

GEORGE I. SANCHEZ: "THE" PIONEER IN MEXICAN AMERICAN EQUITY

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Introduction

What are the beginnings of a man who became "the" pioneer in Mexican American rights? Even today the name George I. Sanchez is not well known and even many Mexican Americans have only a vague idea of his importance, assuming more recent civil rights leaders were the first to battle discriminatory practices. However, in 1984 a retrospective honoring him at the University of California at Berkley School of Law cited him as the single most influential individual in securing equal rights through law for Mexican Americans. Then, in 1995 the University of Texas at Austin named the College of Education the George I. Sanchez College of Education. He is as important to equity for Mexican Americans as Booker T. Washington and W.E.B. DuBois were to equity for African Americans. Where he came from, how he progressed through his career, what contributions he made and their significance are worth reviewing in order to gain an appreciation of his legacy.

The Family

George I. Sanchez states that he was born into a family where both parents descended from colonial settlers. However, that did not translate into an easy life for Telesfor Sanchez and Juliana Sanchez y Sanchez. Rudy Sanchez, his nephew, and Mary Miera, Rudy Sanchez's aunt, said that Telesfor was a sheepherder when young.¹ They both said that Telesfor would tell stories about raiding Indians and how the parents would hide the children under the mattress because they were afraid that the Indians would steal the children. The family was living in Albuquerque, New Mexico Territory, in the neighborhood of Los Barelans when Sanchez was born and Albuquerque had a population of 11,020 in 1910.² When Sanchez was seven,³ his father moved the family to Jerome, Arizona where he worked as a miner. Jerome was a typical mining town and the depictions in the movies of rowdy, wild west mining towns is not far off the mark. On one occasion the downtown burned to the ground, including several houses of ill repute.⁴ There was great pride taken in the speed with which those particular houses were replaced!

Sanchez's education, with the exception of his last year in high school, was spent in Jerome schools. Jerome had a population in 1910 of 4,874⁵ and the mines were making money; two facts which probably contributed to the availability of public schooling through high school. Therefore, Sanchez was more fortunate in his location and in his time period than

most of the children in the U.S. and its territories, who mainly lived in rural areas under served by education. He always praised his teachers and his schools. With the mines booming and the owners and their wives supporting public education Sanchez's school experience in Jerome was a happy one, and he frequently referred to the schools as "A-One."⁶ His classmates were from varying backgrounds. They followed the pattern of most mining towns, with many immigrants and many different languages among his schoolmates. More than twenty different nationalities were represented.⁷ He stated in class that none of them were ever reprimanded for speaking their own language, and, therefore, they all looked forward to learning English when they went to school in the same way that they looked forward to learning their ABC's. When he was older, he and his brother, Juan, enjoyed playing in the band. Although some times were better than others in a mining town, money for the band instruments was hard to find. In a letter Sanchez describes the hard life there and their creative means of staying a little ahead:

Dad moonlighted running a poker game in a saloon. We children got our spending money by gathering and selling discarded (some not very discarded!) copper and brass from trash dumps and abandoned mines. We also, on Sunday mornings would fish coins and even bills through the cracks of those boardwalks with a piece of gum on a yardstick. We loved those drunks! With that bonanza and what I earned at a grocery store sorting out rotten potatoes, eggs, fruit, and vegetables I bought a cornet to take the free music instruction offered at school.

We lived the good life until the bottom fell out with the advent of the Depression. Then, my older brother and I organized a jazz orchestra and began promoting dances, playing at weddings and fiestas. That kept the family in beans and tortillas through high school, with an assist from my boxing as 'Kid Feliz' at 112 pounds.⁸

According to his nephew, Sanchez's brother Juan started the band, and his niece said that it was named either the *Wild Cats* or the *Tigers*. Sanchez kept up the boxing for a while even though there were definite drawbacks because of his small size. When he taught his brother Juan to box, Juan immediately gave him a black eye. However, much later he finally turned in his gloves after working as an assistant coach at the University of New Mexico one summer. He and the 220 pound coach decided to give a demonstration and, as Sanchez said, "I zigged when I should have zagged and

he knocked me halfway across the gym. I decided then that boxing was a bit rough for me."⁹

At home in Jerome life was hard. George and Juan now had a little brother. Their mother was very sick—so sick she could not get out of bed. The father would go to work and the two elder sons to school with the toddler Teles tied or chained to the bed so that he could move around some. She had a bedpan under the bed because she was too weak to go outside to the privy. The houses were up on stilts on the mountainside making it too dangerous to leave the baby without some kind of restraint.¹⁰ Her date of death is uncertain. Her nephew says that she died young from TB, but Sanchez says that his mother made him biscuits to take with him on his long ride to his teaching position in his first year of two of teaching.¹¹ Both could be right because of his young age when he began teaching.

Sanchez's father did well in the mines. He had started as a mucker and worked his way up to a kind of foreman. He was very proud of his position because very few minorities ever rose that high. Unfortunately, he was injured in a cave-in and had to move the family back to Albuquerque. He did not have any money but, ever resourceful, he did own five acres at Dead Man's Corner which he traded it for a horse and wagon. He then became a trader. He would go around and chop wood, sell it and deliver it.¹²

Teacher and Principal at Sixteen

Upon the family's return to Albuquerque, Sanchez enrolled in high school. He graduated at age 16 and began his career as an educator as a principal/teacher at a small rancharia named Yrissarri shortly before his 17th birthday. He traveled back and forth on weekends to see his family and went to school in the summers. The roads were almost nonexistent and could not be driven in the frequent bad weather. At those times, horseback was the answer. Once the horse was crossing a bridge over railroad tracks when a train passed under it and he had to prove expert horsemanship. Another time he lost the engine in his Model A and chained it back in and away he went. After a dispute with the County School Superintendent, he was assigned to an even more remote spot fifty miles from Albuquerque. San Ignacio, known as El Ojo Hediondo, literally "Stinking Springs," a trading post, in western Bernalillo County. The road was a "primitive wagon trail." While in Yrissarri he rented a room at a ranch house, at El Ojo Hediondo, he lived in a deserted ranch house. The flavor of his personality can be seen in his comments on this time in his professional life:

At Ojo Hediondo I made friends with the local trader, with the three or four other families of the village, and with the Navajos who came to trade.

They, and the children, were my community. The Navajos believed in their ponies, I in my trusty mare. Many is the race, straight-away and cross-country that we had -- with betting and silver, the next I would lose that and cash besides. My home was an abandoned ranch house. I shot my meat supply from the numerous rabbits, jackrabbits, and doves that abounded there -- supplemented by the biscuits and other delicacies that my mother had prepared for me back home - usually tinged with a gasoline flavor, for I had to transport them in the "rumble seat" part of the car -- and exhaust and gas tank fumes seemed to like that area.

I traded my old jalopy for another mess of bolts, a mess of bolts for which I was destined to be grateful. One time, half way to my school, in the middle of the desert, a rear wheel hub crystallized and the entire hub sheared away from its flange. The axle and hub would revolve, but the wheel would not. I did not even give a thought to the possibility of hiking back to Albuquerque, and passersby were conspicuous by their absence. Among my tools I had a hammer and a cold chisel. With these I laboriously cut matching notches in the flange and the hub. Then I robbed the frame and body of the car of enough bolts to put through the notches. One set of bolts would last me about five miles, and then I would rob the frame or body of more bolts. By the time I arrived at San Ignacio that Model-T was a floating wonder! And my hands were masses of blisters. Fortunately, at El Ojo I was able to borrow a wheel for my weekend return journey to Albuquerque where I had my own wheel - rehabilitated.

He talked about the people of that out-of-the-way place:

The people liked me, and I liked the people. They didn't bother me, and I did not bother them -- we minded our own business, and my business was that of schoolteacher, nothing more, nothing less. If they drank white mule, or even manufactured it, it was their (highly illegal) business. I remember the time that a local fellow asked if he could ride with me into Albuquerque. Of course, I was happy to invite him. After school on Friday, I went to my room in the abandoned hacienda to gather my belongings that were to go to Albuquerque. My friend was already there, ready to go. He had placed his gear, a bulky outfit under a blanket, in the rear seat of my poor man's Rolls Royce. On the way into town, he asked me if I would join him in a drink. I said the usual, "Don't mind if I do," expecting a flask or bottle. To my immense surprise and consternation,

to say nothing of my horror, he lifted the blanket and there, big as all get out, was a thirty-five gallon keg of white mule—from which he drew out “one-for-the-road.” I needed that drink! Prohibition laws could have landed me in jail, my car confiscated, my job lost—and all Calamity could have been my lot. However, that drink (maybe it was plural!) was powerful medicine—and we made it into town without incident. I unloaded my cargo on the edge of Albuquerque, and went home to sleep it off. Community relations can be quite strenuous. As evidenced by the following:

At Yrrisarri I had rented a room at a ranch house owned by a well-known bootlegger (Don Cayetano Alderete). He distilled “white lightening” in the hills, and peddled it here and there, consuming a goodly percentage of his product. He liked me, and, of course, I had to share his elixir from time to time. And, to my mental discomfort, he found it to be a good “cover” to use my jalopy to transport his very illegal “mountain dew,” But, he was an influential man -- of course! How can you perform as a one-room school teacher in a community where the power structure manufactures and consumes “white mule” without regard to the law or to their intestinal linings? The community power structure is bootleg-based. What does one do? I’ll tell you what I did. When I went rabbit hunting after school, and I happened to run into a “cooker” (a still in operation), I would whistle loudly some tuneless song as I approached and then, graciously, I accepted a taste of the warm distillate. The afternoon hunt was always rosier after that, rabbits or no rabbits! Community relations in action. Curriculum then, as now, could be problematic.

School reform is not a new concept. Sanchez reported: It was a week or so after I took on the Yrrisarri position (job, that is) that a small committee of parents (fathers) waited on me after school. They were distressed over the fact that I was not teaching the A, B, C’s. My predecessor had been a bear for the A, B, C’s—and here I was in the third week of school and no A, B, C’s. “*Maestrito. Hay que tener razo’n.*” (“Little teacher, let us be reasonable.”) Well, somewhere I had heard of teaching reading by the “whole” method— words, phrases, sentences (a radical innovation, probably started by Marx, or Lenin, or Trotsky!). The yokels at Yrrisarri had not, of course, heard of the socialist-communists, but ding my dingies, they knew that reading had to be based on the A, B, C’s. How can you argue against that logic? The alphabet was duly inscribed, in capital and small letters, across the top of the

blackboard, for all the world to see. I continued, nonetheless, to try to teach by the “whole” method (I still do not know what that method is!).¹³

Marriage

After his assignment in San Ignacio, he married “the granddaughter of a very wealthy and powerful (behind the scenes) man . . .”¹⁴ [He stated] This automatically made me ineligible for the ‘left field’ assignments that I had drawn earlier. By a remarkable series of fortuitous circumstances, the principalship of Los Padillas, near Albuquerque, became open—and, of course, I was rewarded for my patently undistinguished career by being given the plum.” He said that this was a community of nonconformers, meaning that they often took whatever they wished. One day he arrived at the school to find that the home economics equipment was missing. The teachers wanted to call the sheriff. Sanchez said no, and he began a series of social calls to various parents. Sometime during the conversation he would bemoan “the loss to their children represented by the absent equipment. . . [and] let it be known that, were the stuff to be returned, no questions would be asked.”¹⁵ The next weekend the sewing machine, pots and pans and kitchen towels were all back in their places. Until his graduation in 1930 he served as a principal or County School Supervisor in Bernalillo County, a total of eight years as teacher, and administrator.

His personal life at this time sounds like the beginning of a romance novel. Once there was a radio program that began “Can a poor young girl from the coal mines find happiness with England’s richest, most handsome lord?” In this case the roles were reversed. While George I. Sanchez was viewed as an up and coming young man with good prospects, he was also viewed as one from the barrio. His bride, Virginia Romero, on the other hand, was the granddaughter of a very wealthy and powerful man. Although her mother had died after the birth of her youngest son and Virginia (Virgie) helped raise her brothers and sisters, she did so in the proverbial lap of luxury. Virgie’s father was characterized as being weak and a spend thrift. He and his children lived with her grandfather, his father. Her father also was not enchanted with the idea of his daughter marrying a poor man and he strongly opposed the marriage. Virgie’s grandfather sided with her, however. Possibly he was impressed with Sanchez’s potential and with the fact that Sanchez’s father and grandfather had shown him the respect of coming to him to ask for her hand in marriage. Between her mother’s sister and the grandfather the wedding was planned but no father showed up to walk her down the aisle. This same father would squander most of her

inheritance and would remarry twice, the last time to the maid.¹⁶ [A fact mentioned by most of those interviewed on both sides of the family.]

In 1930 when Sanchez completed his undergraduate degree at the University of New Mexico, he was awarded, in succession, two [Rockefeller] General Education Board Grants, one for his masters at the University of Texas at Austin and the other for his doctorate at the University of California at Berkley. Loyd [sic] Tireman, a pioneer in community education, and President Zimmerman of the University of New Mexico were instrumental in his receiving the fellowship. He completed his residency in the summers of 1933 and 1934 and the long term of 1933-34.¹⁷ As a result of research done for the Carnegie Foundation he wrote *The Forgotten People: A Study of New Mexicans* which was published in 1940. During part of the 1930's Sanchez's position as Director of Information and Statistics of the New Mexico Education Agency and his position teaching at the university of New Mexico were funded by the General Education Board. He served as Director of Information and Statistics in the early years of the 1930s before working with the Julius Rosenwald Fund on a project concerning education in Mexico from which his long definitive work on education in Mexico resulted.

Sanchez and School Finance: His First Battle for Equity

Sanchez began his teaching career during the great influx of Mexicans to the southwestern United States. In an area where education did not have a high priority with those in power, Sanchez analyzed the situation and decided that a major failing was the lack of guaranteed and equitable funding for all districts—rural and urban. Taking on the special interest groups, entrenched over time, was no small task for Sanchez and those other leaders in the reform movement. Through law, policy, and the will of a power structure not concerned with education, public education in New Mexico in the 1930s was a blatant example of inequity in education. Tom Wiley, an authority on New Mexico education, states that although territorial New Mexico did have some laws concerning education, in effect "there was no system of education in territorial New Mexico."¹⁸ This statement is reinforced by the fact that in 1930, eighteen years after New Mexico attained statehood, "it ranked third from the lowest among the states in literacy."¹⁹

As one president of the New Mexico Teachers Association and one of the leaders in the fight for equalization of funding Sanchez made many enemies. Just when he thought the battle was won, he was invited to spend a year in Venezuela organizing a secondary normal school. On his return to New Mexico, he found

that his enemies had tried to discredit him and reverse the decisions made for equalization.

According to Frank Angel, Sanchez had a strong personal stake in this legislation because he had been one of its sponsors and champions, and so he was most anxious to resolve the dispute. Angel said that Sanchez not only expended his time but also his money in this cause. Sanchez had made "lots of money in Venezuela,"²⁰ and he spent all of that "money to prove his point."²¹ Angel's comment was that "Sanchez was so farsighted in giving equality to *all* kids."²²

Looking back from a vantage point decades into the future, this may not seem to have been a particularly important issue. However, it must be noted that the concept of equalization at that time was a very foreign one in most state public school funding. In fact Frank Angel states that the equalization plan "moved New Mexico out of a prehistoric rural era and that New Mexico's equalization plan was the first in the United States."²³ If not the first, it is certainly one of the first; and therefore, would have served as a model to other states.

Certainly New Mexico did not conclude its concerns with school finance after this time in its history, but George Sanchez no longer played a role because he left the state in 1940, never to return to live or work. Sanchez quite probably would have spent the rest of his life in New Mexico had it not been for the enemies that he made during this battle for equalization. He had been promised a tenured position at the University of New Mexico, but he realized that the position was no longer available because of his writings on the "handling of the School Equalization Fund in New Mexico."²⁴ He states,

As a consequence of my writings on this score, a promised job at the University of New Mexico began to dim. The President of the University, a very good friend of mine, labored to drop me very gently. . . . I took him off the hook by displaying a contract that, that very day, I had signed with the University of Texas. I had read the smoke signals that the braves of the power structure were billowing off of the Sandia Mountains. What is that wise old saying?—'Forewarned is forearmed.' Know the power structure of your community and learn to read its signals. . . . [At the University of Texas they offered] a full professorship yet! In New Mexico, the best that the University had offered me was a non-tenure job as 'Research Associate' (whatever that is) or as an Instructor. A bit unflattering. No? So, Texas here we come."²⁵

The Texas Years

By December 7, 1941 Sanchez was just beginning his second year at UT. In class he spoke about wanting

to serve in the military. Why he did not is not clear. In a February 1943 letter he mentions his hopes of going into the Navy.²⁶ At the time he was thirty-five, married with two children so that may have given him an exemption. However, he had contracted malaria when, at the request of the U. S. and Venezuelan governments, he served as chief technical consultant for the Venezuelan ministry of Education 1937-38 developing a normal school.²⁷ Later he would have tuberculosis but could not have had it at that time period without being sent to a sanatorium. In the summer of 1942 he served as the Director of the Laredo Field School.²⁸ His previous association with the Rockefellers resulted in him serving part-time from November 1942 to October 1943 as Latin American Consultant for the U.S. Office of Civil Defense, Eighth Region [New Mexico, Oklahoma, Arkansas, Louisiana and Texas] "for a special work dealing with the problem of Spanish-speaking people. [He hoped] that work [would] involve some activities in connection with vocational education in New Mexico."²⁹ Although he continued part of the time with the university, he went on field trips throughout the region. His pay was \$12.77 per day while on Civil Defense business with a travel allowance of \$6.00 per day. In a January 1942 letter he reported: "As you know there has always been a barrier between English-speaking and Spanish-speaking people in [Del Rio, Texas]. I was very pleased to learn that the war effort, insofar as civilian activities are concerned, has tended to reduce that barrier and there is a growing spirit of cooperation and understanding among the two population groups."³⁰ As a past president of LULAC, he sent a list of Latin American leaders in Texas to his superior when he requested assistance from the Latin American community. In letters he also frequently pointed out the discrimination against Mexican American soldiers by the military and civilians.³¹

In February 1943 Sanchez wrote to his Regional Director R. E. Smith about his belief that Civil Defense personnel on the border "ought to devise some means of collaborating more closely with Mexico."³² In the same letter he states that UT has set up a Committee on Inter-American Relations in the Southwest and that he is Director with a grant of \$17,000 from the U.S. Coordinator of Inter-American Affairs. The grant specifically dealt with "promoting closer collaboration and understanding between the Spanish and English-speaking people."³³

During the 1940s Sanchez continued his scholarly pursuits. He received a Carnegie Endowment for Peace grant to research a book on higher education in Mexico in June 1942. *The Development of Higher Education in Mexico* was published in 1943. After the war he

continued his research. He conducted a "Socio-Economic Survey of Spanish-speaking People in Texas, 1947-51 for the General Education Board and a survey, "The Education of Spanish-speaking Children in Ten Texas School Systems, 1947-48." A survey of Navajo education for the U.S. Department of the interior resulted in the book *The People – A Study of the Navajos* in 1948.

During this busy and creative time Sanchez's university and personal life was not so successful. He was punished by the university for views perceived as radical with no or very small raises. Personally he had continuing bouts with malaria, tuberculosis and general bad health. In his letter to Disney he states that he had not continued with the wartime project on Latin America because he had "landed in the hospital for a stay of a year and a half." His hospital stays were in Washington, D.C. During these absences and his earlier absences with Civil Defense work his wife would return with their two children, Consuelo and George, to New Mexico, where she had deep roots. Their twenty-one-year marriage ended in November of 1946. On August 30, 1947, he remarried. There was over a nineteen-year age difference, and many of his old friends, such as Carlos Castaneda and Ralph Yarborough, disapproved. Nettie Lee Benson stated that Castefieda disapproved because of his Catholic beliefs;³⁴ Yarborough offered no specific reason other than that he had a lovely family and that he had left them.³⁵ However, they were married until his death, by all accounts quite happily. They were considered a close and effective team. She had a Ph.D. and worked in the schools, eventually as Director of Visiting Teachers, and she kept her husband informed about abuses in the schools. So the 1940s era may have been one of highs and lows for Sanchez—but it was certainly never a dull one!

University of Texas

Perhaps the most compelling story that we graduate students heard from our professors at UT was the story that they had punished Dr. Sanchez for his views for many years through either no or very small salary increases.

When Sanchez began his long tenure at the University of Texas in the fall of 1940, he was hired by a president and a moderate to liberal board (the latter were soon to be replaced by successive conservative boards). Within a few years their actions in firing tenured faculty whom they deemed "radicals" would lead to the blacklisting of The University of Texas by the American Association of University Professors. However, in the beginning, academic life was good for Sanchez. Sanchez joined the department where his former thesis professor was assigned. With funding

from the Rockefeller grant from the General Education Board Sanchez had pursued the masters at UT before receiving the doctorate from the University of California at Berkley. The thesis he wrote under the direction of Hershel Manuel became the most cited, if not the only cited, published authority in all early cases involving Mexican American rights. Until his death in 1972, he was called as expert witness in numerous cases based on this work concerning the use of IQ tests with Spanish speaking children. Shortly before he died, his salary was \$18,000³⁶ while the average for a full professor was \$21,000.³⁷ During the time that I was a graduate student at UT, colleagues of Sanchez, Professors William E. Drake, J. G. Umpstedt, and A. C. Murphy, stated during their classes that he had been discriminated against and that a salary adjustment had recently occurred for Sanchez after years of salaries sometimes as low as that of an instructor.³⁸ So even with the adjustment, his salary fell below average at the end of his career. Sanchez, about five and a half years before he died, wrote about the salary situation as follows:

"I came here as a full professor in 1940. I remained the lowest paid professor in the college of education for years, though I've had minor salary raises from time to time. I think I am still low man. Others, even associates, who have written little and have little or no national and international recognition, have had and have higher salaries. Why? About four years ago the dean on up through the chancellor recommended a \$2,000 raise for me to begin to close the gap (our departmental budget committee does not initiate salary recommendations for full professors). The unanimous recommendation went to the regents. There, the grapevine tells me, one regent (guess who!) objected: 'Two thousand dollars for that Sanchez guy! Give him two hundred. I don't like his politics!'"

"Well, I could have left for higher rank and much higher salary. A few years ago I could have had the vice-presidency of a famous private university. Earlier I could have had an editorship for our largest U. S. publishing firm. Why have I stayed? I don't like to be pushed, that is why. I'll play politics outside the university, but I'll not brown-nose anywhere. I have been eligible for full retirement at full benefits for years (taught 47 years, 30 here). Now that I am 65 I believe that I would be better off financially in retirement. I could take on more consultantships, more writing, IRS deduction, etc. But it is more fun to teach (full load, until a mandatory one-third load at age 70) and thumb my nose at the bastards."

"What has it cost me in money? Since 1950, I

estimate a conservative \$120,000. Cheap at the price, though that would buy a lot of Jack Daniel's and Falstaff."³⁹

A Renaissance Man

In addition to serving as an expert witness in numerous discrimination cases, his work as a professor, his work with many student groups, and his work with foundations in the 1940s he was editor and coauthor of the *Inter-American Series* published by McMillan where his editor was James A. Michener who was to write *Tales of the South Pacific*.

His most futuristic activity was his interest in using technology in teaching foreign language. In 1946 he gave a lecture in which he noted the problems associated with correct pronunciation. He and Peter G. Crawford, an audio-visual specialist, developed a method [Cranford-Sanchez Animated and live Action Sound Motion Pictures Method for Teaching Languages] which provided,

simultaneous presentation, through pictures (in black-white or in color) of written material and its pronunciation together with the appropriate facial expressions and/or positions of the organs of speech. This [was] to be done through live action and/or animated diagrams and figures which are synchronized with a visual correlation of the bouncing ball, or similar animated device, and/or the animation of the printed material, [would] indicate where the attention of the audience is desired. . . . [He stated] Mr. Cranford and I are well aware of the applicability of this method in the field of television and we have planned for it for that device as well as through movies.⁴⁰

On February 6, 1947, Cranford and Sanchez applied for a Copyright for "Cranford-Sanchez Animated and live Action Sound Motion Pictures Method for Teaching Languages."⁴¹ On February 10, 1947, Sanchez wrote Walt Disney, mentioning that Sanchez had done most of the planning for the Disney produced "films on health and on literacy for use in Latin America" for the Office of the Coordinator of Inter-American Affairs. Sanchez had previously talked with Disney about having films developed as companions to text books. The reply stated that they were considering educational films but had not yet developed a plan. However, encouragement was offered. On July 15, 1948, Coronet Instructional Films' president, Dr. Ellsworth C. Dent received a letter from the president of Visual Education Inc. recommending the Cranford-Sanchez proposal. Coronet was the Disney educational films unit. Then on February 24, 1949, Sanchez was asked to develop films on Latin America. The next day Sanchez replied that he was interested and wrote again March 15, 1949. Finally

in 1950 he was listed as Film Editor and Editor of Teacher's Guide for Coronet's film "Age of Discovery: Spanish and Portuguese Explorations." Always innovative Sanchez later developed a design for a computer—but that is a story for another time period as is his interest in Mayan Arithmetic which resulted in his book *Arithmetic in Maya*.

Legal Contributions

Delgado v. Bastrop ISD

During the 1940s Roger Baldwin, head of the ACLU, suggested that Sanchez contact A.L. Wirin who had won a famous California discrimination case, *Mendez v. Westminster*. Sanchez and Wirin collaborated on many other legal concerns and the Westminster case influenced his development of his "class apart" theory. In 1948 the Delgado suit, which Sanchez helped orchestrate and finance through grants, resulted in the State Board of Education in Texas adopting a policy against discrimination on the basis of surname.

Delgado v. Bastrop ISD in 1948 provides an example of blatant discriminatory practices which today seem to have happened in a time long in the past, not during a time within the memory of still living generations. Minerva Delgado, the first defendant alphabetically, was only six years old in 1948. Many of the parents would be in their seventies today.

Prior to the Delgado case two other court cases had failed to provide equity for Mexican Americans in public education. Then in 1947 the school board of Cuero asked the State Attorney General if they could build a separate Latin American school. After reviewing a recent Supreme Court case, *Westminster School District v. Mendez*, 161F 2nd 774 (9th Cir. 1947), the Attorney General said they could not build a separate school if their segregation was based solely on ethnicity. With that ruling established, on George I. Sanchez's recommendation, Gus Garcia filed suit against Bastrop ISD [Elgin ISD, Martindale ISD, Colorado Common School District, their trustees and superintendents, the State Superintendent of Public Instruction and the State Board of Education] on behalf of twenty Mexican American students. George I. Sanchez and Gus Garcia wrote the brief which charged segregation and asked for a permanent injunction against the defendants enjoining them from segregating Mexican American children.

In an agreed judgment on June 15, 1948 Federal District Judge Ben Rice stated that the school districts had violated the plaintiffs Constitutional rights under the 14th Amendment and permanently enjoined the superintendents and trustees from segregating Mexican American students in separate schools or classrooms or treating them inequitably. The only exception was a provision for a separate first grade for children who

were proven to need special instruction in English. They were given until September 1949 to comply. Also, the State Superintendent of Schools was enjoined from permitting segregation of Mexican Americans. The members of the State Board of Education were dropped from the suit.⁴²

On May 8, 1950 the Texas Education Agency issued a formal statement against segregation of Mexican American children and stating that the policy was a result of the Delgado case and giving formal credit to George I. Sanchez and Gustavo Garcia.⁴³ Over the years the Delgado case was cited in cases involving discrimination against Mexican Americans in the schools. Finally, discrimination was declared illegal and contrary to policy. It was a beginning in the long fight for equity.

Hernandez v. Texas

On August 4, 1951 Pete Hernandez, a migrant farm field worker⁴⁴ became involved in an altercation which resulted in the death of Joe Espinoza. Espinoza was a cotton farmer, and cotton pickers knew that he used a particular bar in Edna, Texas as a gathering place for the selection of field hands. For reasons which are not quite clear, on that August day tempers flared and Hernandez, one Henry Cruz, and Espinoza argued with the result that Hernandez shot and killed Espinoza with a gun, thus setting in motion events which would bring together an interesting assortment of men, each of whom would contribute in his own way to gaining rights for all future generations of Mexican Americans when Hernandez's case resulted in the "first Civil Rights case to come before the Supreme Court."⁴⁵

In 1940, a twenty-two-year-old Mexican American from San Antonio, Texas became one of the few Mexican Americans to graduate from the University of Texas School of Law. Almost before he could properly begin his practice, World War II began. Carlos Cadena enlisted and served in the Army Air Corps, with part of his duty time being spent on Okinawa. After the war he returned to San Antonio to practice law. However, the expense of a practice was great so he joined forces with Gus Garcia, who had returned from serving "two years in the U.S. Infantry in Japan as a first lieutenant."⁴⁶ Garcia had also graduated from the University of Texas School of Law four years before Cadena and was looking for someone with whom he could share the expenses of a practice. Before the war Garcia had been "assistant District Attorney, Assistant Criminal District Attorney of Bexar County, [and] first assistant city attorney."⁴⁷ So upon their return to San Antonio after the war the two veterans shared an office.⁴⁸ They also shared a belief in the right of Mexican Americans to equal opportunities. To Cadena's chagrin, the one thing

that they did not share was expenses. Somehow Cadena was always the one paying the secretary, the bill collectors, and their apartment and offices rents. Soon his small savings, carefully set aside during his military service for the purpose of starting his own law practice, dwindled. The G. I. Bill was now available, and he decided to return to the Austin campus and take post-graduate work. When asked what he was studying, he replied, "Oh, I was just 'piddlin'. I had to get away from Gus. This was the easiest way, and I had always thought that I would like to go back to school and take courses that interested me."⁴⁹ Perhaps there is a lesson here for the task oriented, test oriented educators of today--sometimes learning just for the sake of learning can produce remarkable results. If Cadena had not decided to go back to school, he would not have had those late night discussions with George I. Sanchez, the person who would become known as "the" pioneer in the fight for Mexican American rights, nor would he have been motivated to take courses which related to those conversations and used them for the research needed to pursue the development of Sanchez's "class apart" theory.

Because of the very few Mexican Americans who held faculty positions at the University of Texas, it was probably inevitable that these two men would meet. According to Cadena, he and Sanchez spent several long hours several nights a week discussing Sanchez's "class apart" theory. Sanchez reasoned that, if they could establish that persons who are treated as a "class apart" because of their national origins are discriminated against, then any discrimination against Mexican Americans as a "class apart" would be illegal. Especially, discrimination in the schools of Texas could be proven if "class apart" became accepted. As Cadena took various courses, he began to pursue research which would prove the validity of Sanchez's "class apart" theory. His graduate research papers were discussed and reviewed in his discussions with Sanchez. As they became more and more satisfied with the formal argument for the theory and the research which supported it, the next step was "trying it out"; in other words, they needed a court case. So when Cadena returned to San Antonio, the search began for a viable court case and the definition of the necessary ingredients.

Cadena and Garcia began to discuss the "class apart" theory. They determined that a jury selection case would be the simplest type of case upon which to base a court battle for equal rights for Mexican Americans. Jury selection could be proven by court records. Since 1935 Negro males had had the right to serve on juries in Texas, but the usual interpretation was that the only two

classes with that right were whites and Negroes. Mexican Americans were considered white with regard to jury selection, with the result that they could "legally" be omitted from jury lists. In Texas there were between fifty⁵⁰ and seventy counties prior to Hernandez v. Texas where no Mexican American had ever served on a jury.⁵¹ When Garcia became defense counsel for Pete Hernandez, he researched the records of the county and found that for the past twenty-five years no Mexican American had ever served on a jury of any kind, not on the jury commission which selected the names from which the grand juries and petit (or regular trial) juries were selected, nor on the grand or petit juries themselves, a finding with which the state of Texas was never to disagree.⁵² Garcia sought a hearing to establish that Pete Hernandez could not receive a fair trial in Jackson County, not because there were no Mexican Americans on his particular jury but because no Mexican Americans had ever been considered for jury selection in the county. During the "Question and Answer Statement of Facts in Connection with the Hearing on Defense Motion to Quash Jury Panel and Defendant's Motion to Quash the Indictment" Garcia established a long standing and pervasive discrimination against persons of Mexican American Heritage through the following testimony:

- 1) The sheriff stated that up until two or three weeks before the trial a restaurant in town had displayed a "No Mexicans Served" sign.⁵³
- 2) The superintendent of schools testified that until three or four years before the Mexican American children went to a separate school from other white children for the first four grades.⁵⁴ The Mexican American school was a frame building while the two other white schools were stone buildings.⁵⁵
- 3) John J. Herrera, an attorney who was assisting Garcia with the case, testified that when he went behind the Jackson County courthouse in Edna, Texas, to find the public privy, he had in fact found two for men. One was unmarked, and the other "had the lettering 'Colored Men'" and right under "Colored Men" it had the Spanish words "Hombres Aqui" meaning "Men Here."⁵⁶
- 4) The County Tax Assessor and Collector estimated that the population of Jackson County consisted of about 15% Mexican Americans and that about 6 or 7% of the population were Mexican American males eligible to be considered for jury selection.⁵⁷ [The Supreme Court brief for the defendant later estimated 14% of the population was Mexican American.]

Through this testimony Garcia hoped to convince the court that discrimination existed in the community and that included the systematic exclusion of persons of

Mexican descent from jury service. He did not ask that Mexican Americans be on the jury trying Hernandez nor did he seek proportional representation of persons of Mexican American descent on juries; he did not state that the procedure for jury selection in Texas was unfair. He did seek equal treatment of Mexican Americans with regard to due process rights guaranteed under the Fourteenth Amendment. However, the court remained unconvinced. Perhaps that is not too surprising considering the sign on the courthouse privy and the fact that Garcia and assisting attorneys Herrera and James De Anda "commuted 200 miles *each day* to and from Houston rather than stay in Edna."⁵⁸

So, Pete Hernandez was tried, found guilty of murder and sentenced to a minimum of two years and a maximum of life imprisonment. However, the sentence was suspended until an appeal was decided.⁵⁹

Interestingly enough, if Pete Hernandez had been a Negro, he would not have had a case. In 1935 the U.S. Supreme Court had ruled in *Norris v. Alabama* (294 US 587) that Negroes could not be excluded from jury service. The Texas Court of Criminal Appeals upheld the lower court ruling on October 22, 1952, by recognizing that only two classes, white and Negro, were guaranteed representation in jury selection. Since Mexican Americans were regarded by the court as white, then they had representation on juries. Carlos Cadena and Gus Garcia had joined forces in arguing the appeal. They argued that support for their position could be found in a statement from the Supreme Court itself in *Strauder v. West Virginia* (100 US 303, 1879) when the Supreme Court said: "Nor if a law be passed excluding all naturalized Celtic Irishmen, would there be any doubt of its inconsistency with the spirit of the [14th] Amendment." Also, the Texas Court of Criminal Appeals in *Juarez v. State*, 102 Tex Cr. r. 297, 277 SW 1091 (1925) ruled "systematic exclusion of Roman Catholics from juries is proscribed by the Fourteenth Amendment."⁶⁰

In 1952 the Appeals Court responded by saying that 1) No Supreme Court case had ever addressed nationality as a "class apart," 2) no discrimination was present, 3) only two classes are guaranteed representation on juries, Negro and white, and 4) to allow such representation would treat Mexican Americans as a special class and this would destroy the jury system and require equal proportional representation on all individual juries.⁶¹

When the appeal was denied, Cadena and Garcia appealed to the U.S. Supreme Court. When the case was accepted, preparation was no problem, for Cadena had polished all the major points during his evenings with George Sanchez. However, financing the continuation

of the case was a problem. Once accepted "the Supreme Court requested an immediate \$900 for costs. . . [which] the LULAC Counsel provided from its scholarship fund."⁶² Then the American G.I. Forum collected moneys for "court costs and traveling expenses to Washington, D.C."⁶³ Cadena remembers how many very poor Mexican Americans responded with crumpled one dollar bills and little sacks of coins. Money was constantly needed.⁶⁴

The legal reasoning that fell on deaf ears in Texas finally found a forum in the U.S. Supreme Court. Two weeks before *Brown v. the Board* was argued the "class apart" theory was argued before the court, and two weeks before the decision in *Brown* was handed down, the "class apart" theory proved its strength and inherent justness. In eloquent language the Court reversed the findings of the Texas courts in a unanimous decision. Chief Justice Earl Warren, writing the opinion, said:

Circumstances or chance may well dictate that no persons in a certain class will serve on a particular jury or during some particular period. But it taxes our credulity to say that mere chance resulted in their being no members of this class among the over six thousand jurors called in the past 25 years. The result bespeaks discrimination, whether or not it was a conscious decision on the part of any individual jury commissioner. . . .

To say that this decision revives the rejected contention that the Fourteenth Amendment requires proportional representation of all the component groups of the community on every jury ignores the facts. The petitioner did not seek representational representation, nor did he claim a right to have persons of Mexican descent on the particular juries which he faced. His only claim is the right to be indicted and tried by juries from which all members of his class are not systematically excluded—juries selected from among all qualified persons regardless of national origin or descent. To this much he is entitled by the Constitution.⁶⁵

Even with the decision in *Brown* reinforcing the decision in Hernandez, equity did not come over night or even next year. However, a body of law was being built which would continue to provide precedents in the fight for equal educational opportunity for many years to come.

AASSP

In Texas Sanchez began his crusade to effect changes in the educational opportunities for Mexican-American children through the courts. However, the first and greatest obstacle was funding. Where was the money going to come from? The amounts that would be needed would be more than an impoverished minority group could raise. Through his work with the Julius

Rosenwald and Carnegie Foundations, he had come to understand the power of foundations in supporting causes involving human rights. Since foundations would be more likely to fund an organization rather than an individual, he decided to organize such a group through the funding of a foundation. He corresponded with Roger Baldwin, chairman of the ACLU and also Director of the Marshall Trust,⁶⁶ about this idea and soon Baldwin notified him that he had talked to the Marshall Trust and that they would donate \$3,000 for an organizational meeting "to set up a national organization to concern itself with the civil liberties of Spanish-Speaking people [American Council of Spanish-Speaking People]."⁶⁷ They met in El Paso in 1951 and the articles of incorporation were drawn up by Sanchez and Gus Garcia.⁶⁸ Representatives were selected from Texas, California, New Mexico, Arizona, and Colorado.⁶⁹ The first year the Marshall Trust underwrote expenses of \$15,000⁷⁰ and the American G.I. Forum gave \$2,000.⁷¹ Funding continued for several years during which time Sanchez also was involved with Alianza Hispano-Americana, LULAC, and American GI Forum, all of which contributed to law suits for equal rights.

MALDEF

Years later in letters to Mario Obledo and Pete Tijerina of the Mexican American Legal Defense and Education Fund (MALDEF) he explains his strategy when replying to their requests for advise on other law suits:

[To Pete Tijerina]: Amend to ask for damages. We did in the *Delgado* case and scared the stuffing out of the defendants. We traded on it. . . . School district lines are arbitrary and capricious, *per se*. The S.A. [San Antonio] school district is a creation of the State. . . . Sue the State Board of Education, the State Commissioner of Education.⁷²

[To Mario Obledo]: If you sue New Braunfels and others, include the State Board of Education and the State Commissioner of Education as defendants, After all, the schools are *State* schools. We did this in the *Delgado* case, to good advantage. Price Daniel, then Attorney General, was forced to make a "deal" with us—for he saw he couldn't win. . . . If you put the Attorney General on the spot, he will back down (politics) if it will make him look bad. And, you know, the AG can't appear to be anti-Mexican. The *Delgado* case took 15 minutes in Rice's court! . . . P.S. Ask for \$1.00 damage against each defendant. Good trading point. Scares hell out of them. If you can get \$1.00 you can amend, if they appeal, and ask for \$100,000 or any figure. This worked in the *Delgado* case. Sue individually and

collectively. P.S.S. . . . If your outfit wants to go whole hog, we have the guns and the ammunition—nearly all free.⁷³

Driscoll, Mathis and Odem Equity Cases

Three of the cases with which Sanchez was involved and to which he frequently referred in his correspondence were *Herminio Hernandez et al v. Driscoll Consolidated Independent School District*, *Trinidad Villareal et al v. Mathis Independent School District*, and *Diego Chapa, a minor, et al v. Odem Independent School District*.⁷⁴ In writing to Simon Gross of the Robert Marshall Civil Liberties Trust Sanchez informs him that two similar suits involving segregation, in Driscoll and Mathis I.S.D.s, had been resolved. Sanchez had replaced the original lawyers with James De Anda and Gus C. Garcia because he was "afraid that the original lawyers were going to lose for lack of preparation."⁷⁵ These new lawyers proceeded to win the Driscoll case and "negotiate an out of court settlement that gave plaintiffs all they had asked for in the complaint"⁷⁶ in the Mathis case with Sanchez cited as an authority in the pre-trial memorandum.⁷⁷ Both George I. Sanchez and James De Anda visited the Driscoll and Mathis school districts. In Driscoll they found that all "Latin" children had to spend at least two years in the first grade and were placed there solely on the basis of their inability to understand English.⁷⁸ Also, "all children of Latin American or Mexican descent [were segregated] in the first and second grades and for a period of three or four years for alleged language deficiency."⁷⁹ Tempers evidently were high as a story in the *Austin-American* reports. The school district responded to the suit by filing "a counter suit for an injunction requiring the plaintiff parents to speak only English in the presence of their children."⁸¹

In the Mathis case Sanchez found that there were in the district two schools referred to as the "New Elementary" and the "Old Elementary" schools. "All first grades [were] 100% Anglo, [and] there [were] 100% 'Latin' sections of all other grades except Eighth in the 'New Elementary.'⁸¹ The "Old Elementary" was 100% Latin. The "New Elementary" had a full day session while the "Old Elementary" had half day sessions for all except the third grade.⁸² When he asked how the sectionalizing was determined, he was told that it was based on achievement tests, but school authorities admitted that there was no "cutting score . . . that 'various other factors' were taken into account."⁸³ The practice of segregation was especially blatant since the two schools shared the same campus and the same geographical attendance area.⁸⁴ The Mathis suit was a risky one to try in court because the school board based its separation of children on test scores, and Sanchez

was afraid that "a court might side with the school board in the exercise of its discretion in the assignment of children on the basis of tests. . . [and, as he said, by negotiation of an out of court settlement, they] won as much as [they] could have won in court without the risk or cost."⁸⁵ The negotiated settlement included a resolution by the school board affirming its commitment to serving all students without regard for "national origin or native language."⁸⁶ The resolution stated that there would be no more separate schools for "children of Mexican or Latin descent,"⁸⁷ home language would not serve as a criterion for first year school placement, there would be no more segregated sections within schools, a normal first grade curriculum would be provided for first graders of Mexican or Latin descent, placement would be on a "first come, first serve basis" for all children, and those enrolling late would be placed in various sections, not segregated in one.

The third school discrimination case takes place twenty years later and illustrates how, while many changes may have occurred since the previous cases and *Brown v. the Board [Topeka]*, for some Mexican American children the fight for equality continued. In July of 1967 Dr. Sanchez wrote to James De Anda, with whom he had worked on the two previous cases, in response to De Anda's request that he review the pre-trial brief in *Diego Chapa, et al vs. Odem Independent School District*. Sanchez's reply is illustrative of the types of arguments he used in testifying as an expert witness and advising lawyers through the years concerning grouping, language, testing, and retention:

In Defendant's motion . . . a most damaging admission is made; that 35 out of 105 children who will be in the First Grade in the Fall are repeating that grade (presumably some for more than the first time). There is something radically wrong with a school system wherein one-third of the First Grade children are repeaters, migrancy to the contrary notwithstanding. This would suggest that the school; makes virtually no effort, or no effort at all, at remedial teaching for children—or that those efforts are highly misguided and indefensible. It would suggest, further, that the criteria used in determining promotions are unrealistic and inapplicable. All of this should be heavily underscored if the repeaters are predominately children whose home language is Spanish. The proposed testing and classification program is, as you have pointed out, just another way at arriving at segregation. In the past I have referred to such practices as "genteel segregation." The proposal to sectionalize the children, at first, on the basis of chronologic age is farcical on its face.

(1) If they are kept two or more years in the First Grade, or if they are not brought into the school at age 6, they will be of course older than the children who enroll at 6! The testing program proposed to remedy this disastrous mode of initial classification is equally farcical. To apply the Gates Reading Test to children who are not proficient in English, and who do not know and *are not expected to know how to read*, is a brutal perversion of pedagogy. This travesty is compounded by giving the children a test in oral English. As the saying goes, these poor kids can't win for losing! . . . Further, these tests were standardized on children who are not representative of the Spanish-speaking children of Odem. Therefore, the norms of these tests do not apply for the children of Odem. Sectionalizing children in the elementary school is hazardous at best, and easily challenged—unless the groupings are heterogeneous (random) ones. It is only *intra*-class that we are justified in "homogeneous" groupings in the elementary school. The stress placed on tests, and the percentages of children to be assigned to grade sections is a pseudo-scientific way of assigning children arbitrarily and capriciously. . . . These people in Odem are clinging desperately to the idea that English and education are synonymous, and are overlooking the obvious fact that these Spanish-speaking children are normal children and that their knowledge of Spanish is a natural cultural resource that should be cultivated. It is not a handicap.⁸⁸

The court order came quickly, on July 28, 1967.

Previous court cases had paved the way for the speedy execution of justice in this situation. The court found that segregation did indeed exist and ruled that the school district was "permanently enjoined from maintaining separate classes and/or sections of classes on the basis of ethnic or national origin, and from discrimination . . . against students of Mexican extraction . . ."⁸⁹

"These court cases illustrate how the educational opportunities for all persons of Mexican heritage have been greatly enhanced through the life long contributions of George I. Sanchez. For over four decades he devoted himself, frequently at great personal sacrifice, to ensuring that future generations would have equal rights. Even in ill health he never gave up the fight, for in his correspondence there are letters right up until his death April 7, 1972 in which he instructs, advises, outlines his philosophy and his strategy; always looking ahead, always planning the next battle, and always believing that right would prevail."⁹⁰

ENDNOTES

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8. Sanchez to Alford.
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10. Rudy Sanchez; telephone interview with Angelina Sanchez Chavez, niece of Sanchez and sister of Juan, by phone, August 22, 1998
11. George I. Sanchez, "Community Power Structure: Trends in the Southwest," Benson Latin American Collection, University of Texas at Austin, George I. Sanchez Papers .
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14. Don Andres Romero.
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17. Mowrey, p.28.
18. Tom Wiley, *Public School Education in New Mexico*, (Albuquerque, NM: Division of Government Research, The University of New Mexico, 1965), 34.
19. *Ibid.*, 28.
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25. *Ibid.*
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27. Sanchez to Roberta Love, 5 January 1960. Benson Latin American Collection, University of Texas at Austin, George I. Sanchez Papers.
28. Gregory to Sanchez, 6 November 1942 and 11 October 1943. Benson Latin American Collection, University of Texas at Austin, George I. Sanchez Papers.
29. Sanchez to Henry Gonzalez, 14 November 1942.
30. Sanchez to McGill, 7 January 1942. Benson Latin American Collection, University of Texas at Austin, George I. Sanchez Papers.
31. Sanchez to Smith, 14 May 1943. Benson Latin American Collection, University of Texas at Austin, George I. Sanchez Papers.
32. Sanchez to Smith, 8 February 1943. Benson Latin American Collection, University of Texas at Austin, George I. Sanchez Papers.
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35. Ralph Yarborough. Conversation with Yarborough, 1981.
36. Ronnie Dugger, *Our Invaded Universities: Form, Reform and New Starts* (New York: W. W. Norton and Company, 1974), p. 118.
37. Dugger, p. 169.
38. Martha Tevis. From comments in classes with Drs. Drake, Umpstedt, and Murphy.
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40. George I Sanchez Papers, Benson Latin American Collection, The University of Texas at Austin.
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60. Pete Hernandez, Appellee, Appellant v. State of Texas, "Appellant's Motion for Rehearing," No. 25816, 9.
61. Hernandez v. State, No. 25816, SW 2nd 531.
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64. Carlos Cadena.
65. Hernandez v. State of Texas (74 S. Ct. 667).
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68. George I. Sanchez to Roger Baldwin, 7 September 1951. Benson Latin American Collection, University of Texas at Austin.
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71. George I. Sanchez to Roger Baldwin, 7 September 1951. Benson Latin American Collection, University of Texas at Austin.
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