the Mexican American and African American residents lived on the Westside and Northside of Corpus Christi, where housing projects had been built for low-income families.² The school district's attendance zones reflected neighborhood segregation patterns which restricted the minority community from accessing white schools.

¹ The term "minority" refers to a both African Americans and Mexican Americans. The terms "Anglo" or "white" refers to the same race and ethnicity but excludes Mexican Americans.

² Charles V. Willie and Susan L. Greenblatt, *Community Politics and Educational Change: Ten School Systems Under Court Order* (New York: Longman, 1981).

In CCISD, minority schools were severely underfunded in comparison to white schools in the school district. While white schools had up-to-date plumbing, new infrastructure, and high academic achievement rates, there was much to be desired in minority schools. The physical buildings were in ruins, house fans were used to keep the classrooms cool, and the minority students studied from old tattered textbooks. To escape the poor conditions of minority public schools, some Mexican American and African American parents sent their children to Catholic parochial primary schools. This choice was limited as many parents could not afford this option. However, Catholic parochial schools provided a temporary solution for a high-quality education. These parents would soon have to return their children to the public schools to complete their secondary education. The neglect of minority schools lasted for decades. Not until the 1980s did minority schools on the Westside receive physical rehabilitation of their buildings and additional funding to improve academic outcomes.

Appalled by the conditions of their schools, the minority communities called for legal action against the school district in 1968.³ Mexican American and African American members of the local United Steelworkers of America (USWA) filed a class action lawsuit against CCISD on behalf of their ninety-six children.⁴ In CCISD, there was a substantial difference in the quality of education in high poverty areas like the Westside where many minority laborers lived. The resulting case *Jose Cisneros v. Corpus Christi Independent School District* is recognized as significant for three distinct reasons. First, the case marked a significant shift in legal strategy for Mexican American attorneys in the long struggle for educational equality. While in the past

³ "USWA Texas Members Win School Bias Case," *Steel Labor Newspaper*, Corpus Christi, Texas, July, 1970.

⁴ letter to the editor, *Corpus Christi Caller-Times*, August 1, 1971. seventeen Mexican American union members signed the suit: Jose Cisneros, Mike R. Zepeda, Marcelino Perez, TS Perez, Juan S. Gonzales, Tony G. Dominguez, Rogerio Dominguez, ER Hinojosa, Pedro Resendez, Juan S. Gonzales Jr., Asencion Alaniz, Clemente Hernandez, Ramon Cisneros, Ciprian Gill, Inez H. Ramos, Alberto Rodriguez, AE Rendon, and Manuel R. Pizana. Six African American union members signed the suit: John S. Amerson, Robert Russell, Sylvester Harris, Frank Bacy, Jr., Oliver V. Brown, and Johnie Cartwright.

Mexican American attorneys had argued for the privileges of their whiteness, they were now challenging their prior claim alleging that they were a distinct minority group throughout the Southwest. Second, the *Cisneros* case recognized Mexican Americans as an identifiable racial minority which included them in the desegregation process with African Americans in Corpus Christi and other cities throughout the United States. Third, the case extended the equal protection clause of the Fourteenth Amendment and the *Brown v. Board of Education* school desegregation decision to apply to Mexican Americans and other minority groups.

The *Cisneros* case is often cited by scholars yet it remains understudied. While some scholars have begun to explore Mexican Americans' use of *Brown* as a legal strategy, there is not a thorough analysis of its execution in the *Cisneros* case.⁵ In their 1981 study, scholars Charles V. Willie and Susan L. Greenblatt include a limited examination of CCISD's desegregation attempts from 1938 to 1978 as well as a brief outline of the *Cisneros* case.⁶ However, the study does not examine how the court reached its decision, the relationship between the two distinct minority communities, and their relationships with the school board. In more recent scholarship, an education dissertation examines *Cisneros*, concluding that its outcome included a powerful anti-busing movement that ultimately resulted in the creation of Special Emphasis Schools in the late 1980s.⁷ These authors do not answer the question of whether or not Mexican Americans benefited from the \$300,000 litigation, nor does it explain how the African American community was affected by the lawsuit.

⁵ Mark Brilliant, *The Color of America has Changed: How Racial Diversity Shaped Civil Rights Reform in California, 1941-1978* (New York: Oxford University Press, 2010); Steven H. Wilson, Whiteness and Others: Mexican Americans and American Law: Brown Over "Other White": Mexican Americans' Legal Arguments and Litigation Strategy in School Desegregation Lawsuits, *Law and History Review* (Spring, 2003); Lisa Ramos, "Dismantling Segregation Together: Interconnections between the *Mendez v. Westminster* (1946) and *Brown v. Board of Education* (1954) School Segregation Cases," *Equity & Excellence in Education* (September 2004).

⁶ Willie and Greenblatt, *Community Politics and Educational Change* (New York: Longman, 1981).

⁷ John Albert Trevino, "'Cisneros v. CCISD': The Desegregation of the Corpus Christi Independent School District" (PhD diss., Texas A&M University Corpus Christi, 2010).

Similar to other ethnic immigrant groups, Mexican Americans experienced difficulty navigating the black-white American racial binary. Despite the fact that Mexican Americans had long occupied South Texas and had been legally classified as “white,” Mexican American lawyers argued that Anglo Americans treated them as non-whites and denied them due process.⁸ Legal scholar Ariela Gross argues that race is not merely legally constructed, but socially constructed and continuously shifting.⁹ While Mexican Americans were “white” in the eyes of the law, they were still perceived and treated as socially inferior to Anglo Americans. This perception was especially the case in Texas. Historian Neil Foley states that Mexican Americans, unlike African Americans, had the “choice” of becoming “white” like many other ethnic immigrant groups to gain the advantages of whiteness. Rather than referring to themselves as “Mexicans,” many adopted the name “Latin American” or “Spanish American” in hopes of avoiding the negative connotations of the term. Other scholars argue that Mexican Americans did not internalize their white identity but instead used it strategically. But scholars agree that Mexican American attorneys developed legal strategies such as the “other white” strategy as more of a technical device than racial choice to achieve equal rights.¹⁰

Until the late 1960s, Mexican American attorneys employed the “other white” strategy in state and federal courtrooms to challenge discrimination and segregation. The “other white”

⁸ Ian Haney-Lopez, *White by Law: The Legal Construction of Race* (New York University Press, 2006).

⁹ Ariela Gross, *What Blood Won't Tell: A History of Race on Trial in America* (Cambridge: Harvard University Press), 269.

¹⁰ Neil Foley, “Becoming Hispanic: Mexican Americans and whiteness,” reprinted in *White Privilege: Essential Readings on the Other Side of Racism*, ed. Paula S. Rothenberg (New York: Worth Publishers, 2002), 57. See also Neil Foley, “Partly Colored or Other White: Mexican Americans and Their Problem with the Color Line,” in *Beyond Black and White: Race, Ethnicity, and Gender in the U.S. South and Southwest*, ed. Stephanie Cole and Alison M. Parker (College Station: Texas A&M Press, 2004), 123-144; Neil Foley, “Straddling the Color Line: The Legal Construction of Hispanic Identity in Texas,” in *Not Just Black and White: Historical and Contemporary Perspectives on Immigration, Race, and Ethnicity in the United States*, ed. Nancy Foner and George Frederickson (New York: Russell Sage Foundation, 2004), 341-357; Carlos Kevin Blanton, “George I. Sánchez, Ideology, and Whiteness in the Making of the Mexican American Civil Rights Movement, 1930–1960,” *Journal of Southern History* 72:3 (August 2006): 569–604.

strategy was an argument that claimed that Mexican Americans were “white” but treated as “a class apart.” During the Jim Crow era, Mexican Americans found it easier to claim whiteness as a legal strategy to gain access to rights reserved for Anglo Americans. For example, in the 1954 Supreme Court case *Hernandez v. Texas*, the plaintiff’s attorneys successfully argued that treating Mexican Americans distinctly from Anglo Americans was a clear violation of their Fourteenth Amendment due process rights, which guaranteed all citizens the same privileges and protections.¹¹ In Texas, Mexican Americans did not fall under the equal protection clause of the Fourteenth Amendment like African Americans. Even though they were recognized as “a class apart,” they were still racially considered “white.” *Hernandez v. Texas* granted Mexican Americans the right to serve on juries, a right that had been denied to them for at least twenty-five years before the case.

While the “other white” strategy brought Mexican Americans legal victories, there were many consequences to arguing for whiteness. As a result of Mexican Americans claiming whiteness, many school districts used this classification to their advantage, especially in their response to the *Brown* decision. In school districts across Texas, Mexican Americans were classified as “white” for the purpose of desegregation. By forcing Mexican American students to integrate with African Americans students, the school districts were able to maintain segregation using this strategy.¹² Thus, Mexican Americans saw a need to develop a new legal strategy and racial identification. Applying the *Brown* argument proved effective for Mexican American attorneys in the *Cisneros* case. The legal argument revealed that they were clearly identifiable as

¹¹ Michael Olivas, “Colored Men” and “Hombres Aqui: *Hernandez v. Texas* and the Emergence of Mexican-American Lawyering (Houston: Arte Publico Press, 2006); Ignacio M. Garcia, *White But Not Equal: Mexican Americans, Jury Discrimination, and the Supreme Court* (Tucson: The University of Arizona Press, 2009).

¹² Guadalupe San Miguel, *Brown, Not White: School Integration and the Chicano Movement in Houston* (College Station: Texas A&M University Press, 2001).

a non-white racial minority in CCISD and that they received a separate and thus inherently “unequal” education, similar to African Americans.

Historians Neil Foley and Brian Behnken argue that in Texas, more often than not, Mexican Americans and African Americans did not come together in their struggle for civil rights, mainly due to the issues of race and its complications.¹³ The fluctuation of Mexican Americans’ racial identity distanced them from African Americans and other minority groups as their race seemed to constantly change according to what seemed most beneficial. In contrast, Ignacio Garcia argues in his book *White but Not Equal* that Mexican Americans were not simply opportunists but instead forced to operate within a black-white racial binary to achieve their goals and gain recognition. Garcia claims that, “If being white was what it took to be accepted and allowed to participate fully in society, then they were white. If being Mexican provided group solidarity and a chance to distinguish their needs from those of others, then it was also acceptable, although most preferred to be seen as ‘Americans of Mexican Descent.’”¹⁴ While Mexican Americans have historically lived apart from African Americans and other minority groups, they have, on many occasions, worked together with African Americans to challenge racial discrimination. Historians such as Carlos Blanton, Lisa Ramos, and Max Krochmal have found instances in which Mexican Americans and African American have learned from one another and worked side by side to dismantle discrimination.¹⁵ Though it is lesser known, the

¹³ Neil Foley, *Quest for Equality: The Failed Promise of Black-Brown Solidarity* (Cambridge: Harvard University Press, 2010); Brian D. Behnken, *Fighting Their Own Battles: Mexican Americans, African Americans, and the Struggle for Civil Rights in Texas* (Chapel Hill: University of North Carolina Press, 2011).

¹⁴ Garcia, *White But Not Equal*, 77.

¹⁵ Carlos Kevin Blanton, *George I. Sanchez: The Long Fight for Mexican American Integration* (New Haven: Yale University Press, 2014); Lisa Ramos, “Not Similar Enough: Mexican American and African American Civil Rights Struggles in the 1940s,” in *The Struggle in Black and Brown: African American and Mexican American Relations During the Civil Rights Era*, ed. Brian D. Behnken (Lincoln: University of Nebraska Press, 2012): 29-54; Max Krochmal, *Blue Texas: The Making of a Multiracial Democratic Coalition in the Civil Rights Era* (Chapel Hill: University of North Carolina Press, 2016); Moises A. Gurrola, “Creating Community in Isolation: The History of Corpus Christi’s Molina Addition, 1954-1970” (master’s thesis, University of North Texas, 2015).

struggle to desegregate CCISD is yet another example of black-brown collaboration during the Civil Rights era.

Although this cooperation existed and led to the momentous legal victory, the *Cisneros* case, ironically, did not drastically affect the Mexican American community at large. In this thesis, I will explain why and how Mexican Americans did not actually benefit from the *Cisneros* decision. Then, I will explore why their allies African Americans did benefit from the case. Despite the case's promise, sudden judicial changes after the initial ruling led the defendant school district to gain authority over the fundamental implementations of the desegregation plan. The type of implementation that the school district employed hindered the integration process for Mexican Americans in Corpus Christi.

The following three chapters will illustrate the two minority communities' desegregation efforts and the multi-racial coalition building that began to occur as a result of the *Cisneros* case. The chapter "Fighting Jim Crow," examines some of the hindrances minorities experienced in Corpus Christi beginning in the 1940s and discusses the changes in segregation practices after the *Brown* decision ordered the desegregation of schools. By the 1950s, three key civil rights organizations had been established: the local branch of the National Association for the Advancement of Colored People (NAACP) in 1941, the headquarters of the nationally prominent American G.I. Forum (AGIF) in 1948, and the local USWA Union in 1953. While these civil rights organizations operated separately during the Jim Crow era, through shared experiences they would later collaborate their efforts to fight school segregation. I argue that although the school district delayed the desegregation process using Mexican Americans racial ambiguity and implementing residential segregation into their student transfer policy to restrict the minority

community from attending white Southside schools after *Brown*. This set the stage for the relationship between the two racial groups and the school board in the late 1960s.

After *Brown*, African Americans and Mexican Americans poured their efforts into desegregating the Corpus Christi school system and improving the local community. The school board's refusal to meet the needs of the minority communities resulted in legal action. The chapter "The Power of the People," explores the minority communities escalating frustration dealing with the school board in the late 1960s which motivated the lawsuit. In addition, I will examine the courtroom proceedings of the *Cisneros* case itself, and the 1970 court opinion of US District Judge Woodrow Seals, who ruled in favor of the plaintiff, Jose Cisneros. With the collaborative efforts of the minority communities the *Cisneros* ruling was ultimately a success. Despite this legal victory for Mexican Americans, they would gain nothing as the school board and the white community refused to comply with the *Cisneros* decision.

The final chapter explores the appellate court reversal of the spirit of Judge Seals's ruling, which undermined the Mexican Americans' struggle to integrate CCISD schools from 1970 through the early 1980s. In the years following *Cisneros*, three questions shaped the implementation of the case, culminating in its final outcome in the early 1980s. First, would the white community support the desegregation of schools? Second, and more importantly, would they engage in white flight as a result of the *Cisneros* ruling? Finally, would black-brown interracial solidarity continue even as the school district attempted to play one minority group against the other? For decades, Mexican Americans and African Americans in CCISD ranked school desegregation as a high priority and forged a strategic alliance. This chapter offers an example of multi-racial coalition building in Texas as several tri-ethnic community organizations were established as a result of the *Cisneros* implementation process. It is during those years

Mexican Americans, African Americans, and Anglo Americans worked together to fight in support of the original desegregation plan, even as reactionary Anglos continued to oppose and stall meaningful integration efforts.

A variety of sources will be used to tell the story of *Cisneros* and the generation of men and women who struggled for access to a quality education. These sources include local newspapers, personal collections, legal correspondence, and the Cisneros Collection at Texas A&M University Corpus Christi (TAMUCC), which includes court testimonies, exhibits, and court opinions. It is important to note that some records are no longer available from local organizations such as the NAACP, court documents have been misplaced, and some participants involved in the case have died. The most valuable sources were the personal interviews with the current residents of Corpus Christi, as part of the Civil Rights in Black and Brown (CRBB) oral history project. The interviewees were asked similar questions regarding their experiences in CCISD and their participation in the *Cisneros* case. The interview subjects that are cited in this research represent a diverse sampling of the Corpus Christi community, as these residents belong to various racial groups, socioeconomic classes, and generations. Many narrators recalled experiencing racial segregation in Corpus Christi during the Jim Crow era while attending CCISD schools from the 1940s to the early 1960s. These oral interviews have been assessed with care as some memories are decades old and were susceptible to factual errors as well as ambiguous interpretations. Overall, the interviews highlight important events which occurred between 1954 until the dismissal of the case in the late 1990s. These memories help explain the various outcomes in the *Cisneros* case and the long-lasting effect it had on the Corpus Christi community.

CHAPTER 2

FIGHTING JIM CROW: MEXICAN AMERICANS AND AFRICAN AMERICANS, CORPUS CHRISTI, TEXAS, 1940-1966

In the 1940s, African Americans and Mexican Americans lived in residential isolation from the Anglo community in Corpus Christi. During that time, the African American population comprised of less than 5 percent of the city while the Mexican American population was nearly 30 percent and steadily growing. Since 1900, the African American community has always been small, peaking at only 9 percent before World War I. In Corpus Christi, the black and white binary paradigm of race was virtually nonexistent with its large Mexican-American population. Similar to other southwestern cities segregation was very prevalent for Mexican Americans in Corpus Christi. During the Jim Crow era, minorities lived in segregated neighborhoods as the city passed racial zoning ordinances and land use regulations which persisted until the 1970s. The small black population lived in housing projects on the Northside of the city. Similar to African Americans on the Northside, Mexican Americans resided on the Westside and lived in low-income housing projects. Both groups lived in isolated communities until desegregation efforts began in the 1950s.¹

Scholars debate whether Mexican Americans and African Americans collaborated in regard to the long civil rights struggles. Historian Lisa Ramos states that as early as the 1940s “each group realized that the other group had valuable theories, strategies, and experiences that

¹ Alan Lessoff, *Where Texas Meets the Sea: Corpus Christi & Its History* (Austin: University of Texas Press, 2015). See also Rue Wood, “The Forging of the African American Community in Corpus Christi, Texas, 1865-1900,” in *African Americans in South Texas History*, ed. by Bruce A. Glasrud (College Station Texas A&M University Press, 2011), 99-132.

could benefit its own struggle.”² In the 1940s, key civil rights activists such as Mexican American war veteran and physician Dr. Hector P. Garcia and African American dentist Dr. Henry Boyd Hall arrived in Corpus Christi not yet knowing that they would fight their hardest battle.

In this chapter, I will illustrate how similar but also separate experiences of African Americans and Mexican Americans caused both groups, in some instances, to call for the equality of all. As in other school districts throughout the US, the implementation of the *Brown v. Board of Education* (1954) decision failed due to the Corpus Christi Independent School District (CCISD) hindering the integration process by distorting the meaning of the Supreme Court’s intent. This failure to achieve integration in CCISD led to the process of coalition building between both groups as they sought a strategic alliance to combat racial discrimination. I argue that while *Brown* was unsuccessful in its purported mission in CCISD, the school desegregation suit brought African Americans and Mexican Americans into closer proximity. The school district’s response to *Brown* limited the mobility of African Americans and placed them in physical closeness with Mexican Americans in the school system. This set the stage for inter-racial collaboration in the community.

In CCISD, African Americans attended three schools located in their Northside community: Booker T. Washington Elementary School, George Washington Carver Elementary School, and Solomon Coles High School. During the era of segregation, it was common for black students to attend schools outside of their home district. Neighboring small communities like Robstown did not serve black students beyond the elementary education level. Thus, to

² Lisa Ramos, “Not Similar Enough: Mexican Americans and African Americans Civil Rights Struggle in the 1940s,” in *The Struggle in Black and Brown: African American and Mexican American Relations During the Civil Rights Era*, ed. Brian Behnken (Lincoln: University of Nebraska Press, 2011),23.

complete their school education, black students attended segregated schools in larger school districts. Students from neighboring cities outside of Corpus Christi traveled as far as Austin or San Antonio if they could not attend schools in CCISD. Cornelius Carl Sampson, a principal of Solomon Coles High School from 1939 to 1953, recalled that black students were bused from nearby rural communities and towns from twenty-five to thirty-five miles outside of the district. These areas included Ingleside, Robstown, Kingsville, Sinton, Taft, Aransas Pass, and Flower Bluff, as well as to the Molina and Carver residential additions in Corpus Christi.³

In 1925, the school board named the black high school in honor of Solomon Melvin Coles. Coles, a former slave from Virginia, was the first black to be admitted to the Yale Divinity School in 1872. He moved to Corpus Christi in 1877, and served as the minister of a small black congregation, and later became involved in education. In the 1880s, he became principal of the first school for African Americans in Corpus Christi.⁴ Local African American resident Georg Johnson remembered the school being an important part of the black community: “Solomon Coles was the pride of our community . . . The school would have parades all over the neighborhood, and that’s how we got indoctrinated into cheer squads and band.”⁵

When Principal Sampson arrived at Solomon Coles in 1938, it was a one-room school building with thirteen teachers that served the black community on all education levels. In his fifteen years as principal, Sampson renovated the school’s infrastructure, created music and athletic programs, and introduced the first vocational training program. He also assisted in selecting the building sites for the two black elementary schools: Booker T. Washington

³ Testimony of CC Sampson, Collection 36, *Cisneros v. CCISD*, University Special Collections and Archive, TAMUCC.

⁴ Lessoff, *Where Texas Meets the Sea*, 137; Glasrud, *African Americans in South Texas History*, 1-3.

⁵ Georg Johnson, “Childhood and Minority School Districts” interview with James Wall and Moises Acuna-Gurrola, Corpus Christi, Texas, July 13, 2016, Civil Rights in Black and Brown Oral History Project, TCU.

Elementary School and George Washington Carver Elementary. With the cooperation of the school board and assistance from local black churches, he was able to secure funding to make improvements to the school. Not only did he improve the physical conditions of the school building and advance the educational opportunities for African American students, but he also started the first free lunch program in the school district. Years later, when the school district began introducing the idea of government-funded programs to assist with the needs of low-income students; officials were surprised that, Principal Sampson had already successfully implemented such programs in black schools.⁶

For Mexican Americans, segregated schools were ultimately the result of residential segregation primarily based on tactics of redlining and racially restrictive subdivision covenants. It was common practice for cities with large Mexican American populations to employ such strategies to keep minorities out of all-white geographical areas. Similar to African Americans, Mexican Americans were restricted from buying homes outside of the Westside area of the city. However, even those Mexican Americans who could afford to buy property on the Southside of the city, where the majority of the Anglo American community resided, had difficulty buying property. When Mexican American physician and civil rights activist Dr. Hector P. Garcia moved to Corpus Christi in 1945, he experienced housing segregation first-hand as he had difficulty purchasing property outside of the Westside. He made persistent attempts to buy property, but when he inquired about a listing, the white realtors would always respond that “[it has been] taken off the market” and later repost the same listing back on the market again. To remedy this situation, a close friend who was not an “identifiable” Mexican American bought the lot for him. For Garcia, this experience would not be forgotten when he later founded the

⁶ Jim Greenwood, “Solomon Coles Principal: Sampson Winding up Career as Educator,” *Corpus Christi Times*, April 22, 1953.

American G.I. Forum (AGIF) in Corpus Christi in 1948. While the original intent of the AGIF was to tackle various issues concerning the advancement of Mexican American veterans, the organization dealt with broader matters in the minority communities, especially the problems of Mexican Americans.⁷

An immediate issue confronting the Mexican American community was the lack of educational and employment opportunities in the school district. In 1949, Garcia met with CCISD's then superintendent of schools Marvin P. Baker regarding the few Mexican American faculty and staff, and requested that the school district hire its first Mexican American principal. Baker argued that the racial imbalance in administrative positions was the result of there being very few qualified Mexican American candidates. But Garcia countered this assertion by providing many names of qualified Mexican Americans for the position. For the next few years, Garcia met with the different superintendents in the school system but made little progress in the hiring of more Mexican Americans.⁸

Mexican Americans experienced racial segregation in schools primarily based on the school districts claims of language and learning deficiencies, a common strategy employed by school districts to deny them access to white schools. School desegregation cases elsewhere in the US such as *Mendez v. Westminster* (1946) deemed it unconstitutional to separate children based on language or provide Mexican American children with unequal educational opportunities.⁹ However, in Texas, Anglos found other ways to discriminate against Mexican-

⁷ Testimony of Hector P. Garcia, Collection 36, *Cisneros v. CCISD*, University Special Collections and Archive, TAMUCC. See also Albert M. Camarillo, "Navigating Segregated Life in America's Racial Borderhoods, 1910s-1950s," *Journal of American History* 100:3 (2013): 645-662.

⁸ Testimony of Hector P. Garcia, *Cisneros v. CCISD*, TAMUCC.

⁹ For a history of Mexican Americans' legal struggle for equal education in Texas, see Guadalupe San Miguel, Jr., "*Let All of Them Take Heed*": *Mexican Americans and the Campaign for Educational Equality in Texas, 1910-1981* (College Station: Texas A&M University Press, 1987). For Mexican Americans' legal struggle throughout the country, see Richard R. Valencia, *Chicano Students and the Courts: The Mexican American Legal Struggle for Educational Equality* (New York University Press, 2008).

Americans such as utilizing the “English only” statute which was established in 1918.¹⁰ The statute made it a misdemeanor for teachers to instruct in any other language other than English and for the students to speak anything other than English in schools. The English only bill forced the assimilation of Anglo American culture on Texas Mexicans. CCISD tightly adhered to the English-only law and reprimanded Mexican American students who spoke in Spanish at school. Joe Ortiz, a Mexican American former student at Lozano Elementary School, received harsh punishment for using a Spanish word in class. “I encountered discrimination as a young boy. I remember in the third grade the teacher’s name was Miss Rice. She made me eat a bar of soap because I said a Spanish word . . . That, of course, [was] hard for a young kid to do that in front of the class [all] because I said the word Chihuahuas,” said Ortiz.¹¹ His experience serves as just one example of the many Mexican-American children in CCISD who were publically shamed and punished in the classroom.

Throughout the state of Texas, Mexican American children dealt with the bill and for many who were monolingual, this mandate hindered their academic progress in school. Mexican American CCISD teacher Maria Ann “Bessy” Diaz recalled the struggle of learning English as a second language in school as she felt like “you had to either sink or swim.” Diaz was born to seasonal farm workers who moved throughout Texas picking crops. When they settled in Ben Bolton with family members, her parents had difficulty preparing their children for school as they spoke no English and had no formal school training. Even though she attended a “Mexican” school and her Mexican American teachers were bilingual they were prohibited to translate teaching instructions for their Spanish speaking students. This was quite challenging as Diaz and

¹⁰Carlos Kevin Blanton, *The Strange Career of Bilingual Education in Texas, 1836-1981* (College Station: Texas A&M University Press, 2004), 59-73.

¹¹ Joe Ortiz, “Biographical,” interview by James Wall and Moises Acuna-Gurrola, Corpus Christi, Texas, June 22, 2016, Civil Rights in Black and Brown Oral History Project, TCU.

a few other classmates knew no more than five or ten English words. The English only policy drastically affected the lives of minority language children, their families, and the educators who worked with them.¹²

Prior to *Brown*, most Mexican American students attended schools with low percentages of white students. At the time, Westside Roy Miller High School was considered the “Mexican” school, whereas Southside William Benton Ray High School was the “all-white” high school. In the late 1940s, Mexican-American student Olga Gonzales was the first cheerleader elected by both her Mexican American and Anglo American peers at Roy Miller. Gonzales recalled the white cheerleaders and parents protesting her election, demanding a recount and a dismissal of the popular vote. While the protest failed and Gonzales remained on the cheer squad, her white cheer mates made it agony for her to stay on the team. Gonzales’s experiences with discrimination would later prompt her activism for racial equality.¹³

But not all Mexican Americans students experienced racial discrimination in the schools. Gonzales’s classmate and party plaintiff Jose Cisneros stated in the school desegregation trial that he did not recall personally experiencing any discrimination based on his being Mexican in schools. However, Cisneros did recall one instance during high school where he and his friends were denied service at a local restaurant because they were Mexican. Cisneros was born in 1931 in Harlingen, Texas, and spent the majority of his childhood in Woodsboro before moving with his family in 1945 to Corpus Christi. After graduating high school in 1949, he served in the US Air Force in the Korean War and trained to be an airplane and engine mechanic. Instead, he

¹² Maria Diaz, “Biographical Information,” interview by James Wall and Moises Acuna-Gurrola, Corpus Christi, Texas, June 29, 2016, Civil Rights in Black and Brown Oral History Project, TCU; Maria Diaz, “Teaching in Corpus Christi,” interview by James Wall and Moises Acuna-Gurrola, Corpus Christi, Texas, June 29, 2016, Civil Rights in Black and Brown Oral History Project, TCU.

¹³ Olga Gonzales, “Attending Roy Miller High School,” interview with James Wall and Moises Acuna-Gurrola, Corpus Christi, Texas, July 13, 2016, Civil Rights in Black and Brown Oral History Project, TCU.

spent eighteen months overseas loading bombs and napalm aboard planes. Despite the desegregation of the armed forces in 1948, Mexican Americans still experienced racial discrimination in the armed forces. After the war when Cisneros returned to Corpus Christi, he had difficulty finding work. He enrolled in an auto mechanic program at Del Mar Technical Institute in hopes of being promoted from his current job as laborer at American Smelting & Refining Company (AS&R) plant to an electrician. Mexican Americans were the largest group of laborers at the Corpus Christi AS&R plant, which remained segregated until the late 1950s.¹⁴

Similar to African Americans, there was a pattern of discrimination found in hospitals in which Mexican Americans were segregated and received insufficient healthcare. As a physician at Corpus Christi Memorial Hospital, Garcia was familiar with the racial segregation practices against minorities. Often the Mexican American ward was overcrowded and patients were denied access to the hospital's white ward. "Although there were beds available at the time in the so-called Anglo wards, because the Mexican ward would have been filling up, [Mexican] patients were placed out in the hallway," explained Garcia.¹⁵ In addition, to the hospital segregating its medical wards, the English only policy was employed to prohibit its medical residents and staff from speaking Spanish to patients unless absolutely necessary. Luis Cano, a Mexican American Corpus Christi native, recalled working as an orderly with Garcia for the summer. Cano saw first-hand the poor service Mexican Americans received in hospitals from the frequent grumbling of white nursing staff to their refusal to treat uninsured Mexican American patients. He remembers overhearing a white male nurse complaining about a large number of

¹⁴ Ed Deswysen, "Integration Suit Changes His Life," *Corpus Christi Caller-Times*, October 13, 1970; testimony of Jose Cisneros, Collection 36, *Cisneros v. CCISD*, University Special Collections and Archive, TAMUCC. See also Emilio Zamora, *Claiming Rights and Righting Wrongs in Texas: Mexican Workers and Job Politics During World War II* (College Station: Texas A&M University Press, 2009); Maggie Rivas-Rodriguez, ed. *Mexican Americans & World War II* (Austin: University of Texas Press, 2005).

¹⁵ Testimony of Hector P. Garcia, *Cisneros v. CCISD*, TAMUCC.

poor Mexican-American patients, stating that, “These people, they have no money and they expect us to treat them. They should go somewhere else.”¹⁶ Cano stood in awe when Garcia, physician at Memorial Hospital, responded to the white nurse, asserting that all people regardless of race, color, or insurance deserved equal treatment and respect from the medical staff. Mexican American registered nurse Dalila Dolenz recalled that Mexican American and African American patients were restricted to the first floor of Christus Spohn Hospital, where she was regularly assigned.¹⁷ Dolenz did not view her assignment as an act of racial discrimination but more as a privilege to treat and assist her fellow minorities. In the local public sphere, Mexican Americans were classified as “non-whites” and treated as a separate class in Corpus Christi in places such as the hospital until the late 1960s.

During the Jim Crow era in Corpus Christi, African Americans and Mexican Americans had similar experiences, but segregation limited interactions between the two groups. Discrimination for Mexican Americans throughout the Texas was essentially *de facto* in nature as they were legally considered white. Thus, Mexican Americans had much difficulty deconstructing a system that was not legally bound; therefore, they sought legal action to acknowledge that such practices existed formally in hopes of banning discrimination against their group. Mexican Americans experienced both *de facto* and *de jure* segregation in Corpus Christi in areas such as housing and public accommodations as they were prohibited by law, but this did not include attending schools with whites. For African Americans, however, school segregation was strictly *de jure* prohibiting them from attending schools with Anglo Americans and Mexican Americans.

¹⁶ Luis Cano, “Childhood in Corpus Christi,” interview with Sandra Enriquez and Samantha Rodriguez, Houston, Texas, June 20, 2016, Civil Rights in Black and Brown Oral History Project, TCU.

¹⁷ Dalila Dolenz, “Discrimination in Medicine,” interview with Sandra Enriquez and David Robles, Houston, Texas, June 10, 2015, Civil Rights in Black and Brown Oral History Project, TCU.

Years before *Brown*, the black community was able to desegregate the city's white junior college on the grounds that the college provided for African Americans was inherently unequal. African American dentist and civil rights advocate Dr. Henry Boyd Hall founded the local chapter of the NAACP in 1941 after moving to the city. In June 1952, the NAACP conducted a comparative study of the black junior college, also named Solomon Coles, in comparison to Del Mar College. The study relieved that the institutions were unequal, thus "qualified Negro students [were] to be permitted" into the college. Hall, executive secretary of the NAACP at the time, argued that this was a clear violation of the 1950 Supreme Court ruling *Sweatt v. Painter* which successfully challenged the "separate but equal" doctrine in higher institutions of learning. Despite the violation black students were denied admission into Del Mar College. As a result, the NAACP threatened to march on the campus until qualified students were enrolled. In September 1952, the first black students were allowed to register for classes but not participate in school events or activities. Although the NAACP desegregated Del Mar College, blacks still remained segregated in the school district, public facilities, housing, and employment.¹⁸ Meanwhile, Mexican American laborers at the AS&R were organizing to form a union.

In 1953, Corpus Christi native Paul Montemayor formed the United Steelworkers of America (USWA), local 5022. Since the establishment of the AS&R in 1942, Mexican Americans laborers were assigned to the production and labor departments, whereas whites were assigned to higher positions in the maintenance and power house departments. In 1943, Mexican American workers organized to confront the company's discriminatory practices and they were

¹⁸ Cecilia Gutierrez Venable, "Henry Boyd Hall," *Black Past* (blog), <http://www.blackpast.org/aaw/hall-henry-boyd-1899-1974>; "Negroes Continue Efforts to Register at Del Mar College," *Corpus Christi Times*, June 6, 1952; Anne Dodson, "Integration of Del Mar an early milestone," *Corpus Christi Times*, May 21, 1972. On the struggle to desegregate institutions of higher learning for African Americans, see Gary M. Lavergne, *Before Brown: Herman Marion Sweatt, Thurgood Marshall, and the Long Road to Justice* (University of Texas Press, 2010); Krochmal, *Blue Texas*, 56-86.

granted a hearing from the Fair Employment Practice Committee (FEPC). But, the case was quickly closed as the FEPC dismissed the complaints against AS&R.¹⁹ Ten years later with the leadership of Montemayor, the shop floor drastically changed from no Mexican Americans working in the maintenance department to nearly 65 percent filling roles in higher positions. In addition to desegregating the shop floor for Mexican Americans, he also advocated for the hiring of black personnel as the only black employee for the plant was the chauffeur. As a former laborer at AS&R in the 1940s, Montemayor was familiar with the company's discriminatory practices and had built relationships with the workers upon organizing the union. By the 1940s and 1950s, Mexican Americans and African Americans were both barred from the white community as they were denied access to white neighborhoods, educational and employment opportunities, and even public facilities such as restaurants and hospitals.²⁰

While the 1954 *Brown* decision forced school districts to adopt efforts to create integrated schools, CCISD continued to operate a segregated school system by navigating around the judicial system. The local NAACP hoped that the *Brown* decision would provide them with the ammunition they needed to advance their desegregation efforts in the school district. The local chapter threatened the school board with court action if they did not abolish segregation in schools by the fall of the following year. On July 25, 1955, the school board passed a resolution to desegregate the schools based on the residential pattern of the city as a whole. The school board's resolution to desegregate schools was read before the court in *Cisneros*. The resolution specified that, "Colored students who normally would be required to attend Washington, Carver, or Coles will report to those schools . . . Transfer applications will be available at each of these

¹⁹ Zamora, "Negotiating Mexican Workers' Rights at Corpus Christi," in *Claiming Rights and Righting Wrongs in Texas*, 181-203.

²⁰ Testimony of Paul Montemayor, Collection 36, *Cisneros v. CCISD*, University Special Collections and Archive, TAMUCC.

schools for parents who wish to have their children transferred to other schools in the attendance area which they live.”²¹ In a nutshell, the school district’s desegregation plan called for no changes as it affirmed that African American students would remain in their “black” neighborhood schools but were eligible for student transfers on a case-by-case basis. On the surface, the legal jargon used in CCISD’s resolution seems to be an attempt to comply with *Brown* by allowing black parents to apply for student transfers. However, by using the phrase “attendance area,” the school board re-implemented their neighborhood school concept that had been in practice since the 1930s. This was not a unique phenomenon, as other school districts similarly delayed the integration process for blacks.

To ensure that the school district’s desegregation plan was not in violation of *Brown* CCISD merged African American and allegedly “white” Mexican American students into schools. While the *Brown* decision called for the desegregation of public schools, it did not spell out specific methods to integrate the schools, thus, providing the school district flexibility to interpret the ruling as they saw fit. A large percentage of black students remained in black schools due to the restrictive nature of the school district’s resolution. The remaining black students attended Mexican American schools in similarly poor conditions. The resolution also restricted Mexican Americans as they were viewed as white and ignored in the desegregation plan and forced to integrate into schools with African Americans.²²

²¹ Testimony of Robert D. Campbell, Collection 36, *Cisneros v. CCISD*, University Special Collections and Archive, TAMUCC. See also William Henry Chafe, *Civilities and Civil Rights: Greensboro, North Carolina, and the Black Struggle for Freedom* (New York: Oxford University Press, 1981). Guadalupe San Miguel, *Brown, Not White* (College Station: Texas A&M University Press, 2001); William Henry Kellar, *Make Haste Slowly: Moderates, Conservatives, and School Desegregation in Houston* (College Station: Texas A&M University Press, 1999); Matthew D. Lassiter and Andrew B. Lewis, eds. *The Moderates’ Dilemma: Massive Resistance to School Desegregation in Virginia* (Charlottesville: University Press of Virginia, 1998).

²² Willie and Greenblatt, *Community Politics and Educational Change*, 139.

Despite the school district's minimal attempts to integrate schools; the black community in Corpus Christi questioned the benefits of sending their children outside of their neighborhoods to white schools. While black schools were in poor conditions and had limited access to funding, blacks still received a good education by notable black teachers, according to former black CCISD students Lula Bell and Anita Bouldin. Bouldin recalled when integration entered the black community, her parents debated whether to transfer their children to integrate white schools across town. Bouldin and her siblings attended Roy Miller High School, a former Mexican American and White school on the Westside of the city, because her parents felt that it would be a better opportunity for their children. Bouldin remembered the respect and recognition the black teachers from Solomon Coles High School received while attending school at Roy Miller: "The [white] teachers would always remark that they could tell who your teachers were from Coles because they were such great teachers. They would say, 'I know who taught you math, and I know who taught you English,' because they knew of them; so it was always good things they had to say about them."²³ The black teachers at Coles had a major impact on their students' lives, Bell stated: "Not only did they teach us, they knew our parents too, they had that connection . . . they were excellent teachers, and they made sure that we excelled."²⁴ Bell attended Holy Cross Catholic School, a black church school where she received her primary and junior high education. After *Brown*, Bell convinced her parents to let her attend all-black Coles, where she graduated from in 1959. Prior to desegregation, African American and Mexican American families sent their children to Catholic parochial schools to escape segregation as well as to seek educational opportunities that they were denied in the public school system. While the

²³ Lula Bell and Anita Bouldin, "High School in Corpus Christi," interview by James Wall and Moises Acuna-Gurrola, Corpus Christi, Texas, July 18, 2016, Civil Rights in Black and Brown Oral History Project, TCU.

²⁴ Ibid.

Corpus Christi public school system was segregated, so were many Catholic schools in the city. For instance, Christ the King Catholic School, a predominantly Mexican American school, admitted their first African American student in the early 1950s. Amancio Chapa, a student at the time remembers the priest and the school principal preparing the students for the arrival of their first black female student. “They wanted us to treat her with courtesy. The principal stated that, ‘She is a student like anybody else’ . . . Eventually when she came to the school everything went fine. But they felt the need to talk to us and bring us together as a student body to let us know that we were going to be getting a black student at the school,” Chapa recalled.²⁵ For the Catholic Church, school integration went fairly smoothly, unlike the public school system. On a national level, African Americans had fought a long battle to desegregate public schools. In Corpus Christi, the black community had carefully considered the advantages and disadvantages of allowing their children to integrate into white schools. However, integration was not considered a possibility by the white community.

Anglo Americans in Corpus Christi responded vocally to the *Brown* decision by hiring a new superintendent to maintain white dominance and strictly enforce segregation in schools. Fearful of a sudden power shift in the education system, the white community fought to maintain the neighborhood-based school system. The school board was instrumental in sustaining a system of institutional racism that created a barrier between the white and minority communities. In the early 1960s, CCISD schools were overflowing with students as the district had reached its highest student enrollment. When the former superintendent stepped down, the school district was obsessed with school expansion projects and the building of new schools to contain the growing minority student population. In 1962, CCISD hired Dana Williams from Corsicana,

²⁵ Amancio Chapa, “Integration in Middle School,” interview by Sandra Enriquez, Houston, Texas, June 25, 2015, Civil Rights in Black and Brown Oral History Project, TCU.

Texas, to serve as superintendent of schools. Williams supported segregated schools and argued that full integration would only result in white flight from the school district. From the school board's beginnings in 1909 to 1962, its members consisted of conservative Anglo American businessmen with the exception of one Mexican American, Arturo Vasquez. Vasquez served on the school board from 1952 to 1976.²⁶

The *Brown* decision set the stage for integration as the case primarily focused on students in the public school system. Regrettably, the decision did not include the integration of school faculty and staff. In CCISD, the impact of the *Brown* decision resulted in a 20 percent decline of black teachers due to the transfer of African American students into Mexican American schools.²⁷ In response to this decline in 1958, the local NAACP demanded that more black teachers be employed throughout the school district, but their request was denied. In 1963, the local chapter repeated its request to the new superintendent. Williams responded, "Since its inception, the district has operated under an unwritten policy of hiring Negro teachers for Negro schools."²⁸ Williams's refusal to negotiate with the NAACP and integrate the faculty and staff demonstrated the white community's determination to maintain segregation and his efforts to prevent the possibility of white flight resulting in the school district.

For CCISD's minority teachers, promotions were few and far in between as the school district made it difficult to maneuver in a segregated system. Since the 1940s, the school district argued that few minority teachers and administrators were qualified to serve in higher administrative positions. Still, career advancement was difficult for those who did qualify to

²⁶ Jan Jackson, "Newcomers: Education is Important to Williamses," *Corpus Christi Times*, August 16, 1962; "Public Schools," *Corpus Christi Caller-Times*, December 30, 1962; Willie and Greenblatt, *Community Politics and Educational Change*, 145-46.

²⁷ Anne Dodson, "The Background of Local School Integration," *Corpus Christi Caller-Times*, June 6, 1971. See also Richard H. Milner and Howard C. Tyrone, "Black Teachers, Black Students, Black Communities, and Brown: Perspectives and Insights from Experts," *The Journal of Negro Education* 73:3 (July 2004): 285-297.

²⁸ *Ibid.*

pursue the gateway to principalship. After *Brown*, African American teacher Robert Campbell was barred from promotions outside the black schools because of his race. Campbell had moved to Corpus Christi in 1949 after graduating from New York University with his master's degree in educational administration and supervision.²⁹ He taught at Booker T. Washington Elementary School and then was transferred to George Washington Carver Elementary School as head teacher before the district promoted him to principal of Solomon Coles High School in the late 1960s.³⁰

Jose Cavazos, Mexican American former principal of Zavala Elementary School, recalled the hardships facing minority teachers who sought employment with the school district. As a minority educator Cavazos described the process of becoming a principal as very difficult: “In those days if you were an Anglo teacher for three years, you get a principalship in the elementary school. Unfortunately, in those days for Mexican Americans, we got an opportunity, but it was as an assistant principal in junior high [schools].”³¹ Over the course of four years, Cavazos was assigned as assistant principal at two economically deprived minority schools, Coles and Ella Barnes Junior High School, before being promoted principal of Zavala in the early 1970s. The school district discouraged the advancement of minority teachers and obstructed the process of becoming a principal for those qualified minority individuals. However, Williams actively recruited Anglo American teachers for the school district. In contrast, for Anglo American teachers becoming a principal was comparatively easy as they

²⁹ “Robert D. Campbell of Corpus Christi, Texas, Obituary,” *Heritage Memorial Funeral Home*, <http://www.heritagememorialfh.net/home/obituary/3722983>. See also testimony of Robert D. Campbell, *Cisneros v. CCISD*, TAMUCC.

³⁰ Testimony of Robert Campbell, *Cisneros v. CCISD*, TAMUCC.

³¹ Jose Cavazos, “Promotion in the System and Schooling Conditions,” interview with James Wall and Moises Acuna-Gurrola, Corpus Christi, Texas, June 29, 2016, Civil Rights in Black and Brown Oral History Project, TCU.

were assigned to white schools on the Southside with more than enough resources to assist the students in the classroom.

In 1966, when Williams sent a CCISD school official to interview Jim and Mary Jo O’Rear in Shreveport, Louisiana, they were hired right on the spot. However, Mary Jo O’Rear did not fit the mold that he wanted. In comparison to conformant Anglo American teachers in the school district, O’Rear was a liberal and supportive mentor for her minority students. This bold and outspoken woman became an issue for the school board as she advocated for civil rights and empowered minority students in her classroom. She grew up in Shreveport, Louisiana, in the 1950s, and her parents were supportive of the Civil Rights Movement. “The fight for integration was very much a part of my growing up,” O’Rear recalled. Growing up during segregation, she did not attend schools or the churches with African Americans. Despite the laws, she still socialized with them. O’Rear remembered attending a multi-racial meeting with her family at the Friendship House in Shreveport. “The whole idea was to set up a meeting place where young people from the African American community and the white community [could] get together on neutral grounds and learn things and share things,” said O’Rear. However, the group did not last long due to community backlash and constant police harassment. The Friendship House’s strategy to reduce racial and ethnic prejudice was to cultivate a relationship between the two racial groups through shared experiences.³²

As an educator in CCISD, O’Rear utilized the strategy she learned at the Friendship House in her classroom. Her first teaching assignment was at Ella Barnes Junior High School, a predominantly Mexican American school. Assigning first-year teachers to minority schools on

³² Mary Jo O’Rear, interview with James Wall and Moises Acuna-Gurrola, Corpus Christi, Texas, July 22, 2016, Civil Rights in Black and Brown Oral History Project, TCU. Digital copy of unprocessed interview in author’s possession.

the Westside seemed to be a pattern for the school district. In the late 1960s, Ella Barnes was classified as an underprivileged school according to federal guidelines and received federal funding. O’Rear’s first year of teaching at Ella Barnes was quite a transition for her. She had to get acquainted with a different ethnic population in Corpus Christi. While Louisiana was predominantly Anglo American and African American, Corpus Christi’s population was nearly 40 percent Mexican American by the late 1960s. The student population in her classroom consisted of an estimated 90 percent Mexican American and 10 percent African American. She was unfamiliar at the outset, but once in the classroom she embraced her students’ cultural backgrounds, and instilled confidence and cultural pride in them. One day during class, O’Rear recalled, she excitedly passed out the cover of *Scholastic Magazine* that “had a cover of this young beautiful Mexican American girl . . . [That read] Brown is Beautiful.” During the 1960s, the slogan “Brown Pride” helped to instill confidence and cultural pride in many Mexican American youths. Usually, when individuals or groups advocated for civil rights or expressed ethnic pride, they were ostracized by their white peers and forced into silence. Other Anglo teachers were outraged by O’Rear’s blunt refusal to assimilate the children into Anglo culture, accusing her of teaching communism to the students in the classroom. Ella Barnes Junior High School would be the first and only place she was called a “communist.” Throughout in the South, it was not uncommon for civil rights advocates to be called communist. O’Rear continued to teach in minority schools on the Westside for the next twenty years before receiving a teaching assignment on the Southside in the late 1980s.³³

The history of Corpus Christi and the school district before *Brown* illustrated a system of segregation that saw both African Americans and Mexican Americans as "nonwhites." Both the

³³ Mary Jo O’Rear interview, CRBB, TCU

city and the school district designed racial barriers to exclude minorities from select housing, jobs, and public accommodations. However, in the early 1950s, for the first time things were looking up for minorities in the city as USWA leader Paul Montemayor integrated the AS&R shop floor for Mexican Americans and Dr. Henry Boyd Hall's success desegregating Del Mar College for African American students. In the 1950s, as the *Brown* decision unfolded in the Supreme Court, the white community quickly reacted to sustain racial segregation in schools.

The school district's tactic to use Mexican Americans' ambiguous racial status to satisfy *Brown* temporarily sustained segregation. While race had always served a wedge between the African American and Mexican American community, desegregation brought them closer as African Americans attended schools with their children, moved into their neighborhoods, and began working alongside them in the workplace. Although the structure of segregation was crumbling throughout the US, not much had changed in Corpus Christi by the end of the 1950s. The school district had avoided integration in the 1950s by using geographical barriers to prevent both minority groups from attending white schools. To be sure that their efforts could be sustained, they hired East Texan Dana Williams as superintendent of schools. For the African American and Mexican American communities Williams would become a major roadblock for school integration efforts. In the 1960s, the school district not only prohibited the students from integrating schools, but also limited the employment and advancement opportunities for minority teachers. The minority community leaders and civil rights organizations had their work cut out for them and would begin building an alliance.

CHAPTER 3

THE POWER OF THE PEOPLE: *CISNEROS V. CCISD*

The relationship between any school and the surrounding community is multifaceted. This relationship often depends on the connections between parents, teachers, school administrators, community members, and students. These connections are necessary to create an environment that ensures a high-quality education for the students. The school district and the community share a common goal of creating a safe and healthy educational environment for the students to learn. However, this was not the case for CCISD and its minority communities. The school district refused to develop relationships with poor and minority parents by ignoring their requests for school improvements and denying their children school transfers. As a result of *Brown*, the school board tightened its reins with the hiring of superintendent Dana Williams who supported their stances for an “antibusing, antiunion, and a [pro-neighborhood]” school system.¹ Such stonewalling motivated the minority communities into action as they demanded to be heard. Throughout the late 1960s, grassroots activism played a crucial role in these minority communities, ultimately resulting in the *Cisneros* case.

The issue of education reform brought black and brown communities together as they confronted the school district’s discriminatory practices. Minority communities opted for integration to narrow the educational achievement gap. The following pages chronicle the way in which the minority communities challenged the re-segregation of schools in CCISD. I argue that despite fighting their battles separately in the 1950s, Mexican Americans and African Americans worked collectively to dismantle segregation in the education system. In the US, the 1960s were characterized by civil disobedience and resistance as groups across the nation rose up to demand

¹ Willie and Greenblatt, *Community Politics and Educational Change*, 146.

civil rights reforms in the hopes of creating a new America. In Corpus Christi, white resistance to *Brown* was overwhelming as the school district was slow to implement change, which led to impatience among the minority communities. The minority communities engaged in direct action against segregation and oppression in the school district by protesting the school board and seeking governmental assistance to investigate the poor minority schools. As a result of these actions, the minority communities were able to pursue a class action lawsuit against the school district.

During the second half of the 1960s, Corpus Christi schools were still starkly segregated as *Brown* had no impact on the school district. However, for the few minority students who were able to attend previously all-white schools experienced racial discrimination. Silvia Alvarado attended Mary Carroll High School, a predominately white school where she experienced racial prejudice from her white peers and teachers. As the minority population continued to grow in the 1960s, CCISD had difficulty containing the growth of minority students. Thus, the school district made plans to build a new high school to accommodate this overflow on the Westside. While Alvarado had always been recognized by her peers and teachers and never earned anything less than a B, she found herself in “the year from hell” when she attended Carroll. After being constantly ignored by her white teachers and peers in the classroom and receiving her first failing grade, Alvarado did not return the following year.²

In the early 1950s, the Alvarado family was gradually moving into the middle class as her mother did odd jobs from home and her father was employed as a steelworker at the Reynolds factory in Corpus Christi. The Alvarado family, along with many other Mexican American

² Silvia Alvarado, interview with James Wall and Moises Acuna-Gurrola, Corpus Christi, Texas, June 11, 2016, Civil Rights in Black and Brown Oral History Project, TCU. digital copy of unprocessed interview in author’s possession.

families, was part of a growing middle class in the Corpus Christi community. Compared to other Mexican American families living on the Westside, the Alvarado family was considered well-off. “We had a cement driveway [and] we went out to eat every Friday night. We just really had what was considered a dream life because of my dad being able to be a steelworker at Reynolds,” said Alvarado. By the 1960s, the neighborhood that Alvarado had grown up in had transformed from a white majority to a Mexican American majority in the ten years that they had lived there. Many middle-class and working-class Mexican American families attempted to assimilate their children into American culture, fearing that teaching their children their own culture would only hinder their socioeconomic advancement.³

Alvarado grew up hearing Spanish spoken in her home, but her parents taught her only English: “My parents taught me to speak English only. I did not learn Spanish, any hint of Spanish, until I was fifteen and I started listening to Little Joe music.” She suspects that their logic for not teaching her Spanish was simply a survival tactic. This approach under no circumstance was an act of denying their cultural heritage. Her parents tried to assimilate her into the dominant culture both through language and food. While her mother fixed her father Mexican food for lunch every day, she sent Alvarado to school with sandwiches. Although Alvarado spoke fluent English and was well accustomed to the dominant culture, she still experienced racial discrimination in school. The English only bill continued to affect the Mexican American community, and discrimination remained rampant in schools. While the bill prohibited teachers and students from speaking Spanish in schools, it also made Mexican American students a target as this mandated discriminatory practices to exclude them in the classroom.⁴

³ Silvia Alvarado interview, CRBB, TCU.

⁴ Ibid.

In 1967, Alvarado continued her secondary education at the newly built Moody High School, a neighborhood school that had a majority Mexican American population. The high school was constructed to contain the fast-growing minority population on the Westside. Alvarado had a tremendously different experience attending Moody. She was elected vice-president of student council and joined several other organizations simply because she felt accepted.⁵

While the construction of Moody High School was underway, steelworker Jose Cisneros sought to mobilize other parents to confront the school board about the poor conditions of schools. In 1966, Cisneros transferred his children from the Roman Catholic parochial school to their neighborhood school as he could no longer afford this expense. When Cisneros enrolled his children at Prescott Elementary School, he found that the school building was in shambles and there was a lack of learning resources to assist the students. He discussed his concerns with other neighborhood parents and they attended school board meetings to voice their complaints. In these school board meetings, the minority parents demanded school improvements and new schools to be built outside of the Westside barrio for their children to attend. In response, Williams agreed to some changes such as replacing the Anglo American principal at Prescott Elementary School with a Mexican American principal but refused to build schools outside of the Westside confining minority students in their own neighborhoods. Williams tried to make segregation more appealing to minority parents by selling them on the philosophy of “separate but equal.” “Look, you are going to have your own school. We will give you a Mexican [p]rincipal. You are going to have your own PTA, [and] your own football team,” said Williams.⁶ Cisneros and the other parents grew agitated with the school district’s bold

⁵ Ibid.

⁶ Hernandez, *Unclassified* (blog), *ibid.*

attempt to maintain racial segregation in schools. Cisneros responded, “Sure, we got a Mexican principal, a Mexican PTA, and a Mexican and [b]lack football team and an average grade level achievement after graduation of only eighth grade.”⁷ While his children continued to attend poor Westside schools, he lobbied at school board meetings to integrate CCISD schools.⁸

Shortly thereafter, rumors of the school board’s decision to overcrowd the newly built Moody High School was the final straw. The parents were not alone as the youth stood with them against discrimination and advocated for change in their schools. Alvarado who served as student council vice-president and a group of other students from Moody met with the school board to plea their case against the overcrowding of their school. Williams's attitude in the meeting was described as hateful and unpleasant, according to Alvarado: “He had an arrogant attitude against Mexicanos and you could tell there was going to be a confrontation.” Although Williams denied their request, this would not be the last time the superintendent would be confronted by the minority communities.⁹

In 1968, President Lyndon B. Johnson appointed Dr. Hector P. Garcia of the American G.I. Forum (AGIF) a member of the United States Commission on Civil Rights (USCCR). Garcia’s first action as commissioner was to urge the federal Department of Health, Education, and Welfare (HEW) and the Texas Education Agency (TEA) to conduct a thorough investigation of CCISD schools. At the same time, president Irvin Brown of the local NAACP filed a complaint with HEW stating that the school district was in violation of the Section 181.12 of Title VI of the Civil Rights Act of 1964. An infuriated Brown wrote, “We have been told by the Superintendent of Schools that there are no plans for the desegregation of Washington

⁷ Ibid.

⁸ Willie and Greenblatt, *Community Politics and Educational Change*, 139-140.

⁹ Silvia Alvarado interview, CRBB, TCU.

[Elementary] School. A school with an enrollment of about 460 students less than 10 Latin American, the rest Negro. A total of 17 classroom teachers, 10 are Negro and [3] are Latin American. The only Negro Principal in the District is assigned to this school. This school is a continuation of all negro segregated schools.”¹⁰ Shortly thereafter, their letters were answered and for the next few months, the HEW investigated the school district.

In their findings, HEW field staff identified a number of violations that included discriminatory hiring process, an unfair teaching system for Mexican American children, segregated school boundary lines, and poor school conditions for minority students. The field staff records revealed that little progress had been made to desegregate schools and eliminate discriminatory practices in the hiring of minority faculty and staff. Lloyd Henderson, education branch chief of the Office for Civil Rights, interpreted these findings in a letter to Superintendent Williams. Henderson placed particular emphasis on the school board's minimal attempts to integrate the school system, stating that “the school board has been much more responsive to the needs and desires of the Anglo community than to those of the Mexican American and Negro residents.”¹¹

Finally, after two years of Superintendent Williams and the school board's refusing to desegregate schools, Cisneros and the USWA turned to litigation. For Cisneros and the local union, the score would be settled in the courtroom. Cisneros contacted Paul Montemayor, a USWA organizer and community activist, to secure funding for the lawsuit. Montemayor was convinced that Cisneros had a sound case against the school district and persuaded the union’s international executive board to finance the lawsuit. While few sources remain regarding the

¹⁰ Letter, Irvin Brown, March 27, 1968, Collection 36, *Cisneros v. CCISD*, University Special Collections and Archive, TAMUCC.

¹¹ Letter, Lloyd R. Henderson to Superintendent Williams, October 21, 1968, Collection 5, Garcia Papers, University Special Collections and Archives, TAMUCC.

details of their conversation we do know that Montemayor's position as USWA Civil Rights Committee member placed him in contact with the executive board. With the funding to pursue the lawsuit secured, the union hired a legal team that included Chris Dixie, James Wolf, and renowned Mexican American civil rights attorney James DeAnda. Civil rights and social change for Mexican Americans came about through determined litigation efforts. At the forefront was attorney DeAnda who assisted in the victory of the *Hernandez v. Texas* in the 1950s.

With a formal investigation conducted by the federal administration and a strong legal counsel, all that was missing was a list of witnesses to make their case. While the class action lawsuit represented ninety-six Mexican American and African American children, it is important to note that none served as witnesses as it would have been too hard to make the case. Mexican Americans in Texas had always experienced racial discrimination similar to African Americans and had been seen as non-whites, thus the need for witnesses with life experience. The plaintiff witnesses consisted of multiracial members which included Cisneros, Paul Montemayor, Hector P. Garcia, and Ann Hughes Bright. DeAnda also subpoenaed Robert Campbell, who was principal of Booker T. Washington Elementary School, and former principal Cornelius Sampson of Solomon Coles High School. The attorney also enlisted two expert witnesses from outside of the city: Dr. Thomas P. Carter, a professor of education and sociology at the University of Texas-El Paso, and Dr. Gordon Foster, a representative of the Florida School Desegregation Consulting Center. But, out of the eight witnesses, only three would be pertinent to Judge Seals's final decision.

Very little evidence remains on how exactly this alliance came about, but it's clear that the minority communities were in communication with one another. There was a lot to be gained from the *Cisneros* trial for both groups. For the African American community, while *Brown* had

guaranteed integration for black students in public schools, it failed to be implemented in the school district. In addition, *Brown* had not addressed the problem of discriminatory practices against black faculty and staff. The Mexican American community, however, while they had previously won many school desegregation suits claiming whiteness, they would have their hardest challenge yet reversing their previous argument. Mexican American attorneys in the *Cisneros* case built their argument on *Brown* with the intention of being seen as a minority to become a part of the desegregation process with African Americans.

When Montemayor formed the local USWA in the 1950s, its success relied on the workers' unity and race relations on the shop floor. Anglo American union members did, in fact, want to take part in the suit but were turned away as the attorneys decided to have Mexican Americans and African Americans plaintiffs represented in the case. For the plaintiffs' attorneys, Mexican Americans needed to align themselves with African Americans as they argued that similar to blacks, they had experienced racial segregation and discrimination in Corpus Christi. It was important that the witnesses chosen for the suit were able to express the struggles that the minority communities faced to gain access to equal education and status in the community.¹²

After *Cisneros* was filed, community protests grew against the school district. In May 1969, Mexican American youth threatened a large demonstration at the Buccaneer Days parade in Corpus Christi. The Mexican American youth no longer viewed the courts as the solution to their social problems. The youth called for the right to speak Spanish on school campuses, to be included in the Texas history books, to be taught by Mexican American teachers, and to meet with the school board in regard to making changes to their schools. In the late 1960s, Mexican American youth established organizations like Mexican American Youth Organization (MAYO)

¹² Willie and Greenblatt, *Community and Politics and Educational Changes*, 140.

which took a more aggressive approach to civil right issues. “MAYO is here to stay. And its young people are going to continue to be more militant. We can stop it, but some changes have to be made,” said Montemayor. He advised the youth to follow the lead of the black Civil Rights Movement and employ nonviolent strategies to accomplish their goals. Montemayor also suggested that the best possible solution to the problem was to build an urban coalition. He believed rather than fault the wealthy and well-educated Anglo community, it would be more beneficial to work with them to resolve the problems. While MAYO worked diligently to plan the demonstration, it did not occur due to the advisement of Montemayor, who persuaded the group to hold off on further action. But, the white community was forewarned that if a change did not come soon enough, militant action might result. Although the role of MAYO was central to the movement in cities like San Antonio, the organization failed to get off the ground in Corpus Christi.¹³

On May 14, 1970, the hearing for the case commenced under federal Judge Woodrow Seals of the US District Court for the Southern District of Texas. Born on December 24, 1917, in Bogalusa, Louisiana, Seals was an active liberal Democrat. He served as a campaign manager for President John F. Kennedy. In 1961, President Kennedy appointed Seals as US Attorney for the Southern District of Texas. Five years later, he was elevated to the federal bench by President Lyndon B. Johnson.¹⁴ Growing up in the south, even as a liberal Seals was familiar with the black-white racial binary and would have to be convinced that Mexican Americans were not “white.”

¹³ Grady Phelps, “Militancy, Violence Seen Here: Montemayor Warns Latins Dissatisfied,” *The Corpus Christi Times*, May 23, 1969. On the efforts of MAYO and the Chicano Movement in Texas and the Southwest, see also David Montejano, *Quixote’s Soldiers: A Local History of the Chicano Movement, 1966-1981* (Austin: University of Texas Press, 2010).

¹⁴ Woodrow B. Seals Obituary, *New York Times*, October 30, 1990; Steven H. Wilson, *The Rise of Judicial Management in the U.S. District Court, Southern District of Texas, 1955-2000* (Athens: University of Georgia Press, 2002), 86-90.

Judge Seals's ruling in the *Cisneros* case would be controversial, in nature, because of his remedy to combat segregation in CCISD. In the preface of Judge Seals's partial ruling in 1970, he stated, "This type of controversy, which is prevalent all over the country, has finally come to the city Corpus Christi, as it has come to many communities over the land, and the magnitude of the problem is reflected in the great volume of litigation and opinions which we lawyers are familiar with."¹⁵ Judge Seals recognized that Corpus Christi was no exception to the status quo as racial segregation was prevalent in their city and public school system.

Before the court could address the central question of this case whether or not *Brown* was limited to African Americans. First, the plaintiffs' attorneys would have to prove that the school district violated *Brown* for African Americans and make a connection between their similar experiences. The testimonies of the two principals, Campbell and Sampson, were significant as they connected the treatment of African Americans to Mexican Americans. Although these two witnesses made a brief appearance in Court, they revealed that the majority of African American students within CCISD continued to remain in the former black schools within the sixteen-year period of the *Brown* decision. This was largely due to the school district's refusal to redraw school boundary lines and grant minority student transfers to integrate white schools.¹⁶ Judge Seals was easily convinced by the attorneys' argument that the school district had violated *Brown* using geographically restricting guidelines to prohibit African Americans from accessing all public schools. Judge Seals considered the school district's defense that socioeconomic factors affected the desegregation of the district, but he did not buy it as the root cause for such segregated conditions for minorities. He explained, paraphrasing *Brown* that it constituted as

¹⁵ Court opinion from Judge Woodrow Seals, June 4, 1970, Collection 36, *Cisneros v. CCISD*, University Special Collections and Archive, TAMUCC.

¹⁶ Testimony of CC Sampson, *Cisneros v. CCISD*, TAMUCC; testimony of Robert Campbell, *Cisneros v. CCISD*, TAMUCC.

illegal segregation if the school district failed to provide “public school education . . . on the basis of their being of a particular race, culture, national origin, or of some identifiable ethnic minority group, or class.”¹⁷ Judge Seals’s interpretation of *Brown* raised the question of whether the large population of Mexican American students in the school district were in fact distinctly identifiable. The attorneys would just have to demonstrate how the school district and the city itself had racially identified Mexican Americans as “nonwhites.” Thus, the plaintiff witnesses would prove critical to make this argument.

While the attorneys expected parents Jose Cisneros and Ann Hughes Bright to make their argument, their testimonies only raised more questions. When the Court asked Cisneros if he had ever personally experienced any discrimination being Mexican; he could only recall the one instance during high school where he and his friends were denied service at a local restaurant.¹⁸ Although Anglo American union members were excluded from participating in the lawsuit, Bright, a white housewife and mother of five, was chosen as a plaintiff witness. She was born in 1926 in Hillsboro, Texas, where she spent her childhood. Bright moved to Corpus Christi in the 1940s. She became involved in the *Cisneros* case by accident when she attended the pretrial hearing and spoke out against the school district. She argued that the exhibits being presented to the Court by the school district's attorneys were inaccurate. Bright played a relatively short role in the trial. When called for testimony, she alluded to the fact that for Anglos in CCISD the school attendance zone policies were virtually nonexistent. Unlike minorities, Anglo Americans could attend any school in the district without resistance. According to the school district attendance zone, Bright was within the boundaries of Wynn Seale Junior High

¹⁷ Ibid.

¹⁸ Testimony of Jose Cisneros, Collection 36, *Cisneros v. CCISD*, University Special Collections and Archive, TAMUCC.

School, but her children were automatically transferred without her request to all-white Baker Junior High School after sixth-grade graduation. Her testimony began to reveal the school district's motives.¹⁹

The attorneys pressed Williams to explain the politics of the school board and why there had been no change in the district related to desegregation. On the stand, Williams testified that his goals for improving schools consisted of reducing the fees associated with student vocational programs, expanding library funding for the growing number of students, and minimizing the student-to-teacher ratio in schools.²⁰ Williams's statement prompted Judge Seals to question if any of the superintendent's goals had been to integrate the three racial groups to achieve balance in schools and provide educational advantages to minority students. His response was "No."²¹ He further explained that integration was never a priority in the school district as they feared that it would only cause turmoil and unhappiness among the citizens in the community. Williams insisted that no one had asked for such changes "other than the people filing the lawsuit."²² However, the steelworkers felt that they represented the minority communities and had their best interests at heart in their efforts to provide all students access to a quality education. Throughout the trial, Williams's testimony remained consistent with his racist attitude as he did not deny his motives to maintain segregation. By the end of his testimony, Judge Seals was convinced that the school district had, in fact, operated a dual education system, in which, Anglo students and minority students received separate educations. However, the question of race for Mexican Americans still remained.

¹⁹ Testimony of Ann Hughes Bright, Collection 36, *Cisneros v. CCISD*, University Special Collections and Archives TAMUCC; "Ann H. Bright," *Dignity Memorial*, <http://www.dignitymemorial.com>.

²⁰ Testimony of Dr. Dana Williams, Collection 36, *Cisneros v. CCISD*, University Special Collections and Archives, TAMUCC.

²¹ Testimony of Robert Campbell, *Cisneros v. CCISD*, TAMUCC.

²² Testimony of Dr. Dana Williams, *Cisneros v. CCISD*, TAMUCC.

With attorney DeAnda bringing up the issue of race for Mexican Americans, the school district hoped that case would be dismissed as they had historically made claims to whiteness in the courtroom. But DeAnda was aware that the *Brown* decision was based on *de jure* segregation and not so much concerned with the *de facto* segregation that Mexican Americans primarily experienced throughout the Southwest. In DeAnda's favor, Mexican Americans in Corpus Christi had been dealt both hands. Mexican Americans in Corpus Christi had experienced *de jure* segregation in public accommodations and the housing market. Cisneros's attorneys were attempting to prove that Mexican Americans were an "identifiable minority group" through the testimonies of the Mexican American community leaders Dr. Hector P. Garcia and Paul Montemayor.

As an active participant and civil rights leader in the community, Garcia was the perfect witness. As a civil rights activist, Garcia had witnessed many instances of racial discrimination against Mexican Americans this including his personal experiences, thus, his reason for establishing the AGIF. DeAnda felt confident that he could prove to that both the City of Corpus Christi and the state of Texas had identified Mexican Americans as racially different than Anglos. DeAnda opened with the question of whether any government agencies in the city or the state had identified Mexican Americans as a separate classification from Anglo Americans. Garcia rephrased DeAnda's question by stating that Mexican Americans had not been classified as a separate group from whites but rather as a separate race. He stated that such practices had been constant from the 1950s well into the late 1960s. Garcia presented before the court a copy of a citation given to a Mexican American by the Texas Department of Public Safety classifying the individual's race as "Mexican." In addition, DeAnda asked Garcia if Mexican Americans had been identified as a separate race in any school board elections. Garcia read before the court a

paid political advertisement for the Del Mar College school board election in 1950 entitled, “It Can Be Later Than You Think,” published in the *Corpus Christi Caller-Times*. The advertisement read, “Now, and for many years past, our Latin American friends have had one of their own race on the School Board – as is frankly agreed by all fair thinking people . . . it was thought that [they] would make no attempt to put an additional member on the School Board at this time . . . to defeat an experienced Anglo American member for a second term.”²³ Garcia’s examples exposed how committed Anglo Americans were to protecting their claims to whiteness as they tended not to see Mexicans as white. In South Texas, the Mexican was distinguishable from the Anglo. This was especially the case in the community of Corpus Christi. DeAnda argued that, in the city itself, Anglo Americans separated themselves from Mexicans by enforcing discriminatory housing policies and school zone boundaries. Up until 1970, restrictions in particular subdivisions such as the Best Addition in Corpus Christi which enforced a “White only” policy to prohibit the occupancy of minorities.²⁴ DeAnda used *Brown* to his advantage to prove that Mexican Americans, like African Americans, were a unique group and were subject to discrimination. He proved that, through residential segregation, minorities were restricted from the white community and its educational resources. The school district’s implementation of its neighborhood-based school policy only reinforced these restrictions which resulted in a large racial imbalance in the school system. DeAnda’s argument discredited the school district’s defense for maintaining a segregated school system based on socioeconomic factors dividing the racial groups.

Likewise, plaintiff attorney Wolf demonstrated that CCISD had a long history of discriminatory practices, not only toward African Americans but Mexican Americans as well.

²³ Testimony of Dr. Hector P. Garcia, *Cisneros v. CCISD*, TAMUCC.

²⁴ *Ibid.*

USWA union leader Montemayor testified that when he attended CCISD schools in the late 1920s and early 1930s, he experienced racial discrimination. He explained that he attended the “Mexican” school because Mexican Americans were not admitted into white neighborhood school: “I lived on 10th and Mary Street, walked by George Evans School to Cheston Heathe School. Even then George Evans was an all Anglo school and we could not register there . . . we all knew that we would not be accepted at George Evans because our school, the Mexican school, was Cheston Heathe at that time and later they changed the name to Rose Shaw. We just didn’t even apply.”²⁵ Judge Seals cut off attorney Wolf and asked Montemayor how it affected him knowing that he could not attend his neighborhood school as a child because of his race. He expressed that as a young child he did not fully understanding the ramification of racial segregation or realize that the difference would always be there as he grew up. While the school district did not formally tell Mexican American students that they could not attend Cheston Heathe, they were aware to avoid the so-called “white” school. The segregated schools that Montemayor described attending during the Jim Crow era were no different than the schools Mexican Americans and African Americans were still attending. Cisneros’s attorneys painted a clear picture of the reality that had been ignored. Although the common signs reading “Negro only” and “Mexicans and dogs not allowed” were no longer hung over doors, the practice of segregation continued to exist in Corpus Christi.

The attorneys used expert witnesses to explain that Corpus Christi was no exception as Mexican Americans were treated differently than their supposed Anglo American counterparts. Dr. Gordon Foster had appeared in the past as an expert witness on behalf of the Department of Justice in countless desegregation suits in California, Mississippi, and Virginia. While Foster

²⁵ Testimony of Paul Montemayor, *Cisneros v. CCISD*, TAMUCC.

was not the focus of the attorneys' argument, instead he was used to demonstrate that the school district could be successfully desegregated. He suggested that not only did the school district need to reassign students but also faculty and staff assignments.²⁶ Judge Seals was curious about principal Campbell's resume which reflected impressive qualifications deserving of a promotion based on his merit, but instead for twenty years he had been assigned to all-black school assignments. On the stand, he asked Campbell if he could handle serving as a principal in an all-white school. Campbell's responded, "Sure, I could."²⁷ Superintendent Williams's defense was that it was beneficial that minority educators served as role models for the students who share similar racial and ethnic backgrounds. Although Seals found that to be true, he could not overlook the fact that there were few minority teachers and principals in a majority-minority school district. As a result of the *Cisneros* trial, Campbell and other minority principals were reassigned to new schools throughout the school district.²⁸

Plaintiff witness Dr. Thomas P. Carter, professor of education and sociology at The University of Texas in El Paso, spent a great time on the stand as an expert on the racial differences between Mexican Americans and Anglo Americans. When asked in the case if Corpus Christi Mexican Americans were "an identifiable group," Carter said that the state itself considered them a distinct minority group. He stated that, "Particularly in Texas, it has been established that many laws were discriminatory against Mexican-Americans. So both from a legal point of view, a Government point of view, and a social-science point of view, they are a minority."²⁹ Carter was most determined to argue that Anglo Saxons from Western Europe had

²⁶ Testimony of Dr. Gordon Foster, Collection 36, *Cisneros v. CCISD*, University Special Collections and Archive, TAMUCC.

²⁷ Testimony of Robert Campbell, *Cisneros v. CCISD*, TAMUCC.

²⁸ "Schools Swap Principals to Comply with Ruling," *Corpus Christi Times*, July, 20, 1970.

²⁹ Testimony of Dr. Thomas P. Carter, Collection 36, *Cisneros v. CCISD*, University Special Collections and Archive, TAMUCC.

different cultural characteristics than those of Mexicans based on the various studies on the topic. Carter suggested that to overcome discriminatory practices and create equal opportunities for ethnic groups, integration would play a key role in bringing the groups together for social interaction.

The witnesses for lead defense attorneys JW Gary and Richard Hall were composed of school officials, school administrators, and guidance personnel with the exception of Dr. Laurence D. Haskew, professor of educational administration at The University of Texas at Austin, and Leon R. Graham, assistant commissioner for administration in Texas. The CCISD witnesses included Superintendent Williams, JM Pearce (director of research and pupil personnel services), Wallace Davis (assistant superintendent for instruction), and Charles M. Clark (CCISD Psychologist). Due to the school board members' refusal to participate and attend the desegregation trial, the attorneys argued on their behalf regarding the matter of malicious intent and whether they intentionally drew school boundary lines based on race. Attorney Hall argued that in no way was the school board's intent to separate students based on race when drawing boundary lines, stating that, "We have never felt it [proper] to take those matters into account and if we are to be condemned for that fact, then we must be because we have attempted not to let that play any part in our decision as to what child goes to what school."³⁰ In Judge Seals's final verdict he would take the school board's absence into account.

Although the defense agreed that the school district had participated in *de facto* desegregation, they disagreed that the district's neighborhood school concept was *de jure* in nature. Defense attorney Gary argued that while the school district did employ a dual education system for African Americans, by no means did Mexican Americans experience similar as they

³⁰ Argument of Attorney Richard Hall, Collection 36, *Cisneros v. CCISD*, University Special Collections and Archives, TAMUCC.

were granted mobility to attend schools throughout the district. While the school district admitted to racial segregation and discrimination against African Americans students, they refused to admit engaging in segregated practices against Mexican Americans students. Gary stated that many schools were built on the Westside as a response to relieve the growing Mexican American population, but not an act to deny them access to Southside schools.³¹ Their solution to correcting the *de facto* segregation was to achieve educational success rather than what the plaintiffs considered equal educational opportunities. Hall stated the difference between the two was that Mexican American students, in particular, who only spoke Spanish would receive a bilingual education in comparison to placing them in classrooms with Anglo students who spoke fluent English. Hall's pedagogical argument had been historically used by school districts throughout the Southwest, who also argued that Mexican Americans were not capable of learning with Anglo students based on cultural and linguistic differences. The defendant's argument was clearly an anti-busing position. In support of this anti-busing stance, the defense stressed the possible adverse effects of removing students from their environments and the limited role minority parents would play in their children's education if students were bused out of their neighborhoods. However, Judge Seals quickly interjected, explaining that busing had occurred for many years and there had been fewer psychological effects in comparison to the impact segregated schools had on children. He already agreed with Carter, who testified that equal educational opportunities for students could only be achieved through building better relationships between the racial groups. For Judge Seals, the solution to integration in such a severely divided community could only be achieved through busing. The relationship among the

³¹ Argument of Attorney JW Gary, Collection 36, *Cisneros v. CCISD*, University Special Collections and Archive, TAMUCC.

students was a primary concern for Carter, as he felt that the school district was not aware of the minority students' needs due to a lack of relationship building in Corpus Christi.

However, the defendant attorneys' major argument was fatally flawed. Hall attempted to counter DeAnda's argument that segregated housing practices limited the mobility of minorities within the city. Despite the racially restrictive covenants that were still in effect during the trial, Hall stated that residential patterns in the city existed solely because "people will live where they prefer to live" and that no one had restricted minorities from living where they wanted in the city after desegregation.³² His closing remarks addressed the question of whether Mexican Americans were an identifiable minority group in Corpus Christi. Hall stated that the testimonies presented by the plaintiffs were merely scars from the past and were no longer reality, thus, they should not be compared to the experiences of African Americans. "We have no evidence that there is any distinction between the Mexican American and any other member of our Corpus Christi population as to services available from stores, professional people or otherwise, as to transportation, as to housing," said Hall.³³ Ultimately, the defense admitted that they should not have treated Mexican American and Anglo American students as a single group. But, the defense only made reference to merging Mexican Americans with African Americans, and not including Anglos to satisfy the desegregation order of *Brown*.

On June 4, 1970, Judge Seals ruled in his partial judgment that the school district had, indeed, operated a segregated school system for both minority groups. When Judge Seals declared this decision for the Court, he found that school district was far more segregated than the city of Corpus Christi itself. This condition was the result of CCISD's failure to anticipate and correct the evolving racial imbalance even though the school district argued otherwise. Judge

³² Argument of Attorney Richard Hall, *Cisneros v. CCISD*, TAMUCC.

³³ *Ibid*.

Seals did, however, admit that socioeconomic factors geographically limited where Mexican Americans and African Americans lived and had a relevant impact on the school district.³⁴ But he was still confused to why there was a lack of minority involvement in the affairs of the school district. Without the presence of the school board and the lack of cooperation from Williams, he reasoned that minorities were hindered from participating. To a certain extent, this was accurate.

Many of the city's minority's maintained allegiance to the segregated school conditions as they believed harm might come to their children advocating for integration. Parents feared challenging the school board and being labeled as "rabble-rouser." Many thought their actions would hinder their children's educational success; and they had reason to believe so. Anglo Americans in support of the school desegregation suit would not be excluded from the school board retaliation. Although many members of the minority community did not directly challenge the school board's authority, community leaders and organizations began to draw active participation and support from minority citizens as the case progressed. Judge Seals's solution to the lack of involvement was to establish a tri-ethnic advisory committee. The intent of this tri-ethnic committee was to ensure participation and to create an open line of communication between the school board, school administrators, and the minority communities.

In addition to the lack of involvement of the minority communities, Judge Seals was concerned about the racial imbalance in the faculty and administrative staff. The *Cisneros* decision shifted the paradigm that minority teachers only served a purpose in minority schools by prohibiting teaching assignments based on race and color. In his findings, Judge Seals stated that "it is obvious that the faculty and administrative staff is even more segregated than the schools....The school must assign Negroes and Mexican-American teachers throughout the

³⁴ Court opinion from Judge Woodrow Seals, *Cisneros v. CCISD*, TAMUCC.

system on the same ratio of percentages they are in the total teacher and staff population.”³⁵

After decades of waiting, the minority communities’ demand for more minority teachers and the desegregation of faculty and staff assignments was finally granted.

Finally, Judge Seals addressed the issue of race for Mexican Americans: “We are not a homogeneous people; we are a heterogeneous people, we have many races, many religions, many colors in America.”³⁶ In his judgment, he addressed the complexity of race and ethnicity in America as he was convinced by the evidence and testimonies offered that people of Mexican descent were treated distinctly different on a variety of levels. Judge Seals stated in his opinion that he was influenced by the testimonies of Dr. Hector P. Garcia, Paul Montemayor, and Dr. Thomas Carter that Mexican Americans had been historically discriminated against throughout Texas and the Southwest.

On July 2, 1970, Judge Seals delivered his final ruling that outlined a desegregation plan that called for the busing of more than 15,000 students at the beginning of the 1971-72 school year. Instead of trusting the school district to desegregate promptly, he forced the school district’s hand requiring them to take financial responsibility for integrating their schools within a short period of time. The final decree required that the school district operate under the advisement of the appointed tri-ethnic committee. In addition to seeking the advisement of the multi-racial community, CCISD had to implement a majority-minority student transfer policy to correct the racial imbalance in the school system. The purpose of this student transfer policy was to by-pass the school district’s geographically restrictive school zone policies to provide poor minority students access to a quality-education throughout the district. Judge Seals insisted that

³⁵ Ibid.

³⁶ Ibid.

over the course of the next year the school district needed to take measures to desegregate schools.³⁷

The minority communities were excited about the ruling and witnessing Williams be scolded for his lack of action to integrate schools. Many parents imagined their children attending integrated schools the following school year and having the ability to transfer anywhere in the school district. However, this reality was not forthcoming. Attorney DeAnda was instrumental in not only ending school segregation in CCISD but more importantly, for legally gaining Mexican Americans racial recognition as a separate race for the first time. During the height of the Civil Rights era, the *Cisneros* case demonstrated that both groups could successfully join efforts and undertake the white power structure. Among their own problems, Mexican Americans and African Americans came together and found common ground on the issue of education. The steelworkers called for the involvement of minority parents to confront the school district's discriminatory practices, and the youth followed suit advocating for their education. By Cisneros's attorneys applying the same legal strategy of *Brown*, Mexican Americans were able to access the same protections afforded to blacks. Judge Seals built on the landmark *Brown* decision by desegregating the faculty and administrative staff, stressing that it was unconstitutional to hinder career advancement based on race. Moreover, he issued a directive to create a checks and balance system in the school district through the tri-ethnic committee, who would be responsible for supervising the desegregation process. Although, Judge Seals ruled that the defendant school district was guilty of operating a dual education system he could not have predicted the appeal and downward spiral of his decision.

³⁷ Willie and Greenblatt, *Community and Politics and Educational Changes*, 141; For an outline of Judge Seals's desegregation plan see also Court Opinion of Judge Seals, *Cisneros v. CCISD*, TAMUCC.

CHAPTER 4

THE FIGHT AGAINST DESEGREGATION AND A MORE PERFECT UNION IN THE CORPUS CHRISTI COMMUNITY

After the *Cisneros* decision, CCISD devised new strategies to circumvent the process of desegregation. While the ruling should have initially benefited Mexican Americans, it was immediately suspended when the school district appealed for a stay. The school district argued that their lack of financial resources and tight time constraints prohibited the immediate implementation of Judge Seals's desegregation plan. But, Judge Woodrow Seals was not available to reconsider the motion as he had left on vacation, so the case was temporarily reassigned to the Southern District's new judge, Owen DeVol Cox of Corpus Christi, whose ideologies were not the same as Judge Seals's. Judge Cox granted the stay, giving the school district an additional year to implement a desegregation plan. Judge Cox and the school district agreed that Judge Seals desegregation plan was far too ambitious and severe. Thus, he insisted that a new desegregation plan be implemented. In contrast to Judge Seals, Judge Cox maintained a conservative and narrow view on the effects of school segregation on the community. Accordingly, he chose a desegregation plan that favored the school district's status quo.

Throughout the 1970s, the school board's resistance to integration through busing was not the only thing preventing desegregation. The city's grassroots anti-busing movement also contributed to disrupting the process. Despite the obstacles, a tri-ethnic coalition of Mexican Americans, African Americans, and Anglo Americans joined forces to integrate schools and confront the anti-busing movement. Through active community leadership, they formed organizations to support busing and build better community relations. I argue that although the

Cisneros case was centered on the racial identity and treatment of Mexican Americans, their efforts primarily benefited African Americans as the school board refused to integrate their children into white schools. This chapter outlines the school district's efforts to maintain a segregated school system for Mexican Americans and the results in the decade following the *Cisneros* decision. Judge Cox's decision to approve CCISD's stay had a domino effect that would eventually lead to more obstacles placed against the minority communities.

Owen DeVol Cox was a city attorney in Corpus Christi before he became a federal judge in the Southern District of Texas. Trained at the University of Kansas School of Law, Cox moved to Corpus Christi in 1934 to establish a private law practice. In 1944, he served in the US Army for a year before resuming his position as city attorney in Corpus Christi. In 1970, Cox was appointed to the federal bench by President Richard M. Nixon. On July 13, 1970, the *Cisneros* case was formally transferred to Judge Cox, who implemented a new desegregation plan and took charge of the integration of the school district. Judge Cox, a Republican, did not see eye to eye with Judge Seals regarding the desegregation of CCISD. While he agreed to force the school district to reallocate funds to remodel school buildings and reassign minority teacher assignments, he was not keen on supporting Judge Seals's decision for court-mandated busing.¹

During the summer of the *Cisneros* ruling, the issue of court-mandated busing grew in cities across Texas as there was virtually no cooperation among whites during the transition into these integration plans. A few cities stood in the spotlight for facing chaos over busing issues that included Dallas, Fort Worth, Austin, Amarillo, and Midland.² Similarly, in Corpus Christi, many whites refused to bus their children and responded by signing petitions and organizing anti-busing groups. All these actions were aimed at reinforcing the neighborhood school concept

¹ Wilson, *The Rise of Judicial Management in the U.S. District Court*, 206-208.

² "Busing Issue Chaos Grows in Texas Cities," *Corpus Christi Caller Times*, July, 11, 1971.

which imposed strict geographic zoning policies to restrict the minority communities from attending white schools. The most outspoken persons against integration formed Concerned Neighbors, an anti-busing group that claimed to speak for the needs of the community as a whole. Concerned Neighbors advocated for “neighborhood schools, integration, and freedom-of-choice schools.”³ In its first year, membership grew quickly to 17,000 members by the end of summer in 1970.⁴ The organization advertised weekly meeting in the local newspapers, appealing to supporters of CCISD’s former neighborhood based school system. Concerned Neighbors received support from Anglos, African Americans, and Mexican Americans, who were all split over the decision to integrate schools through busing. While some viewed busing as the best solution to integrate schools, others subscribed to the ideology of “freedom of choice.” The freedom of choice ideology supported *de facto* segregation in disguise under civil liberties rhetoric to protect the socioeconomic rights of whites during desegregation.⁵

While Concerned Neighbors publically called for “freedom of choice,” Corpus Christi residents expressed their personal opinions on the *Cisneros* decision through letters to the local newspapers. A letter written by a mother of six suggested a parents’ strike as she was upset at the thought of increased school taxes without freedom choice of schools: “If someone had a child in third, sixth, junior high and senior high, it sure would be a job seeing they were bused in all the right directions...what would happen to busing of our school children if every taxpaying parent would not pay his school taxes! . . . Why can’t parents strike and keep their children out of school?”⁶ Many parents agreed that busing was more of an inconvenience than beneficial to their

³ Willie and Greenblatt, *Community Politics and Educational Change*, 147.

⁴ Anne Dodson, “Antibusing Suit Considered,” *Corpus Christi Times*, July 23, 1971.

⁵ Richard W. Brown, “Freedom of Choice in the South: A Constitutional Perspective,” *Louisiana Law Review* 28:3 (April, 1968), 457.

⁶ Letter to the editor, “A Parents’ Strike?” *Corpus Christi Caller-Times*, July, 16, 1971.

children. A letter sent to the *Corpus Christi Caller Times*, informing minority parents of the disadvantages of forced busing: “What these people do not seem to realize is that the pupils will need to report to the neighborhood school at least thirty minutes earlier than usual and will arrive home at least that much later. This will preclude the pupils participating in any extracurricular activities after school. . . .[And] the students will not be able to stay after school for special help from their teachers and counselors.”⁷ Hoping to convince minority parents to protest and participate in the anti-busing movement, the white community unveiled the negative effects of busing.

The minority community also supported the notion that busing had far more limitations than benefits. For instance, some of the Mexican American community believed that busing was not a good solution because it perpetuated the perception that they were distinctly different and inferior: “Mexican Americans do not need to be bused or forced to consort with others in order to attain equality. We are already equal. Busing us across town in order that through some sort of ethnic osmosis we will collectively absorb the equalizing juices of Anglos and Negroes is an insult.”⁸ The concern of the Mexican American community only escalated when the school district constructed a new student transfer policy.

In August 1971, CCISD established the court-ordered “majority-minority transfer policy” issued as part of Judge Seals’s desegregation ruling.⁹ Under the policy, the school board guaranteed free transportation to African American students who transferred from majority black schools to predominantly white schools and Anglo American students in the opposite circumstance. However, free transportation was not provided to Mexican American students

⁷ Letter of the editor, “Busing ‘inconvenient,’” *Corpus Christi Caller-Times*, July 16, 1971.

⁸ Letter of the Times “No Busing Necessary,” *Corpus Christi Caller-Times*, June 27, 1971.

⁹ “School Transfer Policy Adopted Last August,” *Corpus Christi Times*, August 15, 1972.

transferring to predominantly white schools. On July 16, 1971, Judge Cox granted CCISD's request for a stay in which postponed student transfers and transportation to Mexican Americans until the 1972-1973 school year.¹⁰ In his supplemental order, he stated that, "It is not the intention of this Court to pass on any portion of this lawsuit, other than whether or not the effectiveness of the Judgment and Memorandum order should be stayed to any extent. . . .It is the Judgment of this Court to grant the stay requested by the Defendant Corpus Christi Independent School District with regard to the Mexican American students."¹¹ As a result of Judge Cox's supplemental order, plaintiffs' attorney James DeAnda requested a reversal of the stay, but his appeal was quickly denied.

The Mexican American community responded to the school board's policy with a petition to the US Attorney General John Mitchell, and Commissioner of Education in Texas Dr. JW Edgar. Dr. Hector P. Garcia wrote an appeal on behalf of eight Mexican Americans students requesting that an immediate investigation be conducted. In this petition, Garcia wrote, "These parents generally are poor and cannot afford to pay for private transportation and since public transportation has been denied, therefore, they appeal to you. The Travis School zone is one of the poorest school zones in the District. Furthermore, some of these parents live in the Armada Housing Projects which are public housing homes administrated by the city for the poor."¹² Although Garcia's petition revealed that the school district's student transfer policy exuded both racial and socioeconomic segregation, the federal administration denied his requests for further investigation.

¹⁰ Archival Cisneros case summary newspaper, Collection 5, Garcia Collection, University Special Collections and Archives, TAMUCC.

¹¹Judge Cox's Supplemental Order, Collection 5, Garcia Papers, University Special Collections and Archives, TAMUCC.

¹²Archival letter to the Attorney General Mitchell, September 27, 1971, Collection 5, Garcia Papers, University Special Collections and Archives, TAMUCC.

In truth, the school district's decision to provide free transportation African American and to Anglo American students but not Mexican American students could have been the result of many things. Possibly the intent of this decision could have been a scheme to fragment multi-racial coalition building, or even to satisfy the requirement of *Brown* which the district had violated twice for African Americans. Judge Seals ruled in *Cisneros* that CCISD had not been in compliance with the *Brown* decision. The school district's 1955 resolution to desegregate schools consisted of merging African American and Mexican American students into the same schools, leaving white schools untouched. Thus, Judge Seals included all racial groups (African Americans, Mexican Americans, and Anglo Americans) in his desegregation plan to correct the racial imbalance in the school system. Whatever the intention behind the transfer policy, the school district's student transfer policy did not deter multi-racial coalition building in the city, nor did it satisfy the black community. African Americans accused the school district of conducting a "one-way busing" plan that largely transferred black, not white, students to correct the racial imbalance in schools.¹³

While the anti-busing movement developed and the school district continued to stall on school desegregation efforts, minority parents led by Mexican American activist Olga Gonzales advocated for district-wide integration and educational improvements in poor minority schools. A short and feisty woman, Gonzales campaigned for educational reform upon transferring her children from a Roman Catholic parochial school to their neighborhood public school. When she enrolled her youngest child at Chula Vista Elementary School, she recalled the school being in poor condition. She recalled "the sanitary conditions [and] bathrooms [were unacceptable], the

¹³ Willie and Greenblatt, *Community Politics and Educational Change*, 143.

books were ten years old in the library, [and] the food served [to] children was day-old food.”¹⁴ Soon after enrolling her son, she joined the school Parent-Teacher Association (PTA) and began protesting at school board meetings. During her time working for State Representative Carlos Truan in Corpus Christi in the late 1960s, she became involved in working on the problems in her community. Her experiences working with the State Representative Truan and other Mexican American political activists taught her a lot about grassroots organizing. Some of these activities included participating in voter registration drives and organizing political rallies.¹⁵

In the early 1970s, when Gonzales was elected as PTA president, there was very little parental involvement. Her first order of business was to recruit more minority parents to participate in the PTA. The general assumption by white CCISD school principals was that minority parents were not interested in their children’s education. Gonzales went door to door and visited with families to discuss the importance of being involved in their children’s education, especially at such a crucial time. By the end of summer, Gonzales was able to recruit 100 percent of the minority parents, thus proving that other obstacles prohibited their participation, not their lack of concern.¹⁶

In CCISD, Anglo American women controlled PTAs and conducted them only in English up until the 1970s. Non-bilingual PTAs were a major problem for the Mexican American community as many either spoke only Spanish or preferred to speak in their native tongue. Gonzales established a bilingual PTA to support Mexican American families in the school system. She accused the Anglo parents and teachers of being non-inclusive to the Mexican

¹⁴ Olga Gonzales, “Cisneros v. CCISD,” interview with James Wall and Moises Acuna-Gurrola, Corpus Christi, Texas, July 13, 2016, Civil Rights in Black and Brown Oral History Project, TCU.

¹⁵ Olga Gonzales, “Carlos Truan,” interview with James Wall and Moises Acuna-Gurrola, Corpus Christi, Texas, July 13, 2016, Civil Rights in Black and Brown Oral History Project, TCU.

¹⁶ Olga Gonzales interview, “Cisneros v. CCISD,” CRBB, TCU.

American community as they dismissed the language barrier. The white community did not respond kindly to this change as they began to lose control of the PTA. Parents of color were no longer viewed as absentee but as agents and advocates for their children who also intervened and broke down federal, state, and local institutional barriers.¹⁷

Gonzales used her connections with community leaders to gain access to the media. Through the PTA and the media, she was able to raise awareness in the community about the problems in the public school system. When Gonzales investigated several Westside school she found them to be severely overcrowded. These minority schools had at the minimum five lunch periods a day and teachers used cafeteria stages as an alternative classroom to accommodate the massive number of students. She reached out to the local television station to confront the school district regarding the overcrowding of minority schools and the unhealthy school lunches being served to the children. In a television debate against the cafeteria director of CCISD, she argued that all parents who paid taxes deserved a high-quality education, equal facilities, and healthy school lunches for their children.¹⁸

Through Gonzales's PTA and community organizing efforts the Association for Educational Understanding (AFEU) organization was founded. This organization extended beyond Chula Vista Elementary School and into the community. Participation in the organization included parents throughout the school district and addressed the concerns in the district. In the summer of 1970, this tri-ethnic organization had a goal to "build better community relations and a better school system." The organization's general concern was children's accessibility to equal education opportunities. They argued that a good education should not be bought but rather

¹⁷ Olga Gonzales, "Busing," interview with James Wall and Moises Acuna-Gurrola, Corpus Christi, Texas, July 13, 2016, Civil Rights in Black and Brown Oral History Project, TCU.

¹⁸ Olga Gonzales, "Concerned Parents and Concerned Neighbors," interview with James Wall and Moises Acuna-Gurrola, Corpus Christi, Texas, July 13, 2016, Civil Rights in Black and Brown Oral History Project, TCU.

given by right to all children. Plaintiff witness Ann Hughes Bright, a friend of Gonzales and member of AFEU stated in the *Corpus Christi Times* that joining the organization helped her and her family to confront their privilege as a member of the white middle-class: “I wasn’t confronted then with the problem of those people who can’t afford to move. . . . [You] may not be aware that this simply accepts that fact that schools are inferior, and therefore to be avoided and that nothing is to be done to improve those inferior schools. . . . AFEU is concerned with quality education for all children in all schools, not just a few.” Bright accused the white community of further perpetuating segregation by buying into exclusive neighborhoods and showing no initiative to change the current circumstance surrounding their community.¹⁹

African Americans also joined Mexican Americans and Anglo Americans to deal with the issue of educational inequality for minority students. An African American woman, Mrs. James Meador, served as board member of the AFEU and was very active in the community. Meador was a vocational nurse with a passion for education. She ran for the CCISD school board twice in 1966 and 1968 but was unsuccessful.²⁰ Meador was a member of the local NAACP and the founder of the Alert Interest of Dropouts (AID). In the late 1960s, she organized AID to tackle the problem of high drop rates among the black youth. The organization met weekly and served as a safe space for youth to discuss their problems. Meador stated that the purpose of the organization was to encourage the youth to “finish their educations and take a decent place in the community.”²¹ Irvin Brown, chapter president of the NAACP, worked alongside Mexican Americans while he served on the board of the Nueces County Community Action Agency

¹⁹ Anne Dodson, “AFEU Goal: Quality Education for All,” *Corpus Christi Times*, February 9, 1971.

²⁰ Ben Goodwin, “School Election,” *Corpus Christi Caller-Times*, March 27, 1966; Ben Goodwin, “School Board Election April 6,” *Corpus Christi Caller-Times*, March 31, 1968.

²¹ Editorial, *Corpus Christi Caller-Times*, March 16, 1969.

(NCCAA) in 1971.²² NCCAA promoted bilingual education in schools countywide. The local chapter president was also concerned with lack of black support in educational matters. In 1971, the chapter called a meeting to address the issue of participation from black parents in matters regarding school desegregation. Brown stressed that it was “necessary for black folks to do something . . . but a lot of us are sitting in plush places, not concerned with others.”²³ Ironically, few blacks attended this meeting.

Throughout the 1970s, the black community was concerned with many other pressing issues such as jobs, housing discrimination, and the growing issue of police brutality. In 1972, Richard Ridyolph, a seventeen-year-old black student was tried in Nueces County and convicted of murder with malice and given a fifty-year prison sentence.²⁴ Ridyolph was under the influence of alcohol when he allegedly fired a shot at the local police station that killed a police officer.²⁵ The conviction angered black youth as they threatened to stage a demonstration to combat the racial prejudice of the city’s police officers. Black leaders tried hard to control the anger of the youth in the community and managed to get them to agree to organize a march with a parade permit. However, black leaders called off the march after the city immediately denied the parade permit. The police station rooted in the heart of the black community was the source of great tension. “The thing that can be done is to move that [police station] someplace else. It is a dividing line of authority which says it protects whites from blacks. Every time a black kid goes into town, he has to cross that line and that breeds hostility,” said Brown.²⁶ The white community's response to the angry black youth was to deny them the right to protest by

²² “Group Named for Promotion of Bilingual Classes,” *Corpus Christi Times*, October 29, 1971.

²³ “Push for Rights, Blacks Are Told,” *Corpus Christi Caller-Times*, June 30, 1971.

²⁴ Jim Davis, “Ridyolph Given 50-year Term: Spectators Apparently Shocked,” *Corpus Christi Times*, April 7, 1972.

²⁵ *Ibid.*

²⁶ Jim Davis, “Blacks Express Themselves on Issues,” *Corpus Christi Caller-Times*, May 14, 1972.

threatening arrests without a legal permit. While the majority of the black community was occupied with their own problems, a few black leaders like Mrs. James Meador and Brown stepped up to support Mexican Americans struggle to gain equal access to education.

With little support from the African American community, Garcia decided to take matters into his own hands staging a protest at the school district's administration building. On August 14, 1972, Garcia and seventeen young Mexican American college students from the Mexican American Student Association (MASA) were arrested for staging a sit-in during a school board meeting. The two hundred protesters wore T-shirts with the words "Dirty Dana" bearing a caricature of Superintendent Williams and carried red Raza Unida flags in the board meeting. The sit-in began when the school board refused to provide free transportation to Mexican American under the majority-minority student transfer policy. Less than thirty minutes into the sit-in, Williams asked the group to vacate the building, but the protesters refused to leave and were arrested on the spot. A crowd rallied around the administrative building chanting "Viva la Raza," "Down with the Gringos," "We want action," "Down with Williams," as Garcia and others were arrested.²⁷ Women participants like Olga Gonzales and Garcia's sister Dr. Clotilde P. Garcia were removed from the protest before law enforcement arrived to arrest the group. Under Garcia's orders, no women were to be arrested at the demonstration. AFEU leader Gonzales and the other women put up a fight to remain a part of the sit-in. "Dr. Garcia said, 'You're not going to get arrested. Leave now!' He practically pushed us out the door because we wouldn't go," Gonzales remembered.²⁸ She met the group at the jail and brought food and cigarettes to the men and called their lawyer. It was hours before school officials dropped the trespassing charges

²⁷ Mary Alice Davis, "18 Stage School Board Sit-In: Hector Garcia among Arrested Mexican Americans," *Corpus Christi Caller*, August 15, 1972.

²⁸ Olga Gonzales, "Public Protests," interview with James Wall and Moises Acuna-Gurrola, Corpus Christi, Texas, July 13, 2016, Civil Rights in Black and Brown Oral History Project, TCU.

and they were released. Historian Ignacio Garcia argues that unlike radical Chicanos, Garcia “never sought radical change” but, instead, challenged the structure with more conservative methods.²⁹ Stepping outside his comfort zone, Garcia engaged in active protest against social inequality challenging the same “system” in which he had usually negotiated. His participation with radical Chicano youth demonstrated the need for a new strategy as the minority communities had exhausted pursuing legal action as the remedy to desegregation schools.

Garcia’s prediction for a new strategy came true as the school district created more obstacles to hinder the process of integration. By the end of 1973, the school district was running out of time as the court ordered stay was being lifted, and no desegregation plan had been approved. In 1975, Judge Cox approved the infamous “Rupp Plan,” (also referred to as the computer plan) an anti-busing plan that called for very little busing. Nueces County medical examiner and member of local anti-busing organization Concerned Neighbors Dr. Joseph Rupp submitted the “Rupp Plan” with the intent to put an end to the court-ordered busing. The plan sustained the neighborhood school concept on a much smaller scale. In this particular plan students were forced to travel at least two miles from their homes through unsafe routes to attend their new school assignments. As an anti-busing advocate Judge Cox’s decision to implement the “Rupp Plan” was based on his personal biases.³⁰

Judge Cox declined the plaintiffs’ and community members proposed desegregation plans. Expert witness Dr. Gordon Foster had proposed a desegregation plan during the *Cisneros* trial. His plan consisted of reassigning the staff and students in the district and modifying the building utilization to achieve a unitary school system. A second plan was presented by Mrs. James Scott, an Anglo American local parent, who suggested that students attend their

²⁹ Ignacio M. Garcia, *Hector P. Garcia: In Relentless Pursuit of Justice* (Houston: Arte Publico Press, 2002), 312.

³⁰ Mary Alice Davis, “Cox Orders Computer Integration,” *Corpus Christi Times*, June 11, 1975.

neighborhood school for four years and then go to a paired school for two years. She considered this to be an amenable solution that everyone could accept. Finally, another plan was proposed in 1971 by the HEW which had conducted a thorough investigation of CCISD in 1968 following up on the complaints of alleged discrimination.³¹

Minority communities were outraged by Judge Cox's decision and his refusal to consider the other plans designed and presented by local community members, all of which consisted of adjusting student assignments and pairing schools through busing. However, Judge Cox acknowledged that there were problems with the "Rupp Plan" but he still ruled in favor of the plan above all others: "The court does not proclaim it to be a perfect plan, but even though there may be rough spots in its implementation, the court concludes that this plan will eliminate the dual school system."³² Frustrated with the designated desegregation plan, community leaders made public complaints against Judge Cox in the local newspaper. USWA leader Paul Montemayor stated that Judge Cox was "not taking any steps to implement an integration plan other than the current voluntary-transfer approach."³³ Garcia emphasized that Judge Cox was "unable due to personal or philosophical reasons to carry out the orders of the Fifth Circuit Court of Appeals."³⁴ AFEU member Bright was disappointed by the reversal of Judge Seals' desegregation plan: "I think it is sad [that] school officials would seek further delay in implementing a very fair plan."³⁵ The plaintiffs could agree on one thing, transferring the case to Judge Cox was a big mistake that led to the failure of the legal system to follow through with the designated desegregation plan for CCISD.

³¹ Willie and Greenblatt, *Community Politics and Educational Change*, 143-44.

³² "Diabolical Solution' Corpus Schools in a Bind," *The Texas Observer*, September 5, 1975, 3.

³³ Willie and Greenblatt, *Community Politics and Educational Change*, 142-43.

³⁴ *Ibid.*

³⁵ "Court Asked to Reconsider Order Voiding Schools' Stay," *Corpus Christi Caller Times*, August 8, 1971.

The school district's new integration plan consisted of pairing seventeen schools from both sides of town and only called for 14 percent of the elementary school children to be bused. Principal Jose Cavazos of Zavala Elementary School recalled one furious Mexican American parent who gave him hell because his child had been selected to be bused to his school. Mexican American families who had moved out of the Westside barrios to the more affluent Southside in the 1960s were frustrated as their children were selected in large numbers to attend schools back on the Westside. Although the school district's integration plan selected students by lottery, the majority of the students who were bused from the Southside came from affluent Mexican American families, and not from Anglo families in the same area. As a result, some Mexican Americans parents changed their children's racial identity, marking them as "white" on school enrollment forms in hopes of escaping the busing fiasco.³⁶

During the fall of 1976, principals acted quickly by reorganizing staff assignments and implementing new campus policies to accommodate the new students. The teachers and faculty members were at the center of integration. While the school board continued to manipulate the intent of the *Cisneros* decision, some individual schools were able to successfully achieve integration by including the parents and students in the process. Sterling B. Martin Middle School was paired with white Southside school Tom Browne Middle School; an estimated two hundred students were transferred from each school. Built in 1970, Martin Middle School was the newest school built on the Westside equipped with air conditioning and updated plumbing, unlike the majority of Westside schools. Former principal Octavio "OB" Garcia's solution to ease the tension from the court ruling was to ensure that he addressed the parents' concerns. He

³⁶ Jose Cavazos, "Busing and Racial Integration," interview with James Wall and Moises Acuna-Gurrola, Corpus Christi, Texas, June 29, 2016, Civil Rights in Black and Brown Oral History Project, TCU; Jose Cavazos, "Anglo Pushback Against Busing," interview with James Wall and Moises Acuna-Gurrola, Corpus Christi, Texas, June 29, 2016, Civil Rights in Black and Brown Oral History Project, TCU.

created a school committee that included both neighborhood and the Southside parents to assist him in accommodating the new students into the school. Many parents opposed busing because they assumed that their children would be unable to stay after-school to benefit from programs such as tutors, sports, band and other extracurricular activities. To alleviate this concerns, Garcia provided after school transportation for the students and encouraged them to get involved. Many teachers lent Garcia a helping hand by arriving early everyday to greet the buses and staying late after school to assist the students. Mary Jo O’Rear, a former Anglo American teacher who taught at Ella Barnes Junior High School in the late 1960s, was one of those helping hands on the teaching faculty at Martin. The school served as an example that with the support of parents and teachers, school integration could be successful despite the school district’s resistance.³⁷

Despite their losses, minority communities continued to fight the system which sought to maintain rather than destroy racial segregation in the school district. Minority community leaders devised a new plan to gain media attention, appeal to the public, and mobilize support. While they were revved up to fight against the school district’s discriminatory methods and unmask the true intentions of the anti-busing organization Concerned Neighbors, they were not prepared for a new anti-busing group coming on the scene.

Throughout the late 1970s, the busing battle steadily and minority community leaders used the local media and school PTA’s even more as a tool to expose the anti-busing movement’s scare tactics. In 1975, for instance, white teachers attempted to undermine the court-mandated busing plan by showing frightening films of school bus crashes with children inside and prompting an anti-busing student writing campaign.³⁸ When Gonzales’s first-grade son, who

³⁷ Octavio Garcia, interview with James Wall and Moises Acuna-Gurrola, Corpus Christi, Texas, July 27, 2016, Civil Rights in Black and Brown Oral History Project, TCU. digital copy of unprocessed interview in author’s possession. See also Mary Jo O’Rear interview, CRBB, TCU.

³⁸ Olga Gonzales interview, “Busing,” CRBB, TCU.

attended Chula Vista Elementary School, told his mother that his homework assignment was to write a letter to Judge Cox opposing busing, she contacted the local press and called a mandatory PTA meeting to inform parents about the incident and misconduct by educators in the classroom.³⁹ Dr. Hector P. Garcia publically cautioned the Mexican American community not to be deterred by the horrific busing stories and not to align themselves with the deceiving messages of anti-busing organizations. "The Concerned Neighbors have never concerned themselves with us," said Garcia.⁴⁰ However, Concerned Neighbors would be the least of their worries as a new anti-busing group emerged Mothers of Corpus Christi.

In 1975, a group of predominantly white women formed the Mothers of Corpus Christi. For years, white men had controlled the Concerned Neighbors organization. As a result, the women broke off and formed the organization whose approach was to directly challenge court-mandated busing. In 1975, the group staged an anti-busing march in downtown Corpus Christi for "the death of freedom" dressed in all-black funeral attire.⁴¹ The women staged the anti-busing protest to mourn the death of freedom, claiming that the judicial system had infringed upon their rights by stripping away freedom to choice.⁴² It was the women's participation in anti-busing movement that gained the media attention. The *Corpus Christi Caller-Times* gave significant coverage to the local group, capturing the women engaging in direct action holding large demonstrations outside the federal courthouse, picketing local bus yards, and holding rallies in the streets. The principal organizer of this group was Barbara King, an Anglo American woman and local resident who was adamant in her opposition to gain the attention of the federal bureaucracy in hopes that Judge Cox would receive the message and put an end to busing.

³⁹ "Action Line: In Corpus Christi," *Corpus Christi Times*, April 4, 1975.

⁴⁰ "Action Line: In Corpus Christi," *Corpus Christi Times*, April 18, 1975.

⁴¹ "Funeral March Planned," *Corpus Christi Times*, September 19, 1975.

⁴² Ibid.

King's third-grade daughter Stacy was selected to be bused to an elementary school on the Westside in which she described was in poor condition, and refused to enroll her child. King vowed to go to jail for truancy rather than allow her daughter to be bused to poor minority schools.⁴³ King encouraged all parents to join her cause calling for them to keep their children out of school. "The sad thing to me is that people have given up. If this is a democracy, then it is not up to the courts but to the people to decide what they want for their children," said King.⁴⁴ The district records indicate that few parents followed her lead as it hardly affected the absentee rate that year. In 1977, the school district charged King with truancy, but she was quickly acquitted due to CCISD lack of evidence.⁴⁵ That same year King's daughter was accepted at their neighborhood school, Moore Elementary School. Despite King's actions there were no repercussions as her daughter Stacy was able to attend her neighborhood school regardless of the court-mandated busing plan.⁴⁶

In 1976, the United States Commission on Civil Rights (USCCR) began a study on the desegregation efforts in the nation's public school system. The USCCR conducted a two-day hearing in Corpus Christi to evaluate the school district's efforts to desegregate its schools. Several Mexican American leaders served on the advisory committee including Garcia, Montemayor, and State Representative Carlos Truan. Superintendent Williams was subpoenaed to testify at the hearing before the committee as he had refused to attend. In the hearing, Williams continued to deny the existence of segregation and felt that he had demonstrated that he was capable of carrying out court-ordered mandates. However, the USCCR found the exact opposite. From the seven years of the *Cisneros* ruling, the school district made limited progress

⁴³Anne Dodson, "Mother Prepared to go to Jail in Anti-Busing Fight," *Corpus Christi Times*, August 25, 1976.

⁴⁴ *Ibid.*

⁴⁵ "Update Your Town," *Corpus Christi Times*, January 19, 1977.

⁴⁶ Trevino, "Cisneros v. CCISD," 63-64.

and much work still remained in order to achieve full integration. The USCCR stated that, "The school board and the superintendent have repeatedly denied the existence of segregation and have steadfastly refused to develop workable plans for bringing about desegregation . . . the district has consistently sought to delay the implementation of any plan unless ordered to do so by the courts."⁴⁷

On October 22, 1976, the USCCR drafted a report based on their findings and made recommendations to effectively desegregate the school system. The report consisted of five findings and recommendations to resolve these issues. First, the USCCR found that despite years of court-ordered desegregation mandates, the school district remained segregated. The USCCR suggested that the HEW conduct a further investigation of the school district and a multi-racial advisory committee be established to oversee the desegregation process in which Judge Seals had previously advised in his ruling. Second, there was the school board's and the superintendent's total disregard for the "existence of segregation." Their solution was simple. The USCCR suggested that the school board and superintendent be held legally and morally accountable for the failure to carry out civil rights statutes and federal court orders. Third, was the issue of the "Rupp Plan," which failed to meet the educational and social needs of minority students. The USCCR recommended that a new comprehensive desegregation plan be drafted to integrate schools at all grade levels. The fourth issue that the USCCR found was the school district's lack of effort to employ an affirmative action plan to correct the racial imbalance among the faculty and staff. In Judge Seals's final ruling, he extended the desegregation order to include the teachers and administrative staff in which he found to be more segregated than the school district itself. Before the *Cisneros* ruling, minority teachers were not protected from the

⁴⁷ Texas State Advisory Committee, *School Desegregation in Corpus Christi: A Report* (Washington: U.S. Commission on Civil Rights, 1977), 77.

discriminatory practices in the school district. The USCCR proposed that an official affirmative action plan to resolve the issue of jobs discrimination in the school district. The fifth and final concern was the election of school board members. In CCISD, the school board had been only composed of white member except for long-term Mexican American member, Arturo Vazquez. By the late 1970s, the school district was comprised of nearly 60 percent minority students, and yet the school board had not reflected the racial diversity among its community. In order to include minority representation, the USCCR proposed establishing a single-member election district to prevent racial gerrymandering. Notwithstanding the years of court orders and the minority communities' efforts to desegregate schools, the school district remained segregated.⁴⁸

One month later, Superintendent Williams responded to the USCCR's report stating that, he found "many inaccuracies in the report . . . with almost complete bias from start to finish . . . you stated that the purpose of the study was to inform the county of what a good job we had done in Corpus Christi integrating our schools without violence. It is evident that your visit had a far different mission, and that your efforts were to embarrass the Superintendent of Schools and the Board of Education."⁴⁹ Williams ignored the USCCR's advice. On July 22, 1978, the school district requested an end to court-mandated busing as a solution to integration.⁵⁰ The minority communities grew concerned that without a court-ordered mandate in effect, the school district would not change. After years of deliberation, US District Judge Hayden Head, Jr., agreed to remove court-mandated busing in 1982. The court upheld the majority-minority school transfer policy and established Special Emphasis Schools in CCISD.⁵¹ Special Emphasis Schools were

⁴⁸ Texas State Advisory Committee, *School Desegregation in Corpus Christi*, 77.

⁴⁹ *Ibid*, 85.

⁵⁰ Beatriz Alvarado, "Professor: Years after Cisneros v. CCISD Segregation Still Exists," *Corpus Christi Caller-Times*, March 2, 2016.

⁵¹ *Ibid*.

created to improve the conditions of Westside schools, providing them with the financial resources and educational assistance to educate poor minority students effectively. The Special Emphasis Schools were funded by monies the school district formerly allotted for the court-mandated busing initiative.⁵² Although the school board provided zero fare to transport Mexican Americans students to and from their new school assignment under the majority-minority student transfer policy, the court found that the policy should remain intact for minority families that could afford the commute. The anti-busing movement had a major impact on the school district and the city itself as it prevented the progress of integration by promoting resistance and evoking even more tension in the minority community.

For outspoken residents' involvement in the desegregation of schools, the white community sought retaliation. Party plaintiff Jose Cisneros was most affected by the court ruling as he quickly became the target of the community's anger and disappointment with the decision. He had hoped for peace when the final verdict was passed. "I hope it comes out all right, that there's no violence . . . when we initiated the suit we didn't specify busing. All we [wanted was] equal education," stated Cisneros.⁵³ In the years following the school desegregation suit, Cisneros played a small role, many members of the community blamed him for the city's busing chaos. He and his family received hundreds of threatening phone calls and letters after the ruling. Community members outraged by the *Cisneros* decision wrote letters to the local newspaper blaming Cisneros and attorney James DeAnda for the outcome of the ruling. "I would be terribly ashamed of the anguish I had caused our city that I would not be able to face the public again!" wrote local resident.⁵⁴ Cisneros did not waiver from the hostility he and his family received nor

⁵² Trevino, "Cisneros v. CCISD," 75-90.

⁵³ Mary Lenz, "Cisneros Hopes It's Peaceful," *Corpus Christi Caller*, July 7, 1971.

⁵⁴ Letter to the editor, "Ashamed of Anguish," *Corpus Christi Caller-Times*, July, 16, 1971.

shy away from the public's attention. In the early 1970s, he spoke at a local PTA meeting to discuss the limitation of the school district's desegregation plan and lack of funding in Westside schools. Like other Mexican American parents, Cisneros paid for his children's bus transportation. While he agreed that the school district's student transfer policy was not fair, he was elated at the opportunity for his children to integrate white schools on the Southside.⁵⁵

For her part in the *Cisneros* trial and verbally threshing the white community, the school board retaliated against Bright. In 1975, Bright's daughter Bibiana Bright, a graduating senior, at Ray High School, had her grades tampered with by school administration. When the Bright family investigated the sudden drop in her grades, the school was not surprised and unwilling to assist in the inquiry. They then brought the complaint to the source, the school district's data processing center, which filed students' grades and calculated their class rankings. The data processing center found that thirty new grades had been entered, all of which were C's and D's. Bright suspected that Williams had played a role in this sudden disruption in her daughter's grade, but the data processing center could find no trace of the culprit. Luckily for Bibiana, the grade issue was quickly resolved, and the colleges she had applied to had received a letter regarding the "clerical error." Nevertheless, Bright continued to be involved in the fight to educational equality and other matters of civil rights in the community.⁵⁶

For Mexican Americans in Corpus Christi, no real change was on the horizon as their victory had come and gone in the courtroom. The very things that the minority communities had fought hard for and had won; were now being challenged all over again. CCISD employed both *de facto* and *de jure* tactics to block Mexican American students, in particular from attending white schools on the Southside. The school policies created significant barriers for Mexican

⁵⁵ Mary Lenz, "Opinions on Seal's Ruling Differ at Barnes PTA Meet," *Corpus Christi Caller*, July 14, 1971.

⁵⁶ "A Clerical Error," *The Texas Observer*, September 5, 1975, 4-5.

American students to leave their poor neighborhood schools. In addition to the limitations of the school district's integration plan, the transportation fee residentially restricted the mobility of Mexican Americans. On the other hand, the school district provided African American students the opportunity to leave their neighborhood schools as they were given priority in the integration process.

Although short-lived, busing provided a better education for many minority students who might not have been given the opportunity without the *Cisneros* ruling. However, busing was a temporary fix to a major problem. Despite the failed promise of *Cisneros*, minority community leaders became dedicated to neighborhood school improvements on the Westside after seeing that nothing had really changed. It would take many years for the minority community to integrate the predominately all-white school board and to advocate for change within the structure.

CHAPTER 5

CONCLUSION

The development of cordial race relations between African Americans and Mexican Americans proved critical to the success of the *Cisneros* case. Since the early 1940s, both groups formed organizations like the NAACP, AGIF, and USWA to challenge racial discrimination and segregation in Corpus Christi. These organizations worked separately, each making strides toward equality as the systemic and legalized structure of segregation began to crumble. However, their efforts to secure equal educational opportunities for minority students proved to be a difficult task to take on separately. During the Jim Crow era, racial prejudice was deeply entrenched within the city's municipal and educational system, just as it was throughout the Texas and the Southwest.

Prior to the *Brown* decision, African Americans and Mexican Americans lived in two different areas of the city, worked apart, and attended different schools. The *Brown* decision was hindered by white resistance and the CCISD's attempt to maintain segregation. In the late 1950s, the school board's desegregation plan merged two disadvantaged minority groups into the same schools. By using Mexican Americans' legal "whiteness" to satisfy the desegregation order, the school district inadvertently created a relationship between the two minority groups.

Scholars argue that in the 1950s Mexican American organizations such as the AGIF engaged in anti-black racism and opposed the concept of unity with African American organization like the NAACP. While both organizations in Corpus Christi were supportive of each other's movements during the era of segregation, they fought their battles separately.¹

¹ "Dr. Garcia Says Allegation of Discrimination is False," *Corpus Christi Times*, August 9, 1968.

Although feeling sympathetic to the African American struggle, many Mexican Americans clung to their “white” racial identity. However, this was not the case for all Mexican Americans. In 1953, Paul Montemayor organized the local USWA chapter and desegregated the AS&R shop floor where he called for the equality of both racial groups. Through the efforts of Montemayor, the USWA union members formed a racial coalition that transferred from the shop floor into the minority communities in the late 1960s. This black-brown coalition led to a major victory in the courtroom for both Mexican Americans and African Americans. But, why then did Mexican Americans not reap the benefits of the desegregation suit in the school district? Despite common misconception, the *Cisneros* victory did not translate into the community, let alone did it grant Mexican Americans equal access to education which they had been fighting for in Corpus Christi since the 1940s.

One of the primary reasons for the unfortunate turn of events for Mexican Americans was the reversal of Judge Seals’s ruling as the case was transferred to Judge Cox. The two judges had different perspectives when it came to the execution of the desegregation of schools. By the 1980s, the *Cisneros* case was reassigned again to US District Judge Hayden Head, Jr., who bypassed integrating the school district and proposed a new solution. Judge Head's solution was to implement Special Emphasis Schools to facilitate the academic needs of poorly performing minority students. In order to enhance educational outcomes for poor minority students Judge Head provided oversight to ensure that CCISD improved the conditions of Westside schools. In 1997, the *Cisneros* case was officially closed. US District Judge Janis Graham Jack dismissed the case, claiming that the school district appeared to be proactive in its efforts to improve school

conditions for poor minority students. However, today poor minority students are still suffering from systemic inequalities in CCISD.²

A second reason that Mexican Americans did not benefit from the desegregation suit stemmed from the manipulation of Judge Seals's minority-majority student transfer policy. This policy limited the percentage of Mexican Americans students in white Southside schools by charging a transportation fee that many low-income families could not afford. The policy also uprooted affluent Mexican American students from the Southside and reassigned them to the Westside barrios. On the other hand, African Americans students benefited from the school district's desegregation plan as they were granted priority over Mexican American students. Judge Cox set a precedent in his 1970 supplemental order, which allowed African American students to transfer anywhere in the district even during the school district's year-long stay. Although African Americans ended up benefitting disproportionately from the desegregation case some still supported Mexican Americans fight for equal access to education. The minority-majority student transfer policy is an example of a caste system in which CCISD placed the needs of the African American students above those of Mexican descent. Despite Texas's long history with Mexican Americans, the school district was far more hesitant to interact with them than African Americans which they perceived as less of a threat with their small population size, and lack of language and learning deficiencies.

Finally, a third reason behind the lack of meaningful integration centered on the role of the anti-busing organization, Concerned Neighbors, which articulated its concerns by promoting "freedom of choice" in defense of white privilege and ongoing segregation. The organization gained control over the desegregation process in two ways. One, they obtained control through

² Alvarado, "Professor: Years after Cisneros v. CCISD Segregation Still Exists," *ibid*.

the implementation of the “Rupp Plan,” which reinforced segregation based on the school district’s former neighborhood school policy. Two, they were able to slow the integration process by being elected to the school board. In the 1970s, the organization scored two seats on the school board. In 1972, Dr. Cornell Barnard won a second term with the endorsement of the anti-busing organization. In 1976, Concerned Neighbors president, Dale Hornsby, won a seat after defeating Arturo Vasquez, a Mexican American board member. Vasquez served on the school board for twenty-four consecutive years before this defeat which was the result of an unanticipated voting machine error. Vasquez lost by a margin of sixty-four votes. Vasquez did not seek legal action to recount the votes as it would be too hard to prove how many voting machines were defective. The loss of his seat came as no surprise as he had protested against the school board's stance on desegregation.³ The lack of minority representation was the result of an at-large election system that made it nearly impossible for them to be elected to the school board. It wasn’t until the late 1970s that three minority members were elected to serve simultaneously on the school board.

Much has been written about the desegregation of public schools throughout the US. Scholars have thoroughly examined legal cases such as *Brown* and its legal precedents, but few have explored how the *Brown* argument was effectively used in *Cisneros*. There is little information about the desegregation process in Corpus Christi, where there is a majority Mexican American population. Throughout the Southwest, Mexican Americans have been treated as less than equal, and in Corpus Christi they were also perceived as inferior to whites in all aspects, including education. The story behind the *Cisneros* case adds to the scholarly debate about black-brown relations during the civil rights era and the growing literature regarding the

³ Nick Jimenez, “Voting Machines ‘Lose’ School Votes – Defeated Incumbent Plans Challenge,” *Corpus Christi Times*, April 12, 1976.

process of school desegregation in Texas. The story demonstrates that perhaps Mexican Americans were not so quick to reject African Americans or Anglo Americans as their allies in their fight for justice. As the Civil Rights Movement evolved in Corpus Christi, Mexican Americans grew fed up with the segregated school system and enlisted the help of all racial groups to gain access to a quality education.

Despite the progress promised by the first waves of desegregation litigation, the practice of segregation continued. The multi-racial coalition was at odds due to many affluent Mexican Americans joining anti-busing organizations, African Americans taking up their own causes, and white resistance gaining the support of the school board. However, the ultimate failure of *Cisneros* taught minority leaders a lesson that prior seeking legal redress, they should have first infiltrated the school board in a manner similar to that of the Concerned Neighbors. Unfortunately, in the decades that followed, the once cohesive racial coalition that they had built slowly fell away as many community leaders had died and few stepped up to take their place.

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ABSTRACT

JOSE CISNEROS V. CORPUS CHRISTI INDEPENDENT SCHOOL DISTRICT: MEXICAN AMERICANS, AFRICAN AMERICANS, AND THE FAILED PROMISE OF THE DESEGREGATION OF SCHOOLS

by Brittany R. White, Master of Arts, 2017
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This thesis examines the impact of the school desegregation suit *Jose Cisneros v. Corpus Christi Independent School District* and race relations in Corpus Christi, Texas. The *Cisneros* case, adds to a growing body of literature on race relations from Jim Crow to the Civil Rights era. In the school desegregation suit, Mexican Americans and African Americans worked together to desegregate the education system. This study examines discriminatory practices against both groups from the 1940s leading up to *Cisneros*, the courtroom proceedings, and the aftermath of the decision including the reversal of Judge Woodrow Seals's ruling. However, the legal victory did not translate into the community granting Mexican Americans equal access to education, or including them in the school desegregation process with African Americans. However, this thesis argues that despite their collaborative efforts African Americans benefited from the *Cisneros* decision as they were more readily able to integrate into white schools.