

DROWNED IN SILENCE: MEMORY, MEXICAN AMERICANS, AND
DESEGREGATION IN AUSTIN PUBLIC SCHOOLS

by

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DEDICATION

This thesis is dedicated to my wife Cassandra and my two children, Daniel and Nathan.

Throughout my studies, they were a means of solace, love, and peace.

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I. PREFACE

In 2015, the Austin Independent School District promoted the use of Curriculum Road Maps (CRMs) which, at the time, were intended to “clearly define what students should know and be able to do.” According to CRM standards, in regards to U.S. History the district expected all students to know that “*The Brown v. Board of Education* decision was a major victory for the civil rights movement” because “the Supreme Court declared state laws establishing separate schools unconstitutional.”¹ In addition, upon looking at the newly adopted textbook published by Pearson for U.S. History in Texas, the entire Civil Rights Era, from start to finish, has been periodized between 1945 and 1968. Furthermore, Mexican Americans, who were the victims of systemic segregation at every level for much of the twentieth century in Texas, are largely omitted in the district’s narrative regarding school desegregation.

Evidence suggests that many Mexican Americans are still in fact largely segregated in Austin, as well as in many other major American cities. In “Still Separate, Still Unequal: America’s Educational Apartheid” Jonathan Kozol, a prominent educator and author, highlights the persistent belief by many Americans that “the great extremes of racial isolation” that so concerned much of the nation throughout the 1960s “have gradually and steadily diminished in more recent years.”² He contends this commonly held notion is inherently false, as schools that were segregated throughout most of the

¹ First quote from “Curriculum,” austinisd.org, <https://www.austinisd.org/academics/curriculum> (accessed September 9, 2016); second quote from U.S. History Curriculum Road Maps (2015), provided by the district to all U.S. History instructors for the 2015-2016 school year.

² Jonathan Kozol, “Still Separate: Still Unequal: America’s Education Apartheid,” *Harper’s Magazine* (2005), 41 - adapted from Jonathan Kozol, *The Shame of the Nation: The Restoration of Apartheid Schooling in America* (New York: Crown, 2005).

twentieth century are similarly segregated now. He even states that schools where integration was enforced are becoming increasingly segregated once again.

Evidence suggests that the Austin Independent School District (AISD) still faces conditions of racial segregation within its classrooms. What is more troubling is that the narrative promoted by state and district curricula belies the reality at the doorsteps of AISD's students. Mexican Americans, who make up the largest percentage of students in the district and were considered to be the *most* segregated in the country in the 1990s, are hardly mentioned in district and state curricula regarding school desegregation.³ It is my assertion that the collective memory being manufactured by Austin's public schools for Mexican-American students regarding school desegregation does not accurately reflect the material record of school segregation for Mexican-American students in Austin. The story is altogether incomplete.

While memory studies in history are not new – historians have, after all, been tracing the evolution, impact, and resiliency of ideas for decades – new historical studies in memory seek “to understand the interrelationships between different versions of history in public.”⁴ Historians are now studying how the past is communicated to society through a variety of different institutions and media, including the influence of art, literature, entertainment, government ceremonies, oral histories, and, of course, education. Memory, then, can be used to provide a means of analyzing the creation and evolution of these public acts of history in order to better understand the society in which such practices take place.

³ Karen DeWitt, “Hispanics Most Segregated Group Among U.S. Students, Study Says,” *Austin-American Statesman*, January 9, 1992.

⁴ David Glassberg, “Public History and the Study of Memory,” *The Public Historian* 18, no. 2 (1996): 9.

Maurice Halbwachs, a nineteenth-century French sociologist, was one of the first to discuss the role of memory in history. He devoted much of his scholarship to theorizing about the interrelationship between individual memory and collective memory. In two seminal texts, *The Collective Memory* and *The Social Frameworks of Memory*, Halbwachs posited that individual memory could only function within the social framework from which it was created.⁵ According to Halbwachs, collective memory is the unification of those individual memories created and operating from within that framework. According to Halbwachs, each individual, then, taking part in various social groups, bears a number of collective memories, each of which can be activated within a specific social context.⁶

In “Writing the Individual Back into Collective Memory,” Susan Crane expands upon Halbwachs’s work, explaining that the interrelationship between collective memory, which she describes as “lived experience” and historical memory, or “the preservation of lived experience, its objectification –” are inextricably linked. In Crane’s view, historical memory, “always appearing in the form of historical narrative,” was one form of collective memory, while collective memory as a whole was the “framework in which historical remembering occurs.”⁷ Together, Crane theorized that these formed the basis for the articulation of historical consciousness, or the drive for “experience to be understood, historically.”⁸

⁵ Maurice Halbwachs, *The Collective Memory*, Francis J. Ditter and Vida Yazdi Ditter, trans. (New York: Harper and Row, 1980) and *On Collective Memory*, Lewis A Coser, ed. (Chicago: University of Chicago Press, 1992).

⁶ Susan Crane, “Writing the Individual Back into Collective Memory,” *The American Historical Review* 102, no. 5 (1997): 1376.

⁷ Ibid, 1373.

⁸ Ibid, 1373 – 1374.

For AISD, the historical memory regarding school desegregation lies in the extant material record, which includes court documentation, extensive newspaper coverage, and the recollection of those who lived through school segregation, as well as the narrative told by AISD about the desegregation of its schools. An additional source of articulation for this narrative is the history curriculum that is mandated by the district for all of its students. For students in Austin, the district in which they are being educated has thus created a specific social framework from which school desegregation is to be understood. Therefore, AISD, as an institution, is providing the bulk of historical memory from which students' collective memory regarding school desegregation is being constructed, including a large portion of the student population that is Mexican American.

As of this writing, there have not been many studies on memory and the Mexican-American educational experience.⁹ While Mexican Americans have long borne the brunt of educational discrimination at the hands of Anglos in Texas, it was not until the mid-1980s that scholars, many of whom were Mexican American themselves, began writing extensively about the contours of Mexican-American discrimination in public schooling. Prior to the 1980s, most work regarding Mexican Americans and education either focused on institutional deficiencies, including the discriminatory and exclusionary nature of public schooling for Mexican Americans, or Mexican Americans themselves and their quest for educational equality.¹⁰ Guadalupe San Miguel Jr.'s 1987 monograph, *"Let All of Them Take Heed: Mexican Americans and the Campaign for Educational*

⁹ Andres Tijerina examines the construction of Tejano (Texans of Mexican descent) collective memory in Texas history. See Andres Tijerina, "Constructing Tejano Memory," *Lone Star Past: Memory and History in Texas*, ed. Gregg Cantrell (College Station: Texas A&M University Press, 2007).

¹⁰ Guadalupe San Miguel Jr. "Status of the Historiography of Chicano Education: A Preliminary Analysis," *History of Education Quarterly* 26, no. 4 (1986): 524.

Equality in Texas, 1910- 1981, was important in asserting Mexican Americans as “active agents” in the history of Mexican-American discrimination in public schooling.¹¹ In 1990, Gilbert G. Gonzalez’s *Chicano Education in the Era of Segregation* attempted to place the Mexican-American educational experience into a transnational context, acknowledging the social and political circumstances under which Mexican-American educational discrimination took place, such as the articulation of the “Mexican Problem” by Anglos and the corresponding Americanization movement that followed.¹² More recent works, such as Guadalupe San Miguel Jr.’s *Chicano/a Struggles for Education: Activism in the Community* (2013) and Maggie Rivas-Rodriguez’s *Texas Mexican Americans & Postwar Civil Rights* (2015) have gone further to examine the historically situated educational limitations facing Mexican-American students. Still, there remains a void in regards to studying the impact of disseminating an inherently false narrative regarding Mexican-American educational history to Mexican-American students. This study attempts to highlight the discrepancies between the material record regarding school segregation for Mexican Americans in Austin and the historical narrative presented by AISD to its students.

The development of urban Austin at the end of the nineteenth century onwards was predicated on a Progressive Era philosophy that was inherently racist. Discriminatory practices by Austin’s business elite, local government, lending institutions, and the Federal Housing Administration led to persistent exclusory practices in Austin’s real estate market on the basis of race. Various factors, such as the use of private deed

¹¹ 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, 1987), x.

¹² Gilbert G. Gonzalez, *Chicano Education in the Era of Segregation* (Denton: University of North Texas Press, 1990), xi-xiv.

restrictions to keep people of color in East Austin, the consolidation of local government power by an Anglo elite that sought to disenfranchise voters of color, and municipal zoning that restricted public services such as education, all played an important role in the demographic development of the city.¹³

As Austin progressed into the 1930s, a rising Mexican-American middle class that, for the first time, identified as such, grew increasingly aware of their subordinated role in American society. Mexican-American activists pursued the fight for equality for Mexican Americans in various sectors of the community, such as access to political office, municipal services, and desegregation in education. In Austin, however, despite the school desegregation work by influential groups like the League of United Latin American Citizens (LULAC) and later the Mexican American Legal Defense and Education Fund (MALDEF), the large majority of Mexican Americans and African Americans in Austin continued to attend schools that were predominantly composed of minorities well into the mid-1970s.

Evidence shows that more intense school desegregation efforts by Mexican-American community leaders really began in 1971, three years after the prescribed end of the segregation era, as determined by state and district curricula. A final court order to begin mass busing with the intent of rectifying ethnic imbalances in Austin schools was handed down in 1979 and highlighted the deeply embedded nature of segregation in Austin, due to decades of housing segregation. The apparent failure of the district's

¹³ Tretter, Eliot M., "Austin Restricted: Progressivism, Private Racial Covenants, and the Making of a Segregated City," final report prepared and submitted by Eliot. M. Tretter to the Institute for Urban Policy Research and Analysis (2013), accessed February 1, 2016, <https://repositories.lib.utexas.edu/handle/2152/21232>

desegregation plan for Mexican-American students reveals the limitations, largely due to historically persistent residential segregation, in implementing substantive changes to the ethnic makeup of students in Austin ISD. School desegregation efforts sputtered into the 1990s, eventually collapsing in early 2000.¹⁴

Despite the continuation of racial isolation in the city, state and district curricula present a version of historical memory that does not accurately reflect the material record of school desegregation for Mexican-American students in Austin. As a whole, the curriculum currently approved by the Texas Education Agency and developed by the Austin Independent School District regarding school desegregation presents an ambiguous and ultimately deficient perspective of school desegregation efforts in Austin. In light of the available facts, the presentation of school desegregation for Mexican-American students by TEA and AISD is, at best, negligent.

As I argue in the pages that follow, the intertwined story of housing segregation and educational discrimination of Mexican Americans in Austin, Texas, is critical to addressing a major distortion in Austin's historical narrative. And while a causal relationship between both a racist public memory and racist Progressive ideals may need to be established through further study, the evidence provided here allows for the examination of the operation of segregated educational and housing systems alongside a racist public memory. This thesis then, initiates an examination of the effects of such systems on Austin Mexican Americans and their challenges to discriminatory treatment by Anglos in Austin.

¹⁴ Richard Schott, "Resources, not Busing will help AISD Schools," *Austin-American Statesman*, February 22, 1999.

II. THE CREATION OF SEGREGATED AUSTIN

“This heritage is now descending to you from the hands of those who have so faithfully guarded it through the generations now passing from the stage of action. Will you be faithful to it? And how?” – R.J. Briggs¹⁵

At the end of the nineteenth century, Texas leaders began actively reshaping the identity of the state under the guise of Progressivism. These leaders emphasized themes of Progressivism – such as industry and growth – alongside deliberate actions to maintain white hegemony, actions which were largely supported by the growing popularity of eugenics among scholars in the United States.¹⁶ As cities in Texas grew, their very development was fueled by the desires of Progressive leaders to create efficient, modern, and segregated cities that catered to the cultural aspirations of Anglos. Community leaders popularized the story of the Texas Revolution as an essential part of that cultural project. Progressive leaders at the turn of the twentieth century sought to actively distance Texas from the Old South by replacing Civil War and Reconstruction narratives with a romanticized narrative of the creation of the short-lived Republic of Texas. In the process, Mexican Americans became a target of aggression, or at the very least, widespread discrimination in the realms of housing, education, labor, and public service. As more immigrants of Mexican descent entered Texas cities, these practices of

¹⁵ Gregg Cantrell, “The Bones of Stephen F. Austin: History and Memory in Progressive Era Texas,” *Lone Star Pasts: Memory and History in Texas*, ed. Gregg Cantrell (College Station: Texas A&M University Press, 2007), 47

¹⁶ Thomas C. Leonard, “The State and the Poor,” *Political Science Quarterly* 2, no. 3 (1888): 282 – 310.

segregation and denial of economic, educational, and political opportunities became more pronounced.

Progressive Era public development and “reform” in various arenas – including municipal government, housing, and education – became imbued with racial attitudes that were fed by a historical narrative that painted Mexicans (and by default Mexican Americans) as the enemy, often coupled with a general belief that Mexicans were “dirty, lazy, and degenerate.”¹⁷ As leaders reinforced this narrative, they also shaped the collective memory of a new generation of Texans who inevitably grew up on either side of a culturally stratified narrative of dominance and superiority.

In Austin, the pattern of thinking set forth by Anglo leaders ultimately facilitated the capital’s growth as a segregated city with three distinct districts – one each for whites, African Americans, and Hispanics. As in many Southwestern cities in the twentieth century, leaders in Austin began consolidating power in ways that benefited the business elite. First they adopted the commission form of local government, and later they helped Austin become the first large city to institute a city manager form of governance. Such changes in government forms in part grew out of white politicians’ racism and the desire to consolidate power. Leaders such as Monroe Shipe and Walter Long helped usher in this wave of municipal reforms that shaped how Austin grew and developed into a tri-segregated city.¹⁸

¹⁷ Glen Sample Ely, *Where the West Begins: Debating Texas Identity* (Lubbock: Texas Tech University Press, 2011), 76.

¹⁸ Eliot M. Tretter, “Austin Restricted: Progressivism, Private Racial Covenants, and the Making of a Segregated City,” final report prepared and submitted by Eliot. M. Tretter to the Institute for Urban Policy Research and Analysis (2013), 31, accessed February 1, 2016, <https://repositories.lib.utexas.edu/handle/2152/21232>.

Racism and elitism played a defining role in this shift towards a more centralized municipal government and the demographic patterns that emerged from Austin's urban development. In housing, deed restrictions served as a powerful tool to keep "undesirable" populations within certain parts of the city. Developers created these restrictions explicitly to segregate African Americans and, over time, Mexican Americans as well. Municipal zoning helped enforce these restrictions by also segregating municipal services such as parks and schools. During this time, housing, education, and political power for Mexican Americans were consolidated and ultimately neutralized by the Anglo elite.

Municipal policies that reinforced segregation extended beyond the progressive period and local control. The federal government also helped support segregationist maneuvers in the 1930s. The Federal Housing and Loan Corporation (HOLC), and later the Federal Housing Administration (FHA), had been created to help rehabilitate the slumping Depression Era housing market. These agencies set guidelines for developers and lenders that supported the use of deed restrictions to maintain property value. In a time when racist sentiments influenced perspectives on how to value property, many industry leaders saw keeping people of color segregated as good for business.¹⁹

Mexican Americans in Austin, while not explicitly mentioned in deed restrictions, were often discriminated against by language indicating that residential developments would "only be inhabited by 'Caucasian' or 'white' persons." As Austin grew, Anglos, African Americans, and Mexican Americans were separated by a system of "tri-racial

¹⁹ Ibid.

exclusion.”²⁰ Ultimately, the rise of modern Austin was shaped by the entrepreneurship and racial prejudice of its city leaders. This chapter examines Austin’s development primarily through local Progressive Era activities, but also touches on the 1930s and 1940s, when racial residential segregation was also maintained by redlining policies.

Progressive-era Reform and the Creation of New Texan Identity

As industrialization accelerated at the end of the nineteenth century, the ideology of Progressivism helped to shape American civic and social responses to growing industrialization, urbanization, and immigration. At the turn of the century, Progressive business elites, many imbued with a racist and elitist ideology, sought to exert control over development patterns in modern cities. Responding in large part to a growing body of academic work by economists, many of whom were also eugenicists, many of these Progressive reformers deployed new techniques for managing cities designed to isolate and curb the expansion of “unfit” people, who tended to be anyone not identified as white, Anglo Saxons.²¹

Progressive-era municipal reform, including the use of zoning ordinances, helped achieve the goal of wresting control over how cities developed, but reformers had additional means of segregating neighborhoods – private racially restrictive covenants. Such covenants, embedded in land deeds imposed on any current or future buyers, had existed as early as the seventeenth century. It was not until the late nineteenth century, however, that the use of deed restrictions became widespread. While the original purpose

²⁰ Ibid.

²¹ Leonard, “The State and the Poor,” 208, references many sources from the early nineteenth century that use the term “unfit,” many times as a direct contrast to the Darwinist phrase, “survival of the fittest.”

of deed restrictions was to ensure “uniformity or stability” in the development of land, these restrictions became increasingly devoted to maintaining property value. Often, property owners used restrictions to exclude unwanted elements, including people of different racial groups. Evidence exists of racial covenants used by Anglos in Massachusetts against people of Irish descent in 1860 and in California against Chinese immigrants in 1886. At the beginning of the twentieth century, Anglos used racially restrictive covenants to keep African Americans and Mexican Americans out of white neighborhoods. Moreover, they often drew on concepts of racial purity to justify such exclusions. According to historian Eliot Tretter, a fusing of ideas about “white racial purity with high ‘property values’” provided the rationale for the continual use of these covenants, as well as the ultimate goal of “preserving white hegemony over non-whites, however that group was defined.”²² At the beginning of the twentieth century, racially restrictive covenants became essential to urban development and the creation of racially segregated cities.

Although the Supreme Court was clear on its position regarding municipal racial zoning, later decisions revealed the acceptance and even encouragement of private restrictive covenants. The Supreme Court ruled in *Buchanan v. Warley* (1917) that municipally mandated racial zoning was unconstitutional. The Supreme Court’s decision in *Harmon v. Tyler* (1927) reinforced that ruling. Nevertheless, throughout the 1920s and 1930s, private agreements became ubiquitous throughout the emerging urban centers in the United States as a means to control the development of cities by business elites.²³

²² Tretter, 26-28, first quote 21-22, second quote 26.

²³ Ibid, 21.

These agreements were so useful because they transcended time; they were designed to “run with the land,” no matter the owner, and thus be legally binding upon future buyers.²⁴ Segregationist covenants were effective primarily because they could be applied indefinitely and provided financial security for investors of high-end residential communities who believed the presence of racial diversity hurt property values.²⁵

Throughout the first decades of the twentieth century, while the Supreme Court ruled against the public use of zoning to segregate cities, they also ruled largely in favor of the use of private restrictions. In spite of its decisions in 1917 and 1927 that forcibly zoned racial apartheid was unconstitutional, the courts consistently “limited their rulings to public means of segregation and the undue influence of government in constraining private property rights.” In other words, the courts were not willing to support any segregation in which the government was responsible, but were willing to turn a blind eye to segregation implemented by private interests. During the 1920s, the use of such restrictions expanded, as they had been “left open as legally permissible forms of racial exclusion.”²⁶ The federal government not only permitted the use of restrictions but, as the Great Depression hit and the housing market stagnated, federal officials actually sanctioned covenants as a critical means of propping up property values.

In Texas, Progressive leaders used racially restrictive covenants as tools to create and maintain racial segregation, while also forging a community identity they sought to make distinct from the pre-Civil War identity of the Old South. Many Texans, especially

²⁴ Fair Housing Center of Greater Boston, “1920s – 1948: Racially Restrictive Covenants,” *Historical Shift from Explicit to Implicit Policies Affecting Housing Segregation in Eastern Massachusetts*, accessed December 1, 2015, <http://www.bostonfairhousing.org/timeline/1920s1948-restrictive-covenants.html>.

²⁵ Tretter, 22.

²⁶ Ibid, 26.

out West, “firmly rejected a southern identity,” while maintaining their racist ideology.²⁷ Glen Ely, who has studied the tension between Texas’s Western and Southern identities, argues that in the wake of Reconstruction, diverse cultures, the unique physical environment, and a traditional dependence on the national economy all contributed to Texans’ development of what he describes as a “distinctly Western disposition.”²⁸ This disposition, forged in an attempt to differentiate Texas from the Confederacy and the vestiges of slavery, redirected the dominant narrative regarding Texas history away from the Civil War and towards the Texas Revolution. This narrative came to dominate throughout the state. Anglos effectively used their success in claiming Texas from Mexico as justification for continued Anglo domination throughout Texas, by placing Mexican Americans as archetypal enemies of Anglo Texans’ cultural aspirations.

Ideas about Anglo superiority over groups such as African Americans and Mexican Americans, coupled with progressive municipal reform, and the creation of a new collective memory based on a romanticized versions of the Texas Revolution, shaped the character of Texas in the decades to come and also influenced the development of its major cities, like Austin. Furthermore, the memory of what Texas represented, rooted in the Texas Revolution, became what historian Gregg Cantrell describes as a “usable past,”²⁹ one that could effectively usher in a so-called era of progress, while at the same time pitting races against one another and reinforcing the dominance of Anglos.

²⁷ Ely, 75.

²⁸ Ibid.

²⁹ Cantrell, 47.

Texas Progressive leaders did not want to use the memory of the Civil War and Reconstruction in promoting their political, social, and industrial agendas precisely because they rejected the idea of Texas dwelling on the defeat of the war. Instead, they promoted a glorified narrative about the Texas Revolution, when Texas' "hardy pioneers" successfully "tamed the wilderness and defeated the Mexicans."³⁰ This pioneer narrative lined up with their vision of progress and with their racist attitudes – it was a narrative Progressive leaders could rearticulate to suit the goals of controlling the challenges they saw facing Texas and the nation: increasing industrialization, urbanization, and immigration. In shaping Texans' collective memories and Texan identity around the Anglo-Saxon triumph over "Mexicans," civic leaders effectively directed the content of political discourse in Texas as they held the reins of growth within Texas cities. Anglo Texans' claims to superiority were evident at all levels: in public ceremonies, in museums, and in schoolbooks. Anglo notions of superiority could be witnessed in the naming of streets, schools, and counties. That narrative of Anglos defeating "Mexicans" in the state's capital, Austin, was used by Anglos to justify explicit and enduring discrimination against Mexican Americans.

Throughout the early twentieth century, state leaders such as Thomas Campbell and Oscar Branch Colquitt helped realize white supremacist notions of Anglo superiority, industrialization, and modernization in the name of progress. Governor Thomas Campbell helped kick off a slew of activities to memorialize the "heroes" of the Texas Revolution and help create romanticized representations of Texas history. Campbell's successor, Oscar Branch Colquitt, exemplified Texas leaders who sought to shape social

³⁰ Ibid, 41.

relations by promoting a particular narrative of the state's history. He and his allies understood the power of collective memory. As historian Greg Cantrell has put it, "instilling in the public a particular collective memory of Texas history could serve their own needs and further their political agendas."³¹ Cantrell quotes Southern memory scholar W. Fitzhugh Brundage, who argued that "representations of history are instruments of, and may even constitute, power."³² These and other myths helped construct the authority held by Anglo elites in Texas. Moreover, these stories served as the basis on which Anglo Texans built modern notions of Texas identity, and the real exclusions and discrimination that such a state identity helped foster.

Campbell and Colquitt, along with the state legislature, gave force to the anti-Mexican pioneer narratives through public ceremonies and other forms of memorialization. In 1907, for instance, Campbell signed legislation to add fourteen acres to state-owned land at the San Jacinto battleground. Three years later, the state legislature passed a bill to move the bones of Stephen F. Austin to the Texas State Cemetery. Cantrell writes that after Stephen F. Austin had been held in obscurity for years for being "too pro-Mexican," suddenly, in the progressive era, some of Texas' leaders sought to honor "The Father of Texas." They now heralded him for shepherding in the first three hundred Anglo families from the United States to Texas between 1824 and 1828. After his bones were carefully exhumed, Texas leaders brought them on a tour of various cities. In Brazoria and Houston, official ceremonies, including a symbolic funeral service, were held. Finally, on October 20, 1910, Dr. R. J. Briggs administered graveside services,

³¹ Ibid, 51.

³² Ibid.

which were attended by both Governor Campbell and incoming Governor Colquitt, and Austin was buried in the State Cemetery. Texas's budding Progressive leadership ensured that a once-ignored participant of the Texas Revolution would now become a key symbol of state identity.³³

In addition to celebrating and reinforcing a narrative that now honored Stephen F. Austin for ushering in an era of exploration, expansion, and ultimately conquest, such ceremonies also profoundly influenced the historical memory of many Texan children. Cantrell notes that children played key roles during the ceremonies. They were present at the exhumation, read essays aloud at stops along the way, and hundreds attended the reburial. At Brazoria, schoolchildren lined up to drop "a white flower on the casket as they passed, until the casket was covered with flowers." In Houston as well, schoolchildren were released from school to spread roses over the casket, which had been adorned with the Texas flag. Adult speakers continually pointed to the "object lessons that Austin's life offered to contemporary children." Reverend Briggs, upon addressing the youth at the State Cemetery, mused that "this heritage is now descending to you from the hands of those who have so faithfully guarded it through the generations now passing from the stage of action. Will you be faithful to it? And how?"³⁴ For this new generation of Texans, a recently reinvigorated Texas history was now theirs to promote and defend.

Succeeding Campbell, Governor Colquitt continued the fight to promote the anti-Mexican pioneer (or the Revolutionary) version of Texas history during his administration. Colquitt helped secure permission to build a monument to Stephen F.

³³ Ibid, 41, 42.

³⁴ Ibid, 44-47, first quote 44, second quote 46, third quote 47.

Austin in 1913. He commissioned the sculptor and helped guide the design for the piece which was to be placed in the Texas State Cemetery along with his remains. He continued vigorously to promote a narrative that cast Anglo Texans as the victors, despite the fact that it lacked fidelity to the actual historical record. The Progressive message gave Anglo Texans the right to dominate economics, education, society, and politics and any subsequent narrative that supported this running theme quickly gained momentum.

Many other more obscure figures, including females, rose to prominence by promoting this newfound love for a mythologized Texas history. Colquitt signed a bill sponsored by State Senator Pierce Ward to dedicate a twenty-eight foot tall marble monument to Davy Crockett's second wife, Elizabeth Crockett, in Acton, Texas, arguing that she carried on her husband's determination to gain liberty, "so that future generations could enjoy the blessings of liberty and prosperity."³⁵ The same year Austin's monument was completed, the family of Joanna Troutman, a young woman who sewed one of the first Lone Star flags, approached Colquitt to erect a statue in her name at the State Cemetery. With Troutman quickly earning the nickname, "The Betsy Ross of Texas," Colquitt easily raised money from the community and commissioned the piece. Colquitt also spent five thousand dollars building a large cement wall around the State Cemetery, and an additional eight thousand to create a pavilion at the San Jacinto battleground. Finally, Colquitt attempted to raise money to restore the all but abandoned Alamo. His "progressive" vision for the restoration of the Alamo, along with efforts from the

³⁵ Ibid, 55.

Daughters of the Republic of Texas, emphasized the shift taking place in the mindset of many Progressive Texans.³⁶

The growing trend of memorials for Texas' Revolutionary heroes all reinforced a new narrative that helped to justify underlying Jim Crow policies in Texas, policies that targeted both African Americans and Mexican Americans. Features of this narrative, such as Anglo Texans' right to control Texas were projected by state leaders at the beginning of the twentieth century onto a new generation of Texans, whose responsibility it was to uphold and, more importantly, maintain the tenets of pioneering (and progress) that their ancestors had started in the early nineteenth century. As a result, Texas's urban centers developed in large part with this mentality at their heart. It was a mentality that grew parallel with, and helped to reinforce justification for, the practice of segregation against Mexican Americans in Texas.

Municipal reform in Texas helped reinforce segregative practices and reflected racist Progressive attitudes throughout the state. Progressive reform helped significantly alter the form and function of local government. Beginning with Galveston in 1901, Progressive reformers in many cities called for the end of alderman (or ward) styles of city government, which at the time were largely associated by the business community with corruption and the promotion of more populist elements in the community. Cities across Texas began adopting city charters that included a commission government, which, through the election process, tended to favor the business elite.³⁷ Austin was one of those cities, and the story of its development helps explain the prevalence of racial segregation in many Texas cities.

³⁶ Ibid, 61.

³⁷ Tretter, 2, 10-11.

How Austin Became Segregated

Beginning during the late 1880s, a growing group of Progressive business elites in Austin, like Monroe Shipe, began calling on Austinites to modernize the city. Articles and advertisements put forth by Austin's businessmen urged citizens to support the expansion of industry as one way of doing this. One article warned that the citizens of Austin must get behind the building of dams on the Colorado River and turn away from the uncertainty of Texas agriculture if Austin "ever desires to advance itself to success and prosperity." Subtitled "An Open Business Letter from a Strictly Business Man," this article, and others like it, revealed an urgent push from the business community in Austin to support efforts geared towards modernization. A running theme emerged that Austin might be "blotted from the map," should its citizens not embrace the winds of Progressive change.³⁸

Anthony Orum, whose study on the modernization of Austin reinforces a dominant Anglo narrative, suggests this article could be viewed as kind of a "founding document" for Austin. Five years after its publication, the first dam was built in Austin. Echoing the narrative of those "pioneers" of the Texas Revolution, Progressive leaders argued that only through the construction of modern manmade structures such as dams, and the promotion of industry and commerce could the "vagaries of nature be halted, and the people gain control over their destiny." The growth of the city became dependent on, as General W.H. Stacy put it, "the duty of all good loyal citizens of Austin to get behind

³⁸ A.P. Woolman, "Irrigation: At this Time the Great Desideratum of Austin An Open Business Letter from a Strictly Business Man," *The Austin Daily Statesman*, January 1, 1888.

any proposition that meant the up-building of the city.” Thus, with the tenets of progressivism acting as a “collective credo,” Austin entered the twentieth century.³⁹

In late-nineteenth-century Austin, Colonel Monroe Shipe embodied this vision of growth for Austin. Shipe was one of the first to develop plans for an exclusive, racially segregated upscale suburb in Austin in 1891. Hyde Park and its primary investor, Colonel Shipe, served to illustrate how progressive municipal “reform” supported racial segregation to benefit the white race in Austin during the twentieth century. The expansion of Hyde Park and neighborhoods like it illustrates the interconnectedness among Southern Progressivism, municipal reform planning, modernization, and racial discrimination.

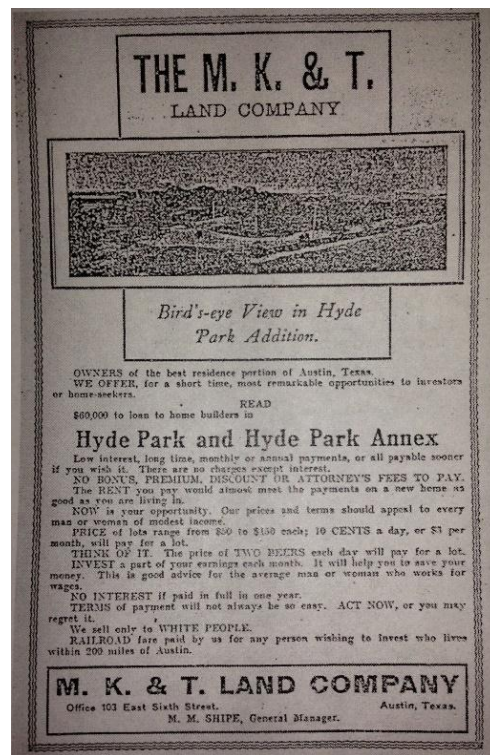


Figure 1. The M.K. & T. Land Company Advertisement. Towards the bottom of this ad, one stipulation states: “We sell only to WHITE PEOPLE” Hyde Park *Comet*, 1904.

³⁹ Anthony M. Orum, *Power, Money, and the People: The Making of Modern Austin* (Austin: Texas Monthly Press, 1987), 33, 36.

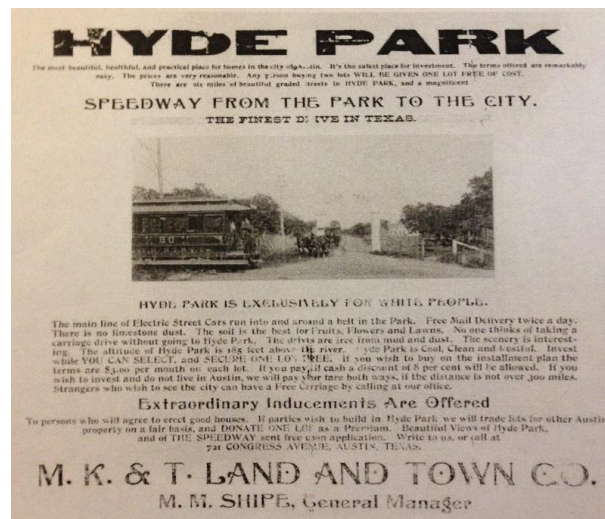


Figure 2. Hyde Park Advertisement. States that “HYDE PARK IS EXCLUSIVELY FOR WHITE PEOPLE,” circa 1915, *Austin Daily Statesman*.

Advertisements published for Hyde Park at the time emphasized the many amenities available to prospective residents, including scenic views, electricity, city water, the prohibition of saloons and, notably, that the neighborhood was “exclusively for white people.”⁴⁰ Part of what made a property valuable, in this view, was not only the amenities offered to people who lived there, but the *exclusion* of certain groups of people. The ads set forth the imperative that the racial composition of a neighborhood helped determine property values. Progressivism in Austin clearly had an integral racial undercurrent. For Anglos in Austin, being Caucasian was categorized alongside efficiency, cleanliness, and safety.

Shipe’s venture, along with its defining racial characteristics, also reflect a much larger trend that was emblematic of a strand of Progressivism in the United States at the end of the nineteenth and in the early-twentieth centuries. In addition to prioritizing the

⁴⁰ Prospectus of the Colorado Lake Chautauqua Association at Austin, Texas, for the Season of 1893, *Colorado Lake Chautauqua Association* (1893), 15.

needs of business and the growth of industry, Progressives in Austin also discovered that they could effectively use particular methods of reform to enforce social stratification in urban centers. Thus, in the face of increasing Mexican immigration, the racialized narrative of the Texas Revolution and resulting attitudes could be used to carry out municipal reforms that benefitted the interests and realized the vision of Progressive Austinites.

Over time, these changes in municipal government cemented the role of the city's Progressive business elite as drivers of change in Austin. These Austinites, after all, could afford to pay for campaigns and often courted candidates who shared their interests. Austin, at the end of the nineteenth century, had been comprised of a "dual government" system where a commission of elected officials worked in conjunction with a half-appointed, half-elected, fourteen-member city council.⁴¹ This form of government dispersed political power among the wards in Austin, allowing neighborhoods to have some say in how the city developed. As Austin entered the twentieth century, it would not be long before the business elite in Austin, Shipe included, sought change.

Monroe Shipe expressed his opinion clearly about the necessity of municipal reform in Austin. Shipe argued for changes in municipal government, suggesting that as long as "a town is divided by wards and controlled by politics the growth of the town will be retarded." He complained about the dual government system, claiming in 1908 that it "has not proved satisfactory to either set of officials or the people."⁴² Instead, he insisted that Austin follow the examples set by cities like Galveston. Instead of corrupt

⁴¹ Monroe Shipe, "Government of the City," *Austin Daily Statesman*, 1908.

⁴² Ibid.

neighborhood politics determining the outcome of important civic decisions, He asserted that under a single commission charter “the people” would ultimately control local politics. By choosing elected officials at-large, and by granting the people veto and impeachment power through the processes of referendum and recall, Shipe argued that his plan was “safe, sound, economical, and a vast improvement over our present form.”⁴³ He did not mention, however, that at-large voting would greatly favor the majority white population by neutralizing the power of segregated minority communities to have a voice in city government. Through at-large elections, the powerful could select as many favorable candidates as they liked, without having to cater to the interests of segregated sections of the community.

Austin adopted its new charter (largely written by Shipe) in 1909. In the election that same year, with a newly adopted charter, reform candidates won a landslide election and took control of Austin’s new city commission. Essentially, Shipe had created a “businessmen’s government” in Austin, and his “antipathy towards non-white people became embedded in the very way Austin grew.”⁴⁴ Shipe serves an outstanding example of the way the Anglo-Progressive elite in Austin incorporated racial bigotry into their reform efforts. Clearly at the beginning of the twentieth century, Austin’s development was heavily shaped by the entrepreneurship and racial prejudice of its city leaders.

Taking control of the commission form of government was not enough to satisfy the business community’s desire for control, particularly for members of the Austin Chamber of Commerce. The head of the chamber of commerce, former San Antonio Chamber of Commerce assistant manager Walter E. Long, was a key proponent of the

⁴³ Ibid.

⁴⁴ Tretter, 2-3.

rising influence of Progressive-era business in Austin. In 1914, concerns over economic stagnation in Austin caused the Board of Trade, later the Austin Chamber of Commerce, to name Long as its manager. At a time when there was some concern about Austin's emerging economy, many saw the chamber "as one, if not the principal, vehicle through which Austin might move forward."⁴⁵ Through the chamber, Long succeeded in promoting the growth of Austin at the beginning of the twentieth century, while also serving an essentially racist agenda.

Race played a prominent role in the way the Austin Chamber of Commerce shaped municipal reform. Race was a factor in both the "rules they wrote" and the "policies they pursued."⁴⁶ As Progressive reformers shaped the future of Austin, they bore a "deep hostility toward the influence uneducated, working-class, and poor people had on public policy."⁴⁷ In spite of arguments in favor of a commission-style government, such as Shipe's call to "let the people rule," at-large candidacy made it so that "no other group but the business community could mobilize resources across the city to elect a councilperson."⁴⁸ So, while the public was being lulled into the belief that the commission form of government was granting them more power, in effect, it merely consolidated power for the city's business leaders in the name of progress and efficiency.

The commission form of government was not enough to satisfy elite Anglos in Austin. In 1924 the city became one of the first large cities to adopt a city-manager charter. Unsatisfied with the inability of city commissioners to secure a new bond

⁴⁵ Orum, 55.

⁴⁶ Amy Bridges, *Morning Glories: Municipal Reform in the Southwest* (Princeton: Princeton University Press, 1997), 20.

⁴⁷ Tretter, 11.

⁴⁸ Shipe, "Government of the City"; Tretter, 12.

package for the city, which was to be used in part to implement a racially segregated zoning system for municipal services, the Austin Chamber of Commerce strove for yet another change to the city's charter, which passed on April 24, 1924, in spite of some controversy. Walter Long had spearheaded the effort since 1917, though citizens opposed it for years. Proponents of the change in city government, such as Judge Ike D. White, reassured voters that "where the present city breeds petty jealousies and discord, the city manager system will make for cooperation."⁴⁹ Proponents of the city manager system sought to convince Austinites that changing the charter, and further consolidating power, was the best option for Austin as a whole.

Opponents disagreed that changing to a city manager form of government would be beneficial for the city. A.J. Zilker worried that the chamber of commerce had become "entirely too active in supporting the city manager." At a rally held by anti-city manager forces, anti-manager advocate John Cofer expressed his concerns to a large crowd, stating that "some of us, out of zeal for a new form of city government... are saying that government can be made, and should be made, a strictly business proposition; that communities ought to be viewed as corporations, their taxable property as capital stock and their people as stockholders."⁵⁰ Even if people could be thought of as stockholders in the investment of a city, it was quite clear that at the beginning of the twentieth century, many citizens understood not all stockholders would be considered equal, especially those of color.

⁴⁹ "Pro and Anti-manager Men Debate Merits and Demerits of Plan" *The Austin Statesman*, August 7, 1924.

⁵⁰ "Anti-manager Forces Take Offensive; Attack One-man Government," *The Austin Statesman*, July 25, 1924.

Opponents of the new plan had reason to doubt the benefits of a city manager charter. A city manager form of government allowed for the at-large election of a city council, which would act purely as a legislative body. The city manager, who was appointed by the council, would hold all administrative duties. Again the business elite, represented by the chamber of commerce, were well placed to influence the election of councilmembers, who in turn set the agenda for council meetings and consistently put the needs of the white majority ahead of purposefully segregated minorities, namely African Americans and Mexican Americans.

The chamber achieved its goals. In 1928, just four years after the adoption of the new charter, a large bond issue managed to pass by referendum with support from only two of the wealthiest (and whitest) areas of the city.⁵¹ That same year a headline in the *Austin American* read “Manager Plan Puts Austin among Progressive Cities.” It went on to say that after fifteen years under a commission charter, the business community in Austin decided that “Austin, a corporation valued at \$40,000,000, should be governed along a stricter business method.”⁵² This method included the use of racial zoning, a practice that was openly discussed by the chamber of commerce. Mexican Americans and African Americans were targeted in the new plans for Austin’s city government discrimination once again coming under the guise of progress.

By consolidating power, under the city manager charter, the chamber effectively implemented a comprehensive zoning plan developed a year earlier in 1927, which

⁵¹ Frank Staniszewski, *Ideology and Practice in Municipal Government Reform: A Case Study of Austin* (Austin: University of Texas Press, 1977), 33.

⁵² “Manager Plan Puts Austin Among Progressive Cities: Mayor, Commissioners, Manager, and Attorney – These Men Compose Austin’s Municipal Government,” *The Austin American*, March 4, 1928.

brought a form of apartheid to Austin, including the creation of a “Negro district.”⁵³ The money raised from the bond referendum helped finance many of the “improvements” detailed in the 1927 plan. While Mexican Americans were not mentioned specifically in this plan (the term Mexican American was not used with regularity until the 1930s), patterns of settlement among white, “negro,” and “inferior white” populations in Austin influenced the development of Austin for generations.⁵⁴ Furthermore, the eugenicist language that determined the ethnic makeup of Austin’s neighborhoods shifted over time to exclude not only African Americans, but other groups of so-called “inferior” whites, specifically Mexican Americans.

Walter Long fought for a comprehensive zoning ordinance for at least a decade prior to the 1927 plan in the face of opposition to the business elite’s apparent interest in running the city. Many business leaders in Austin viewed zoning as an effective means to “modernize the city” and render Austin “a more suitable place for investment and opportunity.”⁵⁵ Racial segregation was often included as a benefit of municipal zoning, of which Walter Long was made aware, in his correspondence with Dallas planner E.A. Wood. Wood wrote a lecture, of which Long had two copies, titled “Planning, Zoning, and Race Segregation.” In it, Wood urged that “any plan that is prepared should provide districts for negroes and Mexicans, giving them the same facilities as the whites, that is, wide paved streets, standard sized lots, and all of the public utilities.”⁵⁶ In this way, Austin would still be in compliance with *Plessy v. Ferguson* (1896), by providing

⁵³ Tretter, 6.

⁵⁴ Ibid, 19 – 20.

⁵⁵ Ibid, 17.

⁵⁶ E.A. Wood, “City Planning, Zoning, and Race Segregation,” City Planning 1926 – 1928, box 19, Walter Long Papers, Austin History Center, Austin, TX.

separate but presumably equal facilities and services for minorities. He explained in 1927 that “the Austin Chamber of Commerce has been securing data of all kinds and planting propaganda of the City Plan in the minds of the citizenship of Austin.” Furthermore, the Austin Chamber of Commerce had been “a strong advocate for a specific Texas zoning law that would have permitted the use of zoning to forcibly segregate cities by race.”⁵⁷ Again, the language of modernity, progress, and racism supported segregationist policies that directly affected the development of Austin.

Leaders in Austin discussed openly their desire to create racially restricted neighborhoods. In Austin’s plan, one section explains that in spite of “considerable talk... in regard to the race segregation problem,” the chamber was confident a solution could be reached. Lamenting the fact that “this problem cannot be solved legally under any zoning law known to us at present,” the comprehensive plan sought instead to legally zone segregated municipal services, so as “to draw the negro population to this area.” By segregating schools, parks and swimming pools, the city could effectively corral its populations of color. Mexican Americans were included in this plan, though a little more subtly. Hispanics were increasingly segregated in East Austin, south of the African American community. Limited access to public services, especially schools, all played a role in the racial isolation of Mexican Americans and African Americans to the eastern portion of the city.⁵⁸

The chamber of commerce had moved aggressively to ensure their vision of the future of Austin, in housing and at the polls. By 1933, a scholar named Roscoe Martin

⁵⁷ Tretter, 17.

⁵⁸ Ibid, 18-19.

had completed a study on political participation in Austin and found that reformers had accomplished their goal of restricting the electorate.⁵⁹ Of the twenty-three percent of Austinites who were allowed to vote, only thirty-seven percent actually came out.⁶⁰ The at-large system of selecting candidates along with whites-only primaries ensured that only white vested interests would make civic decisions. Furthermore, the study found that “those who did not vote tended to come from certain neighborhoods, professions, economic positions, and races.”⁶¹

Decades of racially restrictive covenants helped support the city’s segregation agenda. Though many of these restrictions were openly directed towards African Americans, the language used to establish racially restrictive neighborhoods in Austin evolved throughout the 1930s and suggested that the restrictions were designed to exclude other groups, primarily Mexican Americans. During that time, there was a significant shift away from using the phrase “no people of ‘African descent’ could buy or occupy land” to language that stated a property could “only be inhabited by ‘Caucasian’ or ‘white’ persons.” By altering language that once specifically excluded African Americans to language that less clearly defined who was in essence, not “Caucasian,” Anglos could extend the denial of housing to other ethnic groups, specifically Mexican Americans. This shift demonstrated the emergence of new methods of relegating “partially white” groups to East Austin.⁶²

Racially discriminatory housing practices in Austin, rooted in white racism and employed through Southern Progressive municipal reform, were given an additional

⁵⁹ Bridges, 75.

⁶⁰ Tretter, 15.

⁶¹ Ibid, 16.

⁶² Ibid, 7.

boost in the 1930s by the federal government's Housing and Loan Corporation (HOLC) and later the Federal Housing Administration (FHA). These institutions served as strong advocates for the use of deed restrictions throughout the country and as a result, impelled the mortgage industry to effectively endorse segregation in cities throughout the United States.

In 1933, the HOLC was tasked with reviving a slumping Depression Era housing market. Part of their evaluation process included assessing and rating neighborhoods in hundreds of cities across the country for mortgage risk. Each city was given a detailed report that included "security maps" that graded residential areas on a scale from one to four.⁶³ African Americans, Mexican Americans, and the poor, were generally given a "fourth grade, or 'hazardous,' rating and colored red," thus denying them the financial opportunities granted to most Anglos, whose neighborhoods consistently received higher ratings.⁶⁴

The maps that marked these largely African American and Mexican American neighborhoods reflected an already embedded cultural practice of exclusion by prompting lending agencies to deny services to people of color, even if they could afford the housing in question, in a process known as "redlining." These security maps did not come from any substantive data on foreclosure and delinquency rates, but instead "revealed a bias, common among bankers and real estate professionals" that married financial risk to "areas that contained non-white people."⁶⁵

⁶³ Ibid.

⁶⁴ A.F. Hillier, "Redlining and the Home Owners' Loan Corporation," *Journal of Urban History* 29, no. 4 (2003): 707 – 708.

⁶⁵ Tretter, 13.

When the Federal Housing Administration was founded in 1934, its underwriting manuals reinforced this practice in the mortgage industry, along with the use of deed restrictions on the basis of “preserving the resale value of homes.” Deed restrictions and municipal zoning, according to the FHA, were the most effective means of protecting home values from “adverse influences,” such as “lower-class occupancy, and inharmonious racial groups.” Furthermore, deed restrictions were “apt to prove more effective than a zoning ordinance in providing protection” from these financial risks.⁶⁶ Though not explicitly stated, one could infer that the FHA was, in part, referring to the ability of deed restrictions to include race, among other more detailed restrictions.

The Housing and Loan Corporation also reaffirmed the segregation of Austin into three districts, explaining in a 1935 report that “the heavy concentration [of African Americans] is in the eastern part,” which was primarily “occupied by negroes, Mexicans intermingling with the colored.” Evidence also suggests the development of a clearly segregated “Mexican district.” In most cases, these areas in East Austin were marked red, which indicated they were dangerous places to invest. These HOLC maps may have helped influence the denial of many financial opportunities to Mexicans and African Americans in East Austin. Fortunately, in spite of the fears of many whites, the report explained that “the negroes had occupied these sections for many decades... because of the superiority of the residential sections surrounding them.” For whites in Austin, there had been “no blighting of the areas surrounding the colored sections.”⁶⁷ Clearly, the

⁶⁶ Ibid, 13, 22.

⁶⁷ Tretter, 20; quotes “Home Owners’ Lone Corporation Confidential Report of a Survey in Austin Texas,” ed. M. R. Division, Austin, Texas, Folder, Record Group 195, National Archives, 3.

prosperity of Austin as a “Progressive” city did not include African Americans or Mexican Americans.

A pattern of discrimination and racism was further reflected by the FHA in subsequent underwriting manuals. A 1940 pamphlet titled “Successful Subdivisions” was distributed among developers across the nation, stating “protective covenants... rigorously enforced, are an absolute necessity if good neighborhoods and stable property values are to be maintained.”⁶⁸ And, while the FHA sanctioned deed restrictions throughout the 1930s and 1940s, developers also quickly learned that exclusivity came at a premium. This prompted them to increasingly set rules that would not have been possible through municipal zoning. What resulted could be described as tri-ethnic apartheid. African Americans became largely segregated to the northeastern portion of the city, the Mexican American community became isolated just south of the “Black ward,” and Anglos settled primarily in West Austin.⁶⁹

Practices designed to exclude Mexican Americans from various opportunities within the city increased along with the Mexican-American population. As Austin’s population grew from 15,000 in 1890 to over 50,000 forty years later, Mexican Americans came to make up a substantial portion of residents, representing about nine percent of Austin’s total population by the 1930s.⁷⁰

The tenuous status of Mexican Americans in Austin, both legally and culturally, further complicated the circumstances faced by their growing numbers. After all,

⁶⁸ United States Federal Housing Administration, *Underwriting Manual: Underwriting and Valuation Procedure Under Title H of the National Housing Act* (Washington D.C.: U.S. Government Printing Office, 1936), 9.

⁶⁹ Tretter, 23; Staniszewski, 33.

⁷⁰ Tretter, 32.

Mexican Americans had been considered “legally white” since 1897, yet as Montejano notes, “in political and sociological terms, Negroes and Mexicans were basically seen as different aspects of the same ‘race’ problem.” As a result, the municipal reforms being enacted in Austin throughout the first half of the twentieth century, urban planning reforms developed by industry leaders, including the use of restrictive covenants, and the approval of discriminatory practices by the HOLC and later the FHA all created an environment that heavily reinforced “white domination over non-whites.”⁷¹

The shaping of collective memory by Texas’ Progressive leaders at the end of the nineteenth century and early twentieth century helped facilitate public support for their political, social, and industrial goals. The “visionaries” who realized Austin’s potential did so under the historical approval of those first “hardy pioneers.” In the process, racial discrimination continued to be folded into the very fabric of what it meant to be “Texan.” Both African Americans and Mexican Americans came to be further seen as conquered peoples to whom progress need not be promised, based on Anglos’ racist notions of their superiority over such groups. Instead, the Anglo elite in Austin used these narratives to maintain racial hegemony in the city. Keeping people of color segregated *was* part of the Progressive dream in Austin.

Austin’s development, therefore, was inherently driven by racism. The concentration of power in a pro-business local government, along with municipal zoning and restrictive covenants, all proved to be excellent tools in ensuring the hegemony of whites and the separation of races as the city grew. These practices initially specified

⁷¹ David Montejano, *Anglos and Mexicans in the Making of Texas, 1836 – 1986* (Austin: University of Texas, 1987), 262; Tretter, 10.

African Americans, but were increasingly directed towards Mexican Americans as immigration increased during the first half of the century. In the 1930s, the federal housing agencies helped enforce these patterns through underwriting manuals, and their advice was taken to heart by many lending institutions. The result was a city whose residents and municipal services, including education, were intentionally segregated. The next chapter details the growth of Mexican-American segregation in Austin's public schools, the emergence of Mexican-American activist groups determined to resist Anglo discrimination, and the effects of such discrimination on Mexican-American students in Austin.

III. THE MEXICAN-AMERICAN EXPERIENCE IN AUSTIN PUBLIC SCHOOLS

I must not speak Spanish in the classroom
I must not speak Spanish on the schoolgrounds (sic)
I must not speak Spanish
I must not speak
I must not
- Raúl Salinas, 1971⁷²

Mexico's defeats in the Texas Revolution and the Mexican War provided the historical and cultural grounds for Anglo claims to cultural dominance of Mexicans, and later Mexican Americans in many facets of life, especially in education. As many Americans began rallying under the banner of Progressivism at the end of the nineteenth century, attitudes towards race, fueled by notions of white racial purity and manifested through urban reform, were maintained by the Anglo elite in Texas.⁷³ One powerful tool for institutionalizing a racialized social hierarchy emerged in the arena of public education, supported by newly founded education theories. As Mexicans entered white school districts, progressive reformers' racist notions became evident in the everyday experiences of students of Mexican descent.

Discriminatory treatment of Mexican-American students became more pronounced at the beginning of the twentieth century with the outbreak of the Mexican

⁷² Raúl Salinas, "Overcoming a Childhood Trauma" (unpublished manuscript, 1971).

⁷³ Many scholars periodize the Progressive Era as beginning around 1898, however, some scholars, such as Robert H. Wiebe and Maureen Flanagan, mark the start of Progressivism in the early 1890s. See Robert H. Wiebe's, *The Search for Order: 1877 – 1920* (New York: Hill and Wang, 1967) and Maureen A. Flanagan's, *America Reformed: Progressives and Progressivisms: 1890s – 1920s* (New York: Oxford University Press, 2007).

Revolution in 1910, which motivated thousands of Mexican immigrants to enter the United States. Revolutionary-era immigrants and their children faced segregation in politics, business, and education. As Progressives in the United States crafted local government policies and housing to benefit whites, education became an important tool in reinforcing the subordination of the vast majority of students of Mexican descent.

Racist progressive ideology, when coupled with new standards in public education, created a hostile environment for Mexican Americans throughout the twentieth century. Americanization helped promote a perspective that viewed Mexican and later Mexican American culture as a threat to the fabric of American society. As the Mexican-American population developed and grew, these initiatives became further pronounced.

In Texas, like in other Southwestern states, racist notions regarding people of Mexican descent resulted in the creation of “Mexican schools” that openly segregated students of Mexican descent and promoted the eradication of the Spanish language, along with other perceived harms attributed to Mexican culture. The curriculum surrounding the Texas Revolution helped further this cause by portraying Mexicans as dirty, degenerate, lazy, and as criminals. Despite the efforts of a growing number of organizations such as La Liga Protectora Mexicana, the League of United Latin American Citizens (LULAC), and the American G.I. Forum, in schools throughout Texas, students of Mexican descent were thus indoctrinated into a system that rejected their culture, language, and portrayed them as dangers to society.

The experiences of Mexican-American students in Austin directly reflected these trends. The creation of “Mexican schools” in Austin, and the pattern of transferring out

Mexican students from once integrated schools, helped reinforce segregation and led to differential treatment of these schools by the district. In addition, inequitable funding and a shorter school year to correspond with the schedules of migrant workers and the growing season all created an environment where Mexican-American children had difficulty excelling in school and were routinely held back in grade level, especially if they had not mastered the English language.

Mexican Americans who experienced such treatment directly, such as Mexican-American activist Gilbert Rivera, dealt with ongoing trauma at the hands of Austin public school teachers and administrators. This treatment helped set the stage for emboldened and intense activism for the sake of correcting discrimination against Mexican Americans beginning in the 1960s through organizations such as MALDEF. Rivera and his peers made up a new generation of Mexican-American activists in Austin, and their contributions helped gain ground for the Mexican-American community in various arenas, like public education.

Segregation and Americanization of Mexican-American Students in the Southwest

Given such racializing attitudes towards people of Mexican descent, it is not surprising that Anglos developed mechanisms which attempted to solve the problems increasing numbers of “Mexicans” seemed to pose. Educational theory in the early twentieth century aided in not only maintaining the segregation of Mexican students, but in justifying segregation on the basis of best serving these students’ perceived needs. White leaders used segregation practices that included “testing, tracking, curriculum

differentiation, and Americanization.”⁷⁴ The American government and Anglo educators intended these initiatives to create loyal American citizens out of Mexican students, while at the same time confining them to a rigid social hierarchy that devalued their culture and sought to relegate them to roles of manual labor. Thus, as noted by Chicano historian Gilbert G. Gonzalez, “segregation reflected and recreated the social divisions within the larger society formed by residential segregation, labor and wage rate differentials, political inequality, socioeconomic disparities, and racial oppression.”⁷⁵ The effects of segregation on housing, education, and political equality for Mexican Americans was particularly pronounced in the Southwest region of the United States.

Many educators in the Southwest believed that segregation created the best environment to “Americanize” Mexican students. The Americanization process consisted of efforts to control the cultural and linguistic environment, as well as programs that trained Mexicans for jobs considered to be “open to, and appropriate” for them. Education and training targeted at Mexicans ultimately reinforced a biologically racist notion of people of Mexican descent as educationally inept, hampered, as Gonzalez put it, by their “intellectual, social, economical (sic), cultural, moral, and physical inferiority.”⁷⁶ Thus, the practice of segregation and the educational theories that fueled cultural notions regarding Mexican-American students recreated a social order that put students of Mexican descent, regardless of whether they were U.S.-born or naturalized, in a subordinated position within American society.

⁷⁴ Gilbert G. Gonzalez, *Chicano Education in the Era of Segregation* (Denton: University of North Texas Press, 1990), 12.

⁷⁵ Ibid, 12.

⁷⁶ Ibid, 13.

Anglo racist sentiments towards Mexican Americans were, in part, influenced by leading American scholars. Early-twentieth-century eugenicists depicted those of Mexican descent as inferior to Anglos for a variety of reasons. Leaders such as Charles Davenport, a Harvard-trained biologist, expanded on theories of the “Mexican race” in the early 1920s. He warned that the “population could rapidly become darker in pigmentation, smaller in stature, more mercurial” and, over time, become “more given to crimes of larceny, kidnapping, assault, murder, rape, and sex-immorality... than were the original English settlers.”⁷⁷ Similar eugenicist thinking was expressed at the popular level. A San Antonio resident who wrote state representative John C. Box, stated in regards to Mexican Americans, “They are just the same Aztec Indians that they were 100 years ago. Worthless – despicable.” Moreover, he stated, “The white people of San Antonio have not a single park or place of amusement where they can go and enjoy themselves without the obnoxious presences of a horde of Aztec Indians calling themselves Mexicans.”⁷⁸ Racist attitudes towards people of Mexican descent by Anglos pervaded the cultural landscape of Texas.

A similar pattern could be found throughout the rest of the Southwest. In California, like Texas, most segregation laws were crafted during the nineteenth century and applied specifically to African Americans, though in California it was also legal to segregate Indians and Asians. People of Mexican descent had not been targeted specifically, an omission in California law that soon became controversial as Mexican

⁷⁷ Jerome Dowd quoting Davenport in “Race Segregation in a World of Democracy,” in *Fourteenth Annual Proceedings of the American Sociological Society* (Chicago: University of Chicago Press, 1920), 199 – 200.

⁷⁸ Cynthia E. Orozco, *No Mexicans, Women, or Dogs Allowed: The Rise of the Mexican American Civil Rights Movement* (Austin: University of Texas Press, 2009), 60.

families that had migrated to the United States at the turn of the century began fighting for equal treatment in California schools.⁷⁹

After a series of abuses by California school districts, much like in Texas, Mexican Americans eventually fought back, leading to a landmark U.S. Supreme Court case that in turn affected the entire Southwest. *Mendez v. Westminster* (1947) was the first case that determined it was unconstitutional to discriminate specifically against Mexican Americans, a term that only began to be used regularly in the 1930s and referred to American citizens of Mexican descent. Stemming from a lawsuit against four school districts in Orange County, California, Mexicans challenged school segregation in the courts.

The Supreme Court's decision did not lead to real desegregation for Mexican American students, but the litigation revealed much about perceptions of Mexican Americans and their peculiar status within the cultural makeup of the United States.⁸⁰ The Supreme Court found that school boards in California had been denying Mexican-American children "liberty and property without due process and equal protection of the laws," and was the first such ruling of its kind. The court dismissed the "fiction" that separate facilities for Anglos and Mexican Americans were equal and came to the conclusion that school districts in California had failed in providing equal opportunities to these "two classes of schools."⁸¹ Unfortunately, the decision did not curtail the efforts of the white majority to continue discrimination against Mexican Americans in Texas. However, when the Supreme Court ruled in favor of Thurgood Marshall's team in *Brown*

⁷⁹ Philippa Strum, *Mendez v. Westminster: School Desegregation and Mexican-American Civil Rights* (Lawrence: University of Kansas Press, 2010), 14 – 15, 143.

⁸⁰ Ibid, 14.

⁸¹ Ibid, 144, 145.

v. Board of Education in 1954, school desegregation suddenly became a national imperative. Texas lawmakers resisted such federal decrees for the majority of the twentieth century.

Texas, like the rest of the Southwest, experienced a wave of Mexican immigration, stemming from the Mexican Revolution of 1910. Concurrently, Anglo racial hostility intensified as fears spread that immigrants would spur a revolution in South Texas. Anglos' anxiety contributed to what Orozco describes as the "racialization" of the Mexican and Mexican Texan community. Working-class Mexican immigrants, who fostered a desire to maintain the culture of their homeland, became increasingly identified as a nuisance to the state. What became known as the "Mexican problem" provided the framework through which Anglo Texans viewed the vast majority of Mexican Americans in Texas.

Anglo educational leaders in Texas had actively participated in perpetuating a racist educational, social, economic, and political order. The state openly reported on the reality of educational equality for students of Mexican descent as early as the 1920s, thus acknowledging the existing situation of segregation and subordination of Mexican Americans. A 1929 Texas Educational Survey General Report intended to provide guidance for administrators and educators on how to deal with the growing "Mexican problem" determined that in many cases throughout the state, "segregation has been used for the purpose of giving Mexican children a shorter school year, inferior buildings and equipment, and poorly paid teachers."⁸² Despite later arguments in the 1960s and 1970s denying the segregation of Mexican-American children, early reports like these, which

⁸² Orozco, 31 – 32.

described “the illiterate Mexican child” as “by far the most difficult human problem confronting elementary education in Texas today,” clearly indicated a broad and long-accepted, comprehensive understanding of the state of education for Mexican-American students.⁸³

Most Texas schools by the mid-1930s already practiced *de jure* segregation against Mexican Americans. By law, Mexican Americans were legally white, which meant the statute in the 1876 Texas Constitution that stated there ought to be separate schools for “whites” and “coloreds” did not clearly denote how Mexican Americans were to be treated. To be sure, Anglo legislators did not view Mexican Americans as white or colored, but instead they presented “some peculiar racial entity.” Texas school officials had to figure out how to handle a growing number of Mexican-American students who were thought largely to be “low grade illiterates”⁸⁴ by many in the Anglo community.

Language helped entrench the educational divide between Anglos and Mexican Americans, as Anglo leaders emphasized the use of English in the classroom. In 1918, the Texas legislature passed a bill that made English the only language to be spoken in public schools, not just for teachers and students, but for all school administrators, school board members, and any other public school staff. Speaking any other language in Texas public schools, except in foreign language classes, was effectively “criminalized,” and categorized as a “misdemeanor punishable by a fine between twenty five and one

⁸³ H.T. Manuel, quoting The University of Texas Bulletin No. 2328, July 22, 1923, in *The Education of Mexican and Spanish-Speaking Children in Texas* (Austin: Fund for Research in the Social Sciences, 1930), 38.

⁸⁴ Orozco, 27, 30.

hundred dollars” as well as potential termination and loss of one’s teaching certificate.⁸⁵

Thus, language and racial identity worked to provide a basis for isolating Mexican-American children and creating an environment where Mexican-American students could not communicate, not even with Spanish-speaking adults.

From the 1920s into the postwar period, as the population of Mexican Americans grew, the number of “Mexican” schools increased. School boards across the state had practiced “de jure segregationist” policies towards students of Mexican descent from the 1920s into midcentury.⁸⁶ Moreover, English-only policies were strictly enforced only in “Mexican” schools. Between 1922 and 1932, the number of “Mexican” school districts doubled from 20 to 40, and by 1942 they numbered 122. In addition, by 1942 ninety percent of schools in Texas maintained schools for “Mexicans,” some of them carrying an official title as a “Mexican School.”⁸⁷ “Mexican” schools embodied the Anglo population’s dedication to Americanization and the desire to essentially replace Mexican and Mexican-American culture with tightly defined notions of Anglo-American culture.

Anglo educational and political leaders saw Americanization as vital to the processing of Mexican-American students in the Texas school system. Such leaders sought to make schools develop Mexican-American students into American citizens by emphasizing the use of English and by instilling what many viewed as respectability in light of contrasting stereotypes about Mexican Americans that pitted them as a lower class of people. Schools were to function as “citizen factories” that emphasized American citizenship and learning English while denying Mexican Americans access to other

⁸⁵ Maggie Rivas-Rodriguez, *Texas Mexican Americans & Postwar Civil Rights* (Austin: University of Texas Press, 2015), 18.

⁸⁶ Gonzalez, 11.

⁸⁷ Orozco, 31.

opportunities in education.⁸⁸ Such citizenship courses were not intended to build on the identity of Mexican-American students, but to break down one culture and replace it with another.

A New Mexican-American Identity and Activism

While Anglos were crafting institutional methods to Americanize students of Mexican descent, Mexican Americans in Texas were in the process of forming a new cultural identity. Historian Cynthia Orozco has addressed the various contours of racial identity formation for Mexican Americans in Texas. She writes that the 1920s “brought a new era in how Mexican-origin people were being imagined, defined, and constructed both by whites and on their own.” A new class of Mexican American formed a distinct group, considered white legally, yet not identified with Mexican immigrants or the Mexican working class.⁸⁹ From this shift in consciousness in which Mexican Americans began viewing themselves as heirs to legal and civic equality in America, as well as ongoing legal battles, emerged Mexican-American activist groups that were becoming increasingly outspoken about discriminatory patterns in Texas communities, including those in public schools.

The first Mexican-American activist groups in Texas grew out of a shifting consciousness emanating from various social movements and events that took place in the beginning of the twentieth century. Immigration as a result of the Mexican Revolution, along with subsequent participation by many Mexican Americans in the Great War, gave rise to a new class of American of Mexican descent. Moreover, Anglo

⁸⁸ Ibid, 32.

⁸⁹ Ibid, 24-25.

resistance to Mexican-American inclusion in American life prompted a response from many in the Mexican-American community to organize. A shift in national identity for Mexican Texans occurred at this time, as a new generation of American citizens of Mexican descent began to increasingly identify themselves as Mexican Americans.⁹⁰ Mexican-American consciousness was thus the product of several factors coming together in the early twentieth century. As a result, activist groups that came to identify as Mexican American formed in the Southwest during the 1910s and 1920s in order to secure rights, including voting privileges, access to municipal facilities, adequate education, and legal defense.⁹¹

In order to combat the harmful effects of Anglo Texans' developing racial ideology, and the denial of privileges associated with it, groups referring to themselves as *mutualistas* were the first to organize self-help efforts. La Liga Protectora Mexicana, founded in 1917 in San Antonio towards the end of the Great War, was one such mutual-aid society. Members would pay a dollar for the first year of membership and five dollars annually from then on. In return, La Liga provided benefits to members such as legal advice and defense, as well as help resolving issues with labor contracts, land tenancy, and run-ins with law enforcement.⁹² *Mutualistas* made up the first groups created by Mexican Americans for Mexican Americans for legal protection and the fight for equal treatment in the realms of labor and real estate.

In the 1920s, enrollment in *mutualista* organizations ballooned, especially with the return of Mexican-American war veterans looking to organize. Likewise, their

⁹⁰ Ibid, 12.

⁹¹ Rivas-Rodriguez, 8-9.

⁹² Ibid, 4.

influence became much more pronounced. After their wartime experience, many Mexican-American men had developed a “political consciousness of U.S. Citizenship.” By 1929, four groups banded together in Corpus Christi to create the League of United Latin American Citizens (LULAC). Emphasis on including the phrase “American Citizens” provided a clear cultural vision for its members as well as notifying immigrants they were not welcome.⁹³ As a result, at the beginning of the 1930s, a new consciousness emerged in Texas that identified itself as Mexican American. This identity encompassed a rising male middle class that was becoming ever more aware of their subordinated role in the power structure of the state, yet sought to comply and were ultimately quite proud of their legal status as Americans.

As groups like mutualistas and LULAC laid the groundwork for challenges to racial discrimination throughout the 1930s, use of the term “Mexican American” increased in frequency, differentiating a growing group of educated businessmen from the Mexican working class. By the 1940s, middle-class Mexican Americans became increasingly concerned with their own citizenship and the security of Mexican Americans’ basic civil rights.⁹⁴

The Mexican-American Civil Rights Movement gained great momentum in Texas after World War II, as veterans returned home determined to effect change in their communities. Many veterans took advantage of the G.I. Bill to attend college and law school. Some joined and reinforced the ranks of existing activist groups, such as LULAC and new groups like the American G.I. Forum, all of which began questioning and fighting back against the racial discrimination people of Mexican descent were facing.

⁹³ Ibid, 4.

⁹⁴ Orozco, 12

Finally, the 1960s marked an era of pronounced growth for the Mexican-American Civil Rights Movement. University of Texas scholar Maggie Rivas-Rodriguez argues that, for Mexican Americans, substantive change did not really begin until the 1960s, when a large number of Mexican Americans became more outspoken about their disenfranchisement in various arenas throughout Texas, including lack of representation in politics, denial of various municipal services, and discrimination in education.⁹⁵ In 1968, LULAC and the NAACP's Legal Defense Fund helped establish the Mexican American Legal Defense and Education Fund (MALDEF). Supported by the Ford Foundation, this group quickly became one of the most successful civil rights organizations of the latter half of the twentieth century. MALDEF focused on fighting for equitable financing for public schools, redistricting, and other political rights issues. This organization played a key role in fighting for education equality in Texas. The conglomeration of all of these factors – Anglo perceptions about people of Mexican descent, a rising Mexican-American middle class, and the resulting conflict – helped shape the educational environment of the segregated Texas capital.

The Experience of School Segregation for Mexican Americans in Austin

People of Mexican descent had gradually been subjected to increasing residential segregation in East Austin in the course of the early twentieth century, as Austin bore witness to the implementation of a national, racist, progressive agenda. The status of Mexican Americans as “inferior whites” included the segregation of municipal services, such as parks and schools. The creation of “Mexican Schools” in Austin and the

⁹⁵ Rivas-Rodriguez, 5.

education system's subsequent treatment of Mexican-American students gave rise to enduring integrationist efforts by Mexican Americans unwilling to tolerate such treatment.

Cultural attitudes belittling the capabilities of people of Mexican descent can be found in early local publications in Austin. One early-twentieth-century newspaper article, paradoxically, appealed for Austinites to not allow racism to “bring about some great injustice against the people of a neighboring nation of the very unfortunate sort.”⁹⁶ In spite of the apparent racism that fueled Anglo notions about Mexican Americans, the tone of the article differentiates the positive qualities of Mexican immigrants from the nation from which they came, Mexico. The article describes Mexican immigrants as noble, hardworking, albeit simple people, whom were capable of assimilating to American culture. “They cross over,” the reporter noted, “wearing cotton pantaloons and sandals with a blanket around their shoulders. Within a short time they have overalls and good shoes and felt hats.” In speaking of Mexican children, the article explains, “A little later they have rented land and the children are wearing clean clothes that are presentable.” The image of people of Mexican descent in this article is a simplistic and, ultimately, racist one, though it showed evidence of a paternalistic optimism that they were capable of improvement.

Journalists also reinforced the claims of superiority of Anglos in Texas and touted the benefits of Americanization. Many developing Texas cities were built on a “segregation plan.” In this plan, “Americans take the higher land on one side of a railroad or creek... and the Mexicans take the other side.” As if these people were proud to take

⁹⁶ “Our Mexican Citizens,” *The Austin Statesman*, Aug 13, 1914.

their place in the developing American racial hierarchy, the writer noted, “They do not object to this procedure. They are humble, hard workers bent upon taking advantage of all the blessings given them in a great, rich, free Democratic country.” Again, the article emphasized their role as common laborers as well as expressed their perceived appreciation of that role. In fact, the article reasoned one might find “many fat, well fed, upstanding Mexicans who have the good wishes and respect of their American neighbors, while on the other side of the river will be found poverty-stricken, diseased, ignorant Mexicans whom their Americanized kinsman despise.” So long as these Mexicans are Americanized, they are capable of finding “opportunities in this country as well as any other foreigner.” Furthermore, in the realm of education, no community had taken better advantage of “American free education than the Mexicans.”⁹⁷ Thus, so long as the “good Mexicans” took advantage of the opportunities afforded by American society, the author argued residential segregation was a good and necessary agreement.

Austin public schools reflected racist attitudes. They had tracked and segregated pupils of Mexican descent since the 1880s. The first “Mexican School” in Austin, the “First Ward (Mexican) School,” as it was referred to in *The Austin Daily Statesman*, enrolled 68 students in 1888. In 1916 the West Avenue School, originally intended to serve only African Americans, was converted to a school for Mexican-American students only and operated until 1945. As more Mexican-American students became segregated to East Austin, however, the West Avenue School gradually lost the majority of its enrollees, and eventually closed. In East Austin, the Comal Street School opened in 1923 and absorbed many Mexican American students from the West Avenue School. In

⁹⁷ Ibid.

addition, all Mexican American students who had previously attended Palm, Metz, and Bickler (which were predominantly white schools), were transferred to Comal.⁹⁸

White Austin schoolchildren also benefited from disproportionately high funding levels compared to “Mexican schools.” In 1925, Austin’s public school system was heralded as a system “Without a Peer in Texas.”⁹⁹ According to an article in *The Austin American* in 1925, “educational authorities from within and without” deemed Austin first among all Texas schools in terms of “all round results.” The article that followed such praise proceeded to expand upon the “investments” the city of Austin had made in its public schools.

The newspaper went so far as to detail the monetary investment and enrollment of each of Austin’s twenty schools. A look at these figures says much about the value placed on education for Mexican Americans by Austin Anglos. When compared to the schools mentioned previously – Palm, Metz, and Bickler – the Comal Street School, to which all previously enrolled Mexican-American students were sent in 1923, was funded considerably less than it’s supposed peers. Bickler, which served 380 students, received \$53,000 from the city; Palm, whose population totaled 566, received \$77,000; and Metz, with a total of 294 students, received approximately \$26,500, an average of \$126 per student. By contrast, the Comal Street School, which had a total population of 174, all of whom were of Mexican descent, only received \$5,500 – an average of \$31 per student. Even when taking into account the increasingly obsolete West Avenue School, which

⁹⁸ “Austin Public Schools” *The Austin Daily Statesman*, February 8, 1888; Documentation of the progression of “Mexican Schools” in Austin can be found in Joseph D. Straubhaar, *Inequity in the Technopolis: Race, Class, Gender, and the Digital Divide in Austin* (Austin: University of Texas Press, 2012), 50.

⁹⁹ “Austin’s Public School System Without a Peer in Texas: Other Cities Spend More, But None Get Better Results,” *The Austin American*, February 8, 1925.

only had 71 students in 1925 and received a total investment of \$10,500, the total investment per student still paled in comparison to white schools, coming to about \$65 per student.¹⁰⁰ By mid-century, the Austin school district had made considerable strides toward providing comparable funding for Anglo and “Mexican” schools, although residential patterns and school zoning maintained the segregated system established at the beginning of the century.¹⁰¹ Still, in spite of apparent future financial parity, early century numbers reveal tangible barriers to the betterment of students of Mexican descent in Austin.

In addition to inadequate funding, school started much later in the year for “Mexican schools.” As many students of Mexican descent had parents who were migrant workers, their lifestyles revolved around the growing season. While white children were being taught for at least nine months out of the year, the children of migrant workers only attended an average five months. When Mexican and black school openings were delayed until October 9th one year, an Austin newspaper quipped that the “opening of the negro and Mexican schools was delayed for several weeks because of the scholastics being engaged in cotton picking.” By contrast, in regards to white schools, white citizens could rest assured that the “ringing of school bells in Travis county... will find all of the white

¹⁰⁰ Straubhaar, 50; All totals calculated from data published in “Austin’s Public School System.”

¹⁰¹ In analyzing budgetary and school census records at the Austin History Center, only the 1949-50, 1963-1964, and 1977-78 were obtained. More research is necessary to determine when the district began funding white and “Mexican” schools more equitably: Austin Independent School District, “Preliminary Budget for the Year 1977-78,” September 1, 1977, Austin History Center, Austin Public Library, Austin, TX; Austin Independent School District Board of Trustees, “Meeting Agendas and Minutes, June 1949 – June 1950,” Austin History Center, Austin Public Library, Austin, TX; Austin Independent School District Board of Trustees “Meeting Agendas and Minutes, June 1963 – June 1964,” AR.2015.040, box 3, Austin History Center, Austin Public Library, Austin, TX; Austin Independent School District Board of Trustees, “Budget for the Year 1963-1964,” August 12, 1963, AR.2015.040, box 14, Austin History Center, Austin Public Library, Austin, TX; Austin Public Schools Board of Education, “Estimated Budget for the Year 1949-1950,” September 27, 1949, Austin History Center, Austin Public Library, Austin, TX.

schools open for the year.”¹⁰² These publications reinforced a discourse about Mexican Americans that claimed, while they were legally white, they were destined to work in the fields while Anglos were given preferential treatment in the city’s public schools.

In spite of the apparent discrimination, newspapers in the 1930s praised Austin’s Mexican schools and openly advertised the segregation of “Mexican children.”¹⁰³ One article admitted the West Avenue school was “attended by Mexican children only.” It went on to say that “no Spanish is allowed on the playground or in the rooms.” With a new literacy program in place, which was intended to help them with “speed, and accuracy and at the same time give them the daily routine,” the article expressed confidence that this environment encouraged the children to take “so much interest in handwriting that they wish they could have handwriting more than twice a week.”¹⁰⁴ Despite many inequities, these articles give the impression that the condition of education for students of Mexican descent was not only adequate, but effective.

The Zavala School, which opened in 1936 and absorbed students from Bickler, Comal, Palm, and Metz, won similar praise. That November, during National Education Week, one article claimed few schools entertaining visitors during the event would have “more to show than Zavala, the new school between Third and Fourth on Canadian street, and only Mexican school in the city.” The principal at Zavala, W. L. Darnell, explained that “many parents wanted their children to go to Metz and Palm, learn their lessons and associate with white children. But even there we found that they grouped together and

¹⁰² “County Schools Get Year’s Work Started: Mexican and Negro School Openings Are Delayed,” *The Austin American*, October 1, 1939.

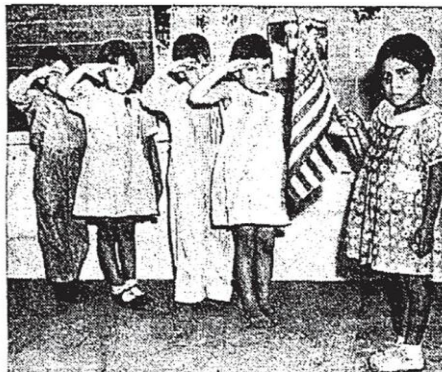
¹⁰³ “Spanish Barred in West Avenue Mexican School,” *The Austin Statesman*, February 5, 1937.

¹⁰⁴ *Ibid.*

failed to mix with other children.”¹⁰⁵ As if the lack of integration was somehow the responsibility of these children, Darnell justified their segregation as a means of benefiting them, in spite of their parents’ wishes.

Despite openly advertised segregation of students of Mexican descent, Darnell explained that the “underlying philosophy” at Zavala was pride in Mexican heritage. He also expressed confidence that at Zavala, students could “be proud to be a descendant of the Mexican race and at the same time become a first-class American citizen.” Darnell went on to present his version of these children’s ancestry, whose “background from old Spain fused with the Aztec and Maya civilizations” was exceptional, though their ancestors lived in a culture where “handiwork predominated.”¹⁰⁶ Again, assumptions about the culture and place of people from the so-called “Mexican race” deeply affected the educational environment to which Mexican Americans were subjected.

MEXICAN SCHOOL IS OUTSTANDING



Pupils in the pre-primer class at Zavalla school are given daily instructions in health work, cleanliness and Americanism by their teacher, Miss Consuelo Herrera. A flag ceremony is conducted daily. Saluting the flag are, left to right, John Lulenz, Gloria Rosas, Joe Barbosa and Feira Navarro, with Felicitana Pesina shown holding the flag.

Figure 3. Newspaper Article Titled, “Mexican School is Outstanding.” From *The Austin Statesman*, 1936.

¹⁰⁵ J.W. Markham, “Mexican School is Outstanding,” *The Austin Statesman*, November 6, 1936.

¹⁰⁶ Ibid.

Overall, the educational setting became a site where racist progressivist rhetoric, educational theory, and urban planning coalesced and influenced Mexican-American pupils in everyday life. These trends continued into the 1940s and 50s in Austin, creating an unequal learning environment, where teachers and administrators were imbued with racist notions of Mexican and Mexican-American culture, and where many Mexican Americans began to wrestle with their status of being legally, though not culturally, white. As Austin entered the 1950s, the conditions of segregation and discrimination in education played an important role in how Mexican Americans saw themselves, and how they engaged local politics.

One Mexican-American Activist's Experience in Austin's Public Schools

Gilbert Rivera, a founding member of the Brown Berets in Austin, experienced firsthand the national and state imperatives placed on Mexican Americans in Austin in the 1950s and 1960s. His experience underscores the environment created by Austin's public schools for thousands of Mexican Americans in the city. Likewise, his response to these conditions reflects the uprising of Mexican Americans against discrimination in Texas and throughout the Southwest.

Gilbert's early life was marked by struggle. He was one of six children born to migrant worker parents, and had a twin who died at six months after contracting polio. Gilbert, who also became ill, survived, though somewhat disabled. His family worked hard to make ends meet as migrant workers in Michigan. Every summer they would travel north to work in the fields, and every winter they would travel back to Austin so the children could attend school.

In spite of his parents' limited formal education – his father had only a second grade education and his mother left school after the sixth grade – the notion of a good education played an important part in the way Gilbert's parents raised their children. According to Gilbert, when he was a child his parents used to say that their kids would be the “last generation of migrant workers in our family.”¹⁰⁷ Gilbert's parents proved early on their dedication to that promise. Their devotion to education, despite the quality of the education provided by the city, was evident in the priority it took in the Rivera household.

Most children of migrant workers never completed a school year. Migrant parents would take their children out of school between March and April in order to work the growing season, which ended sometime between September and November.¹⁰⁸ So, as mentioned previously, while most Anglo children attended school for ten months, the average migrant worker attended school for five. That trend did not satisfy the Riveras. Gilbert's parents would wait for the school year to end before heading north, and return before school started so their children could enjoy the full benefit of the education available to them in Austin.

Gilbert's elementary education, at Govalle Elementary in East Austin, was markedly traumatic. In the first grade, Gilbert, like many of his peers, spoke predominantly Spanish. Under the English-only law, which had been in place since 1918, he and his classmates were punished for speaking Spanish anywhere on school grounds. In addition, all adults at the school were also barred from speaking Spanish. To police

¹⁰⁷ Gilbert Rivera, interview by author, Austin, Texas, February 9, 2016.

¹⁰⁸ Ibid.

this, teachers selected students to monitor the hallways and report students who were speaking Spanish. As Gilbert recalled, “they’d have kids stationed down the hall, and if they heard you speak Spanish, they would report you to your teacher.”¹⁰⁹ The same was true in the cafeteria, playground, and library. In essence, it was a punishable offense to speak the only language known to many students at Govalle. In addition, Mexican-American students were pitted against their peers to report each other to the authorities if they heard someone speaking Spanish in school. School officials thus presented Mexican-American culture at Govalle as a danger to the learning environment. To be Mexican American, then, was to threaten order in the school.

Gilbert remembers that longtime principal, B.W. McCarty, was a chief enforcer of the English-only rule at Govalle. When students were reported for speaking Spanish, they would be sent to the office. Principal McCarty, according to Gilbert, stood behind students and, with what seemed like a “wooden finger,” would dig his index finger into students’ shoulders, yelling “Why were you speaking Spanish?” or “Why were you being disobedient?”¹¹⁰ This treatment had a lasting effect not only on the Mexican-American first grader’s view of the Spanish language and its perceived dangers by the non-Spanish-speaking adults around him, but also his view of school in general. Like many students in Gilbert’s position, speaking the language that he understood best was adamantly rejected by the highest authority at the school.

It is important to note that B.W. McCarty, who had worked at Govalle since 1936, was revered in the Austin community. When he finally retired in 1971, the faculty held a

¹⁰⁹ Ibid.

¹¹⁰ Ibid.

large ceremony in his honor, declaring the day “Mr. McCarty Day,” even inviting the mayor. McCarty is quoted as saying his mission in life was to make Govalle a “living workshop for implementing Christian principles and ideals without preaching.”¹¹¹ It seems that in those instances where Mexican-American pupils were caught speaking Spanish, not preaching included physical and verbal abuse, as well as the direct comparison of speaking Spanish with disobedience. Furthermore, in the eyes of Govalle students, many of whom were subjected to this treatment, the faculty and greater community of Austin fully supported and, in fact, respected someone who treated Mexican-American children in this way.

As a result of Gilbert’s experience at Govalle, and frequent punishment for speaking the only language he understood, he stopped speaking altogether. Gilbert reminisced, “Thinking back, I think I just got angry and I just stopped talking.” Gilbert’s frustration was not met with empathy. He was subsequently held back in the first grade for three years. When Gilbert eventually did learn some English as a young child, he was punished for his heavy Spanish accent. Throughout his elementary education, Rivera was deemed as “slow” and “mentally retarded.”¹¹² In his last year in first grade Rivera, who had fallen far behind, was then suddenly promoted all the way to the fifth grade, completely skipping coursework in the second through fourth grades. During the most crucial years of his education, Govalle school officials demonstrated a clear disregard for his future educational prospects.

¹¹¹ “Barney McCarty: Govalle Principal Ends Long Career,” *The Austin Statesman*, May 9, 1971.

¹¹² Rivera, interview.

Rivera's abbreviated education led to further difficulties in school. His polio associated disability only added to this trauma. To top it off, the narrative presented by the school about Mexican-American culture, especially in history, conveyed many harmful stereotypes about Mexican heritage. Rivera recalled his fascination with history at a young age. One book in particular told the story of the Texas Revolution. Gilbert recalled the glory paid to heroes like Bowie and Travis. In contrast, when it came to his own culture, he remembers the cartoons in the book showing "the Mexicans with scraggly beards, all dirty, and [with] flies all over them." These images which, according to Rivera, were ubiquitous throughout his elementary history education (especially in regards to the Texas Revolution), promoted within him what he could only describe as "self-hatred."¹¹³ Thus, preexisting notions about Mexican-American culture, the Spanish language, and presumed intellectual deficiencies led to self-loathing of Rivera's very identity, an identity, which as defined by *Brown v. Board* and confirmed by *Cisneros v. Corpus Christi*, was distinct, identifiable, and discriminated against by Anglos in Texas.

Gilbert was not alone in his experience as a young Mexican American attending a segregated school. Raúl Salinas, an activist and a colleague of Mr. Rivera, also experienced similar treatment at Govalle. In 1971, Salinas wrote a poem about speaking Spanish in Austin schools. In the poem, titled "Overcoming a Childhood Trauma," which was dedicated to "a couple of teachers along life's way," Salinas succinctly captured the essence of the Spanish-speaking student in Austin schools by expressing the reduction of Mexican-American students not only in their language, but in their very being.¹¹⁴ The

¹¹³ Ibid.

¹¹⁴ Salinas, "Overcoming a Childhood Trauma."

poem begins with the line, “I must not speak Spanish in the classroom.” It continues, “I must not speak Spanish on the schoolgrounds (sic).” It then proceeds to subtract the setting, stating, “I must not speak Spanish.” From this point, the last word of the previous line is removed, transitioning from “I must not speak,” to “I must not.” According to this Austinite, it was not simply the Spanish language, but the whole of Mexican-American identity that was being repressed by the Austin school system.

OVERCOMING A CHILDHOOD TRAUMA

for a couple of teachers
along life's way

*I must not speak Spanish
in the classroom.*

*I must not speak Spanish on
the schoolgrounds.*

I must not speak Spanish.

I must not speak.

I must not

O' yesss i willlllll,

CHINGUEN A TODA SU MADRE!!!

*Love,
Roy*

Figure 4. Poem by Raúl Salinas, Titled “Overcoming a Childhood Trauma.” Courtesy, Gilbert Rivera.

Parents of Mexican-American children were also compelled to conform to the standard set by their neighborhood schools. Rivera explains that many other families that were living in his neighborhood began reinforcing the agenda of the school. As Spanish-speaking children were routinely punished for speaking Spanish, parents also began emphasizing English-only in school. Gilbert's mother used to say, "You speak English in school, you speak Spanish at home."¹¹⁵ In attempting to comply with local school rules, therefore, these parents were unwittingly complicit in a much more widespread agenda that favored the eradication of Mexican-American culture.

High school was no better for Gilbert. As he progressed through school, he never lost his accent. He recalled taking speech classes to help improve his public speaking skills. In one speech class, in which he had to recite lines from English author and poet Geoffrey Chaucer, he consistently pronounced the blend "ch" as "sh." Thus "chair" and "church," for Gilbert, sounded more like "shair" and "shursh."¹¹⁶ His teacher stopped the class in the middle of his recitation and attempted to correct his pronunciation. By that time, after years of similar treatment for similarly perceived problems, Gilbert had become a rebellious and defiant teenager. These experiences helped plant the seeds of activism, which many times simply took the form of resistance. After that incident, Gilbert, perhaps calling back to this younger self, refused to speak the rest of the school year. Gilbert eventually graduated high school, but much like elementary school, Gilbert's experience was one of cultural ignorance met with indignant resistance.

¹¹⁵ Rivera, interview.

¹¹⁶ Ibid.

Such traumatic experiences deeply affected Gilbert, though, he believes, his Anglo friends still do not appreciate the harmful effects of his treatment in Austin schools. Later on in life, Gilbert recalled an Anglo friend with whom he shared his childhood experiences. She responded to his stories by saying, “Well Gilbert, maybe it was worth it, because, look how fluent you are.” He calmly replied, “No my dear, it wasn’t worth it.” In spite of the claims made by Austin public school officials that Americanization was indeed a benefit to these Mexican-American students, segregation, inequitable resources, racist presumptions, and the promotion of English-only in schools all created an environment where Mexican-American students and Mexican-American identity was written off as inferior, and ultimately, expendable.

The inferior conditions of schools for Mexican Americans throughout the first half of the twentieth century were created as a result of the growing animosity against Mexican Americans by Anglos. As immigration from Mexico continued and accelerated as a result of the Mexican Revolution, Anglo animosity towards Mexican Americans also intensified. The integration of Mexican immigrants into American life was seen by many Anglo citizens as a threat, as many held the belief that “Mexicans,” regardless of their citizenship status, were inherently inferior. The racist beliefs of Anglos towards the growing number of Mexican Americans resulted in efforts by administrators in public education to Americanize Mexican-American students. Americanization included the use of English-only as a language standard, as well as the replacing of Mexican-American culture with what were seen by many Anglo Americans as white, Anglo Saxon values.

While Anglos were fostering institutions and practices that diminished the social and cultural value of those of Mexican descent, a growing number of Mexican

Americans, (who began identifying themselves as such beginning in the 1930s) resisted Anglo racist practices. Activist groups throughout Texas, intent on defending those of Mexican descent, began forming in the 1910s and 1920s, with participation ballooning during and after the World Wars. By the 1960s, a coordinated legal effort to fight against Anglo prejudice towards Mexican-American students was beginning to take shape. Still, most schools throughout the Southwest subjected Mexican-American students to inferior treatment. Migrant workers were especially effected by shorter time in schools and by being forced to repeat grades.

Mexican-American students in Austin, like Gilbert Rivera, saw firsthand the effects of a dual school system. Austin's public schools segregated Mexican-American students, Anglo teachers and administrators punished students for speaking their native language, and the curriculum diminished the identity of Mexican-American students by presenting a narrative shaped by Anglo notions of the Texas Revolution that depicted Mexican Americans as dirty, lazy degenerates. Rivera's experience, which highlights the psychological and cultural effects of such treatment, echoes the experiences of most Mexican-American students well into the 1960s and 1970s. The next chapter focuses on the continued struggle of Mexican Americans against segregation in Austin's schools and false narrative painted by the Austin Independent School District about the desegregation of Mexican Americans in its schools.

IV. RESISTANCE, DEFEAT, AND THE AFTERMATH OF SCHOOL DESEGREGATION IN AUSTIN'S COLLECTIVE MEMORY

“I think people need to realize *Brown v. Board of Education* is no longer the law of the land... Racially segregated schools are, at least by this opinion, no longer unconstitutional.”¹¹⁷ - David Van Os, attorney for the American Civil Liberties Union

While Anglo legislators, administrators, and teachers systematically categorized and discriminated against young Mexican-American students throughout the Southwest, Mexican-American activist groups began challenging Anglo treatment of young Mexican Americans in schools. Anglos had effectively and creatively used the legal status of Mexican Americans as “white” in legally segregating Mexican-American students throughout the first half of the century. Now, in order to combat such treatment, Mexican Americans had to establish a status that adequately reflected the cultural reality of their subjugation as a distinct ethnic group. By the late 1960s, Mexican Americans had mobilized to forge a sustained legal assault against segregation in public schools, fight for the appointment of Mexican Americans to high levels of public office, such as school boards, and create curriculum geared towards the Mexican-American experience.¹¹⁸ Their struggle to find a solution for school segregation (and the subsequent failure of school desegregation efforts) highlights the effects of decades of purposeful and calculated

¹¹⁷ Denise Gamino, “Plaintiff Group Plans Appeal of Busing Case,” *Austin American Statesman*, January 15, 1990.

¹¹⁸ Guadalupe San Miguel Jr., *Chicano/a Struggles for Education: Activism in the Community* (College Station: Texas A&M University Press, 2013).

housing segregation on the part of Anglo Progressives stemming back to the end of the nineteenth century.

Activist groups such as the Mexican American Legal Defense and Education Fund (MALDEF) and the Mexican American Youth Organization (MAYO), were crucial advocates in fighting for Mexican-American equality in schools. Through their sustained legal assault, Mexican-American organizations like MALDEF and MAYO used the courts to battle Mexican-American inequality. As stated by MAYO founder José Ángel Gutiérrez, Mexican-American activists “were eager to be plaintiffs.”¹¹⁹ Mexican Americans were determined to have lawyers sympathetic to Mexican-American issues, especially in education, on hand to defend themselves against persistent Anglo discrimination and exclusion. Without these organizations, the fight against school segregation would have had neither the legal expertise nor the funds to operate effectively.

Mexican-American activists also fought to appoint school board members who were sympathetic to the cause of Mexican-American equality. By electing school board members who were Mexican-American, activists believed they could influence decisions made in regards to Mexican-American students, including desegregation. Districts throughout the Southwest began promoting candidates who could serve on school boards. Austin elected its first Hispanic school board member, Gus Garcia, in 1972.

In addition to challenging discrimination in court and through school board elections, Mexican-American activists also fought for curriculum reform. Throughout the

¹¹⁹ Maggie Rivas-Rodriguez, *Texas Mexican Americans & Postwar Civil Rights* (Austin: University of Texas Press, 2015), 95.

1960s and 1970s, activists fought to include curriculum at the primary and secondary levels that adequately represented Mexican-American heritage. Mexican-American activists argued that students were being indoctrinated into Anglo-American and European civilization at the expense of their own cultural heritage. Many of the publications that resulted from this push to include Mexican-American history still contained many factual errors, however, or “overemphasized the Spanish aspects of Mexican-American heritage.” In addition, texts intended to teach Mexican-American cultural history failed to discuss the ongoing Chicano movement in any relevant way, though publishers continued printing these materials and teachers continued using them.¹²⁰

In Texas, Mexican Americans had faced an uphill battle for decades. After the *Brown v. Board* decision in 1954, the state’s Anglo leadership proceeded to drag their feet as long as possible in even acknowledging (much less implementing a plan to combat) discrimination against Mexican-American students. Even for African Americans, who could not claim to be white, Anglo Texas leaders were complicit in maintaining and defending segregation in Texas public schools. Allan Shivers, who served as governor between 1949 and 1957, had predicted the coming struggle against integration by Anglos in an interview with the *Austin American*. He explained, “It will take years to comply with the order for integration of schools.... Sometimes those who seek reforms go so far that the evils of the reform movement are more onerous than the evils they’re trying to remedy.”¹²¹ He went on to conclude at a campaign speech on June

¹²⁰ San Miguel, 78-79.

¹²¹ Anna Victoria Wilson and William E. Segall, *Oh, Do I Remember! Experiences of Teachers During the Desegregation of Austin’s Schools, 1964 – 1971* (Albany: State University of New York Press, 2001), 46.

21, 1954, that regarding Texas and integration, there were “no changes to be made.”¹²²

Despite rulings from the highest court in the land, Texas’ Southern culture trumped federal mandate, and Mexican Americans quietly suffered the consequences of the state’s noncompliance.

Austin’s educational leaders proved no different than the state in delaying equal treatment for Mexican-American students during the second half of the twentieth century. Mexican-American activists fought for equal rights for Mexican Americans in Austin for decades. Their struggle resulted in a plan for mass busing that revealed the effect of decades-long housing discrimination stemming from the core racist values of Progressivism in Austin. Until the district officially abandoned the practice in 2000, mass busing seemed to have varying but profound effects on the student population in Austin beginning in the 1980s, given the fact that housing segregation was still so pronounced.¹²³ Likewise, the historical memory forged by the district and presented as updated history curriculum has deep implications for the public practice of history education and the development of the historical consciousness of marginalized groups, such as Mexican Americans.

In spite of the fact that Hispanics, many of whom were Mexican American, made up 59% of the student population at Austin ISD in 2015, the history curriculum regarding the treatment of Mexican Americans in schools and their fight for desegregation still does not accurately reflect the history of longstanding segregation in Austin. The effects of omitting this relevant cultural history from the curriculum taught to a majority Hispanic population are not completely known, but it seems clear that the district has manufactured

¹²² Ibid, 46.

¹²³ Ibid, 46.

a collective memory about Mexican-American desegregation in public schools that fails to adequately, or even marginally represent the historical reality of the Mexican-American fight for desegregation in public schools in the second half of the twentieth century.

Mexican-American Activists Take on School Segregation

The legal assault by Mexican-American activists against various acts of discrimination by Anglos, including school segregation, began in 1967. That year, Laredo attorney Pete Tijerina, former San Antonio city councilmember Roy Padilla, and Bexar County Commissioner Albert Peña met with officials from the Ford Foundation in New York to discuss the creation of a legal defense and education fund for Mexican Americans. In 1968, the Ford Foundation granted this newly forged Mexican American Legal Defense and Education fund 2.2 million dollars to fight for Mexican-American civil rights over the next five years. In that time, 1.35 million would be dedicated to funding litigation and other general education activities, such as paying for Mexican Americans to go to college.¹²⁴

Early on, MALDEF had to adapt to difficult circumstances in attempting to mitigate the discriminatory conditions created by Anglos for Mexican Americans. During the first few years of its existence, MALDEF's strategy necessarily shifted from a reactive one, in which they mainly used the threat of litigation, to a proactive one, in which they attacked harmful public policies and practices.¹²⁵ MALDEF targeted

¹²⁴ Rivas-Rodriguez, 92.

¹²⁵ 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), 172.

education with five particular tactics, each intended to break down racial barriers and the discriminatory actions of school boards and school administrators against Mexican Americans. Employing these five tactics, which included challenging school segregation policies, fighting for bilingual education, attacking discrimination in hiring, and promoting the hiring of Mexican Americans as school board members and in higher education, MALDEF sought to address every aspect they could in fighting Anglo discrimination against Mexican Americans in education.¹²⁶

In Texas, MALDEF helped embolden Mexican-American activists throughout the state to stand up against Anglo discrimination. In its first year, MALDEF fought for the reinstatement of Mexican-American teachers who had participated in the budding Chicano Movement. It also sued the Edcouch-Elsa school district in South Texas for expelling sixty-two Mexican-American students who had participated in a walkout. By winning cases for Mexican-American individuals, MALDEF was able to effectively put Anglo school leaders “on notice” for actions that violated the constitutional rights of Mexican Americans. As explained by MALDEF officials, these cases had “a salutary effect over and above the single individual involved.”¹²⁷ This sustained legal attack by groups like MALDEF and MAYO against Anglo discrimination provided protection for Mexican-American students and teachers in Texas.

MALDEF fought hard to include Mexican Americans in ramped up desegregation efforts by the Department of Health, Education and Welfare (HEW). After the passage of the Civil Rights Act in 1964, which specified that any agency receiving federal funding

¹²⁶ Ibid, 172.

¹²⁷ Ibid, 173.

was prohibited from discriminating on the basis of race, color, or national origin, HEW and the Office for Civil Rights (OCR) dramatically increased federal oversight and enforcement. As pointed out by historian Guadalupe San Miguel, “more schools were desegregated in the first four years after the Civil Rights Act than in the fourteen years [following] the *Brown* decision.” In spite of these intensifying efforts, Mexican Americans were routinely neglected by federal officials and the OCR. By the mid-1970s, MALDEF began spending a majority of its time and resources combating such neglect and fighting to obtain federal acknowledgement of school segregation of Mexican Americans. As a result, 76 percent of all of MALDEF’s education suits between 1976 and 1981 were focused on desegregating Mexican Americans in schools.¹²⁸

Once again, notions regarding Mexican Americans as legally white colored efforts to stop the discriminatory treatment of Mexican Americans. As far as desegregation was concerned, the OCR tended to view Mexican Americans as white, although the cultural reality in many Texas cities reflected a distinctly racialized view of the Mexican-origin population as people of color. Many school districts presented desegregation plans that simply moved Mexican Americans to predominantly black schools, calling it desegregation. This practice allowed them to fulfill local wishes to keep Mexican-American children out of “white” schools while meeting the federal government’s need integrate “black” schools. The OCR thus accepted many of these plans indiscriminately. In addition, HEW’s on-site review practices were consistently

¹²⁸ Ibid, 175.

inadequate and often did nothing to stem the continued segregation of Mexican-American students.¹²⁹

Negligence by the OCR in combating discrimination of Mexican Americans was evident in the department's legal reviews of school districts in Texas. The OCR's reviews of ten school districts' compliance with the Civil Rights Act in 1968 revealed blatant neglect. Discrimination against Mexican Americans was exposed in all cases, yet the OCR took no action to remedy such conditions. For example, in the Alice Independent School District's review, the OCR found that in addition to historical and contemporary evidence of discrimination against Mexican Americans, four out of seven elementary schools were comprised of a student population that was at least ninety-seven percent Mexican American. Furthermore, Alice ISD practiced a "freedom of choice" plan in elementary schools, and in spite of the Supreme Court's opinion that freedom of choice plans (which gave students the right to "choose" what school to attend) were unconstitutional – the OCR found Alice ISD to be in compliance with the law.¹³⁰

The federal government's ineffectiveness in dealing with Mexican-American segregation in public schools compelled MALDEF to file suits against districts that had been investigated, but against which no action had been taken. MALDEF sued school districts in Alice, Sonora, and Pecos. HEW initially negotiated with MALDEF, but again, no action was taken. In 1970, Dr. Hector P. Garcia, a member of the Civil Rights Commission, wrote to the national director of the OCR on behalf of the G.I. Forum in regards to the Pecos suit, questioning when the OCR was "going to stop being

¹²⁹ Ibid.

¹³⁰ Ibid, 175-76.

unconstitutional?” He continued, “The United States Constitution, all Mexican American and Negro citizens in the United States, and all other decent American citizens demand action at once!”¹³¹ Despite the desperation of many Mexican-American activists, court battles fighting for Mexican-American equality in schools raged on. In light of these difficulties, by 1970, MALDEF’s primary goal became establishing Mexican Americans as an identifiable minority group, a distinction that had not yet been achieved.

The first successful attempt to establish Mexican Americans as a distinct class did not come until *Cisneros v. Corpus Christi Independent School District* in 1970. A steelworkers’ union comprised mostly of Mexican Americans decided to abandon the “other white” arguments fielded by LULAC and the G.I. Forum during the mid-twentieth century in exchange for the equal protection clause used in the *Brown v. Board* case. In “other white” cases, Mexican-American plaintiffs argued for the membership of Mexican Americans as Caucasian. Most laws regarding segregation specified that members of different races, such as black and white, could be legally segregated, but did not specify whether or not members of the same race could be segregated. In “other white” arguments, Mexican Americans sought to establish their “whiteness” in order to obtain rulings in their favor. With *Cisneros v. Corpus Christi*, Mexican Americans had to gain judicial recognition as a group that had “unalterable congenital traits, political impotence, and the attachment of a stigma of inferiority.”¹³² By gaining recognition as a separate minority class and dismissing the commonly-held notion that Mexican Americans were simply a different kind of white, the Mexican-American plaintiffs of *Cisneros* could

¹³¹ Ibid, 177.

¹³² Ibid, 178-79.

argue for equal protection under the law according to *Brown v. Board* and effectively alter the legal framework under which all other Mexican-American desegregation cases could be fought.

Cisneros proved to be an important, though temporary victory for Mexican Americans. Judge Owen Cox agreed with the plaintiffs that Mexican Americans, due to their “physical characteristics, their Spanish language, their Catholic religion, their distinct culture, and their Spanish surnames,” did indeed constitute an identifiable minority class, therefore, *Brown v. Board* should rightfully apply to them.¹³³ At the federal district court level, MALDEF had for the first time legally differentiated Mexican Americans as an identifiable minority group while also establishing a new legal framework from which to fight desegregation cases for Mexican Americans in the future.

It would take two to three more years and a number of appeals for Mexican Americans to gain distinction as an identifiable minority group in the higher courts, however. Activists encountered an obstacle the same year as *Cisneros*, however, when the Fifth Circuit Court of Appeals in New Orleans upheld a decision that essentially ignored the findings of the federal district court. In *Ross v. Eckels*, the Fifth Circuit upheld that, for desegregation purposes, Mexican Americans were white. Based on this decision, Houston Independent School District administrators were still able to “integrate” Mexican Americans with blacks, while maintaining all Anglo schools. Of the three judges hearing the case, only Judge Clark dissented, stating the decision to uphold all-white schools, while pairing black and brown students constituted “mock justice.”¹³⁴

¹³³ Ibid, 178.

¹³⁴ Ibid, 179.

The other two judges did not share his opinion and the court upheld Mexican Americans' status as white.

In addition to Judge Clark, Mexican-American community leaders in Houston also took up opposition to the decision, asking for a clear ruling on the legal status of Mexican Americans. Martin Castillo, chair of the Committee on the Opportunity for the Spanish-speaking, called the decision "indefensible," calling on the "highest courts of the land" to "put all speculation on this point to rest." MALDEF quickly answered the call to intervene, filing a brief to dispute the findings of the Fifth Circuit Court. MALDEF argued that Mexican Americans did indeed constitute a distinct, identifiable minority group and argued that Mexican Americans had "suffered discrimination in schools throughout the Southwest; and that conditions existing in other parts of Texas existed in the Houston Independent School District."¹³⁵ Despite the high court's inability to grant Mexican Americans a subordinated status, lest they gain a legal advantage against discrimination, the wave of legal action undertaken by MALDEF on behalf of Mexican Americans began to produce some change.

MALDEF's sustained legal assault eventually resulted in a definitive change in the legal status of Mexican Americans in Texas. In 1971, MALDEF filed Mexican-American desegregation cases against several cities, including Corpus Christi, Uvalde, Waco, Dallas, and Austin. In the fall of 1972, the Fifth Circuit decided on two of these cases, against Austin and Corpus Christi, declaring Mexican Americans were indeed an identifiable minority group and that districts such as the Austin Independent School

¹³⁵ Ibid, 179-80.

District had the “duty to desegregate Mexican Americans.”¹³⁶ Finally, it seemed, Texas’ school districts would have to act in accordance with the law and, as a result of the court’s decision, acknowledge the longstanding abuse of Mexican Americans by Anglos in public schools.

The Battle against School Segregation for Mexican Americans in Austin

The Austin Independent School District’s prior track record regarding desegregation for African Americans, as well as Mexican Americans, reflected the general insufficiency (or lack of will) on the part of Anglo leaders in implementing the federal mandate to create equitable education settings. Shortly after *Brown v. Board*, the Austin school board asked the district to determine the feasibility of desegregation for Austin’s black high school seniors. On August 8, 1955, the Austin Independent School District Board of Trustees decided to implement a “freedom of choice plan” for Austin’s high schools. This plan was based on the “wisdom of letting students continue their high school careers” in an environment where they have “allegiance to the teachers, the program of their school, fellows students and student activities.” Despite the federal court’s opinion that freedom of choice plans were inherently discriminatory, Austin’s Board of Trustees felt this plan was, indeed, based on sound wisdom.¹³⁷ Unfortunately, Mexican Americans had not even been included in the 1955 desegregation plan. At the time, African Americans were bused out of neighborhoods close to predominantly white schools. Mexican Americans, while isolated in a specific part of the city, south of the “Negro district,” were not at all specified.

¹³⁶ Ibid, 180.

¹³⁷ Wilson and Segall, 53.

By midcentury, Mexican Americans were already falling well behind other ethnic groups in terms of educational experience. In 1960, Mexican Americans in Texas only had an average of 6.1 years of schooling, compared to whites, who averaged 10.8 years and other non-whites, who averaged 8.1 years. In 1970, George I. Sanchez, an American educational and Civil Rights activist, testified to a U.S. Commission on Civil Rights, reporting that “Spanish-surnamed people in Texas over the age of seventeen had 4.7 years of school, compared to 8.1 percent for African Americans and for the overall population.”¹³⁸ Despite efforts to integrate African Americans in public schools, it seemed there was an even greater need for intervention on behalf of Mexican-American students.

Austin was not investigated for compliance in desegregating its public schools until 1968. Four years after passage of the 1964 Civil Rights Act, HEW sent a survey team to Austin to assess its compliance with the law. Its report, which emphasized desegregation with regard to African Americans, suggested the “Austin school district should move beyond token faculty desegregation and assign several cross-over teachers to every school within the district.” The district submitted three plans to the federal agency in 1969, none of which included Mexican Americans and all of which were rejected.¹³⁹

1970 marked the first real opportunity for MALDEF to make inroads in fighting school segregation for Mexican Americans in Austin. That year, HEW found Austin ISD to still be out of compliance with the Civil Rights Act and filed a suit against the Austin Independent School District charging it with discrimination against African Americans.

¹³⁸ Rivas- Rodriguez, 26.

¹³⁹ “Desegregation Chronology,” *Austin American Statesman*, November 22, 1977.

MALDEF, on a mission to intervene on behalf of Mexican-American students wherever they could, joined the lawsuit, charging the district had also demonstrated a pattern of discrimination towards Mexican Americans as well as African Americans. In 1971 the district court initially held that Austin ISD did have a dual racial system in place, but the court found Mexican Americans were not *explicitly* being discriminated against.¹⁴⁰

The courts hearing these cases had difficulty coming to a definitive conclusion about the legal status of Mexican-American students in Austin. In 1972 the U.S. Fifth Circuit Court of Appeals, upon expressing conflicting opinions about the 1971 ruling, remanded the case to the district court. At the 1973 retrial, the district court found that Austin ISD *had*, in fact, discriminated against its Mexican-American population, but disagreed as to the remedy. The court decided Mexican-American students would remain in segregated facilities, but the district was forced to integrate only one grade. In August of 1974 sixth grade centers opened for black and white students.¹⁴¹

MALDEF continued to fight for legal acknowledgement of Mexican-American discrimination. In 1976 the Fifth Circuit reversed the district court's ruling a second time, stating that the district court mistakenly assumed there "could not be discriminatory intent" when the actions taken by school officials were considered to be "benign moves" at the time. Finally, after years of struggle and conflicting rulings by the courts, in 1977, the Fifth Circuit Court found Austin ISD had indeed "intentionally discriminated against Mexican Americans." The court ultimately decided that in a tri-ethnic community,

¹⁴⁰ *Overton v. Texas Education Agency, Austin Independent School District*, 579 F.2d 910 (5th Cir. 1978).

¹⁴¹ *Ibid.*

“intentional segregation against one minority group raised the presumption that any segregation by the second minority group was intentional.”¹⁴²

The court rebuffed Austin ISD’s attempts to “integrate” Mexican-American and African American students. Furthermore, the court found that “over a long period of years, the AISD tried to separate the Anglo strand from the black and Mexican American strands of its tri-ethnic school system,” concluding, “AISD must desegregate Mexican-American school children by putting them in schools with Anglos as well as with blacks.” Court documentation shows the district initially attempted to claim it had no obligation to desegregate Mexican Americans in schools, arguing that “there were only two classes” specified by the Fourteenth Amendment: “white and Negro.” Therefore, according to Austin ISD, “placing Mexican-Americans in black schools desegregated such schools.”¹⁴³ Austin ISD, in spite of clear evidence of discriminatory treatment, continued to argue against evidence of discrimination against Mexican-American students.

The Fifth Circuit ruled against the district. Unrivaled access to demographic data, a documented history that segregated Mexican Americans to certain schools, and the use of overlapping zones, which were predominantly found in Anglo and Mexican American schools, in the court’s opinion all worked as “segregative” devices within Austin’s public schools.¹⁴⁴ Despite Anglo school official’s best efforts, it appeared as if Mexican-American students would finally receive a semblance of equitable treatment. The next step for the district was to establish a solution for these discriminatory conditions.

¹⁴² Ibid.

¹⁴³ Ibid.

¹⁴⁴ Ibid.

Due to segregative housing patterns in Austin, mass busing seemed to be the only viable solution to such deeply entrenched residential segregation. Busing had been in place since 1971, but primarily involved sending African Americans to white schools and in many cases, involved moving Mexican Americans to traditionally black schools. Now, possibly hundreds of Mexican-American and African-American students would be bused to white schools.

Mexican-American community leaders expressed mixed feelings about the busing plans. Education consultant Marta Cotera had reservations about desegregation plans, stating “if it’s supposed to involve busing,” she warned, the plan “should not work against the Mexican American child. He should not be the only one bused into an alien culture.” She continued, “Why can’t the West Austin child leave his area for once?”

Many white children did leave – the district, that is. “White flight” was reported by local media as a real danger as a result of the new busing proposal. Gus Garcia, the vice-president of the board of trustees at the time, commented that “the growth of the Round Rock school district can be attributed almost entirely to white flight in Austin.” He elaborated that “white flight arises from,” in part, “the prospect of busing” and, of course, “the fact that some families just don’t want their children mixing with minority children.”¹⁴⁵ It seemed that even more than two decades after *Brown v. Board of Education*, public sentiment in the Anglo community was decidedly against integration.

Despite only a brief stint at court-mandated integration, Austin ISD’s efforts were considered successful by the federal government. Mass busing for Anglos, Mexican

¹⁴⁵ Jeff South, “Officials See Rise in ‘White Flight,’” *Austin Citizen*, no date, box 15, Martha Cotera Papers 1964-, Benson Latin American Collection, University of Texas at Austin, Austin TX.

Americans, and African Americans began in 1980. Just three years later, in 1983, the Justice Department found that Austin had achieved “unitary status” and ended its court order.¹⁴⁶ The next year the National Education Association honored Austin ISD as one of three U.S. school districts that had made “desegregation work.”¹⁴⁷ Despite years of struggle, according to the federal government, it apparently only took three years for Austin ISD to undo decades-worth of discriminatory practices.

Mass busing did not last very long. Busing for Mexican-American students officially began in 1980, but by the end of the decade, with tightening budget concerns, school officials expressed the need for change. In 1987 the Fifth Circuit Court of Appeals confirmed that Austin ISD was no longer bound by the consent agreement achieved in 1980. According to the court, Austin’s distinction as a “unitary school system” by definition released AISD from the oversight of the federal government. According to the court, any court order “should be effective only so long as might be necessary to achieve the purpose” and no longer applied once the district was deemed unitary.¹⁴⁸ That same year Austin ISD opted to move back to a “neighborhood school” plan, raising the possibility of the end of mass busing.

Part of the difficulty in implementing a successful desegregation plan, and the ease of promoting what the district referred to as “neighborhood schools,” for Mexican-American students was, clearly, the sustained condition of housing segregation for Mexican Americans, which had begun early in the twentieth century. By the end of the 1980s, a vast majority of the Mexican-American community was still relegated to East

¹⁴⁶ *Overton v. Texas Education Agency, Austin Independent School District*, 834 F.2d 1171 (5th Cir. 1987).

¹⁴⁷ Starita Smith, “A Chronology of AISD Desegregation,” *Austin-American Statesman*, May 15, 1994.

¹⁴⁸ *Overton v. TEA* (1987).

Austin. While the Mexican-American Civil Rights movement fought hard to gain equality for Mexican Americans in Austin, they could not resolve the effects of century-long housing discrimination put in place by Progressive Anglo leaders. Though a growing Mexican-American middle class allowed some Mexican Americans to settle in the western portion of the city, most Mexican Americans, especially the working class, were still living in the East side.

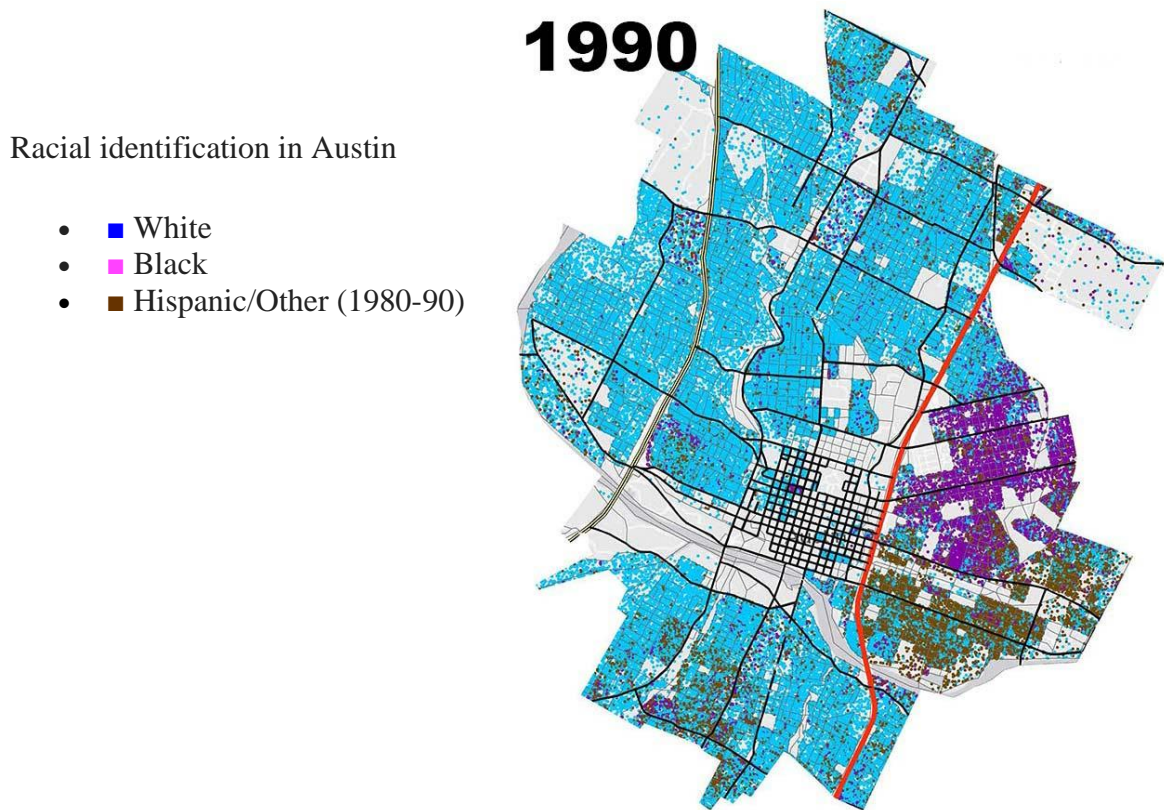


Figure 5. Map Showing Concentrations of Hispanics throughout Austin. The red line marks Interstate Highway 35. U.S. Census information presented in “History of Austin’s racial divide in maps,” *Austin American Statesman*, accessed November 1, 2016, <http://projects.statesman.com/news/racial-geography/#>.

Thus, at the beginning of the 1990s, as school desegregation once again became a hot-button issue in Austin, district leaders attempted to halt the process without recognizing the standing conditions of segregation in Austin’s neighborhoods. Anti-

busing sentiment had reached a climax while district and local officials were claiming a victory for school desegregation efforts. In 1989, school board trustee Nan Clayton proclaimed the 1980s as “our decade of desegregation.” U.S. District Judge James Nowlin elaborated, “Although busing was chosen as the remedy for the 1980s,” he declared “widespread busing is not the answer for the 1990s.” Superintendent John Ellis confirmed, “there has been dramatic improvement in student achievement,” even alluding to the idea that “the performance gap between minorities and whites also has closed.”¹⁴⁹ It seemed that by promoting student achievement throughout the district and claiming the performance gap had closed, educational leaders were able to divert attention from the fact that ending busing would also mean an end to integration.

Many activists did not accept the conclusion that school desegregation efforts were no longer necessary, as many activists recognized the persistence of segregation in housing, and therefore in Austin’s public schools. In 1990, MALDEF, the NAACP, and a chapter of the American Civil Liberties Union filed a lawsuit against Judge Nowlan’s ruling in 1987. David Van Os, attorney for the American Civil Liberties Union stated in 1990, “We think school desegregation is kind of at a crossroads right now.” In 1991, the Fifth Circuit ruled in favor of Austin ISD. The district could move forward to end mass busing. Van Os, lamenting the decision, stated in an interview, “I think people need to realize *Brown v. Board of Education* is no longer the law of the land... Racially segregated schools are, at least by this opinion, no longer unconstitutional.”¹⁵⁰ Without a

¹⁴⁹ Starita Smith, “AISD Aims High for the ‘90s: 1980s Brought Minority Growth, Controversy, Achievement,” *Austin-American Statesman*, December 31, 1989.

¹⁵⁰ Gamino, “Plaintiff Group Plans Appeal of Busing Case.”

plan to balance the ethnic makeup of Austin's schools, activists recognized de facto segregation would result.

The district prevailed, despite clear evidence that the vast majority of Mexican Americans and African Americans remained segregated in East Austin. Mass busing officially ended in 2000. In the decade since, racial segregation in Austin ISD has remained pronounced. In 2010, Austin ISD proposed a plan to rezone the district. Part of the process included identifying racial concentrations in Austin. The maps created by the district reveal the persistence of housing segregation throughout the city. In spite of decades of litigation, Mexican Americans and African Americans remain geographically isolated to East Austin. As of 2013, according to demographic data from standardized testing, 71 percent of high school students identified as Hispanic attended schools that were comprised of 80 percent minority or more.¹⁵¹ Housing, and its dubious history in Austin, still clearly plays a substantial role in the demographic makeup of Austin ISD's student population, regardless of arguments to the contrary.

¹⁵¹ Data analyzed by from Texas Education Agency. "TEA Staar Report Card, 2013 – 2014." Accessed, November 1, 2016, <http://ritter.tea.state.tx.us/perfreport/src/2014/campus.srch.html>.

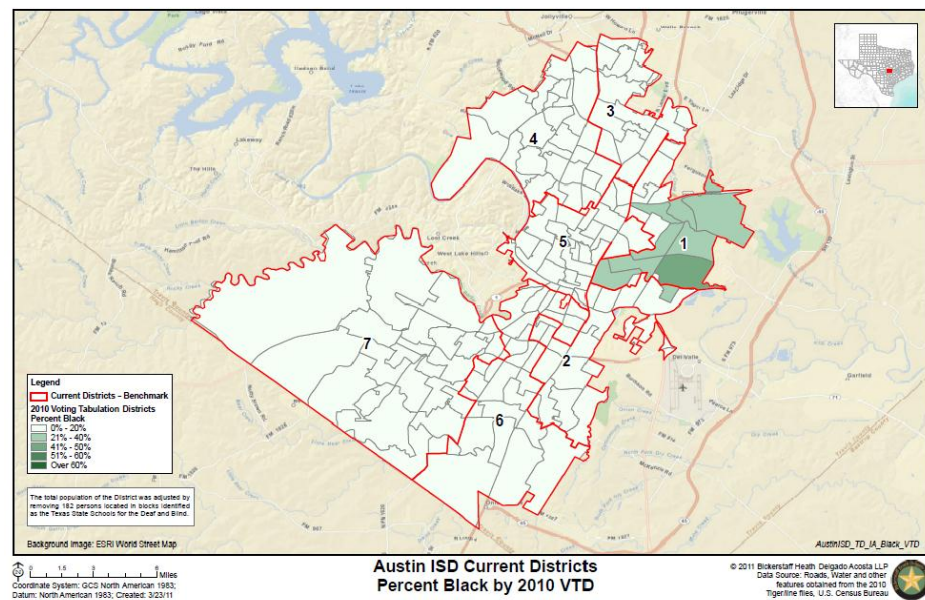
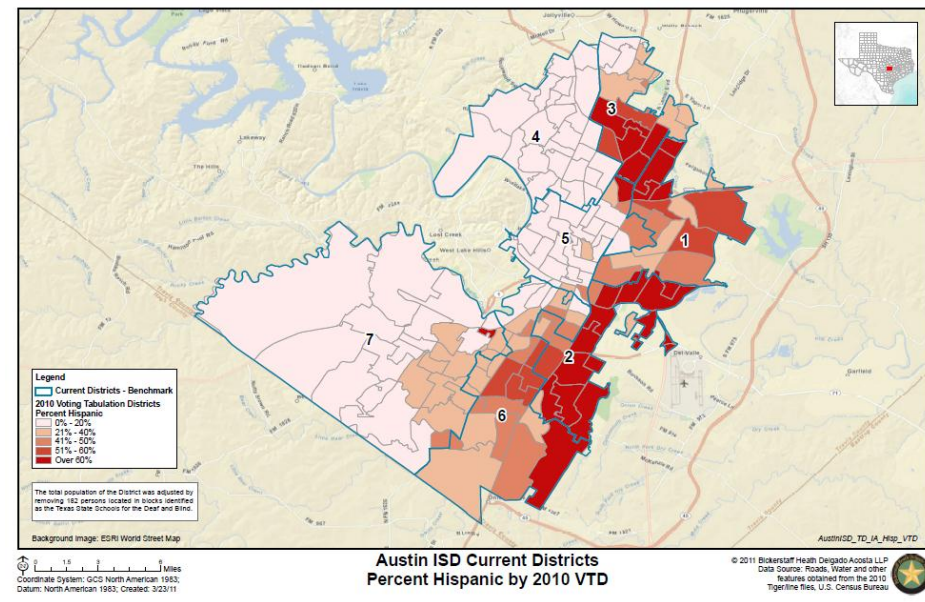


Figure 6. Demographic Maps Created by Austin Independent School District. The top map shows concentrations of Hispanic students in Austin. Dark red indicates higher concentrations. The lower map shows concentrations of African American students. Dark green indicates higher concentrations, 2010.

An Unfit Narrative Regarding Mexican-American School Desegregation in Austin

Despite a history of segregation and continued efforts by the school district and local power structures to undermine integration efforts, Austin schools have fashioned a very different version of events. Whatever strides have been made in the direction of physical integration, there persists a problem with curricular discrimination and marginalization of the Mexican-American experience in the history books in use, particularly the struggle for equality and full educational participation. No doubt remains as to whether or not Mexican Americans were segregated in Austin's public schools throughout the latter half of the twentieth century. Today, there is still a large concentration of Mexican Americans in one part of Austin. And, while Jim Crow no longer exists, the effects of this pattern of development have larger implications for desegregation as a historical topic, especially for Mexican-American students attending schools in Austin. Evidence shows state and district curriculum surrounding desegregation has served as the articulation of a historical memory that does not reflect in any significant way the reality of segregation for Mexican Americans in Austin's public schools, nor adequately conveys the complexity of the circumstances from which desegregation attempts actually took root in Austin. Vague descriptions, rigid periodization, and lack of time in the classroom all contribute to a historical memory about desegregation that is devoid of any substantive academic integrity.

State standards certainly do not attend to the topic of desegregation in any substantial detail. The Texas Essential Knowledge and Skills, or TEKS, are a set of guidelines put forward by the Texas Education Agency. These guidelines provide the framework for all curriculum throughout the state. The overarching standard in regards to

the Civil Rights Movement is that “the student understands the impact of the American civil rights movement.”¹⁵² In spite of the many possible conclusions teachers might come to when interpreting this statement, the standards go on to include slightly more specific performance tasks like making sure students “describe the roles of political organizations” and “identify the roles of significant leaders.”¹⁵³ Desegregation, however, is but an addendum at the end of the strand, and the standard does not even discuss the issue of segregation in public schools directly.

The TEK (pronounced by many as “teek”) or subset of Texas Essential Knowledge and Skills that most directly addresses segregation in public schools reads as follows: “describe how litigation such as the landmark cases of *Brown v. Board of Education*, *Mendez v. Westminster*... and *Sweatt v. Painter* played a role in protecting the rights of the minority during the civil rights movement.”¹⁵⁴ This is the only goal set by the Texas Education Agency regarding the history of desegregation for its high school students. Mexican Americans seeking history on the use of restrictive covenants to deny them housing and educational opportunities will have to look elsewhere. Likewise, as the period ends in 1968, if they want to learn about Mexican Americans joining the struggle, which in Austin did not begin until the 1970s, they will have to find another source for learning this history. Additionally, the outcome of Mexican-American efforts to combat school segregation is completely ignored.

The way the district periodizes The Civil Rights Era for Mexican Americans is also problematic. The Civil Rights Era is currently defined by district curriculum as a

¹⁵² Texas Education Agency, Texas Essential Knowledge and Skills, accessed November 1, 2016, <http://ritter.tea.state.tx.us/perfreport/src/2014/campus.srch.html>.

¹⁵³ TEA, 11.9 (B) History and 11.9 (C) History.

¹⁵⁴ TEA, 11.9 (I) History.

fixed period of time with an end result and resolution in 1968. The effects of this movement, which really kicked off for Mexican Americans in the 1970s and 1980s are largely negated. The majority of eleventh grade Mexican-American students, who at present attend mostly minority schools, are being given the false impression that integration took place and society moved on. While their collective memory, or “lived experience,”¹⁵⁵ reflects the failure of desegregation, the historical memory being promoted by the state and Austin ISD does not.

The newly adopted textbook in AISD also leaves much to be desired. Published by Pearson, the textbook clearly favors the African-American experience during the Civil Rights Era. The only mention of Mexican Americans in the online textbook section for desegregation refers to *Hernandez v. Texas*, which banned discrimination against Mexican Americans in jury selections and has little to do with public school segregation.¹⁵⁶ The textbook’s explanation of the current reality of segregation in public schools also reflects curriculum writers’ blatant omission of the historical context under which segregation began, developed, and was sustained by Anglos. At the end of the unit, in a section titled “The Issue Today,” the authors of the textbook do acknowledge that there are still schools in the United States “where nearly all of the students are white, and others in which nearly all are black.” Aside from the persistent negation of the Mexican-American experience in this treatment, what is most troubling is that, for the authors, “the reason for this is demographics, not legislation.” The text reasons, “A school in a predominantly African American school district is going to have a predominantly African

¹⁵⁵ Susan Crane, “Writing the Individual Back into Collective Memory,” *The American Historical Review* 102, no. 5 (1997): 1376.

¹⁵⁶ *United States History: 1877 to the Present Texas* (Pearson, 2015), Topic 8, Lesson 1.

American student body.”¹⁵⁷ While this is true, as has been demonstrated, the circumstances from which these conditions arose for both African Americans and Mexican Americans alike, is one of deliberate, calculated, and persistent discrimination by the dominant culture. Austin is a prime example of this reality.

Many current Austin Independent School District employees acknowledge the discrepancy between the district’s presentation of desegregation as a historical topic and the extant material record. Melanie Kirchof, the current High School Social Studies Specialist for Austin ISD, who also taught for ten years at Lyndon Baines Johnson High School, a largely minority high school in Northeast Austin, has seen firsthand the challenges faced by Mexican-American students in obtaining even a marginally adequate history curriculum regarding Mexican-American history, discrimination, and desegregation. In discussing the topic with her, she highlighted the various challenges teachers have to face in attempting to formulate a historical experience for students that is relevant and accurate, while also being in line with state standards.

One of the biggest obstacles for teachers in attempting to reach a largely Mexican-American student body, at least in East Austin, is time. The Civil Rights unit for eleventh graders at Austin ISD is four weeks long. Of those four weeks, approximately one week is devoted to Mexican-American Civil Rights, or the Chicano Movement. Given that high schools in Austin ISD largely use block scheduling, students only receive approximately three to four and a half hours of instruction on Mexican-American Civil Rights, with desegregation as merely a cog in a much larger curriculum, for the entire year. As emphasized by Kirchof, “Our curriculum has to teach the standards so,

¹⁵⁷ Ibid.

unfortunately, it's limited in [those] standards." Like many history teachers at Austin ISD, she laments the daunting task faced by most professionals in the field: "There's so much we have to cover. We have so many standards, and that's why it's only three hours, maybe."¹⁵⁸ It seems unjustifiable that the Civil Rights Era, which is such a vital part of many minorities' American experience and one of the major factors that enabled Mexican Americans to obtain the rights they have today, only gets two class periods, maybe three, per year if they happen to have a third history class that week. How can students understand their own agency, if they are completely unaware of their ancestors' fight against discrimination by the dominant Anglo culture?

Another key problem, as highlighted by Kirchof, is the *way* in which Mexican-American Civil Rights and desegregation are packaged in the curriculum. In Austin ISD, *all other groups* aside from African Americans make up a section in the curriculum titled "The Widening Struggle."¹⁵⁹ This includes Native Americans, women, Asian cultures, *and* Mexican Americans, to name a few. The historical reality, which clearly shows that Austin and the rest of the Southwest was predominantly tri-racial – that is Mexican American, African American, and Anglo – is clearly neglected here. Titles matter, and when a school district diminishes the struggle for equality of a third or more of its population, it stands to reason that the students receiving this curriculum might be equally unaware of its importance. As Kirchof stated, if it were up to her she would "stop calling it 'The Widening Struggle,' because it's not a widening struggle, it's another struggle."¹⁶⁰ Though it may seem insensitive to call for more time for Mexican-American Civil Rights

¹⁵⁸ Melanie Kirchof, interviewed by author, Austin, Texas, April 18, 2016.

¹⁵⁹ Ibid.

¹⁶⁰ Ibid.

in the face of other, very real struggles, like women's equality, Native American discrimination and removal, and the plight of many Asian cultures, among others, more than anything, the structure of history curriculum in Austin reveals a clear preference and continued dominance of Anglos in Texas and throughout the United States. Again, while marginalized groups are treated as mere addendums to a dominant narrative, Mexican-American students are still not given an equitable voice in the history curriculum provided by the district.

Despite the unlikelihood of receiving a comprehensive understanding of Mexican-American desegregation from the district, many Mexican-American students are not *completely* unaware of the disconnect between the message presented by the district and the desegregation of Mexican Americans in public schools. Ms. Kirchof quickly pointed out the profound impact of race relations and the experience of students of color, especially Mexican Americans, in Austin's schools. At LBJ High School, she explained, her students were "either black or brown... so race was kind of a big thing." She emphasized the reality that her students – not the district – brought race issues to the forefront of the history classes she taught. She recalled several occasions when students asked her very straightforward questions during the course of teaching history, such as "Miss, what about the Mexicans?"¹⁶¹ For the most part, Ms. Kirchof explained, her students "never got to see themselves in the curriculum."¹⁶² When they did, much like the history that has been reviewed here, the role of Mexican Americans was marginalized, squeezed into a few classes throughout an entire school year.

¹⁶¹ Ibid.

¹⁶² Ibid.

The marginalization of the Mexican-American experience can also be found in the current Texas History curriculum. Travis Horne, a seventh grade Texas History teacher at Bedichek Middle School, a primarily minority middle school in Southeast Austin, discussed the challenges facing both teachers and students when it comes to the perspective of Mexican Americans in history. According to Horne, part of the problem in implementing effective instruction regarding desegregation in seventh grade is, much like in eleventh grade, not having enough time. “Something I’ve noticed, especially over the last couple of years, is that our curriculum wants us to cover everything to today, but... they don’t give us enough time to get that far.” The resulting lack of time for instruction has forced Texas History teachers to end the year right at the rigid periodization for Civil Rights in 1968, and they usually get no further. He reflected on the fact that “generally we’ve stopped around the Civil Rights Era in the 1960s and that is a travesty.” He asserted the need for students to learn what happens next in the story of desegregation for Mexican Americans. “Our kids need to know what’s happened since then.”¹⁶³ Once again, the historical awareness of some teachers has been stifled in order to meet the demands of state standards, even in a class where there is no standardized testing.

The problem of presenting an adequate portrayal of the Mexican-American experience to a student population that is quickly becoming predominantly Mexican-American is also the lack of teacher training regarding the subject. While Ms. Kirchof and Mr. Horne seem to be part of a population that does recognize the lack of critical discussion when it comes to the Mexican-American experience, many teachers do not receive any formal instruction regarding the actual historical circumstances of Mexican-

¹⁶³ Travis Horne, interviewed by author, Buda, Texas, August 10, 2016.

American students. Horne explained, “I don’t think we have enough training [...] as history teachers” in order to provide “good, solid answers” regarding questions Mexican-American students may have about their culture’s role in history. “It’s up to us... it’s our onus to find those answers ourselves.”¹⁶⁴ This is especially important in Texas history, where the curriculum is still clearly slanted towards an Anglo perspective.

Horne commented on the lack of discussion not only regarding desegregation for Mexican-Americans, but the lack of discussion regarding Mexican-American heritage in general throughout Texas history courses taught through Austin ISD, a result he attributes to the predominantly Anglo makeup of the Texas legislature. “If you look in the TEKS, the standards for Texas history, they’re all slanted towards one perspective.” He reasoned that “because the Texas legislature is so Anglo.... you don’t see a whole lot of Latinos who really should deserve more credit involved in Texas history.” Horne continued, explaining that privilege for the Anglo perspective plays out not only at the end of the year, when the Civil Rights Era is being discussed in seventh grade, but also in the beginning, where the Anglo perspective regarding the Texas Revolution is also prioritized. According to Horne, the Spanish, Native American, and Mexican portions of Texas history are severely limited in order to allow teachers to “spend an entire six weeks on the Texas Revolution, which is absolutely ridiculous.” Despite the long-lasting impacts of Mexican-American heritage on the cultural makeup of Texas, state standards, enforced by Austin ISD, do not present an adequate portrayal of Mexican-American cultural history. Even in regards to the Texas Revolution, the role of people of Mexican descent is minimized in order to give privilege to Anglo Texans. Horne described the

¹⁶⁴ Ibid.

portrayal of Mexicans in the Texas Revolution as having a “sidecar role... very much with a focus on the Anglos” who were involved in the revolt.¹⁶⁵ It seems in both the seventh and eleventh grades, the only two grades where Mexican and Mexican-American history can be discussed with any considerable weight, Mexican-American heritage is pushed aside in order to prioritize the perspective of Anglos in Texas.

In spite of the immense challenges still facing Mexican-American students and the highly edited collective memory being manufactured for them by Austin ISD’s curriculum and texts, teachers like Ms. Kirchof and Mr. Horne believe it will be necessary to improve the way in which Mexican Americans learn about their own cultural history. Kirchof acknowledged that we “need to be more mindful,” and “incorporate racial history so that they [Mexican Americans] do see themselves,” in the history curriculum.¹⁶⁶

Though the effects of having an in-depth examination of local history, with an emphasis on Mexican-American activism, and the reality of a marginally successful desegregation program are yet to be seen (the students in Austin have never received such a curriculum), it seems like many brown students in Austin ISD do seek this instruction. Based on my interview with the social studies curriculum coordinator for all high schools in Austin, Mexican-American students at Austin ISD often question *where they are* in the history curriculum they are being taught, especially in American history. Given the complex history of exactly where Mexican Americans stood during desegregation, it seems highly unlikely that these students, who make up more than a third of the total

¹⁶⁵ Ibid.

¹⁶⁶ Kirchof, interview.

school population and perhaps more in the years to come, can get a complete grasp of the scope of their culture's circumstances, such as persistent housing segregation, in three to four hours.

People like Melanie Kirchof are taking steps, however incomplete, to bring to light what seems like a clear educational injustice in denying Mexican-American students full access to curriculum that adequately describes their culture's role in desegregation. After our interview, Ms. Kirchof sent me a poster presentation put together by her office for the National Council for Social Studies (NCSS) annual meeting in Boston. The presentation, consisting of two posters, shows images that fit well with the traditional, Anglocentric history curriculum pedaled to students in Austin's schools such as Captain America, Uncle Sam, and John Gast's nineteenth century painting, "American Progress." The next poster, which presents an adequate description of the problem of an inequitable racial history education, is aptly titled, "But Miss, What About the Mexicans?!?" Containing images more pertinent to racial minorities (as well as women) the second poster expresses who is lost when prioritizing Anglo history in the history curriculum in Austin while devoting so little time to the discrimination and segregation of Mexican Americans by Anglos throughout Austin's history. At the bottom, underscoring the details that have been omitted by Austin ISD officials and curriculum writers is a second, more poignant question, posed only by students who are even aware of discrepancies in the history promoted by Austin ISD every year: "Where am I in the curriculum?" For most Mexican-American students, the answer is that they are hidden away, merely as an addendum to the African American freedom struggle. Despite the tri-racial demographic makeup of Austin, where Mexican Americans have historically been discriminated

against by Anglos, Mexican Americans in the twenty-first century are still treated unfairly, by design, in their history classes.

It remains to be seen what effect such a lack of disclosure in local history does to the collective memory of Mexican-American students. One might be hard pressed to get a comprehensive understanding of the way Mexican-American students view themselves in the landscape of American history or the role of failed desegregation for Mexican Americans in Austin. At the very least it can be definitively stated, given the narratives compared here, that Mexican-American students do not get equitable treatment in the history curriculum in Austin ISD. In addition, local history, which pertains directly to many Mexican-American families living here in Austin, is not given space in the curriculum in any substantial way. Furthermore, in synthesizing the material the district does provide to Austin's students, the reasons and the conclusion do not match the material record. Blaming demographics as the reason why neighborhoods in Austin are still segregated does not tell of the blatant, calculated efforts by Anglos to segregate Mexican Americans and African Americans in Austin. Austin ISD fails in creating a relevant historical narrative for Austin's Mexican-American students that even remotely matches the reality of desegregation for Mexican-American students in Austin, nor its continuing legacy.



Figure 7. Austin Independent School District Poster Presentation. From the NCSS Annual Conference, 2014.

Despite the existence of scholarship that clearly addresses the complex role of Mexican Americans in Texas and United States history, institutional barriers persist in preventing the incorporation of such material into mainstream curriculum in Austin ISD. Therefore, Mexican-American students have to depend largely on the sensibilities of their teachers in interpreting and disseminating curriculum tied to desegregation and the larger role of Mexican Americans in the American cultural landscape. The understanding demanded by Austin ISD certainly does not even suffice to identify the appropriate actors, much less convey the complexity of the tri-ethnic dimensions of Austin

throughout the twentieth century. Omitting Mexican Americans from the fold of the American experience is nothing new. No doubt, the “hybridity” of Mexican-American identity has made it possible for European Americans to consistently subvert equitable treatment of Mexican Americans throughout the twentieth century and beyond. Scholars have a responsibility, however, when it comes to the message and purpose of public acts of history, to ensure the hard work of historical scholarship makes it to the larger population, even those performed in a high school classroom. For those who do not study history are certainly doomed to repeat it, especially if they do not have a means of remembering it in the first place.

V. CONCLUSION

At the start of the twentieth century, as industrialization accelerated, Anglo Texan leaders sought to build a narrative regarding the state that enabled them to maintain dominance and control over the development of Texas cities and encourage the subordination of Mexican Americans in the state. By emphasizing and romanticizing the actions of Anglo colonists during the Texas Revolution, Progressive leaders could distance Texas from the shame of the Civil War, while maintaining the tenets of Anglo hegemony under a banner of continued progress. During this time, state leaders allocated funds for projects that honored Anglo leaders of the Texas Revolution, such as Stephen F. Austin and Elizabeth Crockett. Mexican Americans, pitted as antagonists in the narrative of the Texas Revolution, were heavily discriminated against by Anglos in Texas as lazy degenerates, thus limiting their political, economic, and educational opportunities in the state.

Alongside this shift in narrative towards the presumed glory of the Texas Revolution came a wave of municipal reform by Progressive leaders intended to consolidate power in large urban centers. Changes in Galveston's city government marked the first of such reforms in Texas, though Austin quickly followed suit. Austin city leaders, like Monroe Shipe, engaged in local government reform in order to not only consolidate power in the hands of a few business elites, but also to control the demographic settlement patterns in Austin. The use of private, racially restrictive covenants provided a means to help legally segregate Austin into three distinct ethnic zones: one for Anglos, one for African Americans, and one for Mexican Americans. As Austin shifted from an alderman or ward style of government to a city commission form

of government and later a city-manager form, leaders fought to pass a comprehensive zoning plan that included segregated municipal services. Segregation was given a boost when this zoning plan was finally approved in 1927; just three years after voters chose a city-manager charter for Austin's city government. This system of government provided the most centralized form of power for progressive Anglo business elites. At-large voting neutralized the little political power that minorities in East Austin, already segregated through private deed restrictions, might exercise.

The federal government, tasked with helping a slumping housing market throughout the 1930s and 1940s, reinforced the housing segregation changes already put in motion by Anglo Progressives in Austin. The Federal Housing and Loan Corporation (HOLC) and later the Federal Housing Administration (FHA) created standards for mortgage lending that both encouraged the use of private, racially restrictive covenants as essential to maintaining property values and discouraged lenders from investing in neighborhoods of color by providing "redlined" maps that delineated areas of high mortgage risk. In singling out areas containing high concentrations of African Americans and Mexican Americans for redlining, federal housing authorities participated in denying them opportunities for home ownership and reinforced the segregation of cities like Austin. The result of these attitudes and practices, including a historical narrative that emphasized the Texas Revolution as an Anglo versus Mexican event, the consolidation of political power within the Anglo business elite through municipal electoral reform, and the use of zoning and deed restriction practices that were later sanctioned by the HOLC and later FHA was the creation of a distinctly segregated Austin.

In many ways, Anglos in Austin were responding to a large influx of Mexican Americans entering the United States as a result of the Mexican Revolution of 1910. As waves of Mexican immigrants entered the U.S., Anglos all over the Southwest felt increasingly threatened by their presence. Anglo Americans pushed to assert their dominance over them, as well as over Americans of Mexican descent, wherever they could, such as in politics, land and home ownership, and education. Anglo dominance included emphasizing a narrative about Mexican immigrants that painted them as inferior people. Students of Mexican descent were also subjected to discriminatory treatment by Anglos, and public schools reflected prejudices held by Anglos against Mexican students.

In Texas, Americanization and the use of English-only policies were engineered by Anglo educational leaders in order to indoctrinate students of Mexican descent into Anglo-American culture, while replacing Mexican culture altogether. Americanization became educational policy throughout the region and was promoted as the best way to create citizens who embodied Anglo-Saxon and Protestant values in Texas. The English-only law of 1918, whereby teachers could lose their certificates for speaking Spanish, and use of any foreign language on school grounds was a punishable offense, was intended to foster Anglo-American societal norms throughout the public education system. This policy posed a distinct problem for students, many of them U.S. born, for whom Spanish was their native language. These young scholars lacked the means to bridge their deficiencies in English, as teachers and administrators could not address them in their native tongue.

In addition to the subjection of most students of Mexican descent to Americanization and English-only policies, most of these students were placed in

segregated schools, many of which were referred to as “Mexican schools.” It was in these schools, most of which suffered from inferior resources and inadequate funding, that Americanization and English-only policies were most clearly noticeable. In Austin, throughout the first half of the twentieth-century, population numbers for these schools rose dramatically, along with discrepancies in educational opportunities.

While Anglos were working hard to discriminate against students of Mexican descent and creating educational institutions that best suited their racist ideology, a new class of Mexican American emerged to challenge such treatment. During World War I, many Americans of Mexican descent served in the American military. When the war ended, these veterans came home to an environment of hostility and poor treatment. Many of these veterans thus sought to organize for the purpose of defending the rights of people who began referring to themselves as Mexican Americans. Beginning in the 1930s, use of the term Mexican American became much more pronounced, and for many activists became a point of pride in which they celebrated their American citizenship while differentiating themselves from working-class Mexican immigrants.

The first Mexican-American activist groups consisted of mutual-aid societies such as La Liga Protectora Mexicana, which formed in 1917. As participation in groups like these increased, their influence also increased, with four such groups consolidating to form the League of United Latin American Citizens (LULAC) in 1929. LULAC worked throughout the 1930s and 1940s to protect the rights of Mexican Americans, while emphasizing pride in American citizenship. After World War II, membership in these groups ballooned even further, as other Mexican Americans took a more active approach

through new organizations such as the Mexican American Legal Defense and Education Fund (MALDEF).

The experience of discrimination and resulting resistance by Mexican Americans, such as Austinite Gilbert Rivera, demonstrated the continued inadequacies of Austin's public school system for Mexican Americans, even after the Civil Rights Era. Many factors, such as a shortened school year, repeated grade retention, punishment for speaking Spanish, and narratives regarding Mexican Americans that painted them as lazy degenerates, negatively affected Mr. Rivera's educational experience. Thus, his experiences highlight the failure of Austin society to take racial problems in the educational system seriously, which in turn spawned persistent legal attacks by Mexican-American activist groups such as MALDEF, even in the face of widespread residential segregation.

During the 1960s, activist groups such as MALDEF and the Mexican American Youth League (MAYO) committed to forging a sustained legal assault against the inequitable treatment of Mexican Americans in public schools in Texas, including those in AISD. Their efforts were greatly aided by the 1970 Supreme Court case, *Cisneros v. Corpus Christi Independent School District*, in which, for the first time, a federal judge determined that because of their "physical characteristics, their Spanish language, their Catholic religion, their distinct culture, and their Spanish surnames," Mexican Americans did indeed constitute a racial minority.¹⁶⁷ As such, any segregation against them was unconstitutional.

¹⁶⁷ 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), 178.

AISD entered the conflict over school segregation for Mexican-American students two years later, in 1972. That year, the Fifth Circuit decided against AISD, declaring the district's segregation of Mexican-American students was indeed unconstitutional. The district appealed the decision but, after years of litigation, the Fifth Circuit finally decided definitively against the district in 1977, forcing them to submit plans to desegregate Austin's Mexican-American students.

Due to the longstanding condition of residential segregation throughout Austin, busing seemed to be the only viable option for the district to successfully integrate Austin's schools. The busing plan officially took effect in 1980, though it would not be in effect for very long. In 1983, the Justice Department decided Austin had achieved "unitary status," effectively ending court-ordered desegregation efforts.¹⁶⁸ Progressive-era efforts by Austin's Anglo business elite to keep housing segregated from the end of the nineteenth century into the early twentieth century made it difficult for the district to enact any substantive change in regards to desegregating schools. In 1990, mass busing officially ended, despite the fact that the majority of Mexican Americans, especially the poor, working-class, were still living on the East Side. Many Civil Rights activists fought the decision, but budgetary concerns and increasing antipathy for mass busing by educational leaders made it all but impossible to maintain.

Most Mexican-American students still attend schools that are eighty percent or more minority. Despite this reality, the district presents a history curriculum regarding desegregation that declares school desegregation, though mainly for African Americans, to have been a successful venture that ended in 1968. State standards, textbooks, and time

¹⁶⁸ *Overton v. TEA* (1987).

constraints set by education leaders in Texas and Austin prioritize the Anglo experience and emphasize the African-American civil rights struggle, and as a result largely ignore the Mexican-American experience. This is especially troubling in light of the fact that Mexican Americans make up a third of the population in Austin. While the African-American experience does and should make up a substantial portion of the curriculum surrounding the Civil Rights Era, it seems vital to include Mexican Americans into the fold, given their substantial presence in the region.

Many AISD employees acknowledge the discrepancy between the demographic makeup of the city and the problematic curriculum surrounding school desegregation and Civil Rights as a whole. High school social studies curriculum coordinator Melanie Kirchof and seventh grade Texas history teacher Travis Horne have firsthand experience dealing with the deficient treatment of Mexican Americans in the history curriculum in the AISD. They attribute lack of time, training, and materials to the inability of many teachers to appropriately discuss the actors, events, and effects regarding Mexican-American civil rights issues, including school segregation. As a result, according to Kirchof, many of her students never get to “see themselves” in the curriculum.¹⁶⁹

This thesis has shown through a case study of Austin how the confluence of racism, progressive reform, business interests, and housing segregation contributed to a deficient educational system for Mexican Americans in a typical southwestern city. More research needs to be done to determine the extent of the neglect regarding the Mexican-American experience during the Civil Rights Era and school desegregation. Students also need to be interviewed to determine just how aware they are of the conditions under

¹⁶⁹ Melanie Kirchof, interviewed by author, Austin, Texas, April 18, 2016.

which they are being educated, especially in regard to the representation of the Mexican-American experience in the social studies curriculum.

Without fundamental changes to the state's K-12 social studies curriculum and a commitment at the district level to exploring the historical experience of the second-largest ethnic group in the city, Austinites will remain poorly served by the educational system. As things stand, the majority of Austin students, in the twenty-first century, white, black, and Latino, are on their own when it comes to finding out how Mexican Americans came to be segregated to the East Side, how they fought hard against school segregation, and how, due to purposeful residential segregation, Austin ISD was unable to effectively end segregation for many of its Mexican-American students.

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