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Claiming the Cross: How Mexican Americans, Mexican Immigrants, and the Catholic Church
Worked to Create a More Inclusive National State, 1923-1986

by

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A dissertation submitted in partial satisfaction of the

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Claiming the Cross:
How Mexican Americans, Mexican Immigrants, and the Catholic Church Worked to Create a
More Inclusive National State, 1923-1986

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Maggie Elmore

Abstract

“Claiming the Cross” examines the shifting relationship between the Catholic Church, the federal government, Mexican immigrants, and Mexican Americans during the 20th century. It argues that over the course of the 20th century, Mexicans and Mexican Americans pushed for and won a change from adversary to advocate in the Church’s role as mediator between them and the national state. Focusing primarily on the US Southwest and Washington, DC, “Claiming the Cross” shows that the Catholic Church initially aligned itself with state actions against interests of people of Mexican descent. Over time, however, as Catholic officials assumed advisory positions at all levels of the federal government, Catholics of Mexican descent leveraged their Catholicism to promote advocacy on their behalf. Securing Church advocacy granted Mexicans and Mexican Americans access to federal dollars for social welfare programs that increasingly came under the control of Catholic organizations. It also meant obtaining Catholic support for immigration legislation that included civil rights protections for undocumented immigrants.

“Claiming the Cross” is part of a broader research program that integrates civil rights, Mexican American, and religious history. It offers a new perspective on the traditional story of civil rights history by illustrating how Mexicans and Mexican Americans drove civil rights reform. Focusing on people of Mexican descent and the Catholic Church that so many of them claimed as their own, recasts the civil rights movement as both long and wide, chronologically, geographically, demographically, and substantively. Issues such as citizenship, bilingualism, immigration reform, and labor unionism emerge as pressing concerns. In addition, it demonstrates that religion was integral to how Mexicans and Mexican Americans fought for greater equality. Finally, the shifting alliance between Mexicans, Mexican Americans, the Catholic Church, and the US federal government reveals a robust and little known church-state partnership that directly impacted political change in the 20th century United States.

For L and G, and those who have come before and will come after, refusing to go quietly into the night

Claiming the Cross: How Mexican Americans, Mexican Immigrants, and the Catholic Church Worked to Create a More Inclusive National State, 1923-1986

List of Figures and Illustrations.....iii

List of Tables.....iv

Introduction: From Adversary to Advocate: The US Catholic Church, Mexican Immigrants, and Mexican Americans, 1923-1986.....v

Acknowledgements.....xiv

PART I.....1

Chapter One: Mexican Immigrants, American Catholics: the National Catholic Welfare Conference and the “Mexican Problem”.....2

Chapter Two: “Is it Better to Send them Back?”: the National Catholic Welfare Conference, Mexican Immigration, and the Politics of Exclusion at the US-Mexico Border29

PART II.....61

Chapter Three: Fighting for Hemispheric Solidarity: the National Catholic Welfare Conference and the Quest to Secure Mexican American Employment Rights During World War II62

Chapter Four: A Moral Crusade: the National Catholic Welfare Conference, the Department of Labor, and the Fight to End the Bracero Program92

PART III.....124

Chapter Five: Waging the War on Poverty: Catholic Bishops, the Chicano Movement, and Racial Liberalism in the Great Society125

Chapter Six: Wielding the Cross: How Mexican American Organizations and the Catholic Church Made Immigration Reform a Civil Rights Issue158

Conclusion: A New Era of Exclusion: The United States Conference of Catholic Bishops and the Politics of Immigration190

Bibliography.....193

List of Figures

2.1 Russell Lee, <i>Mexican woman and child, San Antonio, Texas, 1939</i>	40
2.2 Russell Lee, <i>Mexican woman and child in doorway, San Antonio, Texas, 1939</i>	41
2.3 Russell Lee, <i>Young Mexican girl who was playing around relief line in San Antonio, Texas, 1939</i>	44
3.1 1943 poster, “Americans all, let’s fight for victory”/ “Americanos todos, luchamos por la victoria”; artist Leon Helguera.....	66
3.2 Image of Francis Haas being sworn in as FEPC chairman Francis Haas’ swearing in as FEPC chairman.....	82
3.3 Carlos E. Castañeda, 1949.....	84
3.4 “Alonso S. Perales and his wife, Marta, walking on Houston Street in San Antonio”.....	87

List of Tables

1.1 Total number of Americans Claiming Church Membership 1920.....14

6.2 US Border Patrol Apprehensions in the Southwest and Arizona, 1960-1980.....166

Introduction: From Adversary to Advocate: The US Catholic Church, Mexican Immigrants, and Mexican Americans, 1923-1986

In 1986, the United States Catholic Bishops' Committee on Migration wrote, "It is against the common good and unacceptable to have a double society, one visible with rights and one invisible without rights — a voiceless underground of undocumented persons."¹ Amidst a heated battle over immigration reform that culminated in the passage of the Immigration Reform and Control Act, the bishops hoped to pressure Congress to allow undocumented immigrants to gain legal residency. They succeeded. Both the bishops and Congress relied on the expertise of Catholic leaders who served as consultants to the federal government on immigration policy. Following the advice of Father Theodore Hesburgh and others, the new law contained a provision that granted amnesty to undocumented immigrants living in the United States. After Congress passed the new immigration law in 1986, the Immigration and Naturalization Service contracted with several private agencies to assist in processing amnesty applications. Shortly thereafter, Catholic Charities became the largest voluntary agency assisting undocumented immigrants, most of whom were of Mexican descent.²

The federal government's reliance on Catholic organizations in the realm of immigration points to a deeper history of interactions between the US Catholic Church, the federal government, Mexican Americans, and Mexican immigrants. These collaborations have proven enormously fruitful. Organizations such as Catholic Charities not only receive a substantial portion of their budget from federal funds, but also interpret and apply federal laws, imbuing Catholic organizations with state power. Since 1975, the US Department of Health and Human Services and the US Department of State have funded Catholic agencies responsible for providing alien resettlement services in the US. From 2010-2012, for instance, the US Catholic Church and affiliated Catholic social service agencies received more than \$1.5 billion in federal funds for social welfare and migration services. Many of those receiving services were of Mexican descent. Additionally, US Immigration Control and Enforcement (ICE) and its predecessor agencies have regularly paroled detained immigrants to Catholic Social Services and other Catholic organizations since the 1980s.³

State-supported Catholic resources have also provided Mexicans immigrants and their families with a powerful set of protections against coercive state practices. In 1986, for example, when the INS attempted to deny amnesty to a group of otherwise eligible Mexican immigrants,

¹ National Conference of Catholic Bishops, *Together a New People: Pastoral Statement on Migrants and Refugees* (Washington, DC: National Conference of Catholic Bishops, 1986), 10.

² A note about terminology: the term Mexican indicates an individual with Mexican citizenship, while Mexican American denotes a US citizen of Mexican ancestry. I use the terms Mexican descent community and Mexican descent population to denote groupings of people that included both Mexicans and Mexican Americans residing in the United States.

³ Tom Gallagher, "Following the Money from the White House," *The National Catholic Reporter*, <https://www.ncronline.org/blogs/ncr-today/following-money-white-house>; <http://docs.house.gov/meetings/JU/JU01/20150211/102941/HHRG-114-JU01-20150211-SD003.pdf>; <http://www.becketfund.org/wp-content/uploads/2012/08/USCCB-opening-brief.pdf>; "United States Conference of Catholic Bishops and Affiliate: Consolidated Financial statements with Supplemental Schedules, December 31, 2015 and 2014 (With Independent Auditors' Report Thereon)" (<http://www.usccb.org/about/financial-reporting/upload/2015-2014-usccb-consolidated-financial-statements.pdf>), 14; TRAC Immigration, "Detainees Leaving ICE Detention from the Catholic Social Service Refugee Family Center" (<http://trac.syr.edu/immigration/detention/200803/CSSFCAZ/exit/>).

Catholic Social Services sued the federal government on their behalf, and eventually secured a stay of deportation.⁴

“Claiming the Cross: How Mexican Americans, Mexican Immigrants, and the Catholic Church Worked to Create a More Inclusive National State, 1923-1986” examines the shifting relationship between the US Catholic Church, the US federal government, Mexican Americans, and Mexican immigrants. More specifically, “Claiming the Cross” argues that Catholics of Mexican descent promoted a transformation from adversary to advocate in the Church’s relationship between them and the national state. Initially, the Church aligned itself with state actions against Mexican and Mexican American interests. Over time, however, as Catholic officials assumed advisory positions at all levels of the federal government, Mexicans and Mexican Americans leveraged their Catholicism to promote church advocacy on their behalf. This included securing access to federal dollars for social welfare programs that increasingly flowed into the coffers of Catholic organizations as well as winning Catholic support for more immigrant friendly policies.

The relationship between the US Catholic Church, people of Mexican descent, and the US federal government underwent three phases of change during the twentieth century, best understood as (1) adversarial collusion with the federal government, (2) limited advocacy and gradual accommodation, and (3) expanded advocacy reflected in a tempered embrace of immigrant rights. Over the course of the twentieth century, Catholic advocates expanded their notion of rights to include the right to: burial, US residency, fair employment, greater economic equity, space within the Catholic leadership, greater self-determination over federal antipoverty resources, and finally, civil rights for immigrants. Catholic advocates grew in number and power during each of these transitions. During the early twentieth century, Mexicans and Mexican Americans could count only a select number of advocates who stood on the periphery of the Catholic Church. During the mid-twentieth century, some of the most powerful members of the US Catholic hierarchy began to advocate on behalf of Mexicans and Mexican Americans, but they too remained few in number. As Mexican Americans joined the US Catholic hierarchy, Catholic advocacy became driven by Mexican Americans and included a tempered embrace of immigrant rights.

The story of how the US Catholic Church’s relationship with Mexicans and Mexican Americans changed from adversary to advocate is also a story about the hierarchy’s institutional and bureaucratic growth. “Claiming the Cross” opens in 1923 with the creation of the National Catholic Welfare Conference, the representative body of the US Catholic hierarchy, and ends with the passage of the Immigration Reform and Control Act in 1986. The passage of this landmark immigration law coincided with the hierarchy’s tentative embrace of immigrant rights. By the 1980s, the US Catholic hierarchy had become a major stakeholder in US politics. But it did not begin that way. In the 1920s a relatively weak US Catholic Church organized under the leadership of the National Catholic Welfare Conference (NCWC). Beginning in 1923, the NCWC acted as the representative body of the US Catholics. It spoke with the authority of the US bishops and on behalf of all US Catholics. The NCWC’s bureaucracy centralized and channeled Catholic resources – intellectual, financial, spiritual, and political – and held the annual meeting of the US bishops in Washington, DC. Over the next several decades, the NCWC expanded significantly. It cultivated a close working relationship with the US federal

⁴ *Catholic Social Services, Inc. (Centro de Guadalupe Inmigración), et al. vs. Edwin Meese, III, Attorney General*, November 24, 1986, Box 40, Folder 6, Herman Baca Papers, MSS 0649, Special Collections and Archives, University of California, San Diego.

government. NCWC leaders served as top political appointees and federal dollars began to flow into the NCWC's bureau offices.

In 1959, Pope John XXIII called the Second Vatican Council. For a period of three years, from 1962 to 1965, the Catholic Church entered a period of global introspection, as it sought to understand its mission in the postwar world. Bishops from around the world met in Rome. At the end of the council, the NCWC split into two separate agencies: the National Conference of Catholic Bishops and the United States Catholic Conference. The first of these was comprised of committees staffed entirely by bishops, while the second consisted of lay people, clergy, members of religious orders, and the bishops. In 2001, the two organizations were reunified as the United States Conference of Catholic Bishops.⁵

"Claiming the Cross" is organized into three parts. Part one (chapters one and two) focuses on the adversarial nature of the hierarchy's relationship with its Mexican descent members. The politicization of Catholic organizations in the 1920s ran counter to Mexicans' and Mexican Americans' interests. Those Catholic leaders that forayed into immigration politics did so with the intent of restricting Mexican immigration. By the late 1920s, however, a small group of sympathetic allies began to emerge. During the 1930s, a group of insurgents led by Mexican American leaders began pushing the US Catholic hierarchy to use its considerable resources on behalf of Mexican American Catholics and Mexican immigrants. These progressives were a small minority within the NCWC. Their efforts demonstrated the ways in which immigration politics united Mexican Americans and Mexican immigrants beyond the boundaries of citizenship.

Chapter one serves three purposes: 1) it introduces the National Catholic Welfare Conference (NCWC), the representative body of US Catholic hierarchy, and the voice of the bishops in matters of public policy; 2) it establishes NCWC leaders' role in restricting Mexican immigration, beginning in California and expanding throughout the country; and 3) it demonstrates how the early twentieth century Mexican conflicts known as the Cristero Wars helped to solidify the NCWC's position as a political partner to the US federal government.

Chapter two focuses on the NCWC's involvement at the US-Mexico border, which was part of NCWC leaders' effort to create a more equitable society. The appointment of high-ranking Catholic officials to elite federal agencies during the 1930s lent New Deal programs an air of moral authority and legitimacy and paved the way for an enduring partnership between the Catholic hierarchy and the US federal government. The emerging collaboration between members of the NCWC and the FDR administration provided Mexican Americans in the Southwest with a new set of resources for combatting discrimination.

By the time World War II began, the US Catholic leadership had realigned itself with Mexican American organizational interests. Part two (chapters three and four) looks at the coordinated efforts between the federal government, the US Catholic hierarchy, and Mexican American leaders to claim greater citizenship rights for Mexican Americans. These efforts focused primarily on the elimination of employment discrimination and advocacy for policies that would lead to greater economic equality. As Catholic agencies became further politicized in the 1950s, they also became a mediator between the federal government and the Mexican descent population. Catholic leaders emerged as top political consultants on issues impacting Mexicans and Mexican Americans, and Catholic agencies administered various federal welfare programs.

⁵ United States Conference of Catholic Bishops, "A Brief History of the USCCB," <http://www.usccb.org/about/a-brief-history-of-usccb.cfm>.

Chapter three examines the collaborative efforts of Catholic leaders and the federal government to address discrimination against Mexicans and Mexican Americans in wartime employment. The NCWC pursued an end to employment discrimination as part of its larger effort to instill a moral economy during World War II. By protecting the employment and economic rights of racial minorities, NCWC leaders believed that they could ameliorate racial inequality and bring about a new economic order. NCWC leaders served as administrators in the Office for the Coordinator of Inter-American Affairs (OCIAA) and the Fair Employment Practice Committee (FEPC), two federal agencies working to address racial inequality in light of the wartime crisis. Catholic leaders sought to leverage the OCIAA to address regional problems, especially as they related to economic insecurity and racial inequality in the US Southwest. President Roosevelt's appointment of Monsignor Francis Haas as FEPC chairman in 1943 provided an opportunity for Mexican American leaders, such as Carlos E. Castañeda, to leverage their identities as both Catholics and targets of racial discrimination to advance wartime projects that ranged from equal employment opportunities to eliminating employment discrimination.

Chapter four argues that the creation of a church-state-labor coalition in the 1950s led to the end of the Bracero Program in 1964, the largest imported farm labor program in modern US history. The emergence of the Cold War labor-liberal coalition revealed the vibrancy of an economic civil rights activism aimed largely at assisting Mexican American farm workers. This activism also came at an unlikely time from unlikely places—during the climax of the post-Taft-Hartley era and from the Catholic Church and US federal government, a partnership that fused religion and politics together. During the Cold War, Church-state coordination facilitated civil rights activism based on economic equality – the right to collective bargaining, minimum wages, and steady employment – for Mexican American migrant workers. Taken together, the management and end of the Bracero Program demonstrate the degree to which both Church and state actors believed that racial inequality for Mexican Americans could be eliminated by stabilizing the most economically vulnerable segment of the population, migrant workers.

By the 1960s, Mexican American leaders had begun to challenge this mediation. Part three (chapters five and six) examines the transformation of this alliance. Beginning in the mid-1960s, Mexican American Catholics demanded greater self-determination and control over the federal resources channeled through the NCWC. In the post-1975 period, NCWC agencies and Mexican American organizations combined forces to challenge federal practices and policies that undermined Mexicans' and Mexican Americans' political, social and economic inclusion. They also led the way in calling for the protection of undocumented immigrants' civil rights.

Chapter five examines national and regional manifestations of Catholic-sponsored War on Poverty (WOP) programs. The War on Poverty blew open the disconnect between a Catholic language of communalism that emphasized indigenous leadership and equality and the reality of federally funded Catholic social justice programs led and controlled by Anglo-American bishops. During the 1960s, Catholic Social Services (CSS) and the NCWC's Divisions of Rural Life and Poverty Program Coordination became three of the largest nongovernmental recipients of WOP funds. Many young Mexican American leaders strongly opposed Catholic control over these federal resources. Places such as Washington, DC, Los Angeles, and San Antonio became sites of contestation. Mexican American clergy and non-clergy called for greater autonomy over community development programs and challenged the Catholic hierarchy's role as a mediator between the federal government and themselves. These groups protested the continued presence of institutional racism within the confines of the Catholic Church.

Chapter six considers how a national movement led by Mexican American civil rights organizations and the Catholic Church came to fight for immigration reform. This case marked a radical shift in the US Catholic Church's immigration politics and united Mexican American civil rights organizations and the Catholic hierarchy around the shared fight to bring documented and undocumented immigrants alike under the protective umbrella of civil rights legislation.

"Claiming the Cross" integrates Latina/o, religious, immigration, and civil rights history. Indeed, these histories cannot be understood independently of one another. The Mexican American and Mexican Catholics who are the subject of this study drew upon their various identities as Catholics, immigrants, US citizens, and Mexican descent persons to lay competing claims on the state. These claims included, but were not limited to, the right to fair employment opportunities, labor unionism, an end to racial discrimination, greater economic equality, and pathway to documented residency. One of the problems in uncovering the methods Mexicans and Mexican Americans used in their struggle for greater equality and inclusion has been the relative isolation in which various US historiographies exist. Latina/o history, for example, does not really grapple with religion in the post-World War II period, while civil rights and immigration history often fails to assess the role of Catholicism. Similarly, the experience of Mexicans and Mexican Americans, the single largest racial minority group in the United States, is largely absent from the historiography of US religion. Taking each of these historiographies in turn brings the problem into greater relief.

"Claiming the Cross" contributes to a developing perspective of civil rights history that illustrates how Mexican Americans drove civil rights reform. Focusing on Mexican Americans and Mexican immigrants, and the Catholic Church that so many of them claimed as their own, casts the civil rights movement as both long and wide, chronologically, geographically, demographically, and substantively. Issues such as citizenship, bilingualism, immigration reform, and labor unionism emerge as pressing concerns. In addition, this study fills a substantial gap in the Mexican American historiography that has largely ignored religion, by demonstrating that religion was integral to how Mexicans and Mexican Americans fought for greater equality. Finally, the shifting alliance between Mexican immigrants, Mexican Americans, the Catholic Church, and the US federal government reveals a robust and an understudied church-state partnership that directly impacted political change in the twentieth century United States.⁶

⁶ The historiography of the Civil Rights Movement is voluminous and includes Harvard Sitkoff's *The Struggle for Black Equality, 1954-1980*; Charles Payne's, *I've Got the Light of Freedom: the Organizing Tradition and the Mississippi Freedom Struggle*; and Steven F. Lawson's, *Civil Rights Crossroads: Nation Community, and the Black Freedom Struggle*. These historians have portrayed a triumphalist history that casts the civil rights movement primarily as a decade-long struggle to obtain equality for African Americans by overturning state-sponsored segregation in the American South. It begins with the 1954 decision in *Brown v. Board of Education*, which reversed the doctrine of separate but equal, and ends with the passage of civil rights legislation in 1964 and 1965. The historiography of the classic civil rights movement suggests that the central concern for civil rights reformers had to do with obtaining formal legal racial equality.

Numerous historians have sought to revise this powerful narrative, calling into question the timeline, geography, and central concerns of the classic interpretation of the civil rights movement. Chief among these are Thomas Sugrue's *Sweet Land of Liberty: The Forgotten Struggle for Civil Rights in the North*; Robert O. Self's *American Babylon: Race and the Struggle for Postwar Oakland*; and Jacquelyn Dowd Hall landmark article "The Long Civil Rights Movement and the Political Uses of the Past." Sugrue, Self, and Hall argue for a "long" civil rights history that extends beyond the American South to the urban North, and in the case of Self, to the West Coast, and pushes the timeline of civil rights issues back to the New Deal and up to the rise of the New Right. For historians of the long civil rights movement, the key concerns of civil rights activists included not just racial equality, but also economic, social, and political security.

Mexican American history has also downplayed the importance of religion in the building of Mexican American culture and society. Historians have offered different reasons for the field's lack of attention to religion, but perhaps the most convincing is David Gutiérrez's assessment of the relationship between the origins of Chicana/o studies and the early Chicano Movement's rejection of institutional religion, particularly Catholicism. "The adoption of Chicanismo," Gutiérrez writes, "required the rejection not only of the strategy of assimilation...but also of constituted religious authority—particularly that of the Catholic Church."⁷ The early Chicano rejection of institutional authority meant that until the last decade scholarship that did highlight religion focused on devotionism. Yet the work of religious historians demonstrates that when viewed as a central organizing force in individuals' political and social lives, religion can provide a lens into understanding the origins of grassroots movements and their impact on American politics.⁸

More recently, historians of Mexican Americans have begun to highlight the role of religion in the development of political activism and social mobility, particularly during the Chicano era.⁹ These historians have shown that religious institutions often provided institutional

The most recent turn in civil rights historiography calls for a broader – in terms of geography, demographics, and chronology – understanding of the era. Most notably, the work of Mark Brilliant and Shana Bernstein focuses on the ways in which different groups, most notably in California, fought for greater equality and inclusion. At times these groups worked together, while at other times, their individual goals prevented such collaborations.

Howard Sitkoff, *Struggle for Black Equality* (New York: Hill and Wang, 2008, revised edition); Charles Payne, *I've Got the Light of Freedom: The Organizing Tradition and the Mississippi Freedom Struggle* (University of California Press, 2007); Steven F. Lawson, *Civil Rights Crossroads: Nation, Community, and the Black Freedom Struggle* (University of Kentucky Press, 2003); Thomas Sugrue, *Sweet Land of Liberty: The Forgotten Struggle for Civil Rights in the North* (Random House Trade Paperbacks, 2009); Roberto O. Self, *American Babylon: Race and the Struggle for Postwar Oakland* (Princeton University Press, 2010); Jacquelyn Dowd Hall, "The Long Civil Rights Movement and the Political Uses of the Past," *Journal of American History* 91 (2005): 1233-63; Mark Brilliant, "Re-imagining Racial Liberalism," in *Making the American Century: Essays on the Political Culture of Twentieth Century America*, Bruce J. Schulman, ed. (Oxford University Press, 2014); Mark Brilliant, *The Color of America Has Changed: How Racial Diversity Shaped Civil Rights Reform in California, 1941-1978* (Oxford University Press, 2010); Shana Bernstein, *Bridges of Reform: Interracial Civil Rights Activism in Twentieth-Century Los Angeles* (Oxford University Press, 2011).

⁷ David Gutiérrez, "The New Turn in Chicano/Mexicano History: Integrating Religious Belief and Practice," in *Catholics in the American Century: Recasting Narratives of U.S. History*, ed. R. Scott Appleby and Kathleen Sprows Cummings (Cornell University Press, 2012), 113.

⁸ George J. Sánchez' work on Mexican Americans in Los Angeles is a notable exception. George J. Sánchez, *Becoming Mexican American: Ethnicity, Culture and Identity in Chicano Los Angeles, 1900-1945* (Oxford University Press, 1993). See especially "Chapter 7: The Sacred and the Profane: Religious Adaptations," 151-170.

⁹ Gutiérrez, "The New Turn in Chicano/Mexicano History"; David Montejano, *Quixote's Soldiers: A Local History of the Chicano Movement, 1966-1981* (University of Texas Press, 2010); Alan J. Watt, *Farm Workers and the Churches: The Movement in California and Texas* (College Station: Texas A&M University Press, 2010); Mario T. García, *Católicos: Resistance and Affirmation in Chicano Catholic History* (University of Texas Press, 2010).

Notable studies of Latinos and religion include: Ramon Gutiérrez, *When Jesus Came the Corn Mothers Went Away: Marriage, Sexuality, and Power in New Mexico, 1500-1846* (Stanford University Press, 1991); Mario T. García, *Católicos: Resistance and Affirmation in Chicano Catholic History*; Gina Marie Pitti, "To Hear About God in Spanish: Ethnicity, Church, and Community Activism in the San Francisco Archdiocese's Mexican American Colonias, 1942-1965," (PhD Diss, Stanford University, 2003); G. Cristina Mora, "'It's a Calling to Get Involved . . .': The Catholic Charismatic Civic Engagement among Mexican Immigrants," in *Blessing La Polítca: The Latino Religious Experience and Political Engagement in the United States*, eds. Carlos Vargas-Ramos and Anthony M. Stevens-Arroyo (Santa Barbara: ABC-CLIO Press, 2012); Jay P. Dolan and Gilberto Hinojosa, *Mexican Americans and the Catholic Church, 1900-1965* (University of Notre Dame Press, 1993); Timothy Matovina, *Guadalupe and Her Faithful: Latino Catholics in San Antonio From Colonial Origins to the Present*

space for political mobilization and lent social movements intellectual legitimacy by aligning religious principles with the effort to expand civil rights to Mexican Americans.

Historians such as David Chappell and John McGreevy have described the relationship between religion and race in the context of African American civil rights activism. As Chappell and McGreevy note, when viewed as an organizing force in individuals' political and social lives, religion can provide a lens into understanding the origins of grassroots movements and their impact on American politics. "Claiming the Cross" breaks away from this traditional framing to show that religious groups often provided a platform for political mobilization and lent social movements intellectual legitimacy by aligning religious principles with the effort to expand civil rights to Mexicans and Mexican Americans.

On the surface, it would seem that the multi-racial, transnational nature of the Roman Catholic Church would make it an intuitive site for exploring religion's multi-variant encounter with race. However, within the field of US religious history this has not been the case. Historians know far too little about the Catholic Church in the United States. The nation's single largest religious organization remains shrouded in mystery, even in the 21st century.¹⁰ John McGreevy's

(Johns Hopkins University Press, 2005); Jay P. Dolan, ed., *The American Catholic Parish: A History From 1850 to the Present*, vol. 2 (Paulist Press, 1987); George J. Sánchez, *Becoming Mexican American: Ethnicity, Culture and Identity in Chicano Los Angeles, 1900-1945* (Oxford University Press, 1993); Richard Martínez, *PADRES: The National Chicano Priest Movement* (University of Texas Press, 2005); Timothy Matovina and Gary Riebe-Estrella, *SVD, Horizons of the Sacred: Mexican Traditions in US Catholicism* (Cornell University Press, 2002); Jorge Iber, *Hispanics in the Mormon Zion: 1912-1999* (College Station: Texas A&M University Press, 2000); Janette Rodríguez, *Our Lady of Guadalupe: Faith and Empowerment Among Mexican American Women* (University of Texas Press, 1993); Pablo Villa, *Border Identifications: Narratives of Religion, Gender, and Class on the U.S.-Mexico Border* (University of Texas Press, 2005); David A. Badillo, *Latinos and the New Immigrant Church* (Johns Hopkins University Press, 2006); Timothy Matovina, *Latino Catholicism: Transformation in America's Largest Church* (Princeton University Press, 2014).

¹⁰ The Catholic Church is a hierarchical institution. Local churches are referred to as parishes. Parishes are administered by parish priests. Historically, US parishes have been organized one of two ways: territorially or ethnically. Territorial parishes include both the church building and surrounding neighborhood. Although the only the church buildings and immediate property typically belong to an individual parish, the local parish takes responsibility for the moral wellbeing of Catholics in the surrounding neighborhoods. Ethno-racial, or national parishes, as Catholics commonly referred to them until the mid-twentieth century, when they fell out of favor, were organized along national origin lines. In the first half of the twentieth century, this form of parish organization was most common amongst eastern and southern European immigrant communities in urban areas such as Chicago, New York, or Boston. In the US Southwest, these parishes tended to be organized as "Anglo" or "Mexican" parishes. For a discussion of race and Catholic geography, see John McGreevy, *Parish Boundaries: The Catholic Encounter with Race in the Twentieth Century Urban North* (Chicago, IL: Chicago University Press, 1996).

A group of parishes in a single geographic region is organized as a diocese and supervised by a bishop. Bishops exercise direct authority over all clerical officials in a diocese. A diocese in a large metropolitan area is referred to as an archdiocese. Archdioceses are governed by archbishops. Technically, there is no difference between a bishop and an archbishop. An archbishop, however, is often treated as a more senior member of the Catholic hierarchy. A cardinal is an archbishop whom the pope has named to the College of Cardinals. A cardinal exercises all of the same duties as a bishop or archbishop, and has the additional duty of voting for the pope in the event that the governing pope dies or retires.

A collection of dioceses and archdioceses within a single national territory is typically organized under a secretariat or a national conference of bishops. A secretariat acts as an episcopal conference that regularly meets to discuss common concerns or problems, and the coordination of Catholic resources. A national conference of bishops differs from a secretariat in terms of its centralization and bureaucratization. National conferences are most commonly highly centralized and bureaucratized. In the United States, the bishops' conference is incorporated. Its decisions become policy and are binding over all US Catholic clergy. All national conferences and secretariats operate with some amount of autonomy. Ultimately, however, they are governed by the Holy See, which refers to a series of interrelated offices in Rome through which the Pope governs the Catholic Church. For a detailed account of

Parish Boundaries warrants special consideration here, largely because of its substantive impact on historians' understanding of race and religion. McGreevy's limited consideration of Mexicans' and Mexican Americans' religious experiences has been the rule within US religious history, a field that has portrayed the historical experiences of non-white populations as analogous either to that of African Americans or Southern and Eastern European immigrants. Although McGreevy briefly discusses Mexican Americans, it is an ethnically white immigrant group "whose concerns often matched those of European immigrants," a characterization that belies the racialized experiences of people of Mexican descent across time and space. As one historian has written, "generally defined by other Americans as Mexicans," despite their citizenship as Americans, "Mexican Americans' own sense of distinctiveness was constantly reinforced by the discriminatory treatment afforded them."¹¹ Mexican immigrants often shared some of the same concerns as European immigrants, such as language acquisition. However, their experience differed significantly because of Mexico's proximity to the United States. Moreover, the continual, state-sanctioned migration from Mexico, driven in part by a US addiction to underpaid Mexican labor stood in contrast to the dramatic reduction of European immigrants after 1924.

McGreevy attributes the intellectual underpinnings of the Catholic Church's stance on race primarily to the work of John LaFarge and other Church leaders seeking civil rights reform for African Americans during the 1930s and 1940s. But the Church's stance on race was neither constant nor static during the post-WWII period, and its ability to articulate a single vision of race relations varied greatly depending on time and place. Church leaders such as Robert Lucey, John Ryan, Francis Haas, and Raymond McGowan—located in Texas and Washington, DC—identified immigration reform, bilingual education, and laborers' ability to unionize as key civil rights issues during the 1940s and 1950s.

Moreover, these religious leaders saw places like San Antonio, Texas and Los Angeles, California as hotbeds of racial tension similar to Chicago or Detroit. By 1940, the National Catholic Welfare, named economic security, which it saw as key to solving racial inequality, as the most pressing civil rights issue in the United States. Furthermore, by the 1940s, the Catholic conversation on race included not just African Americans and ethnic whites, but also Mexican Americans, Puerto Ricans, and others. By drawing upon the experiences of Mexican Americans "Claiming the Cross" reorients civil rights era historiography geographically – westward – as well as substantively with regard to race and citizenship status.

"Claiming the Cross" challenges conventional understandings of Catholicism's role in twentieth century immigration. Historians have approached the question religion and immigration as it pertains to Catholicism from the perspective of religiosity and institutional accommodation. "Claiming the Cross," however, reveals that the US Catholic hierarchy worked, at times with great success, to shape US immigration policy and the experience of immigrants in the United States. Their efforts rendered Mexicans and Mexican Americans legible, or recognizable as a diverse population, to the state. In addition, "Claiming the Cross" draws attention to the experience of Mexican immigrants in the post-1965 period – a period of immigration that is still not well understood. During the post-1965 period, the US Catholic

the Catholic Church's organization, see Thomas J. Reese, SJ, *Inside the Vatican: The Politics and Organization of the Catholic Church* (Harvard University press, 1998).

¹¹ McGreevy, *Parish Boundaries*, 105; Gutiérrez, *Walls and Mirrors*, 7.

hierarchy began to embrace and defend the immigrants' civil rights, eventually emerging as one of the most powerful allies to Mexican immigrants.¹²

Few historians have noted the role of the religious organizations as a mediator between marginalized groups such as people of Mexican descent and the failure of the state to secure these rights for them. Most often they discuss religious institutions as political actors who worked alongside or against racial coalitions that came of age in the civil rights era. However, the Church's role as a mediator between the state and marginalized groups, in the ways described here, is still largely understudied. "Claiming the Cross," as a study of the interplay between the state, the Catholic Church, Mexican immigrants, and Mexican Americans, from 1923-1986, provides a comprehensive and much-needed analysis of how religion, race, immigration, and social movements shaped twentieth-century American politics.

"Claiming the Cross" closely examines the political actions of the US Catholic hierarchy, a leadership body most commonly referred to as the bishops' conference. First organized during World War I, the conference underwent a series of changes in name and organization over the course of the twentieth century. What has remained constant, however, is the organization's role in representing both the US bishops and serving as the voice of US Catholics. In short, the bishops' conference is the US Catholic Church.

This is not a story about religiosity, spirituality, or lived religion. Other historians have written extensively about Catholics' multi-ethno-racial religiosity. The individuals in this story acted in the ways in which they did for a variety of complex reasons, sometimes religious and sometimes not. Moments of doctrinal change shaped new political courses of action for various Catholics. Those moments of change are examined in this study not for their religious or theological meaning, but for their political implications for the relationship between the US Catholic Church, Mexican immigrants, Mexican Americans, and the US federal government.

"Claiming the Cross," then, explores how a newly expanded federal state partnered with religious institutions beginning in the New Deal to address issues of race, immigration, and civil rights. The failure to fully secure the promises of the New Deal for groups such as African Americans and Mexican Americans left racial liberals with the task of obtaining not just racial equality, but also economic, social, and political security.¹³ That task continued throughout the twentieth century. This is a story about how the nation's most powerful religious institution became an advocate for the nation's fastest growing minority group and how that group fought for, and at times won, greater equality within the Church and American society. It is also a story about inclusion, legibility, and ultimately, what it meant to become American.

¹² Robert Orsi, *The Madonna of 115th Street: Faith and Community in Italian Harlem, 1880-1950* (Yale University Press, 1988); James T. Fisher, *A Communion of Immigrants: A History of Catholics in America* (Oxford University Press, 2002); John McGreevy, *Parish Boundaries*; Mae M. Ngai, *Impossible Subjects: Illegal Aliens and the Making of Modern America* (Princeton University Press, 2004); Thomas A. Guglielmo, *White on Arrival: Italians, Race, Color, and Power in Chicago, 1890-1945* (Oxford University Press, 2003); Jon Gjerde and S. Deborah Kang (ed.), *Catholicism and the Shaping of Nineteenth-Century America* (Cambridge University Press, 2012); Thomas Tweed, *Our Lady of the Exile*; S. Deborah Kang, *The INS on the Line: The Making of the US-Mexico Border, 1917-1954* (Oxford University Press, 2017); Kelly Lytle-Hernández, *Migra!: A History of the US Border Patrol* (University of California Press, 2010); David Gutiérrez, *Walls and Mirrors*; Natalia Molina, *How Race is Made in America: Immigration, Citizenship, and the Historical Power of Racial Scripts* (University of California Press, 2014); John Bodnar, *The Transplanted: A History of Immigrants in Urban America* (Indiana University Press, 1987).

¹³ Mark Brilliant, "Re-imagining Racial Liberalism," in *Making the American Century: Essays on the Political Culture of Twentieth Century America*, Bruce J. Schulman, ed. (Oxford University Press, 2014), 229.

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Part I

Chapter One: Mexican Immigrants, American Catholics: The National Catholic Welfare Conference and the “Mexican Problem”

In 1948, social commentator Carey McWilliams accused the US Catholic Church of adopting a long-standing “policy of religious nationalism and exclusiveness” that isolated Mexicans.¹ “The Mexican Problem,” McWilliams noted, “has always been defined in terms of the consequences of Mexican immigration.”² McWilliams wrote about the so-called Mexican Problem as a small part of his larger work on the history of Spanish-speaking people in the United States. *North from Mexico* became one of the first monograph-length texts to address the structural sources of inequity that plagued Mexican descent communities. Instead of pathologizing the population, McWilliams, with his characteristic clear-sightedness, understood that traditional recipes of rapid assimilation would not work for Mexican immigrants. He looked beyond the social consequences of so-called Mexican inferiority and examined the historical set of “cultural, economic, geographical, and social forces,” that resulted in nearly a century of conflict in “Anglo-Hispano relations.”³ He especially criticized the failed efforts of Progressive Era social work amongst the population. Unfortunately, most Americans lacked McWilliams’ ability to understand the complex causes of social and political inequity. Instead, they blamed Mexican immigrants’ biological inferiority. Just as many other Progressive Era social advocates blamed the failure to assimilate on Mexicans’ inherent undesirability, so, too, did Catholic leaders fall prey to the practice of casting Mexican immigrants as racially inferior.

On its face, the lack of Catholic advocacy on behalf of Mexican immigrants in the first decades of the twentieth century certainly seemed to support McWilliams’ claim. The US Catholic Church struggled to establish itself as an institution compatible with American values in the 1910s and 1920s, a period of extreme anti-Catholicism. During this period, the nation shifted rightward towards nativism and social and political conservatism. Racial violence, scientific racism, immigration restriction, mobbism, the Red Scare, and the Ku Klux Klan defined the fifteen years between World War I and the Great Depression. During the 1910s and 1920s, the very notion of what it meant to be American was in flux. Leading social reform activists in the late Progressive Era identified many of the nation’s social ills: entrenched ethnic enclaves, crime, a perceived decline in American biological supremacy, violence, political corruption, illiteracy, and poverty with the waves of Jewish and Catholic immigrants who entered the US between the 1890s and 1910s. The writings of intellectuals such as Madison Grant fed these anxieties.⁴

¹ Carey McWilliams, *North From Mexico: The Spanish-Speaking People of the United States*, (reprinted by Praeger Press, 1990), 245-246.

² *Ibid.*, 188.

³ *Ibid.*, 189, 199.

⁴ For further discussion on Progressive Era reform as it pertained to immigration see: Cybelle Fox, *Three Worlds of Relief: Race Immigration, and the American Welfare State from the Progressive Era to the New Deal* (Princeton University Press, 2012); Thomas A. Guglielmo, *White on Arrival: Italians, Race, Color, and Power in Chicago, 1890-1945* (Oxford University Press, 2003); Mae Ngai, *Impossible Subjects: Illegal Aliens and the Making of Modern America* (Princeton University Press, 2004); George J. Sánchez, *Becoming Mexican American: Ethnicity, Culture and Identity in Chicano Los Angeles, 1900-1945* (Oxford University Press, 1993), see especially “Chapter 4: Americanization and the Mexican Immigrant,” and “Chapter 7: The Sacred and the Profane: Religious Adaptations”; Gary Gerstle, *American Crucible: Race and Nation in the Twentieth Century* (Princeton University Press, 2001); Matthew Frye Jacobson, *Whiteness of a Different Color: European Immigrants and the Alchemy of Race* (Harvard University Press, 1999); Christina A. Ziegler-McPherson, *Americanization in the States: Immigration Social*

In response to Progressive Era anti-Catholicism, the US Catholic hierarchy created the National Catholic Welfare Conference (NCWC) as an organizational body to represent Catholics across the nation. Early leaders within the organization hoped to convince the American public and politicians that the Catholic Church held strong and fast to democratic values. In so doing, NCWC leaders attempted to redefine what it meant to be an American Catholic. They created an ideal Catholic citizen, one who participated in the political process, spoke English, whose religious identity was beyond reproach, and who seamlessly assimilated into US society. But the conference split over the issue of Mexican immigrants. Those in the NCWC, such as Bruce Mohler, attempted to apply the same assimilationist logic to Mexican immigrants. They argued that given the opportunity, Mexicans could become good American Catholics. Others, such as San Francisco Archbishop Edward Hanna, who held significant power within the NCWC, believed that Mexicans would never be able to assimilate in the same way that Irish or Italian Catholics might. Mohler and a handful of other advocates sought to defend all Catholics against anti-Catholic sentiments, while Hanna and his supporters sought to protect Euro-American Catholics by distancing the NCWC from Mexican immigrants.

By the 1910s, social critics wrote with increasing alarm that a “Mexican Problem” threatened to destabilize American democracy. Catholics were among the first to identify the Mexican Problem as a threat. Throughout the decade, various Catholic leaders pushed for a ban on Mexican immigration, arguing that Mexicans were biologically inferior and unassimilable. They condemned Mexican immigration as a blight on American society. Rather than encouraging Mexican immigrants to remain in the United States, one advisor to the Catholic bishops, William Montavon wrote, the greatest service Catholics in the US might render to Mexicans lay in “the assistance we might give to the Bishops of Mexico in their efforts to train priests.” Such efforts would ensure that Mexicans returned home and that they returned as proper Catholics.⁵

Focusing first on the organization of US Catholic Church in the 1910s and 1920s, and its interactions with previous waves of Catholic immigrants, and then on the NCWC’s role in Cristero War helps to explain the Catholic shift on Mexican immigration. In the early 1920s, many clergymen and NCWC leaders identified Mexicans and Mexican Americans as racially and religiously inferior. The NCWC’s primary interest in the population was tied to fears of Protestant proselytization and the troubled political status of the Catholic Church in Mexico. Yet even within an institution dominated by an Americanization project aimed at European immigrants, a handful of sympathetic allies emerged, creating a conflict within the NCWC. While some NCWC leaders pursued a ban on Mexican immigration, others actively advocated on behalf of immigrants. The NCWC’s immigration politics remained in flux and contested as violence erupted in Mexico and seeped across the border in the 1920s. During the Cristero War (1926-29), even the US Catholic hierarchy’s most ardent nativists called for aiding their co-religionists by offering temporary refuge in the US. NCWC leaders pressed the federal government to bring an end to the violence in Mexico, violence they believed stemmed from religious persecution.⁶

Welfare Policy, Citizenship, and National Identity in the United States, 1908-1909 (University Press of Florida, 2009).

⁵ William Montavon to Thomas Mahony, May 12, 1928, Box 27, Folder 5, Thomas F. Mahony Papers (MAH), University of Notre Dame Archives (UNDA), Notre Dame, IN, (hereafter Mahony Papers).

⁶ Julia Young, *Mexican Exodus: Emigrants, Exiles, and Refugees of the Cristero War* (Oxford University Press, 2015).

Aiding Catholic refugees and political asylum seekers in the 1920s tested the fledgling NCWC's cohesiveness as a religious organization. By the late 1920s, a small group of immigration advocates had begun to disrupt the NCWC's stance on Mexican immigration. These sympathetic allies began to shift Catholic racialization of people of Mexican descent away from biological explanations of inferiority and towards structural explanations of social and political inequality, such as limited educational opportunities, under employment, and economic and racial discrimination. The chord these allies struck was far from sophisticated or stable by 21st century standards. At times, they, like many other Progressive Era reformers, fell into bio-medical explanations of social inequality.

McWilliams' assessment of the US Catholic Church's institutional failure to assist people of Mexican descent would certainly would have resonated with the individual leaders within the NCWC, who advocated on behalf of the Mexican descent population. If Catholic efforts at addressing the tremendous problems facing Spanish-speaking people in the 1920s were less than desirable, they stood in sharp contrast with later efforts at addressing issues such as substandard housing, discriminatory immigration practices, and migrant labor unionism. By 1929, local Catholic leaders would begin a sustained protest against the forced removal of Mexicans and Mexican Americans United States. A small, but vocal minority of Catholic leaders hoped to steer the Catholic Church away from a path of Mexican exclusion, and towards a path of gradual accommodation within the Catholic flock.

Creating the National Catholic Welfare Conference

Today, the US Catholic Church is organized nationally under what is referred to as an episcopal conference, or an assembly of bishops. In the United States, this conference is known as the United States Conference of Catholic Bishops (USCCB). Its jurisdiction covers the territory of the US. All bishops in the US are members of the conference. The conference oversees the pastoral care of Catholics in the US and also serves as an official Catholic lobby. Doctrinal statements issued by the conference must have unanimous approval or a two-thirds majority and the Pope's approval. These statements are binding and have the effect of creating official policy within the Church. This has not always been the case.⁷

In the early 1910s, the US Catholic Church existed as a cohesive organization only in the minds of a handful of visionaries. These visionaries hoped to establish a national organization that might oversee all Catholic activity in the United States. For the most part, Catholic bishops governed their dioceses autonomously, religious princes subservient only to the Pope and God. Groups of bishops in different regions occasionally met to discuss common issues, but aside from a handful of meetings called in the 19th century, the bishops rarely came together in national meetings.

In 1917, the US Catholic bishops met for the first time in more than twenty-five years. The crisis of World War I generated a set of shared concerns that drew the bishops together. In August, just over half of the nation's prelates met in Washington, DC. As a result of the meeting, the bishops formed the National Catholic War Council. The council would, in the words of one historian, "study, coordinate, unify and put in operation all Catholic activities incidental to the

⁷ "Mission Statement of the United States Conference of Catholic Bishops," <http://www.usccb.org/about/mission-statement.cfm>; "About the USCCB," <http://www.usccb.org/about/>; Francis A. Sullivan, SJ, "The Teaching Authority of Episcopal Conferences," *Theological Studies*, 63 (2002), 472-475.

war.”⁸ Most importantly, the council meant to act as a Catholic liaison to the US federal government. By creating a national body that could coordinate with federal agencies, Catholic leaders hoped to influence policies regarding issues such as immigration, education, and prohibition that directly impacted Catholics.⁹

In 1919, the National Catholic War Council transitioned into a peacetime body. With Pope Benedict XV’s initial blessing, the bishops created the National Catholic Welfare Council. The new organization hoped to use its presence as public voice of Catholics in the US and as a Catholic lobby agent in DC. Although the bishops and the council were subservient to the Pope, they operated with a great deal of autonomy. The council had the ability to set national policies or programs for the Catholic Church but each bishop had the freedom to take individual action. To fund the new organization, the bishops agreed that each diocese would send annual contributions to continue funding the council as a way of contributing to a unified national Catholic institution.¹⁰

The agreement led to a significant conflict between the nation’s bishops. William Cardinal O’Connell and future Dennis Cardinal Dougherty, easily two of the most influential clergymen in the United States, declared open war on the council. Both men were close to the papacy, often advising the Vatican on matters related to the United States. O’Connell and Dougherty feared that their dioceses, two of the wealthiest in the nation would become financially responsible for their poorer counterparts. They also saw the council as a threat to their influence with Rome. O’Connell felt especially threatened by the council. At the time of the council’s creation, James Cardinal Gibbons generally served as the spokesman for the US Catholic Church. O’Connell was directly in line to succeed the aging Gibbons and he looked forward to becoming the leading US prelate.

A question over who could and who should speak for the Church lay at the core of the debates surrounding the creation of council. Independent Catholic organizations, such as the Knights of Columbus, also vied with the council for control over Catholic resources. The O’Connell-Dougherty faction feared that the NCWC circumscribed each bishop’s autonomy. They worried that the council’s decisions would not be binding, and if they were, then they might supersede an individual bishop’s decisions regarding his own diocese. Moreover, they worried about the growing power of the council’s Administrative Committee.¹¹

The Administrative Committee consisted of seven bishops who oversaw the council’s work. The committee met four times a year to determine the new council’s direction. The council’s Administrative Committee created five bureau offices: education, legislation, social action, lay organizations, and press and publicity, and appointed a bishop to head each office. Department heads were tasked with the duty of overseeing their individual department and occasionally coordinating their efforts with the federal government. The council also reaffirmed the Administrative Committee whose goal it was to channel the collective concerns of the

⁸ Richard Gribble, *An Archbishop for the People: The Life of Edward J. Hanna* (New York: Paulist Press, 2006), 166; Douglas J. Slawson, *The Foundation and First Decade of the National Catholic Welfare Council* (Washington, DC: The Catholic University of America Press, 1992), 26-29.

⁹ “Letter from Bishop William Russell, Bishop of Charleston, South Carolina to all Archbishops,” *American Catholic History Classroom*, accessed April 30, 2016, <http://cuomeka.wrlc.org/items/show/165>.

¹⁰ Douglas Slawson, “The National Catholic Welfare Conference and the Mexican Church-State Conflict of the Mid-1930s: A Case of *Déjà Vu*,” *The Catholic Historical Review*, vol. 80, no. 1 (January 1994), 58-96, stable URL: <http://www.jstor.org/stable/25024204>, 58;.

¹¹ Slawson, *The Foundation and First Decade*, 65.

bishops. It also appointed a general secretary to speak publicly on behalf of the council and to coordinate directly with the Administrative Committee.¹²

The council nominated San Francisco Archbishop, Edward J. Hanna as administrative chairman. Born to a wealthy family in Rochester, NY in 1860, and eventually educated in Rome, Hanna took an early interest in the creation of a national Catholic Church in the United States. Hanna envisioned an episcopal conference that could coordinate Catholic evangelical efforts nationwide. He believed that the nature of church governance, left as it was to individual bishops, weakened the entire Catholic enterprise. After his ventures into Church politics cost Hanna an initial appointment as San Francisco auxiliary bishop in 1908, he softened his approach. Four years later he received a new appointment as coadjutor bishop to San Francisco. Once he assumed full responsibility of the archdiocese in 1914, Hanna resumed his efforts to create a US-based Catholic conference that could coordinate Catholic endeavors nationwide.¹³

The council's newly appointed general secretary, Reverend John Burke, shared Hanna's enthusiasm. At the time of his appointment, Burke edited *The Catholic World*, a Catholic publication with an international readership. *The Catholic World* condemned the strict separation of the church and state. As editor of the *World*, Burke embraced a worldview that sought to create a sphere of Catholic political influence that drew the council and the US federal government closer together. Ideally, Burke believed, a nationally organized Catholic council would be able to prevent American society from becoming "a mass of moral rotteness and corruption" by pursuing a cohesive legislative platform that would help guide Americans towards a higher moral order.¹⁴ Burke feared that without an organized Catholic body in the nation's capital, the federal government would fall to Protestant forces. The Federal Council of Churches (FCC), a Protestant ecumenical organization headquartered in downtown Washington vastly out powered the fledgling National Catholic Welfare Council.¹⁵ Burke warned that if the Catholic Welfare Council did not retain its Washington post, the FCC would be "the sole voice of its kind in the national capitol."¹⁶

The pamphlet did not reassure the O'Connell-Dougherty faction. In 1922, Cardinals O'Connell and Dougherty, both of whom the council had ignored as best it could, seized an opportunity to shut the organization down. Initially, the hierarchy had elected Dougherty as chairman of the Department of Laws and Legislation. He quickly resigned in protest of the council's continued existence. Council representatives had, Dougherty criticized, "published utterances in the names of the hierarchy without consulting the bishops." They had also "uttered doctrines which I, for one, would not subscribe to." Simply put, the O'Connell-Dougherty faction refused to accept the council as the hierarchy.¹⁷

¹² Slawson, "The National Catholic Welfare Conference," 58; Gribble, *An Archbishop for the People*, 166-168.

¹³ Gribble, *An Archbishop for the People*, 10-12, 17, 33-35, 55-65.

¹⁴ Orestes Brownson, "Church and State," *Catholic World*, vol. 11, no. 62, (May 1870, 145-160), 146.

¹⁵ Slawson, *The Foundation and First Decade*, 70-71.

¹⁶ John Burke, "Memorandum on National Committee," nd as quoted in Slawson, *The Foundation and First Decade*, 70.

¹⁷ "The NCWC Explained," 1921, Box 28, Folder 4, Bruce Mohler Papers, The American Catholic History Research Center and University Archives, Catholic University of America, Washington, DC, (hereafter Mohler Papers); "Letter from Bishop William Russell, Bishop of Charleston, South Carolina to all Archbishops," *American Catholic History Classroom*, accessed April 30, 2016, <http://cuomeka.wrlc.org/items/show/165>; Slawson, *The Foundation and First Decade*, 124.

The conflict, which had simmered along for nearly three years, reached a boiling point in January 1922, when Pope Benedict XV died, creating a power vacuum within the Vatican. O'Connell left for Rome immediately. He arrived in Rome the day after the conclave elected a new pope. Nevertheless, O'Connell resolved to remain in Rome, currying political favor with the new pontifical administration.

O'Connell's work paid off. On March 22, the newly elected Pope Pius XI issued each US bishop a decree of suppression and instructed the bishops to dissolve the National Catholic Welfare Council immediately. The letter was nothing short of a stop and desist order. Only the Pope, Pius XI sternly warned, had the authority to call a council, which implied a direct organizational tie to Rome. The US bishops' creation of the National Catholic Welfare Council, then, usurped the Pope's authority. In contrast, a national conference was technically a voluntary organization with no direct tie to Rome. The Pope, however, still exercised authority over the conference's members.¹⁸

The council technically disbanded in 1922, but the Administrative Committee continued to meet in secret. The bishops wondered how to create a new administrative body without inciting papal wrath. In April, Archbishop Michael Curley, a member of the Administrative Committee gave an interview to the *Baltimore Sun*. Curley reported that the Vatican had not suppressed the council. Instead, the pope's decree had merely confirmed the US bishops' own decision to dissolve the council. According to Curley's fiction, in fact, the bishops, with the previous pope's approval, had organized the council to address the issue of postwar reconstruction. Now that international peace reigned, each bishop could go back to managing the social welfare of his individual diocese. Curley's story created the appearance of Catholic unity both in the United States and between the US and the Vatican. It also bought the Administrative Committee time to appeal the suppression.¹⁹

The fight moved to Rome. Deep inside the Vatican, two political factions fought over the fate of the US Church. One faction, led by the previous pope's secretary of state, sought a strong international policy, while the other, led by Pius XI's new secretary of state, wanted the Church to focus on its spiritual mission. O'Connell's position, however, had been weakened by the fact that he was deeply disliked by many of his fellow prelates and by a family scandal. The council's supporters were victorious. After months of political maneuvering, the former National Catholic Welfare Council re-emerged as the National Catholic Welfare Conference (NCWC).²⁰

Like its predecessor, the conference contained an administrative board and the standing secretariat. The NCWC also retained the respective departments that had existed under the National Catholic Welfare Council, except the Bureau of Education, which had been replaced by the Bureau of Immigration in 1920. All US bishops belonged to the NCWC. They were to meet at the annual NCWC meeting. The NCWC kept its headquarters in Washington to better register its interests with Congress and the sitting presidential administration. From the late 1920s on, the conference acted as the representative body of US bishops, and also served as the public voice of US Catholics and an agent of "the Church's public interests" in the United States, making it the official voice of the Catholic Church in the United States.²¹

¹⁸ Gribble, *An Archbishop for the People*, 177.

¹⁹ Slawson, *The Foundation and First Decade*, 177.

²⁰ *Ibid.*, 124-129.

²¹ Douglas Slawson, "The National Catholic Welfare Conference," 58. In 1966, the conference split into two conferences, one representing the laity and the other the clergy. In 2001, the conference reunified under its current name, the United States Conference of Catholic Bishops.

Early on, the council suffered from poor organization and infighting. Many of the bishops refused to support the council, citing poor administrative leadership. Dougherty and O’Connell continued to dispute the NCWC’s authority. The various departments sent out unauthorized public statements. John Ryan, the assistant director of the Social Action Department, sent out an “official statement” on Catholic social justice and the importance of an open shop in labor unions. Such statements infuriated the administrative committee. Even amongst themselves, the bishops could not agree on matters such as labor unionism, to say nothing of immigration legislation. In protest, many bishops simply withheld their annual payments, threatening to drive the council into financial extinction.²²

To win over some of the more undecided bishops, Burke and Hanna released a pamphlet, “The NCWC Explained,” in 1921. The two men hoped to use the publication as a way of demonstrating the importance of an organization that could represent the national hierarchy. In it, they reminded the prelates that nearly 20 million Catholics lived in the United States, a number that expanded daily as new immigrants arrived. The council had transferred the executive department over from the wartime council. The NCWC pamphlet reminded the US bishops that the executive department kept in “personal touch with the officials of the Government,” providing a channel of communication between the two bodies and reminding the government of “matters that affect Catholic interests and Catholic rights.”²³ In essence, the executive department served as a Catholic lobby in Washington. Aside from a more relaxed immigration policy, those interests were not yet clearly defined.

The NCWC and Immigration

Despite internal fighting over the future of the National Catholic Welfare Council, the bishops had agreed, almost unanimously on the importance of a strong Catholic presence in the field of immigration. The council established its own Bureau of Immigration, an office dedicated to assisting immigrants regardless of their religious affiliation or national origin. In 1919, the council’s General Secretary, John Burke, reached out to a young Red Cross worker named Bruce Mohler who was stationed in Poland. Burke hoped to convince Mohler to direct the Immigration Bureau. Burke encouraged the engineer to stop by the council’s Washington, DC office before returning to Minnesota. A graduate of Ohio University and former deputy commissioner of the American Red Cross in Poland, Mohler brought with him more than a decade of experience in immigrant relief programs.²⁴ The priest desperately wanted Mohler to direct the Bureau but Mohler politely declined. After much persuasion, Mohler finally agreed to take the job, but “only for six months,” after which time he insisted that he would be returning to Minnesota. Burke smiled and quietly whispered “not necessarily.”²⁵

²² Gribble, *An Archbishop for the People*, 170; Slawson, *The Foundation and First Decade*, 231.

²³ “The NCWC Explained,” (Washington, DC: National Capitol Press, Inc., 1921), 8, Box 28, Folder 4, Mohler Papers.

²⁴ “Welfare Council Selects Director of Immigration,” *NCWC News Service*, December 27, 1920, Box 27, Folder 11, Mohler Papers.

²⁵ “Resume of Conference Called by Father Burke to Consider the Immigration Problem,” November 10, 1920,” *American Catholic History Classroom*, <http://cuomeka.wrlc.org/items/show/483>; as quoted in Marjorie Sánchez-Walker, *Migration Quicksand: Immigration Law and Immigration Advocates at the El Paso-Ciudad Juárez Border Crossing, 1933-1941* (Ph.D. diss., Washington State University, 1999), 22.

Headquartered in Washington, DC, with field offices in New York and Philadelphia, the Bureau opened a new El Paso office in 1923. The NCWC tasked the field offices with assisting immigrants of all religious faiths and national origins with the immigration process. The field offices also provided small loans to help immigrants with the costs of entering the United States. Mohler anticipated nothing less than the best from his field office directors. He expected his staff to submit monthly reports on their activities. Operation costs were to remain under budget, a gesture to the NCWC's precarious financial situation. Client cases were to be handled efficiently and with a great deal of care. Field offices followed their clients to their final destinations, working with local diocesan officials to make sure that immigrants arrived with their Catholic faith intact. Most importantly, Mohler expected his field directors to maintain cordial working relations with all government officials.²⁶

For its part, the US federal government recognized the council as the Catholic hierarchy's official representative. When Secretary John Burke wrote to Immigration Commissioner General William Husband in 1921, it was as the hierarchy's agent, and Husband never questioned Burke's authority. Burke asked Husband to recognize the hierarchy's own immigration bureau as the representative of the Catholic Church in all matters related to immigration. Husband agreed to do it. A few months later, the Harding administration invited the Immigration Bureau to hold a seat on the General Committee for Immigrants' Aid at Ellis Island and the Organizing Committee of the National Conference on Immigration Policy.²⁷ The Immigration Bureau, more than any other NCWC office, provided an initial opportunity for the NCWC to collaborate with the federal government.

The years of conflict surrounding the NCWC's creation came at a high price, having inhibited the NCWC from entering the debates surrounding immigration policy in the 1910s. While the hierarchy deliberated whether an administrative body could represent its interests, Protestant leaders had already established national organizations that worked with the Department of Labor to aid immigrants. The late arrival left NCWC leaders with substantial ground to make up in the race to claim a spot as the country's preeminent immigrant welfare agency. When policymakers in Washington began discussing how to restrict the number of Southern and Eastern Europeans from entering the US in the early 1920s, the NCWC finally began to register an immigration policy agenda, albeit a contested one. Bruce Mohler stepped in as the NCWC's representative in 1920, but the Administrative Committee, and particularly Archbishop Hanna were not prepared to let Mohler have the last word on immigration policy.

Although the bishops did not generally favor unlimited immigration, they protested the rising national legislation aimed at restricting immigration. Social Darwinism and nativism, they feared, stimulated calls for immigration restriction aimed at the largely Catholic and Jewish arrivals from Southern and Eastern Europe. More generally, the Catholics in the early 20th century created a variety of immigrant aid societies aimed at addressing the needs of specific ethnic groups. The St. Raphael's Society for German immigrants, the Mission of Our Lady of the Rosary for the Protection of Irish Immigrant Girls, and the American Federation of Catholic Societies, for instance, all attempted to aid immigrants. At the same time, these groups tended to

²⁶ Slawson, *The Foundation and First Decade*, 75.

²⁷ "Letter from John Burke to W. W. Husband, March 29, 1921," *American Catholic History Classroom*, accessed December 11, 2015, <http://cuomeka.wrlc.org/items/show/487>; "John Burke, "Immediate Steps to be Taken," NCWC Memo, December 18, 1920," *American Catholic History Classroom*, accessed December 11, 2015, <http://cuomeka.wrlc.org/items/show/486>; "Letter from Rev. John O'Grady to Rev. Mgr. M.J. Splaine, October 9, 1918," *American Catholic History Classroom*, accessed April 30, 2016, <http://cuomeka.wrlc.org/items/show/163>; Slawson, *The Foundation and First Decade*, 142.

adopt a model of Americanization. These organizations defended immigrant rights, but they also insisted that immigrants learn English, apply for citizenship, and participate in civic affairs. By sponsoring Americanization programs, the bishops hoped to allay fears that Catholicism undermined the democratic process.²⁸

The NCWC faced two major challenges. First, the number of immigrants from Southern and Eastern Europe climbed dramatically from the 1860s through the 1910s. The vast majority of these immigrants identified as Catholics, making their transition to the US a matter of great importance for the US clergy. Most of these newly arrived Catholics settled along the East Coast, the Upper Midwest, or in burgeoning western cities such as San Francisco. In addition to the influx of new Catholics from Europe, by the 1880s, Mexican immigrants began joining the stream of Catholics relocating to the US.

The Question of Mexican Immigration and the US Catholic Church

The injection of US capital into Mexico by way of railroads, mining, and other industries linked the two countries economically. It also facilitated an increase in immigration as Mexicans followed the railroads north for work. The movement was made easier by the fact that relatively few laws regulated Mexican immigration. Entering the United States entailed little more than crossing an almost imaginary boundary line. The nature of Mexican immigration changed in the 1910s as the Mexican Revolution raged. Political refugees joined the thousands of labors moving north.²⁹

Americanization programs for European immigrants in cities such as Chicago and New York defined the path of assimilation for Mexicans in cities such as Los Angeles or El Paso. Social workers, religious leaders, politicians, and educators all characterized Mexican immigrants the latest wave in a longer tide of immigration. Most individuals involved in immigration work initially expected Mexican immigrants to achieve the benchmarks of Americanism: political and civic enfranchisement, upward socio-economic mobility, and English language literacy in short order.

Mexican immigrants however, failed to conform to their expectations. Few became US citizens, which in many states left them with little political power or opportunities to vote. In cases where Mexicans pursued US citizenship, they often found that their new passport did nothing to stem the rising tide of anti-Mexican discrimination. The problem, as social commentator Carey McWilliams would later point out, was that Mexican immigration was in fact quite different than European immigration.³⁰ Their status within the United States was technically guaranteed by multiple treaties between the US and Mexico. The geographic proximity of the US to Mexico and US demand for an inexhaustible supply of cheap labor meant that it was the need for labor in the US Southwest, not policies created in Washington, that determined the politics of border crossing.³¹

²⁸ Gribble, *An Archbishop for the People*, 190-191.

²⁹ David Gutiérrez, *Walls and Mirrors*, 40-45; Gilbert G. Gonzalez, "Mexican Labor Migration, 1876-1924," in *Beyond La Frontera: The History of Mexico-US Migration* (Oxford University Press, 2011), 37-43; David Montejano, *Anglos and Mexicans in the Making of Texas, 1836-1986* (University of Texas Press, 1986).

³⁰ Ariel F. Arredondo, *Mexican Chicago: Race, Identity, and Nation, 1921-1939* (University of Illinois Press, 2008), 81-83; Carey McWilliams, *North From Mexico*, 188.

³¹ George I. Sánchez, *Becoming Mexican American*, 51.

By 1917, hundreds of Mexicans poured into US border cities daily, fleeing the Mexican Revolution. Catholic leaders waited for the US federal government to take the lead in addressing the rising number of border entries. They sought to allay fears of US Catholics by noting that these political refugees were but temporary visitors. Nevertheless, as the conflict in Mexico spilled over the border and new immigrants streamed into the US, residents throughout the Southwest began pressing Congress for an end to the unrestricted movement of Mexicans into the United States. Congress responded to these calls and others by passing the 1917 Immigration Act.³²

In addition to banning the immigration of Asian Indians and others from the “Asiatic zone,” the 1917 law imposed a literacy test and eight-dollar head tax. The law should have had the effect of curtailing Mexican immigration as well as that of Southern and Eastern Europeans. Mexican immigration, however, continued largely unabated, albeit through unsanctioned channels. Most Mexicans moved across the border with relative ease in the 1910s because the understaffed immigration offices along the US-Mexico border tended to ignore the daily movement of Mexicans across the border.³³

In response to these concerns and demographic changes, the US Catholic Church did remarkably little. For one thing, the hierarchy still lacked cohesion. In 1917, when it became clear that the political fabric of Mexico really was unraveling, the hierarchy was meeting for the first time since the 1880s to discuss the creation of the National Catholic War Council (the NCWC’s predecessor). The bishops did not consider Mexican immigration. The east coast prelates, particularly O’Connell and Dougherty, had little appreciation for matters along the border. What did the displacement of a few hundred thousand Mexicans mean when millions of Europeans were dead in international conflict and millions of others faced the destruction of the entire European countryside? Moreover, the number of European immigrants still far outpaced that of Mexican immigrants. The question of wartime unity, and later postwar reconstruction, greatly overshadowed the Mexican question. In the early 1920s, NCWC leaders were unsure of how to respond to Mexican immigration, remarking that it “should not be dealt with by the [immigration] bureau at this time.”³⁴ For the most part, the Catholic Church projected the same defensive posture that it used had since the 1880s and focused on establishing an institutional structure across the West and Southwest that could contain the threat of Protestantism.³⁵

Practically speaking, the emphasis on European immigrants left the issue of how to deal with Mexican immigrants and political refugees to individual priests, bishops, and Catholic mission societies. For the Catholic Church, this meant building churches, creating new dioceses where none had existed, and finding clerical officials to administer parish services to the expanding Catholic population. These programs meant to inoculate vulnerable groups against Protestantism but did little in the way of providing material relief.³⁶

³² Julia Young, *Mexican Exodus*, 31; Sánchez, *Becoming Mexican American*, 51.

³³ Ngai, *Impossible Subjects*, 18-19; HR 10384, Public Law 301, Stat. 874, 1917 Immigration Act: “An Act to Regulate the Immigration of Aliens to, and the Residence of Aliens in, the United States,” Sixty-Fourth Congress, Session II, February 5th, 1917; Sánchez, *Becoming Mexican American*, 51.

³⁴ “John Burke, “Immediate Steps to be Taken,” NCWC Memo, December 18, 1920,” *American Catholic History Classroom*, <http://cuomeka.wrlc.org/items/show/486>.

³⁵ Jay P. Dolan, *The American Catholic Experience: A History from Colonial Times to the Present* (Notre Dame University Press, 1992), 372.

³⁶ John Bodnar, *The Transplanted: A History of Immigrants in Urban America*; Jay P. Dolan, *The American Catholic Experience*; Jay P. Dolan and Gilberto M. Hinojosa, *Mexican Americans and the Catholic Church, 1900-1965*; Francis Kelley, *The Story of Extension* (Chicago: Extension Press, 1922), 184-185.

Kansas City Archbishop Francis Kelly, for instance, channeled thousands of dollars into building churches across the Southwest.³⁷ Kelly directed the Extension Society, the US Catholic Church's answer to Protestant proselytization, particularly in the Southwest. Founded by Kelly in 1905, the society worked as a home missions organization, evangelizing and reaffirming the faith of Catholics in the West and Southwest. Its sole purpose was as one priest noted, to "retain in faith thousands of Catholics who because of their scattered condition, and often, too, their poverty, were in danger of being lost to the Church." The society identified Mexicans and Mexican Americans as one of three key mission groups in the US, the other two being Native Americans and African Americans. By 1921, just 16 years after its creation, the Extension Society had dispersed thousands of dollars and overseen the creation of more than 2,000 churches, primarily in the West and Southwest.³⁸

To generate support and funding for church-building programs in the West and Southwest, Kelly published a quarterly serial. The *Extension Magazine* told of America's most impoverished Catholic communities (mostly Mexicans and Mexican Americans or Native American), conversions from Protestantism, and testimonials of the success of Extension Society sponsored mission projects. Similar Catholic publications ran sensational stories extolling the dangers of unchurched Mexicans. One priest lamented "the majority [of Mexicans] are in the condition of ignorance... Now, unless our American Catholics come to the rescue, what will be the next generation of Mexicans? Protestants? No! Infidels? Yes! Absolutely so."³⁹

Kelly's concern for the spiritual and material wellbeing of the Mexican descent population was not well-reflected by the larger NCWC enterprise. From the late 1850s to the early 1920s, the increasing numbers of Irish, and later, Southern and Eastern European immigrants, captured most of the NCWC's institutional attention. The emphasis on European Catholic immigrants at the turn of the century meant that in the United States, Mexicans and Mexican Americans experienced the Church in a variety of ways ranging from benign neglect in some places to blatant racial discrimination in others. The few Catholic leaders who did respond to the Mexican question did so by implementing religious education programs and church-building initiatives. The Church's defensive and inward posture also meant that its limited forays into public policy focused mostly on those policies that affected its ability to provide church services to its European-origin members, such as the creation of parochial school systems.

Protestant proselytization amongst Mexicans especially concerned the NCWC. To combat Protestant inroads, the Los Angeles Archdiocese implemented a Confraternity of Christian Doctrine (CCD) program in 1923. Put simply, CCD programs provided religious education, or "catechism" for Catholic children attending public schools.⁴⁰ Local diocesan officials across the US used CCD programs for immigrant and non-immigrant populations.

³⁷ For a comprehensive treatment of Francis Kelly's work, see: Anne Martinez, *Catholic Borderlands: Mapping Catholicism onto American Empire, 1905-1935* (Lincoln: University of Nebraska Press, 2014).

³⁸ Gerald Shaughnessy, *Has the Immigrant Kept the Faith?: A Study of Immigration and Catholic Growth in the United States, 1790-1920* (New York: The MacMillan Company, 1925), 261; James Edward Quigley, "Address by the Most Reverend James Edward Quigley, D. D. Archbishop of Chicago, Chancellor of the Catholic Church Extension Society," in *The Two Great American Catholic Missionary Congress: Held Under the Auspices of the Catholic Church Extension Society of the United States, Containing the Official Proceedings*, 45

³⁹ Rev. J. A. Campbell, "What of the Next Generation?," *The Missionary Catechist*, September 1929, 5,8. Lubbock Diocese Box, No Folder, Lubbock Diocesan Archives.

⁴⁰ Jeffery Burns, "Catholic Ministry in the Era of the 'Mexican Problem,' 1910-1940," in *Mexican Americans and the Catholic Church, 1900-1965*, Jay P. Dolan and Gilberto Hinojosa, eds. (Notre Dame University Press, 1994), 159.

Under the leadership of a young Father Robert Lucey, however, the CCD became an attractive assimilation resource. These initiatives, coupled with the Extension Society's church-building program were designed to combat Protestant conversion efforts especially among Mexican immigrants and Native Americans.

The NCWC had good reason to fear Protestant efforts to convert Mexicans. The largest Protestant churches had organized successful home missions boards in the 1890s. By the 1920s their conversion rate amongst Mexican immigrants was much higher than the NCWC had anticipated. In addition, the Presbyterian Mission Board established itself as a leading immigration rights advocacy group. One minister, Robert McLean, became especially successful in converting Mexicans from Catholicism to Protestantism. By the time he published his landmark study, *That Mexican As He really Is, North And South of the Rio Grande*, McLean had already spent thirteen years ministering to Mexicans in the US.⁴¹

McLean thought of himself as an advocate for Mexicans, though he did not see his missionary subjects as social equals. Like many other Progressive Era assimilationists, McLean believed the origins of the Mexican Problem were rooted in the social and biological inadequacies that plagued Mexican society. These supposed social ills included a propensity towards financial mismanagement, gambling, poor hygiene, inadequate nutrition, racial mongrelization, and religious disorganization. Unlike many other assimilationists, McLean decried the mistreatment of Mexicans within the United States. McLean offered a recipe for Mexicans' social and moral betterment. If Mexicans were overly dependent on charities, then employers ought to assume "a moral responsibility for" their Mexican employees by paying a living wage. If Mexican children populated the juvenile courts, then they ought to be provided with proper schools and recreational facilities. If Mexicans frequently experienced unemployment, then the federal government ought to impose an immigration quota to protect "that Mexican" from "his job-hungry brother in Mexico."⁴²

Assimilationists held that immigrants needed intense supervision to become proper Americans. The NCWC might have found a natural alliance with assimilationists. However, for most assimilationists, Americanization included converting the largely Catholic and Jewish immigrant population to Protestant denominations.⁴³ Newly arrived immigrants required a civic education that allowed them to move through the primer of citizenship. Progressives such as University of Chicago sociologist Robert Park believed that a thorough Americanization program would eliminate social problems such as juvenile delinquency, poverty, and hunger, thus alleviating the American public of social parasites.

When immigration restriction ceased to be a looming threat, and instead became a pending reality, the NCWC gathered its meager resources and tried to reverse the tide. It would be too little, too late. In 1924, Mohler addressed the House Committee on Immigration and Naturalization on the matter of immigration restriction. Calling the national origins quota "a distinct and deplorable departure from our enduring traditions as a nation," Mohler urged the

⁴¹ Home missionaries were Christian missionaries, usually Protestant, who worked to evangelize immigrant, American Indian, and African American populations. Much of their work centered in the West and Southwest.

Linna Bressette, "Mexicans in the United States," (Washington, DC, 1928), Box 78, Folder 3 of 4 Printed Material, Francis P. Matthews Papers, Harry Truman Library, Independence, Missouri, (hereafter Matthews Papers); Robert McLean, *The Traded Twins* (New York: Friendship Press, 1942), back cover.

⁴² Robert McLean, *That Mexican as He Really Is, North and South of the Rio Grande* (New York: Fleming H. Revell, 1928), 161.

⁴³ Arredondo, *Mexican Chicago*, 90; Sánchez, *Becoming Mexican American*, 99.

committee to reconsider the Quota Bill. He pleaded with committee representatives to consider Americanization as an alternative to restriction. Mohler presented the Church's Americanization of European immigrants as a model that the federal government might adopt in assimilating immigrant populations targeted for restriction by the Johnson-Reed Bill. In general, the Immigration Bureau supported the principal of immigration restriction. It did not, however, support the restriction of targeted groups.

The NCWC read the Johnson-Reed bill as a direct assault on its membership. During the 1920s, Catholics comprised the single largest religious group as well as the largest immigrant group. Of the 54.6 million Americans who claimed church membership, roughly 18.6 identified as Catholics. Collectively, the total number of Protestants numbered 31.9 million but no single Protestant denomination came close to matching the Catholic Church's membership.⁴⁴

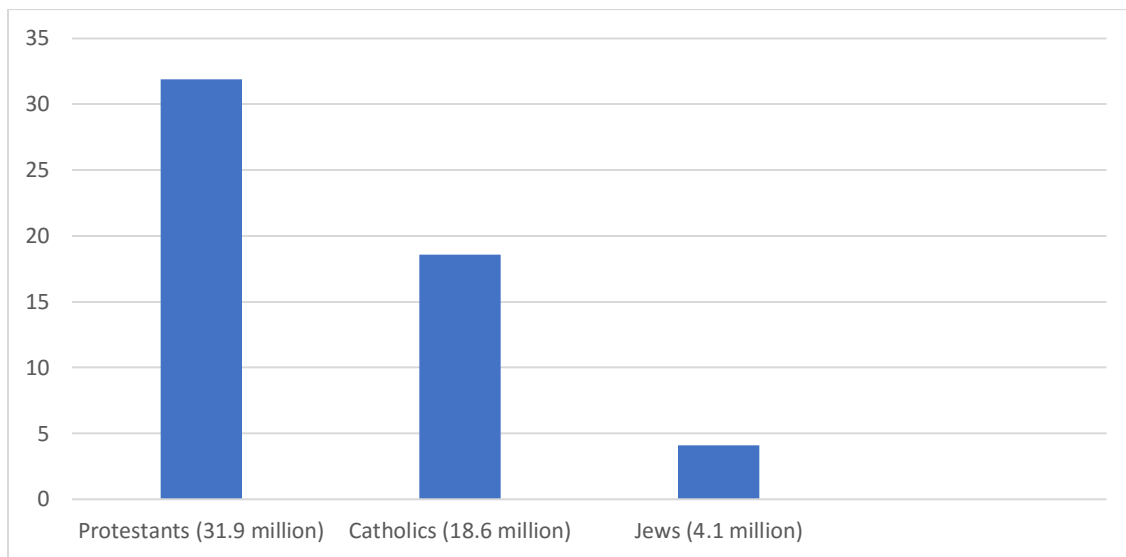


Figure 1.1 Total number of Americans claiming church membership 1920, Roger Finke and Rodney Stark, *The Churching of America, 1776-2005: Winners and Losers in Our Religious Economy*.

Although Mohler testified as the NCWC's official representative, his testimony did not reflect a unified Catholic platform on the issues of immigration and immigration restriction.⁴⁵ Less than two years after Mohler pleaded with Congress to reconsider the restriction of certain immigrant groups by race or national origin, Archbishop Hanna asked Congress to do the exact opposite. He urged Congress to restrict immigration strictly from Mexico by bringing Mexico under the quota system. In 1923, California Governor Friend Richardson appointed San Francisco Archbishop Edward Hanna as chairman of the California Commission on Immigration and Housing (CCIH). Created by the California legislature in 1913, the CCIH investigated the

⁴⁴ Roger Finke and Rodney Stark, *The Churching of America, 1776-2005: Winners and Losers in Our Religious Economy* (Rutgers University Press, 2005), 122.

⁴⁵ "NCWC Protest to Congress Against the 1924 Immigration Bill, January 1924," *American Catholic History Classroom*, <http://cuomeka.wrlc.org/items/show/505>.

conditions under which immigrants lived and worked. On paper, the CCIH existed “to aid in the assimilation of immigrants, to protect them from exploitation, [and] to educate them in the duties of citizenship.”⁴⁶ In theory, the CCIH should have worked to address the welfare of all immigrants regardless of national origin. In practice, the CCIH worked to Americanize European immigrants while advocating for an end to Mexican immigration. Under the direction of Archbishop Hanna, the agency also worked to deport Mexican immigrants who were deemed illegal or undesirable, and often denied them access to housing and settlement resources. The agencies’ disparate treatment of

When US congressmen proposed a bill in 1926 to eliminate visa requirements for non-quota immigrants, particularly Mexicans, the CCIH sprang into action. Writing to the California Congressional delegation in Washington, the CCIH declared its opposition to the unrestricted immigration of Mexicans. Citing a recent study commissioned by the CCIH, Hanna declared that most Mexicans failed to become citizens, knew “very little of sanitation, are low mentally and generally unhealthy.” The CCIH accused Mexican youth of causing public schools and the courts “a tremendous amount of trouble.” The Commission also found that Mexicans undermined community health, drained local charities and “diminish[ed] the percentage of our white population.”⁴⁷

In essence, the Mexican Problem was one related to Mexicans’ perceived racial inability to become self-sufficient and assimilate into American culture. According to the CCIH’s 1926 report, Mexican families constituted the overwhelming majority of those on welfare relief. California, the commissioners argued, could not support any more Mexicans. Hanna was most concerned with the social consequences of unlimited immigration from Mexico. Like many other immigration restrictionists in the Progressive Era, Hanna believed that Mexican immigrants were racially inferior and threatened the American racial order.⁴⁸ The arrival of so many economically destitute Mexicans presented an additional concern. Most Mexicans identified as Catholic and in the minds of individuals like Hanna, their unsavory characteristics reflected poorly on the entire Catholic Americanization project.

The Archbishop’s public appeal for a Mexican quota carried significant weight in secular and religious circles. In addition to serving as the chairman of the CCIH, Hanna also served as the chairman of the administrative committee of the newly organized National Catholic Welfare Conference (NCWC). By 1926, the NCWC acted undisputedly as the public voice of the US Catholic bishops. It also created the mirage of a unified Catholic opinion on matters of public policy. Hanna’s position as the NCWC’s administrative chairman made him one of only a handful of people authorized to speak on behalf of the Catholic Church in the United States writ large. His use of the CCIH chairmanship as a bully pulpit to promote immigration restriction combined with his role as the NCWC’s administrative chairman, made Hanna’s support of restriction largely that of the entire NCWC.

⁴⁶ As quoted in Cybelle Fox, *Three Worlds of Relief*⁴⁹; First Annual Report of the Commission of Immigration and Housing of California,” January 2, 1915, (Office of the Commission Underwood Building, San Francisco: 1915), 7. Available on Google Books: http://books.google.com/books?id=kJpQAAAAYAAJ&printsec=frontcover&source=gbs_ge_summary_r&hl=en#v?onepage&q&f=false

⁴⁷ Archbishop Edward Hanna to Samuel Shortridge, February 25, 1926, Box 43, Folder 6: Mexican Data, California Department of Industrial Relations, Division of Immigration and Housing Records, BANC MSS C-A 194, The Bancroft Library, University of California, Berkeley, (hereafter CCHID Papers).

⁴⁸ Natalia Molina, *Fit to Be Citizens?: Public Health and Race in Los Angeles, 1879-1939* (University of California Press, 2006), 120.

It is unlikely that an official Catholic immigration platform would have done much to stop immigration restriction. Immigration restrictionists, who held power in Congress, were determined to see an overhaul of the nation's immigration system. Mohler's office did secure some small changes to the bill ahead of its passage. Most important among these was the classification of religious clergy as non-quota immigrants. Clergy would still have to obtain an immigration visa from an American Consul before admittance, but they would not be subject to numerical quotas.⁴⁹

The 1924 Johnson-Reed Act or the Quota Act, fundamentally changed the relationship between the NCWC, the federal government, and the Mexican descent community. It did so by restricting the number of European Catholic immigrants entering the US and by placing new regulations and restrictions on migratory flows throughout the US Southwest. The law drastically altered the racial composition of the Catholic Church for decades after its passage. The immigration law was the most sweeping to date. It created a hierarchical, racialized quota system based on national origin to determine which immigrants were eligible for admission into the United States. The Johnson-Reed Act hardened categories of whiteness by barring Japanese, Chinese, and other Asians immigrants from the US on the basis that they were ineligible for naturalized citizenship as members of a non-white race. Bowing to pressure from agricultural lobbyists, the law exempted countries in the Western Hemisphere from quotas, but did create new entry requirements for immigrants eligible for admission.⁵⁰

Entry restrictions, however, did not stop Mexican immigration into the United States. Rather, such restrictions increased the number of those crossing illegally. In addition, as portions of the law went into effect in 1927, Mexican immigrants comprised a greater percentage of the total number of immigrants entering the country. The public perception of an immigration crisis, in turn, precipitated a new emphasis on the control of land borders and the creation of a new, racialized category—the illegal alien. To address the problem of the illegal entry at both the northern and southern borders, the Johnson-Reed Act authorized the creation of the Border Patrol. Because the law defined illegal entry as a continuous offense – one that continued after a person crossed the border, the Johnson-Reed Act led to a new emphasis on deportation.⁵¹

The NCWC urged Congress to reconsider the bill as it simultaneously sought to reduce the number of Mexican immigrants entering and residing in the US. Publically, the NCWC argued that reducing the number of immigrants from Southeastern Europe, while leaving the number of migrants entering the United States from the Western Hemisphere unchecked, would create a humanitarian crisis, by potentially separating families in Europe, the United States, and

⁴⁹ “NCWC Protest to Congress Against the 1924 Immigration Bill, January, 1924,” *American Catholic History Classroom*, <http://cuomeka.wrhc.org/items/show/505>; “Letter from Bruce Mohler to House Committee on Immigration and Naturalization, January 7, 1924,” *American Catholic History Classroom*, <http://cuomeka.wrhc.org/items/show/507>

⁵⁰ “NCWC Protest to Congress Against the 1924 Immigration Bill, January, 1924”; “Letter from Bruce Mohler to House Committee on Immigration and Naturalization, January 7, 1924,” *American Catholic History Classroom*, <http://cuomeka.wrhc.org/items/show/507>; “Immigration Act of 1924,” *United States Statutes at Large, 68th Congress, Session I, Chapter 190*, (153-169), (Washington, DC: Government Printing Office, 1925); “Restriction of Immigration,” *Hearings Before the Committee on Immigration and Naturalization, House of Representatives, 68th Congress, Session I, on H.R. 5, H.R. 101, H.R. 561, H.R. 6540*, (Washington, DC: Government Printing Office, 1925); Ngai, *Impossible Subjects*, 7, 57; Jacobson, *Whiteness of a Different Color*.

⁵¹ Immigration historian Mae Ngai estimates that from 1925 to 1929 annual total of deported Mexican immigrants increased from 1,751 to over 15,000. Ngai, *Impossible Subjects*, 67.

For a complete discussion on the history of the Border Patrol see Kelly Lytle-Hernandez, *Migra!: A History of the U.S. Border Patrol*.

Mexico. Privately, factions within the conference sought to stop broad-scale Mexican migration and debated the assimilative nature and desirability of Mexican immigrants.⁵²

The NCWC's administrative resources were primarily concentrated in the Upper Midwest and along the eastern scoreboard, home to the largest communities of European immigrants. The first three decades of the twentieth century saw a rapid increase in Mexican immigration. This seems to be repetitive This presented the Catholic hierarchy with a set of problems, including how to organize a mission program in the largely understaffed US West and Southwest. Kelly's Extension Society program helped to address the lack of resources in the region, but it could do little to change the shortage in priests, particularly Spanish speaking priests. In Los Angeles, Archbishop John J. Cantwell believed that the Catholic Church held a special responsibility to Americanize Mexican immigrants.⁵³ Cantwell and Hanna maintained that a quota on Mexican immigration would allow individual dioceses to better develop a program of Americanization. Such programs would operate with two goals in mind: the first to create American citizens, the second, to create solid American Catholics. By the early 1940s many NCWC leaders, including Cantwell, would come to repudiate rapid Americanization for Mexicans in favor of locally led leadership programs. In the 1920s, however, Catholics widely accepted Americanization as a solution to the perceived Mexican problem.

The new attention to Mexican immigration became a source of contention between two of the factions within the NCWC. One group, led by the Immigration Bureau genuinely hoped to alleviate some of the suffering associated with the immigration process. While courting favor in elite political circles was never far from the minds of Bureau administrators, it was secondary to assisting immigrants. The second faction, led by Hanna, hoped to restrict Mexican immigration.⁵⁴ Hanna's unbending stance on Mexican immigration stood in stark contrast to his ongoing work with Italian and Irish immigrants in New York and California. Indeed, according to his biographer, it was "at Hanna's suggestion" that the Immigration Bureau led the protest against immigration restriction in 1924.⁵⁵ In fact, Hanna's outstanding reputation as a defender of immigrants led California Governor Hiram Johnson to appoint him to a five-member commission on immigration in 1913. Hanna had every intention of using the appointment to check Mexican immigration.

For his part, Bureau of Immigration Director Bruce Mohler refused to sponsor a quota on Mexican immigration. The NCWC had opposed immigration restriction under the quota system because it violated American values and targeted Catholics. In Mohler's mind, if the NCWC had any hope of ever reversing the Johnson-Reed Act, it could hardly support a quota for Mexican immigrants. Furthermore, the nature of Mohler's work also made him more sympathetic to the experiences of Mexican immigrants than some of his NCWC colleagues. Reports from the El

⁵² Richard Gribble, "Advocate for Immigrants: The Church and State Career of Archbishop Edward J. Hanna," in *the Southern California Quarterly* vol. 83, no. 3 (fall 2001) <http://www.jstor.org/stable/pdfplus/41172083.pdf>; Jeanne Petit, "Our Immigrant Coreligionists: The National Catholic Welfare Conference as an Advocate for Immigrants in the 1920s," in *Immigrant Rights in the Shadows of Citizenship*, ed. Rachel Buff (New York University Press, 2008); "National Catholic Welfare Conference Protest Against 1924 Johnson-Reed Bill," January 1924; William F. Montavon, "Shall the National Origins Law Be Enforced?" N.C.W.C. Bulletin, May 1929. Bruce Mohler to Chairman and Members of the Committee on Immigration and Naturalization, House of Representatives, January 7, 1924; John Burke, "Immediate Steps to be Taken," December 18, 1920.

⁵³ Jeffery Burns, "Catholic Ministry in the Era of the 'Mexican Problem,'" 149.

⁵⁴ Lytle-Hernandez, *Migra!*, 35.

⁵⁵ Gribble, *An Archbishop for the People*, 194.

Paso field office cast a human face on the immigration question. All along the US-Mexico border, NCWC field workers reported “poverty is everywhere in evidence.” The leading cause of death in children under the age of 3 was starvation or malnutrition. Social workers reported deplorable sanitary conditions, caused mostly by “scarcity of water and lack of any sewerage.” Downturns in the labor market left immigrants stranded in border towns, with “no funds to go else-where.”⁵⁶ Such conditions made it clear to Mohler that the causes of Mexican Problem were structural, not biological.

However, he faced a daunting task in convincing many of the US bishops of the same thing.⁵⁷ Archbishop Hanna was the Immigration Bureau’s most ardent opponent in determining the outcome of how the NCWC would respond to the Mexican Problem. For nearly a decade, he had served as one of the NCWC’s key authorities on immigration. Hanna’s appointment to the California Commission on Immigration and Housing cemented his role as a leading immigration expert.

The Commission’s protest of easier entrance requirements must have seemed iniquitous to the immigrant groups it was supposed to protect. Newspapers across the country reported the prelate’s stance on Mexican immigration. Headlines such as “Archbishop Asks for Ban on Mexicans,” made it difficult to separate Hanna, the religious leader from Hanna the politician. His address to the Los Angeles City Club later that spring made it clear that Hanna personally hoped to restrict Mexican immigration.

Spanish-language newspapers throughout the Southwest carried stories of Hanna’s activities. The news reports generated an angry response as Mexican Catholics nationwide quickly associated Hanna’s position as CCIH chairman with his leadership of the Catholic Church.⁵⁸ It must have come as a shock to Hanna that some Mexicans were both articulate and literate. That the call for a ban on Mexican immigration came from a priest was a slap in the face for many Mexican Catholics. That the call came from one of the highest-ranking members of the Catholic hierarchy was a betrayal of the worst kind. One group of Mexican Catholics from San Antonio, Texas called Hanna’s luncheon speech “a scandal” and claimed he had “a heart of stone and egoism.”⁵⁹ One woman taunted Hanna. “We will always be considered foreigners by you people. We don’t mind it. What do we care to be US citizens...very few Mexicans will bow or lower their colors to you, our flag [is] much cleaner.”⁶⁰

Her response to Hanna’s comments suggested that the “Mexican Problem” was, in fact, an “American Problem.” This unnamed woman rejected the supposed allure of American citizenship. Trading passports betrayed her sense of *mexicanidad*, not simply because she was inherently allegiant to one country over the other; but because changing citizenship did nothing to alter her racial status. Still another man seemed to laugh off Hanna’s accusations. Better to be a Mexican than a gringo, who would come to a Mexican house, “gorge himself with food and drink [and eat] like a dog.” Better to be a Mexican, a “gaddeme sona dabiecheeh,” than a gringo

⁵⁶ Report of Father Beaudoin on the Smelter Parish, May 26, 1923, Box 4, Folder 3, Calleros Papers.

⁵⁷ Notes on Mexican Welfare Committee, no date, Box 2, Folder 3, Mahony Papers.

⁵⁸ “Archbishop Asks for Ban on Mexicans,” *Daily Herald*, September 11, 1926, Box 43, Folder 6 Mexican Data, CCHID Papers.

⁵⁹ The Catholic Mexicans at San Antonio to Archbishop Edward J. Hanna, March 10, 1926, Box 43, Folder 6: Mexican Data, CCHID Papers.

⁶⁰ “Forget Me Not. A Mexican Woman” to Hanna, March 20, 1926, Box 43, Folder 6: Mexican Data, CCHID Papers.

who “did not even say ‘thank you’” after having his carfare paid. Better most of all to be a Mexican Catholic, than an Archbishop who “should talk like an imbecile.”⁶¹

The criticism did little to sway Hanna’s stance. In addition to sending the CCIH’s report to the CA delegation, Hanna also sent the report well-known immigration restrictionists in Congress, who welcomed the CCIH’s report with open arms. Even before Congress passed the Johnson-Reed Act in 1924, increased levels of Mexican immigration alarmed nativists. Texas Congressman John Box had fought hard to include the Western Hemisphere in the quota system. He faced stiff resistance from agricultural powers in Congress. They refused to have quotas applied to the Western Hemisphere out of fear that such limits would restrict access to cheap agricultural labor. Afterwards, Box made it his political mission to curb Mexican immigration. In 1928, he co-sponsored a bill to establish an immigration quota for all countries in the Western Hemisphere. Citing the CCIH’s 1926 report, he said that Mexicans rarely naturalized, “know little of sanitation, are very low mentally, and are generally unhealthy.”⁶² Box submitted letters from hundreds of individuals and organizations across the United States, each calling for a restriction on median immigration, each using a similar logic of biological inferiority.⁶³ Quoting *Bob Shuler’s Magazine*, a California-based publication, Box reported the American public viewed Mexican immigrants as “undesirable,” and a “burden on the charity of every community [in the Southwest].” They were, in Shuler’s words, “diseased of body, subnormal intellectually, and moral morons of the most hopeless type.”⁶⁴ Using biological explanations for restriction lent such rhetoric a scientific appeal.

Other immigration restrictionists reminded Congress of the social consequences of unregulated labor. Dr. Thomas Nixon Carver, a Harvard economics professor, compared the use of Mexican labor in California to that of slave labor in the US South. “Slavery in the South,” Carver said, “drove a wedge” between those who could afford slave labor and the poor whites who competed with slaves. “The same thing is likely to happen in California,” Carver warned, “and the introduction of Mexican peon labor will bring problem far worse than that caused by the introduction of Chinese and Japanese.”⁶⁵ Carver’s dire predictions reverberated with restrictionists.

High profile federal officials also called for a quota on Mexican immigration. In his annual report of 1927, the Commissioner General of Immigration offered an argument similar to that Box. He argued that allowing unrestricted immigration from countries in the Western Hemisphere undermined the spirit of the Quota Act and would unfavorably alter the racial makeup of the US. According to Hull, the purpose of the law was to “bring to our shores in

⁶¹ What is remarkable about these letters is that they offer a window into how individual Mexicans and Mexican Americans felt about the Mexican Problem, citizenship, and the Catholic Church’s role in these matters during a period in which few Mexicans and Mexican Americans left an archival imprint. Historians such as David Gutiérrez, Cynthia Orozco, and George I. Sánchez have reached similar conclusions as to why Mexican nationals rejected US citizenship. RILD to Hanna, March 20, 1926; Unknown to Hanna, March 1926, Box 43, Folder 6: Mexican Data, CCHID Papers.

⁶² House Hearings, 1928, 60.

⁶³ *Ibid.*, 25.

⁶⁴ “Our Border Situation,” *Bob Shuler’s Magazine*, January 1928, 253, in House Hearings, 1928, 27. A Methodist minister from Los Angeles, “Fighting Bob” Shuler established one of the largest radio ministries of the 1920s. Shuler especially enjoyed attacking Catholics, Jews, African Americans, and Mexican immigrants in his magazine and radio broadcast. Daren Dochuck, *From Bible Belt to Sun Belt: Plain-Folk Religion, Grassroots Politics and the Rise of Evangelical Conservatism* (WW Norton & Company, 2011), 58, 83.

⁶⁵ Dr. Thomas Nixon Carver, as quoted in *1928 Senate Hearings on the Restriction of Immigration from the Western Hemisphere*, 9.

reasonable numbers the races and peoples from which we are chiefly descendant.”⁶⁶ Hanna’s demand for a Mexican quota, and indeed that of other restrictionists, was as much a part of the Progressive desire to Americanize Mexicans as it was to protect the US from further Mexican “penetration.” According to this logic, unchecked immigration contributed to the growth of immigrant enclaves and reinforced Mexican culture. Mexican immigrants could not become proper Americans if the persistence of immigrant enclaves continued to reinforce their foreignness. Restricting Mexican immigration, proponents believed, would allow Mexicans already in the US to assimilate much more quickly.

By 1926, immigration from Mexico increased yet again. The rate of Mexican immigration appeared even more alarming in 1926 than in previous years because Mexican immigration represented a larger proportion of the total immigration than it had in years past. Growing armed conflict in Mexico encouraged many to seek refuge in the US.⁶⁷ That same year, the NCWC faced a budget crisis as many bishops refused to send in their annual donations. The Immigration Bureau’s director, Bruce Mohler, responded to budget cuts by closing the Philadelphia office (much to the consternation of Philadelphia’s Cardinal Dougherty) and expanding operations along the US-Mexico border. Archbishop Hanna, chairman of the NCWC’s Administrative Committee, would shortly begin calling for a quota on Mexican immigration.⁶⁸

The NCWC and the Religious Question in Mexico

The NCWC’s uneven response to Mexican immigration had as much to do with its own internal politics as it did with the political and economic turmoil in early twentieth century Mexico. The upheaval of the Mexican Revolution led an estimated 1.5 million Mexicans to flee north, destabilizing the social and political fabric of both Mexico and of the US Southwest.⁶⁹ During the late Porfiriato (1900-1910), the state began a secularization project to divorce religion from state functions such as education. The regime simultaneously promoted a “hands-off” approach regarding the Catholic revivalism, which allowed new organizations driven by social Catholicism, to form and grow in strength, and diminished Catholic protests over secularization. After 1910, however, Mexico entered into a period of extreme anticlericalism. Mexico’s 1917 Constitution circumscribed the political and social power of the Catholic Church in Mexico by secularizing the Church and placing it under state control. Still, the Catholic clergy went about their daily business with relatively little harassment.

That soon changed. The state responded to the Church’s growth by enforcing articles of the 1917 Constitution that removed the Church from all state functions. The early 20th century secularization project that began in the late Porfiriato created a conflict between the Catholic Church and political modernists who hoped divorce state affairs from religion. The result of the

⁶⁶ US Department of Labor, *Annual Report of the Commissioner-General of Immigration, 1927* (Washington, DC: Government Printing Office, 1927), 22.

⁶⁷ Ngai, *Impossible Subjects*, 62.

⁶⁸ Annual Report: National Catholic Welfare Conference, Bureau of Immigration, July 1, 1926 – June 30, 1927, Box 25, Folder 7, Mohler Papers; Cybelle Fox, *Three Worlds of Relief: Race, Immigration, and the Welfare State From the Progressive Era to the New Deal*, (Princeton University Press, 2012), 49-51; Jeanne Petit, “Our Immigrant Coreligionists: The National Catholic Welfare Conference as an Advocate for Immigrants in the 1920s,” in *Immigrant Rights in the Shadows of Citizenship*, ed. Rachel Buff (New York University Press, 2008), 316.

⁶⁹ Rachel St. John, *A Line in the Sand: A History of the Western U.S.-Mexican Border* (Princeton University Press, 2011), 193; Ngai, *Impossible Subjects*, 62.

tension between the Church and the state was a multi-year, armed conflict known as the Cristero War.

Like its US counterpart, the Mexican Catholic hierarchy worked to form an administrative body in the early 1920s. In Mexico, that took the shape of a social secretariat, an umbrella organization designed to unify different Catholic agencies and voluntary organizations into a single program of social welfare. The Mexican Social Secretariat attracted a large number of Catholic activists working to challenge anticlerical laws. From 1920 until 1924, the years of Alvaro Obregón's presidency, the Mexican hierarchy boldly entered the public arena, challenging Obregón's administration. The hierarchy sponsored parades and other public processions that flouted federal law. By the time Plutarco Elías Calles assumed the presidency in 1924, tension between the Mexican state and its Catholic hierarchy had reached a fever pitch.⁷⁰

Calles was, according to one historian, "passionately anticlerical" and "determined to apply the constitutional restrictions comprehensively at the national level." In 1926, the Mexican federal government began cracking down on unlicensed priests, imprisoning them. By the fall of 1926, Catholics across Mexico responded to the state-sponsored violence by taking up arms against the state. The Cristero War played an important role in the revolutionary consolidation of the Mexican state, but also had implications for the NCWC. The Church's response to anticlericalism and the suspension of religious services encouraged the laity to adopt new forms of piety—they led their own prayers of confession, performed baptisms, and relied less on clerical leadership. These factors combined with state-sponsored anticlericalism and the outward migration of Mexicans to the US, led to a huge decline in the number of priests in Mexico, further limiting the Catholic institutional presence in the lives of many Mexicans and Mexican Americans.⁷¹ This certainly helps explain the differences in religious education that restrictionists such as Edward Hanna noted in his appraisal of Mexican immigrants. In essence, the Cristero War increased state-sponsored persecution of Catholics, but it also disrupted the NCWC's immigration politics. Already struggling to take care of more than half a million Mexicans who had entered the US in the last two decades, the fledgling administration was simply overwhelmed.⁷²

The NCWC supported the political asylum of priests, nuns, bishops, and middle-class Mexican leaders during the years of the Cristero War. The NCWC not only helped to facilitate the migration of key clerical and community leaders, but also to discretely finance and rally political support for the Cristeros. In fact, clergy members and the Knights of Columbus smuggled arms and ammunitions from the US to Mexico.⁷³ The NCWC viewed this special class of Mexican emigrants, best-termed political and religious exiles or refugees, as a class distinct

⁷⁰ Julia Young, *Mexican Exodus*, 24.

⁷¹ For further discussion see: Adrian Bantjes, "Saints, Sinners, and State Formation: Local Religion and Cultural Revolution in Mexico," *The Virgin and the Eagle: Nation and Cultural Revolution in Mexico, 1920-1940*; Christopher R. Boyer, *Becoming Campesinos: Politics, Identity and Agrarian Struggle in Postrevolutionary Michoacán, 1920-1935* (Stanford University Press, 2003); Matthew Butler, *Popular Piety and Political Identity in Mexico's Cristero War: Michoacán, 1927-1929* (New York: Oxford University Press, 2004); Jean Meyer, "An Idea of Mexico: Catholics in the Revolution," *The Virgin and the Eagle: Nation and Cultural Revolution in Mexico, 1920-1940*; Matthew Redinger, *American Catholics and the Mexican Revolution, 1924-1936* (University of Notre Dame Press, 2005); and, Edward Wright-Rios, *Revolutions in Mexican Catholicism: Reform and Revelation in Oaxaca, 1887-1934*.

⁷² Julia G. Young, "Cristero Diaspora: Mexican Immigrants, the U.S. Catholic Church, and Mexico's Cristero War, 1926-1929," *The Catholic Historical Review*, vol. XCVIII, no. 2, April 2012, 271-300.

⁷³ For a detailed account of US Catholic involvement in the armed conflict of the Cristero War, see Julia Young, *Mexican Exodus: Emigrants, Exiles, and Refugees of the Cristero War*.

from the average Mexican migrant. The US hierarchy developed a two-pronged approach to the Mexican crisis. First, its border office would work to aid refugees fleeing the conflict. Second, NCWC General Secretary John Burke and the agency's legal director, William Montavon, would work within diplomatic circles to encourage US intervention in Mexico.

In 1926, the director of the NCWC's Immigration Bureau, Mohler, instructed the field office at El Paso to prepare for an influx of asylum seekers. The field office, which had only been in operation for three years, had recently undergone in its directorship. Just as religious refugees began appealing for help, Mohler hired Cleofás Calleros to run the office. A child immigrant, Calleros immigrated to the United States with his family in October 1902. He served in the US Army during World War I, receiving a Purple Heart. After WWI, he held a variety of jobs, eventually landing with the Santa Fe Railroad before being hired by Mohler in 1926.

A devout Catholic, Calleros became the main point of contact for refugees seeking entrance to the US. His success was such that both US and Mexican consular officials regularly referred immigrants to the border office. Calleros and his small office staff assessed immigration cases, completed visa applications and prepared immigration appeals before forwarding the requests on to Mohler. He handled all direct contact with the Departments of Labor, under which the US Immigration Bureau was housed, and the Department of State. The NCWC border office used this system to secure the authorized entrance of most applicants. It also continued to broaden its sphere of political influence, literally serving as the middleman between immigrants and the US federal government.⁷⁴ The Immigration Bureau's work at the US-Mexico border and in Washington placed the NCWC in the position of gatekeeper, regulating the movement of Mexican bodies.

The NCWC's work along the US-Mexico border placed the organization in a unique position with regard to its relationship with the Mexican federal government. The Mexican federal government's decidedly anti-clerical posture refused to recognize or work with Catholic agencies on a national level.⁷⁵ That posture, however, played out differently on the ground, where Mexican citizens who moved between the US and Mexico relied on the close collaboration between Mexican governmental representatives and the NCWC's two border offices in El Paso and in Ciudad Juárez. By referring clients to Calleros and other NCWC social workers, the consul's office and local migración officials maintained close relations with the NCWC at a moment when similar Catholic institutions faced severe repression in Mexico.

Since the 1920s, local officials in Juárez had allowed the NCWC office to operate and advertise its existence, unmolested, so long as it did not place any religious symbols in its signage. Such a compromise, wrought by Mexican Ambassador Manuel C. Tellez at the height of the Cristero War, allowed the NCWC to continue its work on both sides of the border with the apparent blessing of both nations' governments. The Mexican Consul at El Paso later summed up the matter when he told Mohler, "we of the Mexican Consulate Office in El Paso know of

⁷⁴ Bruce Mohler to Cleofás Calleros, April 6, 1926, Box 4, Folder 5, Cleofás Calleros Papers, 1860-1977, MS 231, C.L. Sonnichsen Special Collections Department, The University of Texas at El Paso Library, El Paso, TX, (hereafter Calleros Papers).

⁷⁵ See: Stephen J.C. Andes, *The Vatican and Catholic Activism in Mexico & Chile: The Politics of Transnational Catholicism, 1920-1940* (Oxford University Press, 2014); Gabriela F. Arredondo, *Mexican Chicago: Race, Identity, and Nation, 1916-1939* (University of Illinois Press, 2008); Adrian A. Bantjes, "The Regional Dynamics and Defanaticisation in Revolutionary Mexico," in *Faith and Impiety in Revolutionary Mexico*, Matthew Butler, ed. (New York: Palgrave MacMillan Press, 2007); Julia G. Young, *Mexican Exodus*.

your good work and we are appreciative what you do, specially for our Nationals, but as you know the religious question has prevented us from being more ‘friendly.’”⁷⁶

On a policymaking level, Burke and Montavon tried to convince Calvin Coolidge’s administration to intervene in the unfolding conflict, at first with little success. When the Coolidge administration refused to intervene, Montavon decided to appeal to the press and issued a series of statements regarding the nature of religious persecution in Mexico. Montavon’s intervention went a step further. In May 1927, the Mexican bishops met in San Antonio for the annual meeting. During the meeting, the bishops formulated a statement that protested their exile and encouraged Catholics in Mexico to continue fighting for a just cause. Montavon served as the Mexican bishops’ official translated and circulated the bishops’ statement to newspapers across the United States.⁷⁷ Montavon acted as the NCWC’s main advisor on the Cristero War. He closely followed unfolding events through local, Spanish-language newspapers, and relayed information to Burke and the NCWC’s Administrative Committee. Montavon also used the Legal Department as a platform to issue a series of pamphlets condemning the actions of the Calles Administration and its attack on the Catholic Church in Mexico. The *Boston Evening Transcript* later carried a series of Montavon’s essays chronicling the war, which resulted in papal decoration, or recognition by the pope. Montavon’s numerous speeches and writings on the Church-state situation Mexico gained enough publicity that it was sent out as a Congressional document in June 1927.⁷⁸

Montavon’s approach had been to get out in front of the Cristero crisis. By demonstrating that the Cristero rebels shared the same democratic values as the average American, Montavon hoped to use public opinion to pressure the State Department into forcing a peace between the Mexican government and its hierarchy. He did not act unilaterally. The approach was a coordinated one between Montavon and Burke, designed to give the NCWC a role in the peace negotiations in Mexico. Burke urged Montavon to follow his instincts. Montavon argued that the attack on the Catholic Church in Mexico constituted an attack on religious freedom. As the protector of religious liberty in the Western Hemisphere, he argued, the United States could not afford to stand idly by while its neighbor killed its citizens in the name of religious persecution.

By 1927, Mexico had exiled most of its Catholic hierarchy. A large part hierarchy took refuge in the US. Influential members of the US Catholic hierarchy such as Archbishop Hanna, Cardinal Dougherty, and San Antonio Archbishop Arthur Drossaerts welcomed their Mexican brethren and pushed the NCWC to find a diplomatic solution. They stopped short, however, of openly endorsing armed rebellion in Mexico. The Mexican hierarchy expected that the NCWC would do more than morally support their brethren. In January 1927, the Committee of Mexican

⁷⁶ Bruce Mohler to Cleofás Calleros, May 22, 1947, Box 55, Folder: Mexican Border Office: Juárez Office, National Catholic Welfare Conference Department of Immigration Records, Center for Migration Studies of New York, (hereafter CMS 023).

⁷⁷ “A Statement by the Committee of Bishops Issued At San Antonio, Texas, May 12, 1927,” translated by William Montavon, Box 1, Folder 2, The William Frederick Montavon Papers, The American Catholic History Research Center and University Archives, Catholic University of America, (hereafter Montavon Papers).

⁷⁸ “The Government of Calles Has Tempted the Clergy of Mexico to Apostatize – Bishops and Priest reject with Dignity Proposals and Declare that They Will Always be Loyal to the Pope,” *El Diario de El Paso*, November 11, 1926, translated by William Montavon, November 17, 1926; Cleave Claypool to William Montavon, June 15, 1927; William Montavon to John Burke, September 14, 1926; John Burke to William Montavon, October 29, 1926, Box 3, Folder 18, Montavon Papers.

Bishops, by then stationed in Rome, wrote to Dougherty requesting financial support from the US bishops.⁷⁹

The US bishops were reluctant to become publicly entangled with financing the rebellion. Directly aiding the rebels by providing munitions or funding would have placed the NCWC in the position of illegally aiding a revolutionary movement working to oust the government of a US ally. Anti-Catholicism, which had reached a fever pitch by the mid-1920s, discouraged the NCWC from wading into the political quagmire posed by the potentially violent overthrow of the Calles administration.⁸⁰

One Mexican bishop, Sonora Bishop Juan Navarrete, was a source of tribulation for the conference. Navarrete took refuge in Nogales, Arizona in 1926. From there he continued to deliver sermons to his parishioners just across the border in Sonora, encouraging them to take up arms against the Mexican government. This alone would not have been a problem for the NCWC. In fact, Burke and Montavon agreed if not with Navarrete's tactics, then with at least with the spirit of his actions. When Department of Justice agents arrested Navarrete in June 1927 and charged him with "trying to incite rebellion in Mexico," Navarrete's activities became the NCWC's problem.⁸¹

In November 1927, Navarrete and his co-conspirators stood trial in Tucson, Arizona. NCWC leaders considered how to prevent the bishop from further legal complications. At least one group wanted to smuggle the bishop out of the country. Burke and Montavon decided that the most effective way to protect the bishop—and by association the NCWC—from further embarrassment was to try the case in the court of public opinion. Prominent US clergymen pressed their contacts within Congress to secure Navarrete's release. Burke met with US Attorney General John Sargent and insinuated that the Navarrete scandal would harm the NCWC's own efforts at securing a peace agreement. The combination of these efforts worked since prosecutors dropped the charges against Navarrete.⁸² The episode, however, worsened relations between the two hierarchies.

As the war between Mexican federal forces and the Cristero rebels continued, Burke and Montavon continued to press the US State Department to include the NCWC in its peace talks with Mexico. The first of these talks occurred without resolution in October 1927. After the meeting, Calles cut off communication with US Ambassador Dwight Morrow and John Burke. In June 1929, President-elect Emilio Portes Gil reopened diplomatic channels. A meeting between Morrow, Burke, Gil, and Vatican representatives reached a tentative peace agreement. Rebel leaders were left completely out of the negotiations. The Mexican bishops agreed to stop protesting the law if they were allowed to resume religious services.⁸³

The unfolding Church-state conflict in Mexico had important implications for the emerging relationship between the NCWC, the US federal government, and Mexican Americans. Working directly with Ambassador Morrow demonstrated to the NCWC what an expanded sphere of Catholic influence might look like in the future. Mohler's management of religious refugees' visa applications paved a new path for future collaboration between the Department of Labor and the NCWC's Bureau of Immigration. It also demonstrated to members of the State

⁷⁹ Martínez, *Catholic Borderlands*, 157.

⁸⁰ Young, *Mexican Exodus*, 107-108.

⁸¹ "Gandara Charged with Violating Nation's Neutrality Law," *Tucson Citizen*, November 23, 1927, 2, as quoted in Young, *Mexican Exodus*, 96.

⁸² *Ibid.*, 92-99.

⁸³ *Ibid.*, 125-126.

Department and the Department of Labor that the NCWC had a vested interest in the status of Mexicans and Mexican Americans, both within and outside of the US. From 1926 until 1929, the religious situation in Mexico preoccupied the NCWC more than any other issue. Many of its institutional resources went to addressing state-sponsored persecution of Catholics and its spillover into the US. Although the Catholic Church had faced periods of anticlericalism in Mexico before the 1920s, the combination of events—the crackdown on the Church, the Cristero War and associated increased migration—caused the NCWC to reevaluate its relationship with the Mexican descent community in the United States.⁸⁴

By the late 1920s, a small group of insurgents led by Mohler had driven a crack in the NCWC's immigration politics. The scattershot nature of Catholic advocacy during the 1920s can be attributed to a conflict within the larger US Catholic Church over the status of Mexicans and Mexican Americans. One group, led by the country's most prominent bishops, hoped to curb Mexican immigration to the United States. Another, group, small in number, and limited in power, hoped to redirect Catholic resources to the most vulnerable populations, including Mexican immigrants. Mohler represented this second group. He and a handful of insurgents reminded the US Catholic hierarchy that most of the Mexican descent population claimed membership in the Catholic Church. According to Mohler, the hierarchy had an obligation to help to help the poor in their midst. The first group disagreed. Led by Archbishop Hanna, these prelates argued that the United States had an obligation to stem the tide of immigrants at the southern border, immigrants who lived in perpetual poverty, and “drain our charities.”

Many of the bishops remained on the fence about the NCWC and its usefulness until 1927. A letter from Pope Pius XI to the US hierarchy changed things. That year, the pope congratulated the NCWC's support of the Mexican hierarchy in its exile and its concern for the spiritual welfare of Mexicans. After reading Pius XI's letter, Mohler reported that any remaining doubts about the NCWC's importance had been fully eliminated. Doubts about how the NCWC should approach the so-called Mexican Problem, however, continued.

In 1929, a small controversy erupted in Denver, Colorado. For weeks, newspapers carried stories of a fight over the body of a young, Mexican woman. Rosie Puebla was just 21 years old when she died. A single mother, she spent the last months of her life struggling to regain her health after a difficult childbirth. The thing that most people remembered about Rosie in the months after she died was not her meager estate, or her five-month-old son, Gilberto: it was her body's destination. In Colorado, where Rosie lived and died, unclaimed bodies belonged to anatomical science. Friends and relatives had a 24-hour window to claim a body and make proper funeral arrangements. Unclaimed bodies reverted to the State Anatomical Board, which delivered the bodies to local medical schools. After they had served their educational purpose, human remains were sent to an incinerator. At times, the supply of used bodies just overwhelmed local incinerators. In Denver, Colorado, orphaned hands and feet often appeared, rotting on the street.⁸⁵

⁸⁴ Lytle-Hernández, *Migra!*, 85.

⁸⁵ “Woman's Foot is Found by Ashman,” *Denver Post*, April 2, 1929, Box 55, Folder: Mexican Welfare Committee of Colorado State, K of C, CMS 023.

Unable to raise the price for a funeral, Rosie's godmother, Mrs. Serverio Pueblo, confessed she could not claim Rosie. Under normal circumstances, the local Catholic Charities would have come forward to assist in the burial. In Rosie's case, a misspelled name left her body languishing days after she "gave up the ghost." The medical examiner turned the body over to the State Anatomical Board. In desperation, Mrs. Pueblo reached out to a local Catholic Mexican welfare committee, hoping against hope that they might still be able to claim Rosie as one of their own. She was in luck. A local activist, Thomas Mahony, embarked on an immediate campaign to reclaim Rosie.

Writing to the editor of the *Denver Catholic Register*, Mahony had this to say: "She was not a pauper in any sense of the word. Her death seems to have been caused, in part at least, by the fact that she labored beyond her strength and sacrificed herself to the last for her little baby boy." "Such devotion and mother love," Mahony continued, "deserves something better of the great city of Denver than a dissecting table for the pretty little young mother and later a garbage incinerator for 'the remains thereof.'" Mahony's protest saved Rosie from the fate of "a dissecting table." After reclaiming her body, Rosie received a full Catholic burial mass.⁸⁶

Rosie's story became a matter of local controversy and representative of the larger "Mexican Problem." In the 1920s social commentators noted that Mexicans failed to assimilate and become part of the American polity. Mexicans, they insisted, were "diseased, of subnormal intelligence, and presented a burden to charities." Those who naturalized remained distinctly on the margins of American society. They preferred Spanish to English, failed to vote in high numbers, remained stubbornly Catholic, and continued to rely on state and local charities. Social reformers, teachers, religious workers, and politicians all attributed these failings to Mexicans' inherent biological and social inadequacies. The contest over Rosie's body got at the very heart of the debate over what it meant to be American. Mahony's foray into mortuary politics pointed to a preoccupation over who should take responsibility for poor, unwanted Mexicans.

At the core of Mahony's quest to reclaim Rosie Puebla from the Colorado State Anatomical Board lay a larger, unresolved question of belonging and identity. In life, only Catholic organizations professed an interest in aiding Rosie. In death, Rosie became another, unwanted Mexican, a burden of the state, though of interest to local Catholic organizations. To address the issue of unclaimed human remains, the Colorado State Legislature passed the Colorado State Anatomical Board Law in 1927. The law allowed the board to make scientific use of all unclaimed bodies. Catholic organizations protested the law as inhumane and unfairly targeting poor Mexicans.

The Catholic Mexican Welfare Committee, chaired by Thomas Mahony, particularly resented the law. Catholic protest spoke to two issues. First, the Church believed it held nearly absolute power to direct the course of bodies, whether in life or death. In life, the Church governed such things as marriage and reproduction. The Anatomical Board Law gave ownership

⁸⁶ Colorado Senate Bill No. 208, "An Act for the Promotion of Medical Science by the Distribution and Use of Unclaimed Human Bodies for Scientific Purposes, and to Create a Self-Supporting Board for the that Purpose, and to Prevent Unauthorized Uses and Traffic in Human Bodies;" Thomas F. Mahony to Editor, *Denver Catholic Register*, April 6, 1929; Thomas Mahony to Sister Dominice, April 10, 1929; Thomas Mahony to Reverend John R. Mulroy, Catholic Charities, April 16, 1929; Box 1, Folder 5, Thomas Mahony Papers, Archives of the University of Notre Dame, Notre Dame, IN, (hereafter Mahony Papers); Thomas Mahony to Linna Bressette, April 18, 1929, and attachments, Box 16, Folder 6, The Records of the Department of Social Action, The American Catholic History Research Center and University Archives, Catholic University of America, Washington, DC, (hereafter SAD Papers).

of bodies to the state, a secular authority. In death, the Church claimed the body for mass and burial, but also in its determination of the soul's eternal destiny.

The Mexican Welfare Committee's protest gestured to a more earthly concern. The law gave the Anatomical Board ownership of unclaimed bodies. Most unclaimed bodies belonged to the poor. In Colorado, the overwhelming majority of the poor were Mexican, which meant the law disproportionately impacted Mexican descent communities. "Why should the poor among the Mexicans and others be compelled to have their dead taken from them... simply because they are poor?" Mahony asked. Instead of targeting Mexicans, Mahony said, the Anatomical Board ought to take bodies from more affluent areas of Denver. "It would accomplish this at least, bring about a better understanding of the anguish caused the poor in the slums when one of their loved ones is taken from them."⁸⁷

Born in 1873, Thomas Mahony was oldest of seven children. Mahony did not receive an extensive formal education. A lifelong passion for reading and devotion to the Catholic Church led to nearly three decades of work with Mexican migrants in Colorado. Mahony arrived in Longmont, Colorado in 1902. Once there, he married, began a family, and not long after established the Colorado Knights of Columbus Mexican Welfare Committee.

John Ryan's writings on social justice and the state heavily influenced Mahony. Much of Mahony's work focused on securing fair wages and improved employment conditions for Mexican laborers employed by the Western Sugar Beet Company. He also worked to eliminate "race antagonism" in regions of Colorado dependent upon Mexican labor. In particular, he sought to coordinate welfare efforts between county welfare agencies, the Colorado State Health Bureau, the Mexican Welfare Committee, and representatives of local Communities. Mahony intended to "sow the seeds of better understanding, kindlier feeling, and create a desire for social justice for the Mexican migratory workers."⁸⁸ Once the NCWC established its Immigration Bureau in 1920, Mahony began eagerly reaching out to the Bureau's director, Bruce Mohler. Encouraged by Mohler, Mahony hoped that his work in Colorado would demonstrate that provided proper support in the way of housing, education, and medical care, Mexican immigrants did indeed assimilate. By 1930, a handful of NCWC leaders had joined Mahony and Mohler and begun to consider the causes of the Mexican Problem more carefully.

In 1930, Reverend Thomas O'Dwyer, the director of the NCWC's Department of Charities addressed the National Conference of Catholic Charities' annual meeting on the question of Mexican assimilability and naturalization. He suggested that the apparent failure of Mexicans to assimilate might stem from the structural racism that Mexicans and Mexican Americans encountered in the United States, but particularly in states such as California and Texas. "Little progress will be made in the naturalization of [the] Mexican immigrant as long as his status remains what it is," O'Dwyer warned. "His rights are not recognized. Even when he becomes a citizen he is still treated as a foreigner... in many communities of the southwest one

⁸⁷ Thomas F. Mahony to Editor, *Denver Catholic Register*, April 6, 1929; Thomas Mahony to Sister Dominice, April 10, 1929; Thomas Mahony to Reverend John R. Mulroy, Catholic Charities, April 16, 1929, Box 1, Folder 5, Mahony Papers; Thomas Mahony to Linna Bressette, April 18, 1929, and attachments, Box 16, Folder 6, SAD Papers.

⁸⁸ Notes on Mexican Welfare Committee, no date, Box 2, Folder 3, Mahony Papers; Thomas Mahony to Paul S. Taylor, July 14, 1934, Thomas Mahony, "Wages of the Unskilled Workers in Colorado," May 27, 1929, Carton 10, Folder 3, Paul Schuster Taylor Papers, BANC MSS 84/38 c, The Bancroft Library, University of California, Berkeley, (hereafter Taylor Papers).

may still find signs on the stores... 'White Trade Only' and 'No Mexican trade wanted.'"⁸⁹ If the NCWC did not take a leadership role in providing welfare services for Mexicans and Mexican Americans, then, O'Dwyer believed Protestants would. In other words, the NCWC could no longer afford to treat Mexican immigrants as temporary "birds of flight" if they wanted to Mexicans to remain in the Catholic fold.⁹⁰

Not everyone believed that the National Catholic Welfare Conference adequately addressed the Mexican Problem. McWilliams' critique was but the first of many in a long line that criticized the Catholic Church's inadequate response to Mexican immigration in the 1920s. These critiques suggest that the Catholic Church could have offered some unified response to Mexican immigration. It could not. At least, initially it could not. Until the early 1920s, the US Catholic Church lacked national cohesion. During this period, the US Catholic hierarchy gained its first taste of political acceptance when US Ambassador Dwight Morrow asked Catholic leaders to accompany him in peace talks in Mexico. Despite the US hierarchy's support of Mexican religious refugees, the NCWC struggled to create a space of gradual accommodation for Mexican descent Catholics. Caught in the crux of this struggle were the hundreds of thousands of Mexicans and Mexican Americans who professed membership in the Catholic Church.

In the early decades of the twentieth century, the US federal government took very little interest in people of Mexican descent except to control their labor. Federal interest would change in the 1930s, during the Great Depression, and later during the New Deal, when the government would paint Mexicans and Mexican Americans first as objects of charity and then as aliens to whom it owed a responsibility. As the United States entered a period of great upheaval during the 1930s, NCWC leadership continued to struggle in its quest to advocate for Mexicans and Mexican Americans, but its reluctant advocacy marked a radical departure from the adversarial tone of its relationship with Mexican immigrants during the 1920s.

⁸⁹ Thomas O'Dwyer, "Assimilability and Citizenship of the Mexican Immigrant," presented at the National Conference of Catholic Charities, September 27 to October 2, 1930, Box 2, Folder 2, Mahony Papers.

⁹⁰ O'Dwyer borrowed large portions of his address from a report conducted by a Catholic field worker named Linna Bressette. She spent much of 1926 and 1927 conducting a semi-exhaustive study and gathering material from eight states across the Southwest, West, and Upper Midwest. Her report relied on interviews and reports supplied by priests, teachers, social workers, employers, labor leaders, and with Mexicans and Mexican Americans. In the end, Bressette concluded "the Mexican is here to stay." Linna Bressette, "Mexicans in the United States," (Baltimore: The Belvedere Press, Inc., 1928), 8, Box 72, Folder 3 Printed Materials, Matthews Papers.

Chapter Two: “Is it Better to Send them Back?”: the National Catholic Welfare Conference, Mexican Immigration, and the Politics of Exclusion at the US-Mexico Border

There is a moment just before dusk turns to night when the Texas sky appears alight with a cosmic battle between the night and the fading light of day. To the observer, the sky becomes overpowering and the world shrinks below. And then, darkness washes over the light. As the last light faded, on February 2, 1931, a young Mexican mother hurried towards the border check point between Juárez and El Paso. After a week of visiting family in Carrizal, Chihuahua, Angela Hernández de Sánchez was anxious to return home to her three children in El Paso. She began crossing the bridge between the two cities and then paused, the echo of her footsteps on the wooden planks growing silent. She turned and watched a line of cars moving in the opposite direction, weighed down with entire families and their belongings.¹

Dread flooded the young mother as she tried to remind herself that she had no reason to worry. Despite recent rumors of many Texas and California Mexican families being forced out of the United States, Hernández reassured herself that her situation was somehow different. She was a legal US resident. She had a job. Two of her three children held US citizenship. For fifteen years, Hernández had visited family in Carrizal and returned to El Paso without incident. That night was different. Instead of waving her through the checkpoint, US Immigration Services (USIS) officers pulled Hernández aside. For the first time in fifteen years, they demanded she turn over proof of residence and proper medical clearance. When Hernández was unable to provide the requested documents, USIS officers arrested her. The following day, a US Public Health doctor subjected her to an invasive medical exam. Convinced that Hernández suffered from syphilis and adenitis, the doctor refused to issue medical clearance. He recommended that USIS officials immediately deport her.² Later that day, the USIS released the young woman into the custody of the National Catholic Welfare Conference (NCWC), which maintained a local immigration office in El Paso to assist Mexicans and Mexican Americans entering and leaving the United States.³

As Hernández awaited the results of the blood test that would prove she had neither syphilis nor adenitis, the Department of Labor drew up a warrant of deportation. Working with local NCWC representatives, Hernández provided proof of her status as a US resident.⁴ Her efforts were to no avail. Using the veneer of medical science to cloak his racism, the examining doctor insisted that Hernández carried a yet undetectable strain of syphilis. He refused to issue clearance despite the clean blood test. She appealed the decision but the Department of Labor denied her request and issued a deportation warrant on March 12.⁵

¹ As recounted in R. Reynolds McKay, “Texas Mexican Repatriation During the Great Depression” (PhD Diss., University of Oklahoma, 1982), 98-100.

² Adenitis is a glandular swelling that early-mid twentieth century physicians typically associated with venereal disease. Prof. Dr. Franz Mrazek, *Atlas of Syphilis and the Venereal Diseases Including a Brief Treatise on the Pathology and Treatment* (Philadelphia: WB Saunders & Company, 1900), 93.

³ McKay, “Texas Mexican Repatriation,” 98-100; Cleofás Calleros to Bruce Mohler, January 25, 1934, Box 14, no identifiable folder, Calleros Papers.

⁴ Hernández had resided in the US continuously since October 3, 1916, making her a legal US resident under the Johnson-Reed Act of 1924.

⁵ From 1891 to 1903, the US Treasury Department oversaw immigration. Then, in 1903, Congress created the Bureau of Immigration and transferred it to the Department of Commerce and Labor. Ten years later, in 1913, the Bureau was divided into two separate bureaus – the Bureau of Immigration and the Bureau of Naturalization – and placed under the Department of Labor. In 1924, the Bureau of Immigration created the US Border Patrol. The

Sobbing and in a panic, Hernández begged the NCWC to intervene. NCWC representatives contacted the Department of Labor but were unable secure a stay in her deportation. Six weeks after attempting to return home from what she believed was an ordinary family visit, USIS officers deported Hernández and her three children on charges that she was a menace to public health and likely to become a public charge. Crying, Hernández crossed the border into Mexico.⁶

Hernández and her three children were but 4 of an estimated 400,000 to 2 million people of Mexican descent expelled from the US between 1929 and 1939. Her story is both remarkable in its extralegality – Hernández was a legal US resident, not subject to deportation under any contemporary immigration law – and unremarkable in terms of its common recurrence across the Southwest during the 1930s. As the world sunk into a deep economic depression in 1929, relief agencies throughout the United States embraced the practice of relocating Mexicans and Mexican Americans to Mexico as a solution to addressing the poverty spreading across the nation. Welfare agents called upon racialized stereotypes of Mexican immigrants as diseased and unassimilable to justify these efforts. Immigration officers at the border tightened entrance requirements as a way of regulating the immigrant labor market and preventing poorer immigrants from accessing local and federal relief.⁷

two bureaus were united into the Immigration and Naturalization Services in 1933. The INS remained a part of the Labor Department until 1940, when it was transferred to the Department of Justice, where it remained until 2003. In 2003, the INS split into three agencies, the US Citizenship and Immigration Services, Immigration and Customs Enforcement, and Customs and Border Protection. All three agencies are housed within the Department of Homeland Security.

The terms US Immigration Services (USIS), the Border Patrol, and the INS each reference parts of the federal apparatus that worked to police the movement of people into, out of, and in some cases, throughout the United States.

Mexico maintained its own immigration agency beginning in 1926. El Departamento Migratorio was commonly referred to as el Departamento de Migración. In 1930, Mexico created a new department in response to the wave of Mexicans and Mexican Americans leaving the US, el Servicio Migratorio, which was also referred to as el Servicio de Migración. The NCWC representatives who worked with Mexican authorities referenced the agency as the Mexican Migration Service or Servicio de Migración. They referred to Mexican agents as migración officers. I use the term migración officers to denote Mexican immigration officers and to distinguish between US and Mexican officials.

See US Citizenship and Immigration Services, “Our History,” (<https://www.uscis.gov/about-us/our-history>); Mae Ngai, *Impossible Subjects: Illegal Aliens and the Making of Modern America* (Princeton University Press, 2004); Pablo Yankelevich and Paola Chenillo Alaraki, “El Archivo Histórico del Instituto Nacional de Migración,” *Descataos*, number 26, January – April 2008, 25 -42; Francisco E. Balderrama and Raymond Rodríguez, *Decade of Betrayal: Mexican Repatriation in the 1930s* (University of New Mexico Press, 2006,) revised edition.

⁶ McKay, “Mexican Repatriation in Texas,” 98-100.

⁷ The figures attributed to repatriation fluctuate dramatically by scholar and source. Census data and USIS data differ from one another as well. The US Commission on Civil Rights estimated in 1980 that federal officials expelled approximately 500,000 people of Mexican descent, over half of whom held US citizenship. The state of California issued a bill of apology in 2006, noting that “In California alone, approximately 400,000 American citizens and legal residents of Mexican ancestry were forced to go to Mexico.” These numbers were based largely on research conducted by historians Francisco Balderrama and Raymond Rodríguez, who argue that close to 2 million Mexicans and Mexican Americans were expelled from the United States between 1929 and 1939. Historians such as Ian Haney López and Camilla Guérin-Gonzales concur with the US Commission on Civil Rights’ figures, while historians Mae Ngai, Douglas Massey, Vicki Ruiz, and Abraham Hoffman suggest that number hovers closer to 400,000. Recent scholarship by political scientists Brian Gratton and Emily Merchant relies on data from the Mexican Migration Service, US Census Data, and the INS. Gratton and Merchant suggest that the figure is much lower, closer to 350,000. Mexican historian and archivist Pablo Yankelevich is currently working with Kelly Lytle

The decade of removal, commonly referred to as Mexican repatriation, was one marked by coercion, terror, and violence. Many relief agencies across the country refused to register Mexican and Mexican American clients on their rolls. Instead, they offered transportation to Mexico. Other agencies invited immigration officials to welfare offices, encouraging them to investigate their clients' immigration status. USIS officers conducted raids in neighborhoods home to residents of Mexican descent on the advice of welfare agents. Los Angeles County, which led the US in the forced removal of Mexicans and Mexican Americans, lost 1/3 of its Mexican descent population during the decade. The United States lost roughly 1/5 of the total Mexican descent population between 1929 and 1935. Mexican repatriation became one of the largest racial expulsions in US history, second only to the American Indian campaigns of the 19th century.⁸

The terms used to describe the coerced removal of people during the 1920s and 1930s bear clarification. Deportation refers to a legal and administrative process whereby an immigrant is charged, arrested, tried, and deported under a warrant and order of deportation. Repatriation refers to a voluntary return process. But the use of the word voluntary is also misleading. Welfare, state, and federal agents (whether USIS officers or members of the Mexican Consul) typically encouraged Mexicans to accept repatriation in lieu of the limited relief sources offered to non-citizens. In many cases, these agents denied both Mexicans and Mexican Americans all forms of relief except repatriation. Immigrants, some undocumented, chose to repatriate as an alternative to deportation. The deportation laws of the late 1920s and early 1930s made reentry post-deportation an almost certain impossibility. In truth, repatriation was nearly as irreversible as deportation. Repatriation nearly always occurred at the financial expense of voluntary, local, state, or federal agencies and was nearly always due to poverty. Immigrants who chose to repatriate typically had their identification documents or passports stamped "repatriated," or otherwise marked with some similar classification that indicated they were likely to become a future public charge, or LP. Under existing immigration laws, applicants whose status had already been determined as LP were refused entry to the United States.

It is difficult to determine exactly how many individuals left the US for Mexico during the 1930s. The INS kept notoriously bad records from 1917 to 1930. In addition, Census Bureau

Hernández and other scholars to create a transnational database that compiles immigration figures during the decade from both the US and Mexico.

I offer the estimated range of 400,000 to 2 million for the simple reason that there are obviously two figures in the estimated range, no one figure is the best estimate available. Again, this is not a single estimate but a range. The NCWC's figures suggest that close to 500,000 people passed through El Paso, over 80 percent of whom were US citizens or permanent residents, as a result of repatriation. It is unclear how those figures compare to those kept by the INS or Mexican Consul. After his retirement from the NCWC, Calleros stored the agencies' client case files in his garage. After his death, his wife destroyed many of the client casefiles.

See: Pablo Yankelevich and Kelly Lytle Hernández, "An Introduction to el Archivo Histórico del Instituto Nacional de Migración," *Aztlán: A Journal of Chicano Studies*, vol. 4, no. 1 (spring 2009), 219-239; Paul Taylor, "Critique of the Official Statistics of Mexican Migration to and from the United States" in *International Migrations, Volume II: Interpretations*, Walter F. Willcox, editor (Washington, DC: Bureau of Economic Research, Government Printing Office, 1931), 581-590; Brian Gratton and Emily Merchant, "Immigration, Repatriation, and Deportation: The Mexican-Origin Population in the United States, 1920-1950," *International Migration Review*, vol. 47, no. 4, (winter 2013), 944-975; Ngai, *Impossible Subjects*; Ian Haney-López, *White By Law: The Legal Construction of Race* (New York University Press, 2006); Francisco Balderrama and Raymond Rodríguez, *Decade of Betrayal*; Camilla Guérin-Gonzales, *Mexican Workers and American Dreams*; Abraham Hoffman, *Unwanted Mexican Americans*; Vicky Ruiz, "Nuestra América: Latino History as United States History," *Journal of American History*, vol. 93, no. 3, 2006, 655-728.

⁸ Ngai, *Impossible Subjects*, 75; Sánchez, *Becoming Mexican American*, see chapter 10.

data rarely matched that of the INS or its predecessors. Paul Taylor first shed light on the problem in 1931. In his report to the Bureau of Economic Research, Taylor noted that Mexicans who had previously entered the US and left after a brief visit were not recorded by US immigration officials. INS officers often failed to count these same individuals if they returned to the US. Moreover, record keeping varied by port of entry. Mexican authorities did not take count of visitors to the US who stated their intent to visit the country for less than 6 months. Furthermore, those who entered the US through extralegal channels typically departed surreptitiously to avoid detection by authorities. Unless they had the unfortunate luck to encounter immigration officials, their movements would have remained unrecorded.

Few organizations outside of the growers' associations who relied on Mexican labor protested Mexicans' and Mexican Americans' mass expulsion from Colorado or other states. From 1929 through the mid 1930s, welfare agencies across the nation, including a Catholic Charities office in Los Angeles, applauded efforts to remove Mexicans and Mexican Americans. Through the work of its border agent, Cleofás Calleros, the NCWC's Immigration Bureau would become the largest source of non-grower resistance to repatriation.⁹ During the early 1930s, at the height of Mexican repatriation, Calleros traveled throughout the West and Southwest, speaking to other voluntary agencies in cities with large Mexican descent populations. He warned of the long-term consequences of repatriation. Calleros believed that targeted racial expulsion would discourage Mexicans from seeking naturalization, tear families apart, and lead to a generation of American citizens terrified of the federal government.

Calleros' work along the border represented the NCWC's first sustained engagement with the Mexican descent population. The El Paso office handled nearly 1.75 million cases from the time it opened in 1923 until it finally closed in 1967. Nearly all their clients were of Mexican descent. In addition to assisting immigrants crossing the border, the office provided citizenship classes and welfare assistance to Mexican immigrants already residing in the region. Calleros played a key part in shaping the NCWC's position on Mexican immigration. Moreover, he served as an important advocate for both Mexicans and Mexican Americans who were targeted by restrictive immigration policies, underemployment, and limited educational opportunities.¹⁰

Throughout the 1930s, the bureau struggled with the question "is it better to send them back?" During the previous decade, the newly organized NCWC had largely focused first on restricting Mexican immigration, and second on stabilizing the status of the Catholic Church in Mexico. A small number of progressive insurgents advocated on behalf of Mexican immigrants, but they remained on the NCWC's margins. By the late-1920s, the conference had its first Mexican American in a position of leadership, Cleofás Calleros. He and a handful of sympathetic allies would begin to push the NCWC away from its adversarial relationship with the Mexican descent community and more towards the role it would adopt in the 1940s as an advocate. Those who steered the NCWC's changing course, Calleros, Bruce Mohler, and to a certain extent, John Ryan, were not representative of the average US Catholic. They were on the most progressive end of a spectrum of Catholic advocacy. Nevertheless, their leadership positions within the NCWC allowed them to assume a position of public visibility and to commune with national politicians. Their advocacy on behalf of Mexican immigrants would lay the groundwork for the

⁹ Cybelle Fox, *Three Worlds of Relief: Race, Immigration, and the American Welfare State from the Progressive Era to the New Deal* (Princeton University Press, 2012), 124.

¹⁰ Marjorie Sánchez-Walker, "Migration Quicksand: Immigration Law and Immigration Advocates at the El Paso-Ciudad Juárez Border Crossing, 1933-1941" (PhD Diss., Washington State University, 1999), 13.

NCWC's later, and more enthusiastic, advocacy on behalf of both Mexicans and Mexican Americans.

Historians do not know enough about Calleros or the NCWC's efforts to curtail Mexicans' and Mexican Americans' expulsion from the United States during the 1930s. A handful of dissertations and short biographies comprise much of the scholarship on this remarkable man. Calleros' work with immigrants during the 1920s and 1930s belies the divisions of citizenship within the Mexican descent community that many other historians have noted. Calleros belonged to Mexican American civil rights organizations such as the League of United Latin American Citizens (LULAC), which stressed a civic based identity grounded in US citizenship. Yet, he also believed that Mexican immigrants and Mexican Americans shared a common racial heritage. Calleros' advocacy on behalf of Mexican immigrants challenges two commonly held perceptions of the period: first, that early Mexican American civil rights leaders split with Mexican immigrants over the issue of citizenship, and second, that Catholic institutions entirely abandoned or ignored Mexican and Mexican American Catholics.¹¹

Calleros' activism on the border provides a window into how Mexican Americans responded to Mexican repatriation. His membership in LULAC and other early civil rights organizations helps to reveal how Mexican Americans mobilized in the face of coercive immigration practices and in response to various state racial classification schemes, which aimed to disenfranchise both Mexicans and Mexican Americans. In other words, these early leaders clearly understood that the racial typography of the US Southwest linked their status directly to the status of Mexican immigrants.¹²

Calleros and his supervisor, Mohler, were part of a small group of progressive insurgents who sought to shift the NCWC's immigration politics away from Mexican exclusion and more towards a policy of family unification and inclusion within the larger Catholic community. They did not represent the bulk of US Catholics during the period. Most US Catholics in the 1920s and 1930s built communities within ethnic enclaves. Few would have been interested in the status of Mexicans and Mexican Americans. Nor did the entire US hierarchy share Mohler's and Calleros' enthusiasm.¹³ Despite their success in fighting repatriation and other repressive immigration practices, the US Catholic bishops never issued a statement officially condemning the targeting of the Mexican descent population. The hierarchy devoted much of the fledgling NCWC's resources to Euro-Americans, particularly the Irish, Polish, German, and Italian Catholic communities that comprised the bulk of the US Catholic membership during the early twentieth century. Neither did the bishops formally endorse the Immigration Bureau's border work. Instead, they kept the bureau on a small budget and allowed it to operate with relative independence.

¹¹ Abraham Hoffman, *Unwanted Mexican Americans in the Great Depression: Repatriation Pressures, 1929-1939* (University of Arizona Press, 1974); Hoffman, "Mexican Repatriation Statistics: Some Suggested Alternatives to Carey McWilliams," *The Western Historical Quarterly*, vol. 3, no. 4 (October 1972), 391-404; Francisco E. Balderrama and Raymond Rodríguez, *Decade of Betrayal: Mexican Repatriation in the 1930s* (University of New Mexico Press, 2006,) revised edition; George J. Sánchez, *Becoming Mexican American: Ethnicity, Culture, and Identity in Chicano Los Angeles, 1900-1945* (Oxford University Press, 1995); David G. Gutiérrez, *Walls and Mirrors: Mexican Americans, Mexican Immigrants, and the Politics of Ethnicity* (University of California Press, 1995); Camille Gurein-Gonzalez, *Mexican Workers and the American Dream: Immigration, repatriation, and California Farm Labor, 1900-1939* (New Brunswick: Rutgers University Press, 1996).

¹² Mario T. García, *Católicos: Resistance and Affirmation in Chicano Catholic History* (University of Texas Press, 2010), see especially chapter two "Catholic Social Doctrine and Mexican American Political Thought."

¹³ Thomas O'Dwyer to John Burke, November 29, 1929, Box 54, Folder: Mexican Border Office - General Correspondence: 1/1/25 - 12/31/30, CMS 023.

Calleros used his position with the NCWC to try to stabilize the position of the Mexican descent population during the 1930s. He focused first on blunting the impact of repatriation by helping Mexicans and Mexican Americans to document their status, making sure immigrants understood and utilized applicable immigration laws, and by working with USIS officials to find alternatives to repatriation. Then, in 1933, Calleros received an appointment to a state relief committee chartered under the New Deal's Federal Emergency Relief Agency. He used this joint appointment to draw attention to the ways in which state and federal agencies excluded people of Mexican descent from relief and employment opportunities, and targeted them for removal. By the close of the decade, Calleros had helped to direct both NCWC and federal attention to the problems faced by Mexican descent communities.

During the era of repatriation, the NCWC decried tactics that targeted vulnerable US residents for removal without regard to their long-term welfare, but also remained unsure of Mexican immigrants' inherent assimilability. NCWC leaders insisted that the federal government had an obligation to relieve US residents' poverty. The NCWC's public disavowal of repatriation made it the largest voluntary organization to condemn the coercive practices associated with forced relocation. In addition, it was the largest non-governmental organization involved in day-to-day immigration proceedings at the US-Mexico border, giving it a direct window into the impact of repatriation and deportation on ordinary individuals.

Desert Saint: Cleofás Calleros and Mexican Repatriation

The NCWC's border agent, Cleofás Calleros, propelled the NCWC's effort to curb Mexicans' expulsion during the Great Depression. Born in Río Florido, Chihuahua in April 1896, Calleros immigrated to the US with his family at the age of six. He attended Sacred Heart Academy in El Paso and eventually earned a teaching certificate. Shortly before the US joined World War I, Calleros began working for the Santa Fe Railroad. In 1918, he left the railroad, joined the US Army, and shortly thereafter became a naturalized citizen. While serving in Germany, he was injured and received the Purple Heart. After the war, Calleros returned to El Paso and in short order, married Benita Blanco. He resumed his work with the Santa Fe Railroad and spent much of his spare time volunteering at his local church.¹⁴ When the NCWC's border office lost its director in 1926, the El Paso bishop urged the NCWC to hire Calleros. He would spend the next 41 years directing the El Paso office and assist more than 1 million immigrants during that time. The bureau's director, Bruce Mohler, could not have picked a more tenacious or difficult personality. Calleros' contemporaries described him as "stubborn," "arrogant, cantankerous, and pushy." But as one friend and colleague noted, "there wasn't anything mean about him." Clients and friends alike continued to express appreciation for his work, even decades later.¹⁵

The cantankerous border agent drew upon his personal experience and devout Catholicism to aid his work. His own successful Americanization experience led him to champion such programs in the borderlands. He had little patience with those who rejected Americanization. To say that Calleros was an unusual man, full of compassion and

¹⁴ Cleofás Calleros to Bruce Mohler, June 29, 1926; Bruce Mohler to Father John Burke, July 10, 1926; Bruce Mohler to Thomas Mulholland, August 17, 1926, Box 16, Folder 162, CMS 023.

¹⁵ As quoted in "Migration Quicksand," 28-29; Mario T. García, *Católicos: Resistance and Affirmation in Chicano Catholic History* (Austin: University of Texas Press, 2008), 59.

inconsistencies, is a gross understatement. No other Mexican American did more to assist Mexican immigrants during the 1930s. By the time he retired in 1961, Calleros had processed more than 1 million immigration cases with an office staff of four employees.¹⁶ His ability to help immigrants depended directly on his ties to the NCWC and his good working relationship with US and Mexican immigration officers. Calleros' work with the NCWC's border office also demonstrates the importance of the US-Mexico border, and in particular the importance of El Paso-Juárez in the making of race and citizenship during the Great Depression. The practices and negotiations between immigrants, state, and non-state actors, that unfolded at the border were shaped by federal priorities, such as FDR's Good Neighbor Policy. Calleros and other immigration advocates made pragmatic use of federal interest in the region.

By the mid-1920s, the NCWC border office's activity comprised the bulk of immigration welfare activity in El Paso, which placed the US Catholic Church at the center of the immigration debates. Much of the commerce that flowed into and out of northern Mexico did so via the rail lines that crossed through El Paso into Juárez. East-west and north-south rail lines all converged in at the El Paso-Juárez port. El Paso also served as the major port of entry between the United States and Mexico during the early decades of the twentieth century. The USIS relocated its US-Mexico border headquarters to El Paso in 1909, indicating the area's importance as hub between the two nations. The NCWC's Immigration Bureau also recognized the importance of the El Paso-Juárez immigration port and it opened branch offices in El Paso and Juárez to assist Mexicans and Mexican Americans in 1923. The El Paso office was designed to service the Mexican Border District, the territory of which spanned Brownsville, Texas to Bakersfield, California.¹⁷

Mexicans who entered the US in the first decades of the twentieth century did so during a moment of great flux in immigration law. From 1900 to 1915, more than 14 million immigrants entered the US.¹⁸ Many these immigrants were non-English speaking and belonged to non-Protestant faiths. In response to the exponential growth in immigration, Congress passed a series of laws aimed at restricting immigration. Progressive era lawmakers sought to create restrictive immigration policies that would ensure a more homogeneous US society.

Within roughly a twelve-year period, Mexican immigration shifted from largely unregulated to heavily restricted and policed. Entry requirements at the US-Mexico border were almost nonexistent until 1917, when Congress passed the Immigration Act of 1917. The law established a literacy test and doubled the head tax paid by immigrants at established ports of entry. The Immigration Act of 1917 made aliens who became "a public charge within five years of entering the country through some cause existing prior to entry," deportable, though the USIS did not consistently enforce the policy. During World War I, the Department of Labor exempted Mexicans from the law's entrance requirements. Beginning in 1919, however, Mexicans were required to apply for entrance, pay a head tax, and enter the country at authorized ports. The 1924 Johnson-Reed Act further hardened these barriers to admission.¹⁹

The 1924 Johnson-Reed Act made documentation mandatory for entering the US but there were several exceptions applied at the US-Mexico border. Mexicans who entered the US

¹⁶ Sánchez-Walker, "Migration Quicksand," 28-29.

¹⁷ Fox, *Three Worlds of Relief*, 159; Sánchez-Walker, "Migration Quicksand," 2; "Immigration Facts to Present to the General Council," no date, Box 16, Folder 162, CMS 023.

¹⁸ US Bureau of the Census, No. 1416, "Immigration by Leading Country or Region of Last Residence: 1901-1997," 20th Century Statistics, in *Statistical Abstract of the United States: 1999* (US Government Printing Office, 1999), 872.

¹⁹ Ngai, *Impossible Subjects*, 64; Lytle Hernández, *Migra!*, 34.

during the 1920s for reasons other than obtaining citizenship typically did so without documentation. Moreover, many of the ways in which Mexicans entered the US during this period were not expressly illegal. Those living in the border region often commuted across the border for work on a daily or weekly basis. The USIS counted commuters as immigrants and required a one-time head tax, but did not always require a commuter pass. Those who worked in the agricultural industry typically entered as a temporary visitor and were not required to obtain a passport or visa. These legally irregular means of entrance made it difficult to determine who had entered the country with authorization and who had not.²⁰

In response to Congressional pressure in 1926, the State Department began tightening visa requirements. They focused specifically on aspects of the 1924 law that restricted immigration by denying entry to those who were contract laborers, illiterate, deemed likely to become a public charge, or identified as having “physical and mental defects.”²¹ These tightened entrance requirements and diminishing employment opportunities led to a rapid decline in northbound immigration. By 1929, the growing economic crisis heightened public animosity towards Mexicans and Mexican Americans.

In October 1929, the stock market crashed and within a month New York Stock Exchange securities lost 40 percent of their total value. By the end of the year, more than 650 banks failed and by the end of 1931, those numbers had grown to over 2,000. Thousands of Americans lost their jobs and life savings as the nation and indeed much of the world sunk into a global depression. Hundreds of thousands of people left the United States for Mexico beginning in 1929. Individuals and families flooded local relief and charity offices. In one 8-month period, roughly 46 of the 85 local Catholic Charities offices nationwide distributed close to \$2.8 million in relief aid to roughly 210,000 families. These numbers excluded aid in large cities such as Boston or Chicago.²² By early 1930, many Americans had begun to look for an explanation for the rapidly growing rates of unemployment. Their sights landed on immigrants and particularly, Mexican immigrants.²³

The popular press helped to fan antagonism towards Mexican immigrants. Newspapers around the country carried headlines decrying a “Mexican invasion.” Reporters described Mexican immigrants as “a most undesirable ethnic stock for the melting pot” and “unassimilable.” They painted Mexican immigrants as distinctly unhealthy and immoral noting “tuberculosis is common among Mexicans, and so is venereal disease and intestinal trouble.” Congressman Albert Johnson, co-sponsor of the Johnson-Reed Act, declared “The day of unalloyed welcome to all peoples, the day of indiscriminate acceptance of all races, has definitely ended.”²⁴

Johnson meant to act on his words. On March 4, 1929, Congress passed the Johnson Deportation Act. The law initially created a lifelong ban on all deportees and provided the legal justification for the waves of repatriation and deportation that swept the United States from 1929

²⁰ Ngai, *Impossible Subjects*, 70.

²¹ Max Stern, “86 Percent Reduction in Mexican Immigration,” *El Paso Evening Post*, July 10, 1930.

²² Statement by William F. Montavon, representing the Administrative Committee of the National Catholic Welfare Conference on Senate Bill 5125, January 14, 1933, Box 3, Folder 1, SAD Papers.

²³ Fox, *Three Worlds of Relief*, 125.

²⁴ Roy L. Garis, “The Mexican Invasion,” *Saturday Evening Post*, (April 19, 1930); Garis, “Mexican Conquest,” *Saturday Evening Post*, (June 22, 1929), 26; “The Immigration Problem,” *Lansing State Journal*, December 8, 1928; “Texas Insists on Quota Law on Rio Grande,” *Rochester Democrat and Chronicle*, September 4, 1927; Albert Johnson, “Forward,” in *Immigration Restriction: A Study of the Opposition to and Regulation of Immigration into the United States*, ed. Roy L. Garis (New York: MacMillan Company, 1927), viii.

through the 1930s.²⁵ Under the Deportation Act, entering the country without authorization became a felony. The NCWC's Immigration Bureau responded furiously. Mohler described the bill as, "perhaps the most brutal immigration legislation ever to pass the US Congress."²⁶ Thousands of families faced separation under the new legislation. The Department of Labor wasted no time in putting the law into effect. In 1929, Secretary of Labor William Doak ordered the USIS to begin implementing the law.²⁷

The NCWC strongly criticized Secretary of Labor Doak's deportation campaigns. According to Mohler, border agents over-applied the deportation law, which resulted in permanent banishment from the United States. Mohler charged immigration inspectors with using "harsh and brutal methods of questioning" and arresting "innocent Mexican aliens." Calleros argued that these methods stemmed from "opposition toward alien labor."²⁸ Many of those repatriated and deported were legal residents or citizens of the United States, as in the case of Hernández and her three children. Together, Mohler and Calleros averted the extralegal removal of some Mexican residents and Mexican Americans by insisting that local border agents allow those in question to provide evidence of their legal status or at least be given the opportunity to legalize their status. Such cases had received considerable leniency in previous years, allowing aliens to depart voluntarily in order that they might later return with the correct documentation. By 1931, however, the border had hardened significantly.

The Department of Labor carried out deportation hearings in a separate judicial system in the 1930s. The administrative process was structured in such a way that local USIS officers acted as inspecting, arresting, and hearing officers. USIS inspectors often conducted raids on local barrios without warrants and arrestees could be detained for months without the right to an attorney. Unlike deportation, which was a legal process, repatriation was technically voluntary and informal. In truth, Mexicans and Mexican Americans did not experience a uniform repatriation process during the Great Depression. Some individuals, particularly those living along the border, crossed voluntarily from the US into Mexico, seeking relief from the economic downturn, though their situation often worsened in Mexico. Others requested and received assistance from local social service agencies in the form of money, train tickets, and other provisions designed to aid in the journey to the interior of Mexico. Many of these choices were likely informed by the attitudes of welfare agents. Mexican consular representatives and the Mexican Migration Service also had limited funds from the Mexican federal government that it contributed to repatriation requests.²⁹

Voluntary organizations filled a special role in the US-Mexico borderlands, often serving as the mediator between the federal state and those who moved across the border. USIS agents

²⁵ Although both European and Mexican immigrants were subject to deportation raids, repatriation overwhelmingly targeted large Mexican descent communities. See Fox, *Three Worlds of Relief*.

²⁶ Bruce Mohler, "Annual Report: National Catholic Welfare Conference, Bureau of Immigration, July 1, 1928-June 30, 1929," Box 25, Folder 8, Bruce Mohler Papers, University Archives and Special Collections, Catholic University of America, Washington, DC, (hereafter Mohler Papers); "Deportation Act in Effect," *The Brownsville Herald*, May 16, 1929; Andrew G. Haley, "America Welcomes the Immigrant," *America*, March 1929, republished in *The Catholic Advance*, June 29, 1929.

²⁷ Ngai, *Impossible Subjects*, 60.

²⁸ "Report of the Chairman of the Department of Social Action, National Catholic Welfare Conference, The Most Reverend Thomas P. Lillis, DD, Bishop of Kansas, City, II—Bureau of Immigration," Box 25, Folder 10, Mohler Papers; "Annual Report: National Catholic Welfare Conference, Bureau of Immigration, July 1, 1930-June 30, 1931," Box 25, Folder 9, Mohler Papers.

²⁹ Fox, *Three Worlds of Relief*, 156-157; Vargas, *Labor Rights are Civil Rights*, 55.

called on Calleros as a translator – both of language and culture. He served as the intermediary between US and Mexican immigration officials and people of Mexican descent seeking to document their immigration status or gain citizenship. In addition, Mexican and US consular officials on both sides of the border regularly referred cases directly to Calleros. When entering immigrants sought Calleros' help, he relayed their petitions to Bruce Mohler in Washington, DC. Mohler followed up with Secretary of Labor Frances Perkins and her State Department counterparts.

At Calleros' urging, Mohler frequently used his DC connections to push back against tightened immigration policies that threatened to separate families. In 1931, the US Consul in Juárez refused to authorize the entrance of two women whose entrance the Department of Labor had previously authorized. Calleros immediately notified Mohler of the situation, who in turn appealed directly to the State Department. The State Department reversed the consul's original refusal, though not without a delay of several months.³⁰ Mohler maintained that the rush to restrict Mexicans from entering the US made them "guilty of [a] gross disregard of human rights" as they withheld visas from applicants "legally entitled to receive them."³¹

The National Catholic Welfare Conference's resistance to repatriation set it apart from many voluntary and religious organizations that supported the mass relocation of Mexicans and Mexican Americans. For example, the American Federation of Labor, argued that the removal of Mexican immigrants from the United States would "open up jobs for deserving Americans." The AFL failed to distinguish between citizens and noncitizens of Mexican descent, choosing instead to lump both groups together as undeserving and not American. Other organizations such as the American Legion, a veterans' organization, directly participated in repatriating efforts. The American Legion helped to organize the removal of over 3,000 Mexicans and Mexican Americans from the upper Midwest in 1931, traveling along to insure order.³²

Perhaps the most well-known and well-publicized deportation and repatriation campaign began in Los Angeles in the late fall of 1930. The city's Committee on Coordination of Unemployment Relief devised a plan to scare immigrants into leaving the city. Coordinating with Secretary of Labor Doak and other members of Hoover's administration, the committee began publicizing notices of upcoming deportation raids. The committee sent press releases to local newspapers, focusing specifically on Spanish-language newspapers. The plan culminated in a high-profile raid in city's largely immigrant Plaza district on February 26, 1931. Over four hundred people were detained for several hours, but in the end, only seventeen were found to be undocumented. The raids continued over the course of the early spring. The Department of Labor deported less than 300 Mexican immigrants during the entire campaign. The raids, however, had the effect of terrorizing many Mexicans and Mexican Americans into leaving the country.³³

Meanwhile, the Los Angeles County Board of Supervisors and local welfare agents concocted a plan to rid the county of Mexicans on relief. Rather than immediately certifying Mexican descent clients for relief, welfare agents would offer train tickets to Mexico. The county negotiated a base fare with several railroad companies and coordinated with the Mexican Consul in Los Angeles to finance and affect the plan. The problem with accepting repatriation, as many Mexican immigrants soon learned, was that in so doing their immigration status changed to

³⁰ "Annual Report: National Catholic Welfare Conference, Bureau of Immigration, July 1, 1930-June 30, 1931," Box 25, Folder 9, Mohler Papers.

³¹ *Ibid.*

³² Balderrama and Rodríguez, *Decade of Betrayal*, 68.

³³ Sánchez, *Becoming Mexican American*, 214-217; Fox, *Three Worlds of Relief*, 161.

“likely to become public charges,” or “LPs.” Under the 1924 Johnson Reed Act and the 1929 Deportation Act, LPs were ineligible for reentry into the US could potentially be subjected to deportation.

In March 1931, the first repatriation trains left Los Angeles County for El Paso. By the end of the year, the Mexican Migration Service at Juárez estimated 150,000 persons of Mexican descent entered Juárez from El Paso en route to their former homes.³⁴ The NCWC’s border office assisted approximately 100,000 of the 150,000 persons entering Juárez at the El Paso port. Calleros reported that the majority of those seeking assistance in leaving the United States did so because of “anti-alien propaganda, discrimination, fear, and unemployment.”³⁵ The influx of so many individuals into border cities presented the NCWC Border Office with a unique set of challenges, including how to reconcile its own internal conflict over whether repatriation should be applied as a solution to the poverty of Spanish-speaking residents. In his annual report to the US bishops in 1931, Mohler described repatriation at government expense as a “boon to many destitute persons.”³⁶ Mohler’s language portrayed Mexicans as temporary visitors, who regardless of citizenship, belonged in Mexico, but he also noted the stark reality that excluded many Mexicans and Mexican Americans from relief. Many Mexicans probably did repatriate voluntarily but those choices were likely colored by competing factors such as the denial to relief funds and constant terror of deportation raids.

Relief agencies’ participation in the expulsion of undesirable aliens made the welfare state an extension of US Immigration Services. Colorado Governor Edwin Johnson, for example, demanded that relief agencies in his state turn over their client rolls to USIS. Colorado’s sugar beet industry had long recruited Mexicans and Mexican Americans to work the fields during harvest time. As jobs dried up, temporary workers lost their fragile economic stability and turned to relief roles. One Catholic activist reported that Johnson intended to round up “all Mexicans in a concentration camp” and deport them.³⁷ The governor went so far as to institute martial law to stop Mexicans from entering the state. Johnson ordered roadblocks along the state’s southern border. The National Guard policed the Colorado-New Mexico border, turning away anyone who appeared Mexican.

“It is along the US-Mexican Border and in our Southwestern States that the demands for greater restriction of immigration and for ridding the country of so-called undesirable aliens and of those illegally here have been most diligently applied,” Mohler noted in his report to US bishops in 1931. Just five years prior, these same states had demanded greater access to Mexican labor and more relaxed entrance regulations along the US-Mexican border. Five years later, however, the Depression was in full swing and in many places, Mexicans and Mexican Americans found themselves the first victims of unemployment, and the last recipients of welfare

³⁴ Bruce Mohler, “Annual Report: National Catholic Welfare Conference, Bureau of Immigration, July 1, 1930-June 30, 1931,” 18, Box 25, Folder 9, Mohler Papers; Sánchez, *Becoming Mexican American*, 214-217; Fox, *Three Worlds of Relief*, 161.

³⁵ “Annual Report: National Catholic Welfare Conference, Bureau of Immigration, July 1, 1930-June 30, 1931,” Box 25, Folder 9, Mohler Papers.

³⁶ *Ibid.*

³⁷ Ruben Donato, *Mexicans and Hispanos in Colorado Schools and Communities, 1920-1960* (State University of New York Press, 2007), 55-57; “Federal Govt. Intervenes in Deportations,” *Greeley Daily Tribune*, May 11, 1935; Cleofás Calleros to Bruce Mohler, May 17, 1935, Box, 87, Folder: Repatriation, CMS 023.

relief.³⁸ Regardless, the NCWC's Immigration Bureau continued to respond to requests from applicants seeking to regularize their immigration status.



Figure 2.1 Russell Lee, *Mexican woman and child, San Antonio, Texas, 1939* (Courtesy of the Library of Congress).

³⁸ Bruce Mohler, "Annual Report: National Catholic Welfare Conference, Bureau of Immigration, July 1, 1930-June 30, 1931," 18, Box 25, Folder 9, Mohler Papers.



Figure 2.2 Russell Lee, *Mexican woman and child in doorway, San Antonio, Texas, 1939* (Courtesy of the Library of Congress).

The Immigration Bureau's DC and El Paso offices mediated on behalf of Mexican nationals whose immigration status was unauthorized and who were under deportation orders. Bureau representatives appeared before the Department of Labor's Special Appeals Board in DC on behalf of clients who appealed their deportation. During the 1930s, the bureau handled close to 200 cases annually. By handling these cases, the NCWC's Immigration Bureau acted as a direct intermediary between the US federal government and non-citizen residents. The process

was fairly straightforward. Undocumented immigrants regularly contacted Calleros, who then filed an application for registration on behalf of the immigrant. This application documented the residency status of those aliens unable to demonstrate that they had previously obtained legal entrance, and, as Mohler happily informed his superiors, “also pave[d] the way to American citizenship.” In addition, Calleros helped otherwise undocumented immigrants obtain identification cards. These cards enabled immigrants to move more freely across the border.³⁹

The border office also maintained close ties to Mexican officials – so much so that Mohler bragged to the US bishops: “Mexican Government officials of all classes—federal, civil, military, and those in charge of migration—[are] most cordial and sympathetic toward the work of our Bureau.” In fact, Mexican migración officers often referred Mexicans seeking entrance into the United States to the NCWC branch office at Juárez. When the Mexican Government closed the Santa Fe Street Bridge to Mexico bound traffic, NCWC workers “had merely to state that our work was hampered thereby in order to obtain special passes.”⁴⁰ How consistently cordial the relations between the NCWC and Mexican government officials actually were is unclear, but NCWC workers both in El Paso and in Washington, DC, certainly enjoyed a close enough relationship with Mexican officials to develop a political network that at times reached all the way to the Mexican Congress, and even to the Mexican president.⁴¹

As the NCWC’s official representative, Calleros’ work put the US bishops’ conference in the center of international immigration proceedings. Indeed, Calleros answered requests from as far away as Chicago, northern California, Colorado, Zacatecas, and Michoacán. Individuals throughout the Southwest and across the border wrote to Calleros, pleading for help in locating birth certificates and baptismal records necessary to prove citizenship. In early 1932, when repatriates began arriving daily by the hundreds, Calleros met with Mexican Consul General Enrique Gonzalez. Calleros suggested that a committee of “prominent Mexicans of El Paso” be formed in order to provide repatriates with temporary shelter and food. The consul arranged for a similar committee in Juárez that would coordinate with the NCWC’s Juárez office. By all accounts, the two committees provided a great deal of relief to destitute immigrants.⁴²

Staffed by Calleros, the Juárez office also worked to help prepare visa applications and aid those who had been denied entrance to the US. In February 1934, for example, the immigration inspector in charge at the El Paso immigration station called Calleros, requesting his help on behalf of Pablo Luján and his wife Marcel[a] Arias. Border Patrol agents had arrested Arias and Luján for entering the country without proper authorization. Luján and Arias had resided in the United States since 1923 and had four US-born children. Calleros agreed to represent the couple and advised them not to accept any offers of voluntary return (repatriation). Instead, he recommended they appeal their arrest, since under recently passed legislation their

³⁹ “Annual Report: National Catholic Welfare Conference, Bureau of Immigration, July 1, 1930-June 30, 1931,” Box 25, Folder 9, Mohler Papers.

⁴⁰ *Ibid.*

⁴¹ Bruce Mohler to Cleofás Calleros, May 22, 1947; Bruce Mohler to Cleofás Calleros, August 16, 1926; Cleofás Calleros to Bruce Mohler, December 17, 1946, folder: Mexican Border Office: Juárez Office, Box 55, National Catholic Welfare Conference, Department of Immigration Records, Center for the Study of Migration, New York, NY, (CMS 023).

⁴² “Report of the Chairman of the Department of Social Action, National Catholic Welfare Conference, The Most Reverend Thomas P. Lillis, DD, Bishop of Kansas, City, II—Bureau of Immigration,” Box 25, Folder 10, Mohler Papers.

residency would likely be validated. Without Calleros' intervention, immigration inspectors would have most likely convinced the couple to accept repatriation.⁴³

During an era of restrictive immigration, the NCWC's mediation undoubtedly provided an invaluable resource. Individuals in situations such as Hernández or the Arias family faced extralegal deportation or expulsion. To counterbalance the detrimental and often illegal side effects of a restrictive immigration regime, Calleros used his position as an NCWC representative to create a pathway to documented status for undocumented immigrants. His close working relationship with local immigration agents on both sides of the border presented Mexicans with alternatives to leaving the United States.

By mid-1934, word of Calleros' work had spread throughout the Southwest. Requests for assistance poured into the office. One Arizona social worker contacted the border office, pleading for the office to address the growing humanitarian crisis at the border. "Nogales, Mexico is full of tragedies of divided citizenship," she wrote. "Children born in this country of alien parents have been sent back to Mexico with their parents, and many of them are just about starving to death across the border."⁴⁴ The removal of one parent, most often the family's breadwinner, deported, or repatriated with hopes of avoiding deportation, and unable to reenter the United States, created public charges where none had existed. In El Paso County alone, the NCWC saw an increase of over 600 new relief cases as a result of the repatriations in 1930.⁴⁵

⁴³ Cleofás Calleros to Bruce Mohler, February 12, 1934, Box 5, Folder 4, Calleros Papers.

⁴⁴ Eileen Ward to Bruce Mohler, October 18, 1934, extracted and enclosed, Bruce Mohler to Cleofás Calleros, October 26, 1934, Box 4, Folder 6, Cleofás Calleros Papers, Special Collections Library, University of Texas at El Paso, (hereafter Calleros Papers).

⁴⁵ Vargas, *Labor Rights are Civil Rights*, 59.



Figure 2.3 Russell Lee, *Young Mexican girl who was playing around relief line in San Antonio, Texas, 1939* (Courtesy of the Library of Congress).

The NCWC and New Deal Relief for Mexican Immigrants and Mexican Americans

Calleros' approach certainly stood apart from those of other social workers in the 1930s. He insisted that people of Mexican descent had a right to both Catholic and federal resources regardless of citizenship status. Moreover, Calleros believed that both the federal government and the NCWC held an obligation to meet these claims. His blending together of Catholic social doctrine and federal welfare programs was a common practice within the NCWC's Social Action Department.

Under the direction of John A. Ryan, NCWC's most prominent clergyman and one of the most well-known Catholic theologians of the 20th century, the Social Action Department lobbied for a federal minimum wage, child labor laws, and a federal labor law that would protect the rights of labor unions. Ryan took a personal interest in shaping the economic and social welfare policies that dictated the contours of the New Deal. Originally from Minnesota, the Right Reverend John Ryan became a professor of moral theology and economics at Catholic

University of American in 1915. When the US bishops formed the Catholic Welfare Conference in 1920, they named Ryan director of the Social Action Department. his writings on the responsibility of the state to provide for the common good, a practice that he referred to as social justice, were so influential that Pope Pius XI gestured to them in his reaffirmation of *Rerum Novarum* in 1931.⁴⁶ The US bishops granted Ryan the authority to speak on their behalf in his capacity as the director of the NCWC's Social Action Department. The most prominent liberal Catholic churchman in the early twentieth century, Ryan's policies on social security, public housing, and unemployment served as the basis for the bishops' forays into public policy for decades.⁴⁷

When the economic slump of late 1929 spiraled into a full blown economic depression, Ryan grew frustrated with the Hoover's "paralysis" and the lack of federal funding for public works initiatives.⁴⁸ Franklin Delano Roosevelt's election in 1932 did little to buoy the priest's outlook. Initially, Ryan viewed the new president with skepticism, but that soon changed. When Frances Perkins requested his attendance at a conference on labor problems in March 1933, Ryan caught the optimism sweeping Washington, and responded enthusiastically. By 1936, Ryan had become a fervent Roosevelt supporter. That did not mean, however, that Ryan supported all the President's endeavors. In a letter to FDR in September 1935, Ryan said he had "rejoiced over practically all the legislation that ha[d] been enacted" since FDR had assumed the presidency, but felt that the New Deal remained largely incomplete.⁴⁹

Often referred to as the "Right Reverend New Dealer," Ryan served as an advisor to FDR and Secretary Frances Perkins on the Works Progress Administration and National Recovery Administration.⁵⁰ Ryan never expressed a direct vision for aiding Mexicans or Mexicans. Instead, his support for New Deal programs inspired other NCWC leaders, such as Calleros, to call upon New Deal agencies to aid the population. Although not all US Catholics shared Ryan's enthusiasm for the New Deal, his ideas resonated within the more progressive branches of the NCWC, including the Bureau of Immigration.⁵¹

Other prominent NCWC leaders also participated in the New Deal administration, including Monsignor Francis Haas and Catholic Charities Director Reverend John O'Grady. Haas would end up serving in more federal positions than any other religious leader during the 1930s and 1940s. His numerous New Deal appointments included the National Recovery's

⁴⁶ Pope Pius XI, *Quadragesimo Anno: On the Reconstruction of the Social Order*, May 15, 1931. Two years later Pius elevated Ryan to the title of Monsignor.

⁴⁷ Ryan served on the national board of the ACLU for a number of years, but his social liberalism had its limits. Although he was more than willing to defend women's rights in the workplace, he refused, point blank to endorse any type of contraception. His instance on the topic shocked many of his friends, who assumed that Ryan's support for birth control was a given. See Broderick, "The Liberal and the Church," *Right Reverend New Dealer*.

⁴⁸ Broderick, *Right Reverend New Dealer*, 195; John Ryan to Robert LaFollette Jr., November 11, 1931; Robert LaFollette Jr. to John Ryan, November 6, 1931; John Ryan to Robert LaFollette Jr., April 22, 1932, Box 21, Folder 7, John Ryan Papers, The American Catholic History Research Center and University Archives, Catholic University of America, Washington, DC, (hereafter Ryan Papers).

⁴⁹ Frances Perkins to John Ryan, no date, ca March 1933, Box 29, Folder 11; John Ryan to Franklin Roosevelt, September 24, 1935, Box 31, Folder 18, Ryan Papers.

⁵⁰ Ryan also served on the President's Advisory Council on Economic Security and was the first Catholic clergyman to deliver the inaugural benediction. John Ryan to Franklin Roosevelt, September 24, 1935, Box 3, Folder 18, Ryan Papers; FDR to John Ryan, January 7, 1937, Box 31, Folder 28, Ryan Papers.

⁵¹ According to New Deal historian Alan Brinkley, Ryan's influence "persuaded Church intellectuals to support Roosevelt." Alan Brinkley, *Huey Long, Father Coughlin, and the Great Depression* (Vintage Books, 1983), 131-132.

Labor Advisory Board and General Code Authority, the National Labor Board (a precursor to the National Labor Relations Board), the Work Progress Administration's Labor Policies Board, special commissioner of conciliation for the Department of Labor, chairman of multiple industry committees for the Department of Labor's Wage and Hour Division, chairman of the Fair Employment Practice Committee. Haas did not direct his New Deal work towards assisting Mexicans or Mexican Americans. His experience with these agencies, would however, inform his defense of Mexican American employment rights during the 1940s.⁵²

Like Haas, O'Grady wore several New Deal hats. Perhaps most importantly, he served as a member of the President's Committee on Economic Security. Created by FDR in June 1934, the committee sought to "analyze the hazards against which special measures of security [were] necessary" and to recommend to the president how to safeguard against those hazards. The committee's report on economic security became the basis for the 1935 Social Security Act. O'Grady championed social security insurance for both the unemployed and the unemployable, but like Ryan and Haas, his economic advocacy was not aimed specifically at Mexicans or Mexican Americans.⁵³

NCWC leaders' participation in the New Deal's intellectual framing and administration may not have emphasized Mexicans and Mexican Americans, but it did provide other NCWC employees, such as Calleros, with a model for pursuing joint Church-state appointments. Moreover, FDR's appointment of key Catholic intellectuals lent New Deal programs an air of moral authority and legitimacy, and paved the way for an enduring partnership between the Catholic hierarchy and the US federal government. The emerging collaboration between members of the NCWC and the FDR administration would eventually provide Mexican Americans in the Southwest with a new set of resources for combatting discrimination.

New Deal programs authorized under the Works Progress Administration (WPA) and the Federal Emergency Relief Administration (FERA) promised the potential solution that NCWC leaders sought. Access to New Deal relief programs was complicated by competing claims to programs designed to correct the economic situation within the United States. Many local communities resisted the notion that Mexicans were entitled to the same levels of relief as US citizens. Local agencies began stamping the passports of destitute immigrants who sought relief with "FERA" and "LP." In so doing, welfare agencies effectively made impossible future international travel. Border agents would have classified passport bearers whose documents had been marked FERA or LP as likely to become public charge, and denied them reentry.⁵⁴

People of Mexican descent were denied access to relief programs in other ways as well. Those living in the Southwest faced extreme forms of employment discrimination. Colorado Governor Edwin Johnson publicly vowed to have Mexicans fired and replaced with Anglo-American workers, while California passed the Alien Labor Law, which displaced Mexicans from public construction jobs.⁵⁵

⁵² Thomas Blantz, *A Priest in Public Service: Francis J. Haas and the New Deal*, 70, 90-92, 141, 180, 183.

⁵³ Special Advisory Committee on Employment and Relief, "Report to Advise the President's Committee on Economic Security, December 4, 1934," *American Catholic History Classroom*, accessed April 1, 2017, <http://cuomeka.wrlc.org/items/show/553>; Franklin D. Roosevelt, "Message of the President Recommending Legislation on Economic Security," January 17, 1935," *American Catholic History Classroom*, accessed April 1, 2017, <http://cuomeka.wrlc.org/items/show/556>.

⁵⁴ Calleros to Mrs. Val M. Keating, July 30, 1934; Notes written by Calleros, July 25, 1934, Box 14, Folder 2, Calleros Papers; see also, Fox, "Chapter 6: Deporting the Unwelcome Visitors," in *Three Worlds of Relief*.

⁵⁵ Donato, *Mexicans and Hispanos*, 55-57.

To administer New Deal funds, state governments organized their own relief committees. In 1934, Governor “Ma” Miriam Ferguson asked Calleros to join the Texas State Relief Committee. By that summer, Calleros had been named chair of the State’s Committee on Mexican Problems, as well as a member of the National Recovery Administration committee for El Paso County. These appointments put Calleros in a unique position. He represented the NCWC, the New Deal administration—albeit a local manifestation of that administration—and Mexican descent communities across the Southwest. His close contacts with Mexican American leaders in southern Colorado, Arizona, New Mexico, and Texas gave Calleros a bird’s eye view of the problems faced by many communities in the region. For his part, Calleros believed that the New Deal programs could do “more to bring both Mexicans and Americans [together] on a more equal basis, economically and socially.”⁵⁶ Calleros used his dual roles as a relief administrator and NCWC representative to revise the repatriation program from a punitive program that divided families, often leaving them stranded on either side of the border without means of reunification, to one that kept family units together through employment and other forms of relief within the US.

Calleros was both a representative of the NCWC and a resident of the US-Mexico borderlands. His access to New Deal resources, particularly through the Federal Emergency Relief Administration, infused locally implemented programs with Catholic social doctrine and a commitment to aiding residents of the US Southwest, regardless of citizenship status. Moreover, his work would help to attune the NCWC’s national office to the shortcomings of its own relief efforts amongst Mexicans and Mexican Americans.

Calleros used his appointment on the Mexican Problems Committee to draw attention to the failings of repatriation as a form of relief. In his opening address to the committee, Calleros remarked “I had occasion to handle most of the repatriates going to Mexico and I found that Los Angeles County had paid the way of the majority of those people into Mexico and that they were American citizens and that Los Angeles County and several other counties in California just wanted to get rid of [them].”⁵⁷ He likewise deplored the lack of attention to the *Wickersham Report*, which he encouraged committee members to read in order to better understand the history of targeting Mexican residents of the United States. Calleros was particularly troubled by Texas’ replication of the California campaigns because of its long history of “race prejudice” as a means of denying citizenship to people of Mexican descent. “In some counties the Mexicans have been told that even though they were born in Texas they are not American citizens.” The denial of citizenship to Spanish-speaking Americans meant, in the early years of the Depression, that whole communities were denied access to relief programs limited to US citizens and targeted for repatriation as “likely to become public charges.”⁵⁸

When the Committee on Mexican Problems met in June 1934, Calleros insisted that it take a stand against repatriating Mexicans on relief rolls simply to “get rid” of them. The committee faced stiff resistance across the state. In Galveston County, for instance, one county commissioner appealed to the Relief Committee for permission to pay for the repatriation of “as many of these families as we can get rid of in this manner.” Calleros reminded the Committee that it had “made definite recommendations that no repatriations be encouraged.” Moreover, he

⁵⁶ Notes written by Calleros, ca 1934, Box 14, Calleros Papers.

⁵⁷ “Minutes of the State Committee on Mexican Problems, June 26, 1934, Box 14, Folder 5, Calleros Papers.

⁵⁸ *Ibid.*

strongly maintained that cases of voluntary repatriation should be thoroughly investigated to eliminate any possibility of coercion.⁵⁹

Calleros envisioned a multi-step process that required repatriates to “show cause and present proof that they have relatives in Mexico and that said relatives produce documentary evidence that they are willing and able to accept them upon their arrival in Mexico.” After local social service agencies were satisfied that family would be taken care of in Mexico, Calleros instructed social workers to contact the nearest Mexican Consul and ensure that the Mexican government funded travel from the border to a client’s home destination. In addition, Calleros insisted that the organization responsible for the repatriation order bore the responsibility of providing sufficient travel funds and necessities. He hoped that by providing a more thorough evaluation process, social service agencies might prevent the tragedies that had plagued Los Angeles County.

Not all social workers embraced Calleros’ recommendations. In typical Texas fashion, Roy Porter, the relief administrator for Travis County, Texas, reported that he found it “impracticable [sic] to establish a detailed standard policy for Mexican relief to be followed in each county.” “I believe that the Mexican Relief Problem in the inland counties is one which can most successfully be handled by the individual county administrators,” Porter retorted.⁶⁰

Calleros remained undeterred. He worked closely with social workers in South Texas in his capacity as the NCWC’s border agent to challenge policies that discouraged non-citizens from seeking relief or that had the potential to bar them from future, legal entrance into the United States. Local relief officials in South Texas began stamping relief recipients’ passports “FERA” or “LP,” and invited immigration officials to their offices. Calleros confronted not only the practice of marking passports, but the presence of immigration officials in relief offices: if USIS officials wanted a client’s immigration status, then Calleros fumed, they had the “personnel and means” to find it. He demanded that the practice be ended immediately. Instead of allowing border patrol or USIS representatives to assess relief recipients’ immigration status, Calleros suggested that all “alien clients applying for relief be sent to the” the NCWC’s border office. He reviewed relief applicants’ immigration documents to ensure they were in order before sending them to USIS, working to erect a boundary between the welfare state and immigration services. By the end of the summer of 1934, inspectors no longer served as the “welcome committee” to relief applicants seeking aid in El Paso County.⁶¹

Calleros pushed the Committee on Mexican Problems to support an end to discrimination against Mexicans and Mexican Americans, particularly in the segregation of public spaces. Warning that segregation in schools would create “Bolsheviks,” he insisted that the committee use its power as the governor’s advisor on how to spend FERA funds to end the isolation of Mexicans in Texas. He reminded committee members that in many cities “Mexicans were not permitted to walk on the sidewalks. There are communities where they are barred from moving pictures, restaurants...and anything you and I might like to enjoy.” Moreover, he insisted that the FERA’s guarantee “that no discrimination be made on working out budgetary allowances” be put into practice in Texas.⁶² In a letter to a friend in April of that year, Calleros told of his gratitude

⁵⁹ Calleros to Mrs. Val M. Keating, July 18, 1934, Box 14, Folder 2, Calleros Papers.

⁶⁰ Roy Porter to Cleofás Calleros, July 20, 1934, Box 14, Folder 2, Calleros Papers.

⁶¹ Calleros to Mrs. Val M. Keating, July 30, 1934; Notes written by Calleros, July 25, 1934, Box 14, Folder 2, Calleros Papers.

⁶² “Minutes of the State Committee on Mexican Problems, June 26, 1934, Box 14, Folder 5, Calleros Papers.

for “the attitude assumed by the Government and other relief officials.” “I have been successful,” Calleros wrote, “in warding off some [discrimination] by calling to their attention to the fact that the Federal Emergency Relief Administration has ruled that there is to be no discrimination because of race, religion, color, [or] non-citizenship.”⁶³ Here Calleros found validation in the actions of Washington bureaucrats who had, “finally put a stop” to the practice of denying relief to aliens or deporting alien recipients of relief. His work was far from over.

In July 1934, Calleros sent out minutes from a recent meeting of the Mexican Problems Committee to FERA country administrators throughout Texas, local Mexican American community leaders, and his direct supervisor in the NCWC. Mohler in turn shared the report with social service organizations throughout the country.⁶⁴ In this way, Calleros called on a diverse group of individuals to help prevent the problems he saw plaguing local communities—particularly the denial to relief benefits resident aliens, coercive repatriation tactics, poor health outcomes, and a lack of educational opportunities. Shortly after the meeting of the Mexican Problems Committee, Calleros wrote to his friends, Elezeario Montes, and Modesto Gómez, presidents of the United Citizens Civic League and LULAC in El Paso. Calleros reminded them “I have often said that such problems can only be remedied provided proper leadership is developed and willing to sacrifice some time in appearing before Governmental bodies and organizations to request those things which should be forth coming to all residents of Texas on an equal basis.”⁶⁵

The question of who was a “proper leader” was an important one for both the NCWC and Calleros, and one that clearly impacted communities across the Southwest. Mohler’s and Calleros’ recommendations for the “betterment of residents of Mexican descent” seemed to echo one another. When Calleros told Mohler of his plan to rehabilitate impoverished Mexicans as an alternative to repatriation, Mohler responded in the following way: “In regard to the permanent and semi-permanent plans for betterment, you have a tremendous task. It is not impossible, as I see it, but it will require the strict supervision of at least one person in a given community who has the vision and can plan for the future.”⁶⁶ For Calleros and his counterparts in the bishops’ conference, the proper leader was a US citizen. Mexican aliens were excluded from consideration on the basis that they could not “supervise” other Mexicans. Here the boundaries of citizen-based advocacy for Mexican immigrants were distinctly drawn. Calleros, Montes, Gómez, and others decried tactics aimed at excluding Mexican immigrants from relief benefits. However, they also believed Mexican immigrants lacked the proper initiative and training to become community leaders. This type of thinking reflected the same civic-based identity embraced by LULAC that promoted citizenship as vehicle for greater inclusion.⁶⁷

Although NCWC leaders in Washington hoped that Mexican immigrants would adopt a plan for self-improvement, they were deeply troubled by what they saw as immigrants’ failure “to become adjusted on a more or less self-supporting basis.” However, Mohler also recognized structural forms of inequality that prevented many immigrants from advancing up the socioeconomic ladder. Writing to one Catholic laywoman, Mohler voiced the following dismal outlook: “An opinion seems to be quite general that these Mexicans will continue to be objects of

⁶³ Calleros to ED Womer, April 11, 1935, Box 5, Folder 5, Calleros Papers.

⁶⁴ See Calleros, Box 14, Folder 2.

⁶⁵ Cleofás Calleros to Modesto A. Gómez and Elezeario Montes, July 25, 1934, Box 14, Folder 2, Calleros Papers.

⁶⁶ Mohler to Calleros, July 18, 1934, Box 14, Folder 2, Calleros Papers.

⁶⁷ Minutes of the Mexican Problems Committee, Box 14, Folder, 5, Calleros Papers

charity; that large works projects in which they might otherwise be employed are not likely to materialize to remove them from the class receiving public and private charity.” He continued, “inasmuch as the existing discrimination against them because they are Mexican is likely to continue...it might be more to their advantage to send them back.”⁶⁸

Yet, as Mohler had learned through Calleros’ work on the border, repatriation was not the clear cut answer it might have seemed. Mohler recalled that the El Paso office had “experienced the bad results of comparatively recent attempts at wholesale repatriation of many who had previously lived in the United States for long periods.”⁶⁹ Many Mexicans who repatriated quickly found conditions worse in Mexico. They soon attempted to return, only to find their reentry barred. Of special concern to the bureau were the many US citizens were “to whom living conditions in Mexico was entirely foreign.”

To Calleros and Mohler, the NCWC and federal government held an obligation to resident aliens and their US-born children. Both men believed that the NCWC should develop a “workable plan” for “merging the Mexicans into our population as self-respecting members for their communities.” Such an Americanization plan, they believed, would catalyze Mexicans’ socioeconomic mobility. In a meeting with NCWC General Secretary John Burke in October 1934, Mohler argued that the NCWC could put forward a rehabilitation plan for resident aliens. Burke agreed that such a plan was feasible and went so far as to promise to present it when he met with FDR that very afternoon.⁷⁰

Mohler’s vision for Mexican assimilation was actually Calleros’ own, based on what Calleros called “colonization with strict supervision.” Calleros’ plan blended earlier Americanization programs. In his ruminations on Mexican aliens’ inability to free themselves from private relief rolls, Calleros wrote “[I] believe it is impossible for Mexican families to rehabilitate themselves due to fact that for generations they have been dispossessed of their lands by their own Mexicans and Americans.” This dispossession, Calleros held, had reduced Mexicans’ initiative. “Under these conditions,” Calleros wrote, “they must have supervision, but a supervision that would tend to gain their confidence...they should not be supervised by Mexicans.”⁷¹ Colonization involved relocating unemployed Mexicans from urban areas throughout the Southwest to farming communities with small populations of Mexican aliens. Once they arrived at their new homes, Mexican families would be granted ten acres, “a cow, a horse, seed, and anything they might need to make a crop for their own use.” Although such subsistence homesteads could hardly generate much in the way of capital, Calleros believed that this form of land ownership and industry was the most expedient means of Americanization.⁷² It is not clear how far the colonization plan went, but of the dozens of social work supervisors surveyed, most believed that colonization was “a wonderful plan, if proper supervision was given.”⁷³

The colonization plan mapped onto part of the federal government’s attempt to stabilize the fortunes of working class Americans by creating subsistence homesteads. Officially housed

⁶⁸ Bruce Mohler to Kay Q. Garthar, October 16, 1934, Box 14, Folder 6, Calleros Papers. For a comprehensive analysis of LULAC’s founding, see Cynthia Orozco, *No Mexicans, Women, or Dogs Allowed*.

⁶⁹ Bruce Mohler to Kay Q. Garthar, October 16, 1934, Box 4, Folder 6, Calleros Papers.

⁷⁰ Bruce Mohler to Cleofás Calleros and Thomas Mulholland, October 16, 1934, Box 4, Folder 6, Calleros Papers.

⁷¹ Notes written by Calleros, ca 1934, Box 14, Folder 5, Calleros Papers.

⁷² “Minutes of the State Committee on Mexican Problems, June 26, 1934, Box 14, Folder 5, Calleros Papers.

⁷³ Roxy Lee Waide, Assistant Supervisor, Survey Form, July 14, 1934, Box 14, Folder 2, Calleros Papers.

under the US Department of the Interior, the Subsistence Homesteads Division was largely unsuccessful. In fact, Secretary of the Interior Harold Ickes later described the division as the “one part of my administration that I felt apologetic for.” The division created 34 planned communities in the West and Southwest. Families targeted for homesteads were expected to maintain part-time industrial employment while also raising their own food. The program overwhelmingly failed to produce the desired outcome.⁷⁴

Federal employment programs, however, appealed to a broader population of the unemployed and produced better results. Mexicans and Mexican Americans found their access to federal employment programs limited. In 1933, Congress passed the National Industrial Recovery Act, which authorized FDR to set and raise industry prices to stimulate the economy. The law created strict barriers to employment by requiring all potential employees to be either citizens of the US or “aliens who had declared their intention of becoming citizens” and “who were bona fide residents of the political subdivision and/or country in which the work is to be performed.”⁷⁵ Within weeks of Congress’ announcement in 1933, the NCWC border office began receiving requests from individuals seeking to validate “their residency” or “assistance in obtaining birth or baptismal certificates to prove citizenship.”⁷⁶

Although few local communities were willing to stop exporting Mexicans as a form of economic relief, that was precisely the stance the federal government prepared to take. Unclear In 1934, newly appointed Secretary of Labor Frances Perkins and Commissioner General of Immigration and Naturalization Colonel Daniel MacCormack instituted a series of changes in immigration proceedings. MacCormack’s appointment as Commissioner General represented a shift in the US Immigration Service’s emphasis on protecting domestic labor through immigration restriction. MacCormack was the first INS commissioner whose origins were not in organized labor. He was also a Scottish immigrant and lifelong Catholic.

Together, Perkins and MacCormack sought to address the public criticisms of immigration practices entombed in the *Wickersham Report*. The report pushed for greater administrative leniency in determining hardship cases and challenged the denial of basic rights to resident aliens. In that sense, the report made a political intervention in its argument that the US Constitution guaranteed an alien’s right to due process, an issue that would remain unresolved until the late 1970s.⁷⁷ The Wickersham Commission’s findings reflected a powerful social and legal critique of deportation laws. Its initial impact was limited, however until 1934, when Perkins and MacCormack sought to implement many of the commission’s suggestions.⁷⁸

Perkins and MacCormack initiated a series of reforms designed to improve due process in immigration and to widen administrative discretion in granting deportation relief to aliens when such proceedings might cause undue hardship. Arguing that legislative reform that provided discretionary relief from deportation would help to prevent public charges, MacCormack reminded Congress that it held a moral imperative to keep families together where possible. MacCormack brought these views with him when he convened an international border conference in El Paso-Juárez in 1934. The conference would mark a new beginning in NCWC-

⁷⁴ Harold L. Ickes, *The Secret Diary of Harold L. Ickes: The First Thousand Days, 1933-1936* (New York: Simon and Schuster, 1953), 272; US Department of Agriculture, “Farmers’ Bulletin No. 1733: Planning a Subsistence Homestead” (US Government Print Office, May 1934).

⁷⁵ Sánchez-Walker, “Migration Quicksand,” 92.

⁷⁶ *Ibid.*

⁷⁷ National Commission on Law Observance and Enforcement, *Report on the Enforcement of the Deportation Laws of the United States*, 7.

⁷⁸ Ngai, *Impossible Subjects*, 76.

USIS coordination.

Writ Bowman, a successful businessman with both Mexican and US enterprises, organized the conference to cut “away some of the red tape of immigration regulations to facilitate free intercourse between the United States and Mexico on business and social matters.”⁷⁹ Although only convention guests could voice suggestions and vote in proceedings, Calleros was one of several dozen special guests invited to observe the convention. According to Calleros, who sent daily reports on the conference to Mohler, conference organizers hoped both US and Mexican immigration officials might “meet for the purpose of discussing certain discriminatory laws and regulations affecting both Services and to recommend corrections to the respective governments.”⁸⁰

The conference was also a manifestation of FDR’s Good Neighbor Policy, a foreign policy that committed the US to a new era of cooperation and non-intervention in Latin America. Many of the practices at the US-Mexico border undermined FDR’s commitment by subjecting Mexicans and Mexican Americans to invasive medical exams, deporting Mexican immigrants without cause, and harassing Mexican businessmen who sought to conduct business in the US Southwest. During his attendance, Calleros drew upon this ideology to challenge the long-standing practices immigration officials had deployed to discourage Mexican nationals from entering or staying in the US.

For instance, during the first day of the meetings, Calleros spoke at length with Acting Surgeon General John McMullen regarding “the sad experiences” which had taken place in El Paso through the activities of one US Public Health Services doctor, Dr. Fanning, who used particularly draconian methods to discourage Mexicans from remaining in El Paso. Remarking to Calleros that “95% of the Mexican people were afflicted with venereal diseases,” Fanning began confiscating the passports of Mexican residents of El Paso and subjecting them to invasive examinations and blood tests. Protests by Calleros and others to local immigration representatives lessened the doctor’s efforts, but he continued to insist that Mexican nationals were especially prone to venereal diseases. Mohler appealed to the Department of Labor, to “overcome the notion of the US Public Health doctor at the International Bridge in Juárez.”⁸¹

Through his conversation with McMullen, Calleros hoped to see Fanning removed from his post in El Paso, or at the very least, reprimanded for his actions, which indeed he was. In addition to his conference with McMullen, Calleros also arranged, at the request of Col. MacCormack, a lecture to be given by MacCormack to the various representatives of national welfare agencies attending the conference. During the lecture, MacCormack “expressed his and the Department’s gratitude for the wonderful cooperation he had received from El Paso in conducting social service investigations for the Department of Labor.” Since the NCWC constituted the bulk of the social service activity in El Paso (either directly through its office, or through Calleros), both Mohler and Calleros felt that the NCWC could take credit for the bulk of the good work coming out of El Paso.⁸²

The US Immigration Services’ change in attitude towards Mexican immigrants brought a sense of relief to Calleros, who found policy statements meaningless unless they were followed with direct action. Col. MacCormack’s procedural changes, then, were a source of great

⁷⁹ *El Paso Herald-Post*, January 27, 1934, p 15.

⁸⁰ Cleofás Calleros to Bruce Mohler, May 2, 1934, Box 9, Folder 3, Calleros Papers.

⁸¹ “Annual Report: National Catholic Welfare Conference, Bureau of Immigration, July 1, 1930-June 30, 1931,” Box 25, Folder 9, Mohler Papers.

⁸² Cleofás Calleros to Bruce Mohler, May 2, 1934, Box 9, Folder 3, Calleros Papers.

optimism. In 1934, MacCormack issued a series of lectures, which were circulated to local and regional INS offices and national organizations involved in immigration proceedings. The goal of the lecture series was to professionalize the INS, create more uniform immigration procedures, and to humanize the experience of immigration. MacCormack released the first of these lectures in February 1934. In it, he called for “technical accuracy informed by justice and humanity.” Following MacCormack’s instructions, the most coercive practices of repatriation and deportation gradually began to fade.⁸³

Most importantly for the NCWC, MacCormack also informed INS inspectors that those inspectors in charge of “final hearings should take steps to see that the alien is accorded an opportunity to be properly represented by a welfare agency.” Such representation, MacCormack told the INS “does much to inspire a confidence in the justice of our procedure.” Calleros quickly met with the INS director in El Paso, and informed him that the “NCWC Bureau of Immigration could be relied on for cooperation and assistance.” Never one to wait for others to make the first move, Calleros followed up his conversation with a written notification advertising the “our Mexican Border Office of the NCWC Bureau of Immigration is able and willing to represent aliens.”⁸⁴

By late 1934, the NCWC had its own civic catechism for Mexican nationals based on earlier model developed by Calleros. The catechism focused on the duties of citizenship such as voting and public school attendance.⁸⁵ The USIS happily referred immigrants to the NCWC’s citizenships school.⁸⁶ USIS officials allowed Calleros’ office to have an NCWC representative present when Mexican immigrants received their registration cards so that the NCWC might encourage newly arrived immigrants to seek citizenship. The NCWC’s “citizenship school” provided support for naturalization by supplying study materials for the citizenship exam as well as tutorial support for applicants who failed their initial exam.⁸⁷

The partnership between the NCWC and the El Paso USIS office was part of a broader naturalization program put forward by Perkins and MacCormack in the summer of 1934. Based on a successful partnership between the USIS and Chicago public schools, MacCormack instructed USIS district directors to partner with local agencies to create citizenship schools. These schools were to provide resources for immigrants applying for citizenship including literacy instruction, civics classes, English language classes, and materials to study for the citizenship exam.⁸⁸ According to the Naturalization Examiner in El Paso, no one who attended Calleros’ classes “ever failed to pass” the naturalization exam.⁸⁹

The changes in immigration and relief policies that Calleros pushed continued to expand. In January 1935, the head of the Federal Emergency Relief Administration, Harry Hopkins, and Secretary of Labor Frances Perkins submitted to President Roosevelt a report on the status of aliens and welfare relief. They opened the report with a reminder that “aliens who have lawfully

⁸³ Memorandum, no date, Box 5, Folder 5, Calleros Papers.

⁸⁴ *Ibid.*

⁸⁵ Bruce Mohler to Cleofás Calleros, February 4, 1929; Cleofás Calleros to AJ Milliken, October 22, 1934, Box 54, Folder: citizenship, CMS 023.

⁸⁶ Cleofás Calleros to Daniel MacCormack, Commissioner General, Immigration and Naturalization Service, September 11, 1934, Box 54, Folder: citizenship, CMS 023.

⁸⁷ Cleofás Calleros to Bruce Mohler, August 17, 1934; Bruce Mohler to Cleofás Calleros, July 23, 1934, Box 54, Folder: citizenship, CMS 023.

⁸⁸ Daniel MacCormack to All District Directors of Immigration and Naturalization, July 12, 1934, Box 54, Folder: citizenship, CMS 023.

⁸⁹ Bruce Mohler to Miss Sweeney, February 9, 1934, Box 54, Folder: citizenship, CMS 023.

entered the United States are a responsibility of the nation and its subdivisions.”⁹⁰ Congress had gone so far as to specifically designate “aliens as eligible for relief” when it crafted the Federal Emergency Relief Act in May 1933, which authorized the FERA.⁹¹ Moreover, Hopkins and Perkins continued, the nation held a “moral responsibility to care for [aliens] in their time of need.” Yet aliens overwhelmingly lacked access to the programs promised to them by New Deal legislation, owing to the “wide-spread discrimination against alien workers,” and “the almost complete absence of aliens on public work projects.”

Nationwide, less than 3% of aliens received relief because, according to Hopkins and Perkins, “of the wide-spread reluctance on the part of aliens to apply for relief because of the fear of deportation.” The report also briefed FDR on the status of deportation and repatriation efforts as they related to aliens and relief and reminded the President of the Immigration Services’ efforts to improve its application of immigration law through consultation with Mexico’s Migration Services the previous year.

Classifying Race at the US-Mexico Border

Other federal actors, this time in the Census Bureau and US Department of Public Health, soon devised a plan to permanently disenfranchise the Mexican descent population, while at the same time asserting the racial superiority of Euro-Americans. It was along the margins of American society, at the border between the United States and Mexico, where the meaning of classifying Mexicans and Mexican Americans as nonwhite would unfold. In 1935, the US Census Bureau began an effort to reclassify people of Mexican descent as non-white or “colored.” Mexican Americans sought legal redress to challenge their racial status as non-white. Historians have examined the racial classification campaigns of the 1930s as an effort by Mexican Americans as a civil rights strategy to preserve legal whiteness during an era that defined race in a strict black-white binary.⁹² Led by Calleros, the NCWC became involved in the racialization of people of Mexican descent as white.

Mexican Americans fought the classification of Mexicans as nonwhite for numerous reasons. Perhaps most importantly, the racial politics of the US made the alternative to white, black, and this alternative carried with it a host of political ramifications. Immigration laws forbade the naturalization of nonwhite aliens. The Treaty of Guadalupe Hidalgo guaranteed Mexicans the right to naturalize, making them legally white. As naturalized citizen himself, Calleros found the move to recast Mexicans as colored troublesome.⁹³

⁹⁰ Hopkins and Perkins to FDR, “Aliens and Relief,” Official File 444: Federal Emergency Relief Agency, Franklin D. Roosevelt Library, Hyde Park, New York.

⁹¹ Lizbeth Cohen, *Making a New Deal: Industrial Workers in Chicago, 1919-1939* (Cambridge University Press, 1990), 265.

⁹² Mark Overmyer-Velázquez, “Good Neighbors and White Mexicans: Constructing Race and Nation on the Mexico-US Border,” *Journal of American Ethnic History*, vol. 33, no.1 (Fall 2013), pp. 5-34, <http://www.jstor.org/stable/10.5406/jamerethnhist.33.1.0005>.

⁹³ Calleros entered debates surrounding Mexicans descent persons’ racial classification fifteen years prior to the Census Bureau’s decision to reclassify Mexicans and Mexican Americans as “colored.” Calleros first inquired about Mexicans’ and Mexican Americans’ racial status in 1921, when he wrote to the El Paso Herald’s information bureau. In response, Frederic Haskin, the bureau’s director, wrote, “The majority of Mexicans are of mixed blood. Some are white, some red and some black.” Frederic J. Haskin to Cleofás Calleros, 1921, Box 15, Folder 8, Calleros Papers.

In August 1928, Calleros wrote to Mohler regarding the practice in Colorado of classifying Mexicans as “brown” and asked Mohler to investigate the legal implications of color classification. Mohler’s staff approached the matter with the head of the NCWC’s Legal Department, William Montavon, who conceded, “anthropologically there is no scientific explanation of what constitutes a brown man.” Montavon, who regarded Mexican immigrants with disdain, explained that states likely did have the legal right to “regulate school attendance, segregation, etc., by arbitrarily classifying a race as brown,” and that the Supreme Court had virtually guaranteed states this right.⁹⁴

Mohler encouraged Calleros to write to the Colorado Bureau of Vital Statistics and request that they refrain from classifying Mexicans as “brown in color” on all birth certificates, since Colorado lacked any law classifying Mexicans as such. In general, Mohler continued, the laws of the United States listed only three races black, white, and yellow. They did not “describe Indians, Mexicans or any natives of the Western Hemisphere as colored.” Moreover, *Webster’s Dictionary* defined Mexicans as comprising “a dominant white population of Spanish descent, mestiges [sic] and Indian tribes, ranging in culture from the totally savage Seris to the civilized Mayas.” It seemed Mexicans might be white or Indian, but certainly not colored. Calleros wrote to Dr. SR McKelvey, Secretary of the Colorado State Board of Health, asking him to reclassify Mexicans as white on all official papers. McKelvey apparently agreed to do so, because Mohler later wrote to Calleros congratulating him on McKelvey’s “splendid” response.⁹⁵

Calleros believed that the matter was of special importance because the classification of Mexicans as brown and occasionally as black had the potential to worsen race relations, particularly “in Colorado and other Southwestern communities where much prejudice exists.”⁹⁶ In August 1935, Calleros informed Mohler that effective immediately “the ‘White’ is to be written or inserted over the word ‘Mexican,’ when reference is made to Race classification.” Calleros saw the change as a victory for all Mexicans and Mexican Americans.⁹⁷ Calleros told Mohler that he had asked one of the immigration inspectors with a reputation of having “very little use for Mexicans, what he thought of the new order and he said, ‘According to the latest it seems the Mexicans are known as the only ‘white’ people’ since Germans, Irish, and other immigrants were to be classified by national origin rather than race.

In reply, Mohler wrote that the change was “a splendid accomplishment of the past year: a matter about which Father Burke was deeply concerned.” Calleros’ letter references a dream in which “Father Burke was still carrying on the fight for this racial classification.”⁹⁸ Mohler noted that another staff member, had herself recently reported a dream regarding Father Burke, while during a recent car trip, Mohler “suddenly became conscious of Father Burke being with me.” Mohler took these shared experiences that the NCWC was carrying on the good fight with Burke’s approval.⁹⁹

The fight over Mexican descent persons’ racial status was far from over. In August 1936, Halbert Dunn, Chief Statistician for Vital Statistics, wrote to Arthur Wale, the Statistician for the El Paso County Health Department regarding the tabulation of mortality figures for El Paso County. In his letter, Dunn noted that Wale tabulated figures for whites and coloreds separately.

⁹⁴ Bruce Mohler to Cleofás Calleros, September 20, 1928, Box 15, Folder 8, Calleros Papers.

⁹⁵ Bruce Mohler to Cleofás Calleros, November 7, 1928, Box 15, Folder 8, Calleros Papers.

⁹⁶ Cleofás Calleros to Bruce Mohler, August 14, 1928, Box 15, Folder 8, Calleros Papers.

⁹⁷ Cleofás Calleros to Bruce Mohler, August 5, 1935, Box 15, Folder 8, Calleros Papers.

⁹⁸ *Ibid.*

⁹⁹ Bruce Mohler to Cleofás Calleros, August 7, 1935, Box 15, Folder 8, Calleros Papers.

According to Dunn, colored included “Negro, Mexican, Indian, Chinese, Japanese, and other non-white races.” If previous weekly reports had not included Mexicans in the colored column, then, Dunn informed Wale, “it would be desirable to have future reports” do so.¹⁰⁰ Here the purpose of reclassifying Mexicans as nonwhite seems to have been to show whites as a biologically and socially superior race by deflating mortality statistics.

Early in the fall of 1936, Calleros and members of several Mexican American civic organizations prepared to mount a widespread public campaign against the effort to classify people of Mexican descent as nonwhite. Calleros began writing to contacts across the state, discretely inquiring how various registrars of vital statistics in Texas classified the births and deaths of Mexican people.¹⁰¹ On October 17, 1936, Calleros wrote to Alonso Perales, a young Mexican American attorney in San Antonio and provided information that Perales might use in an upcoming meeting with the San Antonio mayor (regarding a recent conversation with Texas Representative Maury Maverick). The following month, Calleros reached out to Perales again and asked him to contact Congressman Maury Maverick. Calleros wanted Maverick to protest the distribution of Social Security Act form SS five that reclassified Mexicans “as of other than white color.”¹⁰² Calleros also contacted Representative HE Thomason, informing him that the Federation of Latin American Societies of El Paso, “vigorously protests” the classification of Mexicans as anything other than “white.”

City health inspector and Director of the City-County Health Unit, Dr. T.J. McCamant informed Calleros that Dunn had granted the Census Bureau’s permission for Mexicans to be classified as “Colored.” McCamant told Calleros, “The US Census Bureau has but two classifications — ‘White’ and ‘Colored.’” He further explained that the “Federal Bureau classifies negroes, Indians, Mexicans, Japanese, Chinese, and other non-white races, as ‘colored.’” Calleros exhorted Perales to “get your Lulacs to working on this.”¹⁰³ After a quick survey Perales and Calleros found that many county officials across the state had already begun reclassifying Mexicans and Mexican Americans as nonwhite. In October, Calleros urgently wrote to Mohler announcing a new plan to “classify Mexican births and deaths as ‘Colored.’” The El Paso Registrar of Vital Statistics announced that the Census Bureau had authorized the plan.¹⁰⁴

A group of Mexican Americans in El Paso “immediately filed an injunction” in the 65th district court to stop the Registrar from implementing the new plan. McCamant responded to the injunction and informed the court that Mexicans would be classified as colored *only* for statistical purposes. He believed that “Mexicans were ‘white’” and told the Court “that he had always considered them ‘white.’” The Judge refused to issue a decision one way or another and instead asked both sides to work out their differences.¹⁰⁵ Calleros presented the 1930 Census Bureau classifications to McCamant, which listed Mexicans as “Other white.” McCamant

¹⁰⁰ Halbert L. Dunn, MD, Chief Statistician for Vital Statistics to Arthur G. Wale, Statistician, Health Department, August 21, 1936, Box 15, Folder 8, Calleros Papers.

¹⁰¹ MA Gómez, Americanization Officer, VFW, El Paso, to Registrar Office of Vital Statistics, Houston, October 7, 1936; Modesto Gómez to Jimmie Tafoya, October 7, 1936, Box 15, Folder 8, Calleros Papers.

¹⁰² Cleofás Calleros to Alonso S. Perales, November 22, 1936, Box 15, Folder 8, Calleros Papers.

¹⁰³ Cleofás Calleros to Alonso S. Perales, October 17, 1936, Box 15, Folder 8, Calleros Papers.

¹⁰⁴ MA Gómez, Americanization Officer, VFW, El Paso, to Registrar Office of Vital Statistics, Houston, October 7, 1936; Modesto Gómez to Jimmie Tafoya, October 7, 1936; Cleofás Calleros to Alonso Perales, October 17, 1936; Cleofás Calleros to Alonso S. Perales, November 22, 1936; Cleofás Calleros to Bruce Mohler, October 9, 1936, all in Box 15, Folder, Calleros Papers.

¹⁰⁵ Cleofás Calleros to Bruce Mohler, October 9, 1936, Box 15, Folder 8, Calleros Papers.

informed Calleros that his sources were “out of date,” and that his own sources showed “Mexicans as ‘Non-white,’ thus, ‘Colored,’ meaning of the negro or black race.”¹⁰⁶

On October 18, 1936, the NCWC released a special news release to its membership headlining, “Census Bureau’s Data Must List Mexicans as ‘White’ Chief Orders.” According to the NCWC News Service, the “vigorous protests from Texas” against classifying Mexicans as colored led to the reversal in policy. The new directions called for classifications by race in the following way: “White, Negro, All other.” Under the new instructions, white was to include all Mexicans.¹⁰⁷

The protests in Texas led to an investigation in DC that uncovered a division within the Census Bureau, the Vital Statistics Division, which had classified Mexicans as “Colored.” Acting Secretary of Commerce Ernest Draper insisted that the “classification of Mexicans as white [is] not to be ‘disregarded, changed or modified at any time except upon the written order of the Director of the Census.’”¹⁰⁸ The NCWC, it seemed, did not want any attention to their role in resolving the racial classification controversy. In a letter to Calleros dated October 23, 1936, Mohler told Calleros that the recent NCWC press release avoided any discussion of recent protest or condemnation of federal officials, “and for good reasons, also omits any part which the NCWC has taken in correcting the previous error.”¹⁰⁹ Calleros ignored Mohler’s orders to leave the NCWC’s role out of the publicity surrounding the campaign. On October 25, 1936, Calleros contacted various LULAC leaders thanking them for their support in the recent fight. He also noted that Mohler had played an important role in making sure that the Census Bureau reversed its policy.¹¹⁰

The racial classification campaign had local as well as hemispheric implications. First, by applying the label of colored to Mexicans and all South Americans, McCannant articulated a racial hierarchy that stood in direct contrast to FDR’s Good Neighbor Policy. The policy pledged US support of and non-intervention in countries of the Western Hemisphere. Powell told the *El Paso Herald Post* on October 5th that the Census Bureau’s new classification went far beyond Mexico. “All of South America is involved.” Several “indignation meetings” were held. At one such meeting the Mexican Consul General informed attendees that it “had sent a protest through diplomatic channels to the State Department.”¹¹¹ When the Cardenas administration learned of the controversy erupting in El Paso, it immediately made its disapproval known by lodging a complaint with the US State Department.

The racial classification campaign became one in which LULAC personally became involved to reverse INS practices of listing Mexicans as other than white. When the El Paso INS district director refused to designate Mexicans as white, preferring instead to keep Mexicans listed as a separate race, Edward Shaughnessy, the INS deputy commissioner, quickly corrected the action. He informed the El Paso director that “Mexicans should be classified as white in all areas of INS work.” This response likely stemmed from the recent racial classification crisis that

¹⁰⁶ Ibid.

¹⁰⁷ NCWC News Service, “Census Bureau’s Data Must List Mexicans as ‘White’ Chief Orders,” October 19, 1936, Box 15, Folder 8, Calleros Papers.

¹⁰⁸ Ibid.; WL Austin, Director, Department of Commerce, Bureau of the Census to Joe T. Presswood, Department of Health, October 20, 1936, Box 15, Folder 8, Calleros Papers.

¹⁰⁹ Bruce Mohler to Cleofás Calleros, October 23, 1936, Box 15, Folder 8, Calleros Papers.

¹¹⁰ Cleofás Calleros to Carlos Alvidress, October 25, 1936, Cleofás Calleros to Prudencio Gutierrez, October 25, 1936, Box 15, Folder 8, Calleros Papers.

¹¹¹ Cleofás Calleros to Bruce Mohler, October 9, 1936, Box 15, Folder 8, Calleros Papers

had rocked the Census Bureau and diplomatic relations between the US and Mexico.¹¹² The reversal of the policy likely would have occurred no matter what. The timing of the reversal, however, can be directly attributed to the actions of local Mexican Americans.

The racial classification campaign of the late 1930s spoke to continuing concern over the Mexican Problem, both locally and nationally. For the NCWC this problem had largely been resolved, though it remained unresolved in local parish churches. The NCWC might have spoken for the US Catholic hierarchy but each bishop still operated with complete autonomy. The NCWC was but one of several allied groups working to stabilize the racial status of the Mexican descent population during the 1930s. Newly founded organizations such as the League of United Latin American Citizens (LULAC) also worked to assert a stable racial status.

In his testimony before Congress in 1935, MacCormack challenged the popular consensus that 500,000 Mexican aliens had entered the country illegally between 1920 and 1930. “This entirely erroneous statement,” MacCormack testified, “was arrived at by including in the immigrant population for 1930, 805,535 American citizens born of Mexican parents in the United States, thus giving rise to the assumption that 500,000 had entered illegally.” In short, the increased figures were “due to the observance of the laws of nature rather than to violation of the laws of man.”¹¹³ Whatever their cause, inflated estimates of the number of “illegal” aliens invading the Southwestern United States had provided the public justification for one of the largest racially based expulsion programs in US history.

Mexican repatriation inflicted a profound trauma on Mexican descent communities and the nation. Parents faced impossible decisions. Deportation meant banishment from the US, potentially dividing US-born children from their Mexican-born parents or siblings. Voluntary relocation meant moving to a country largely foreign to US-born children. Families, already divided by citizenship, became separated by thousands of miles and an international border. Welfare agencies targeted both European and Mexican immigrants for repatriation, though the degree to which these agencies targeted Mexican immigrants far exceeded that of European immigrants.

Cleofás Calleros resisted not only the forced removal of Mexicans and Mexican Americans, but also the universal application of repatriation as a solution to alien unemployment. His work as a NCWC border agent offers a unique window into the interactions between the NCWC, the Mexican descent population, and federal agencies. Calleros, a naturalized citizen, often found himself caught between the interests of Mexican immigrants, Mexican American political organizations, the National Catholic Welfare Conference, and federal agencies. He used his status as a representative of each of these groups to challenge practices and policies that adversely impacted Mexicans and Mexican Americans more generally. When Bruce Mohler asked, “Is it better to send them back?” Calleros’ answer seemed to indicate “not always.” This

¹¹² Natalia Molina, *How Race is Made in America: Immigration, Citizenship, and the Historical Power of Racial Scripts* (University of California Press, 2014), 64.

¹¹³ Daniel MacCormack, “Statement by Hon. Daniel W. MacCormack, Commission of Immigration and Naturalization, June 20, 1935,” *Statistics on Foreign-Born Persons in the United States: Hearings Before the Committee on Immigration and Naturalization, House of Representatives, Seventy-fourth Congress, First Session on Number of Alien in the United States, Mexican Immigration, Number Illegally in the United States, Number of Seamen Unlawfully in the United States, Incorrect Figures Deplored, Hearing No. 74-1-7* (United States Print Office, 1935), 8.

mediation reflected not only a Catholic preoccupation with the NCWC's obligation to Mexican immigrants, but also that of the FDR administration, which struggled to devise a solution to unemployment and the denial of basic relief to non-citizen residents.

Since the early 1920s, the United States had increasingly sought to control the flow of Mexican migration, with the end goal of making Mexican labor readily available when industries such as agriculture demanded it, and then ensuring that Mexican laborers returned to Mexico when market conditions no longer warranted their presence. To control this process, federal agencies enforced more rigorous border-crossing policies, restricted non-citizen access to social welfare programs, and encouraged individual states to organize immigration commissions designed to aid in the process of assimilating authorized immigrants and redirecting unauthorized immigrants back to their countries of origin. For its part, the NCWC aided in the regulation of Mexican migratory labor by creating its own immigration office, which at times worked in tandem with the USIS in determining would-be entrants' eligibility, reporting the immigration status of those seeking welfare aid, and staffing state and county-level immigration commissions with bishops, priests, and other clergy members. In this way, the NCWC drew federal resources to what it saw as pressing issues regarding Mexicans and Mexican Americans and simultaneously determined their access to federal policies and programs.

Caught in the crux of this struggle were the hundreds of thousands of Mexicans and Mexican Americans that professed membership in the Catholic Church. In the early decades of the twentieth century, the US federal government took very little interest in the population, except to control their labor. This began change in the 1930s, during the Great Depression, and later the New Deal, when the government would paint Mexicans first as objects of charity and then as aliens to whom it owed a great deal of responsibility.

The period witnessed a dramatic shift in the NCWC's own immigration politics. What began as an effort to protect religious and clerical officials fleeing Mexico in the late 1920s, morphed into a question of how to aid Mexican immigrants by the end of the 1930s. The NCWC's evolving position was owed in good measure to the efforts of its border representative, Calleros. Its initial response to incoming Mexican immigrants had been far from welcoming. Under the leadership of San Francisco Archbishop Edward Hanna in the early 1920s, the NCWC worked with state agencies in California to restrict and deport Mexican immigrants. From this position, Hanna articulated the fledgling NCWC's national immigration policy, one that emphasized the restriction of Mexican immigration. He urged the federal government to end Mexican immigration all together. The NCWC that Calleros initially petitioned for greater support of Mexicans and Mexican Americans was, consequently, reluctant to welcome them, even as it tried to protect incoming Mexican religious refugees and exiles. Yet by the early 1930s, the NCWC's Immigration Bureau had mounted the largest sustained protest against repatriation in the country. Through its work along the US-Mexico border, the NCWC came to see the forced removal of people of Mexican descent as a human rights violation.¹¹⁴

Decades later, Calleros estimated that more than 750,000 Mexicans and Mexican Americans had been deported, repatriated, and otherwise expelled during Mexican repatriation. He estimated that more than 85% of those expelled during the decade held US citizenship. In a speech to Catholic social workers in 1960 he remarked, "we [sent] people back to a country that was not

¹¹⁴ "Annual Report: National Catholic Welfare Conference, Bureau of Immigration, July 1, 1936-June 30, 1937," Box 25, Folder 11, Mohler Papers.

their country, back to homes that they had never lived in, that had never existed... because [they] had no jobs.”¹¹⁵

As the threat of fascism crept into the Western Hemisphere, both the US federal government and the NCWC shifted their attention to the issue of employment discrimination and its impact on hemispheric solidarity. Mexican American Catholic leaders would use this joint interest to direct federal and Catholic resources to the US Southwest.

¹¹⁵ Cleofás Calleros, “New Mexican Immigrants Into the United States,” Box 6, Folder: BCSS, CMS 023.

Part II

Chapter Three: Fighting for Hemispheric Solidarity: The National Catholic Welfare Conference and the Quest to Secure Mexican American Employment Rights During World War II

On May 19, 1943, President Franklin Delano Roosevelt named Monsignor Francis Haas as the new chairman of the Fair Employment Practices Committee (FEPC). Established by Executive Order 8802 in 1941, the FEPC was the federal government's first attempt to address racial discrimination in employment. Frustrated with FDR's unwillingness to address discrimination in defense industries and the armed services, black civil rights leaders of several nationally renowned organizations had joined a March on Washington Movement to demand presidential action. To prevent the march, FDR signed EO 8802, creating the FEPC and banning discriminatory employment practices in wartime industries. Within a just over a year, however, the first FEPC had collapsed. Monsignor Haas' appointment came nearly five months after the first FEPC collapsed in the fall of 1942. Under his guidance, the second FEPC expanded its focus and investigated discrimination against other non-white minorities, especially Mexican Americans.¹

The appointment of a Catholic priest to the nation's preeminent anti-discrimination agency came as little surprise to those who knew him. No other religious leader served as widely during the New Deal and World War II years as did Haas. By the time he died in 1953, he had held more government positions than any religious leader of his generation. Among his many appointments were the National Recovery's Labor Advisory Board and General Code Authority, the National Labor Board (a precursor to the National Labor Relations Board), the Work Progress Administration's Labor Policies Board, special commissioner of conciliation for the Department of Labor, chairman of multiple industry committees for the Department of Labor's Wage and Hour Division, chairman of the Fair Employment Practice Committee, and committee member of the President's Committee on Civil Rights. Haas was so well-known for his work in labor mediation that newspapers dubbed him the nation's "chief conciliator."² Less frequently commented upon was his profound commitment to addressing racial inequality.

World War II altered the relationship between ordinary citizens and their federal government. From 1940 to 1945, the size and authority of the US federal government expanded exponentially. Americans participated in the expansion and legitimization of the federal government by joining the armed forces, adhering to wartime rationing, paying income taxes, and finding employment within war industries. The language of wartime unity and the obligations of national citizenship filled everyday actions with a sense of investment in the battle to protect American democracy from the threat of fascism. The war economy also provided new opportunities for many Americans who remained outside of the New Deal's security net, including Mexican Americans.³

From 1940 to 1945, the NCWC worked with multiple federal agencies and Congressional committees investigating employment discrimination, most notably the Fair Employment

¹ Executive Order 8802 dated June 25, 1941, General Records of the United States Government; Record Group 11; National Archives (<https://www.archives.gov/historical-docs/todays-doc/?dod-date=625>).

² Thomas Blantz, *A Priest in Public Service: Francis J. Haas and the New Deal* (Notre Dame University Press, 1982), 70, 90-92, 141, 180, 183.

³ James T. Sparrow, *Warfare State: World War II Americans and the Age of Big Government* (Oxford University Press, 2011).

Practice Committee, the War Manpower Commission, and the Office for the Coordinator of Inter-American Affairs (OCIAA). NCWC leaders such as William Montavon and Monsignor John O'Grady respectively served as official consultants to the Office of the Coordinator of Inter-American Affairs, the US State Department, and the War Manpower Commission. Their work helped the NCWC to see racial discrimination and economic disparity as two sides of the same coin of inequality. It also brought the NCWC's interest in racial equality to the attention of the federal government. Haas' appointment to the FEPC allowed Mexicans and Mexican Americans more direct access to the federal government in the realm of employment discrimination than did Montavon's or O'Grady's associations. Catholic leaders used their federal appointments as an opportunity to mobilize federal resources on behalf of marginalized Catholics, particularly those of Mexican descent.

Montavon and O'Grady's work with the OCIAA and other federal agencies helped to establish the NCWC as an organization that could represent Mexican Americans' interests to the federal government. Unlike African Americans, who could call upon numerous organizations, such as the National Association for the Advancement of Colored People, to represent their interests, Mexican Americans had no such civic organizations. In the absence of such organizations, the NCWC came to speak on behalf of Mexicans and Mexican Americans to the federal government.

During WWII, the relationship between the NCWC, the US federal government, and people of Mexican descent transformed from one of adversarial collusion with the federal government, to one of limited advocacy and gradual accommodation. During the 1920s and 1930s, the NCWC had colluded with the federal government to restrict Mexican immigration and to negotiate a peace settlement during the first Cristero War. A handful of progressive insurgents, such as Bruce Mohler, Cleofas Calleros, Francis Kelly, and Thomas Mahony, had attempted to shift the NCWC's immigration politics with limited success. By the 1940s, however, more powerful leaders within the NCWC, such as Monsignor Francis Haas, Archbishop Robert Lucey, and Reverend Raymond McGowan, began to advocate more forcefully on behalf of Mexican immigrants and Mexican Americans. They also pushed for the inclusion of Mexican Americans into lay leader positions. To be sure, Haas, Lucey, McGowan, and other similar-minded allies remained on the progressive margins of the NCWC. Their leadership positions within the conference, however, as well as their close connections to elite politicians, allowed them to create a path of gradual accommodation for Mexican Americans within the NCWC.

Focusing on Catholic collaboration with the federal government around issues such as employment discrimination frames racial liberalism as a multiracial movement, demonstrating the complexity of the United States' race problem during the 1940s. It also helps to explain how, in the absence of elected officials or national organizations, Mexican Americans gained the attention of the federal government. For many WWII racial liberals, including Haas, combatting racial discrimination went alongside the fight for full employment, the right to collective bargaining, and efforts to establish a living wage, and they used their federal appointments to try to bring the security of the New Deal to those Americans living outside of its safety net.⁴

⁴ Following the lead of Thomas Guglielmo, Justin Hart, and others, I argue that the US federal government began considering the international implications of domestic race problems during World War II. The Good Neighbor Policy and the need for hemispheric solidarity in the face of Nazism drove this earlier attention to domestic race relations. The NCWC made strategic use of the federal government's domestic and diplomatic concerns to draw federal resources to the US Southwest. See for instance: James H. Merriwether, *Proudly We Can Be Africans: Black Americans and Africa, 1935-1961* (UNC Press, 2002); Penny M. Von Eschen, *Race Against Empire: Black Americans and Anticolonialism, 1937-1957* (Ithaca, 1997); Justin Hart, *Empire of Ideas: The Origins*

The politicization of these Catholic advocates for Mexican Americans reflected the NCWC's evolving discourse of citizenship rights. What began in the early years of WWII as advocacy for people of Mexican descent based on hemispheric solidarity became a defense of economic civil rights by the end of the decade. This evolving notion of citizenship rights also mirrored the shifting civil rights agenda of Mexican American lay leaders such as Alonso S. Perales and Carlos E. Castañeda with whom Catholic advocates such as Haas and Robert Lucey collaborated. The collaboration between Mexican American leaders, the NCWC, and the US federal government around the issue of employment discrimination marked the beginning of a new period in the tripartite relationship, one in which inclusion, vis-à-vis greater economic equity and greater connections to the federal government became common goals. During the 1930s and 1940s, Lucey, Haas, and other NCWC representatives attempted to create a space for Mexican American leaders within the federal wartime administration and used their federal appointments to shed light on inequality in the US West and Southwest. Meanwhile, individuals such as Castañeda used their Catholic connections to expand the federal government's interest in securing employment rights for Mexicans and Mexican Americans. These efforts began with the creation of the first FEPC in 1941 and continued with the appointment of NCWC leaders to key federal advisory positions in early 1942. Beginning in 1943, Mexican American lay leaders made strategic use of these NCWC-federal appointments to direct federal attention to Spanish-speaking communities in the Southwest, fostering a change between themselves and the federal government.

Americanos Todos: Wartime Civil Rights for Mexican Americans

By the late 1930s, President Franklin Roosevelt's advisers warned him that widespread racial discrimination within the US Southwest had the power to undermine his policy of cooperation with Latin American countries. Roosevelt referred to this foreign policy as the Good Neighbor Policy, and it committed the US to a course of non-intervention in Latin America, and later to an understanding of co-collaboration in addressing hemispheric security. Reports of the mistreatment of Mexicans and Mexican at the hands of US citizens overshadowed FDR's commitment to hemispheric collaboration. In addition, FDR's advisors worried that Mexicans would fall prey to fascist propaganda, creating a border security crisis as Mexican nationals moved between the two countries. This anxiety mounted after 1941, when the US entered World War II, and again in 1942, when the US and Mexico signed an agreement that allowed the employment of Mexican nationals in the agricultural and railroad industries, known as the Bracero Program. Integrating Mexicans and Mexican Americans into the war economy became a

of Public Diplomacy and the Transformation of US Foreign Policy (Oxford University Press, 2012); Emilio Zamora, *Claiming Rights and Righting Wrongs in Texas: Mexican Workers and Job Politics during World War II* (Texas A&M University Press, 2009); Thomas Borstelmann, *The Cold War and the Color Line: American Race Relations in the Global Arena* (Harvard University Press, 2001); Mary L. Dudziak, *Cold War Civil Rights: Race and the Image of American Democracy* (Princeton University Press, 2001); Nancy MacLean, *Freedom is Not Enough: The Opening of the American Workplace* (Harvard University Press, 2006); Mark Brilliant, *The Color of America Has Changed: How Racial Diversity Shaped Civil Rights Reform in California, 1941-1978* (Oxford University Press, 2010); David Gutiérrez, *Walls and Mirrors: Mexican Americans, Mexican Immigrants, and the Politics of Ethnicity* (University of California Press, 1995).

matter of providing employment and training opportunities, as well as an issue of national and hemispheric security.⁵

Federal agencies used posters, movie reels, and commissioned studies as wartime propaganda designed to remind the public that people throughout the western hemisphere shared a common, “American” heritage. But convincing the public was only half of the battle. Even before the US officially entered the war, race relations in the US Southwest threatened to disrupt Roosevelt’s Good Neighbor policy.

The Good Neighbor Policy’s success partially depended on the FDR administration’s ability to persuade Latin American countries that the US would work to protect the civil rights of Spanish-speaking people already residing within its borders. Mexican consuls deployed the language of the Good Neighbor Policy to convince Washington to apply the policy domestically. For example, Mexican consuls throughout the US West and Southwest regularly received reports of violence and employment discrimination against Mexicans and Mexican Americans and petitioned the FEPC to open investigations, often to no avail. Mexican nationals registered their experiences of wartime discrimination and racial violence with local consuls, who pursued recourse through diplomatic channels, often contacting the US State Department and local media outlets with stories of employers who refused to comply with FDR’s non-discrimination order. One of the most common complaints was employers’ use of two wage scales: one for Mexicans and Mexican Americans, and the other for Anglo workers. Furthermore, many employers regularly refused to promote their non-white employees beyond entry-level positions.⁶

Mexicans and Mexican Americans occupied an ambiguous place in the World War II racial landscape. Legally white, or at least not classified as “colored” by most state and federal laws, Mexicans and Mexican Americans found that their racial status fluctuated depending on the setting. Technically, they voted in the white Democratic primaries. At times, their children attended white schools (though usually of far lesser quality than their Anglo neighbors). Yet this sort of liminal white status did not hold true in all places. Communities across the Southwest regularly practiced de facto segregation and denied Mexicans and Mexican Americans access to public places. Signs reading “No Mexicans, Whites Only” decorated storefronts. Hospitals and prisons held separate visiting days for “coloreds and Mexicans.” Segregated public accommodations were at the center of Mexican Americans’ campaign for greater equality. Texas, which was home to more people of Mexican descent than any other state in the US, became a large thorn in the relationship between the US and Mexico. The state held a particularly notorious record on race relations. Its well-documented historical abuse of Mexicans and Mexican Americans, which included lynching and other forms of racialized violence, led the

⁵ David J. Sapos, “Report on Rapid Survey of Resident Latin American Problems and Recommended Program,” Additional Hearing Materials, Box 339, Record Group 228, Fair Employment Practice Committee, National Archives, College Park, Maryland, (hereafter RG 228 FEPC, NA, CP); “Spanish-Americans in the Southwest and the War Effort,” August 18, 1942, Special Collections Library, University of Wisconsin, Milwaukee.; “Report on the Spanish-speaking Peoples in the Southwest, Field Survey March 14 to April 7, 1942,” Box 371, Folder: Mexican Study, RG 228, FEPC, NA, CP; Matthew Gritter, *Mexican Inclusion: The Origins of Anti-Discrimination Policy in Texas and the Southwest* (College Station, TX: Texas A&M University Press, 2012), 26; Zamora, *Claiming Rights and Righting Wrongs*, 64.

⁶ Clete Daniel, *Chicano Workers and the Politics of Fairness* (Austin: University of Texas Press, 1991), 21; Gritter, *Mexican Inclusion*, 25; Zamora, *Claiming Rights and Righting Wrongs*, 66; Foley, *Mexicans in the Making of America*, 69; Justin Hart, “Making Democracy Safe for the World,” *Pacific Historical Review* 73, no. 1 (February 2004), <http://www.jstor.org/stable/pdf/10.1525/phr.2004.73.1.49.pdf>, 60.

Mexican government to expel it from the Bracero Program shortly after the program began in 1942.⁷

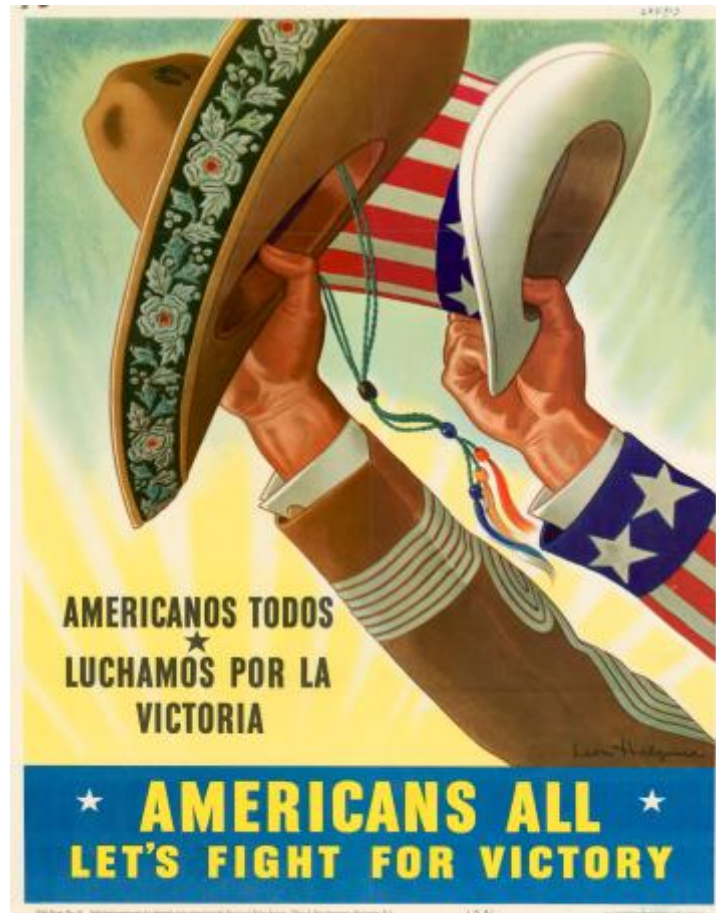


Figure 3.1 1943 poster, “Americans all, let’s fight for victory”/ “Americanos todos, luchamos por la victoria”; artist Leon Helguera (Courtesy of University of North Texas Libraries, Digital Library, digital.library.unt.edu; UNT Libraries Government Documents Department).

The First FEPC and the Struggle to Claim Employment Rights for Mexicans and Mexican Americans

Mexican American leaders voiced their support of the new committee almost as soon as the ink dried on EO 8802. Ernesto Galarza, Chief of the Division of Labor and Social Information for the Pan American Union, wrote to the FEPC to share his support. He

⁷ Alice Kahn to Marjorie Lawson, “Summary of Various Articles Dealing with Spanish-Speaking People in the Southwest,” September 23, 1942; Alice Kahn to Marjorie Lawson, “Summary of Spanish-Americans in the Southwest” (Report #25, OWI) and “The War Effort and War Attitudes of Spanish-speaking people in the Southwest” (Special Report #19, OWI); Alice Kahn to John A. Davis, “Summary of an Evaluation of Media for Reaching the Spanish-Americans of the Southwest” (Report #23A, OWI), September 23, 1943; unsigned memo to Malcolm Ross, Mr. Johnson, Mr. Bourne, John Davis, and Barbara Wright, December 8, 1943, all in Box 371, Folder: Mexican Study, RG 228 FEPC, NA, CP.

enthusiastically told FEPC chairman Mark Etheridge that the President's move allowed him to hope "that the problems of Mexicans with regard to fair and equal treatment might receive more consideration now than they have in the past."⁸ Though hopeful, Galarza was also a bit skeptical about the committee's commitment to assisting Mexican Americans. He worried that the FEPC might not register the full scope of the problems faced by Mexican American workers. "My rather long experience with the problems of Mexicans in this country has led me to the conclusion that it is extremely difficult to induce them to complain of adverse conditions," Galarza wrote. Given the federal government's role in the repatriation of Mexicans and Mexican Americans in the 1930s, Galarza and other leaders feared that racial conditions in the Southwest might be swept under the rug. He inquired whether the FEPC intended "to extend to this group the benefits of the President's policy," which promised to eliminate discrimination in wartime employment. Galarza warned that the size of the Mexican descent population, and its importance to the national economy, made "the establishment of fair and just practices in employment an important part of the national defense program."⁹ While applauding the federal government's anti-discrimination initiatives, Galarza anticipated that Mexican Americans would have to vie for their share of the FEPC's attention.

Galarza was right. In the year before its transfer to the War Manpower Commission in 1943, the FEPC conducted investigations and held public hearings in the four following cities: Los Angeles, Chicago, New York, and Birmingham. Only during the Los Angeles hearings did Mexican Americans receive an opportunity to air their grievances. From the outset, African Americans comprised most of the FEPC's caseload. The FEPC's second heaviest caseload consisted of complaints brought by Mexicans and Mexican Americans. Although Mexicans and Mexican Americans lodged numerous complaints, the FEPC's early hearings overwhelmingly reflected the concerns of African American workers. Part of the problem stemmed from the fact that Mexican Americans lacked a national organization to register their grievances. While African Americans could rely on multiple national organizations, including the National Association for the Advancement of Colored People (NAACP), the Brotherhood of Sleeping Car Porters, and the National Negro Congress, Mexican Americans could rely only on local and small regional organizations, such as the League of United Latin American Citizens (LULAC). More importantly, the federal government recognized leaders of organizations such as the NAACP as the spokespersons for African Americans but did not grant LULAC the same authority.¹⁰

The Los Angeles hearings were a bureaucratic nightmare. In the months before the hearings, the FEPC received numerous complaints regarding employment, particularly in the aircraft and shipbuilding industries. The committee, however, did not hire a field investigator for Los Angeles until less than a month before the hearings. Even then, sloppy field work by Eugene Davidson and conflicts between the chairman and committee member Earl Dickerson made the

⁸ Ernesto Galarza to Mark Etheridge, September 25, 1941, Box 339, Folder: Additional Hearing Materials, RG 228 FEPC, NA, CP.

⁹ Ernesto Galarza to Mark Etheridge, September 25, 1941, Box 339, Folder: Additional Hearing Materials, RG 228 FEPC, NA, CP.

¹⁰ Other religious and racial minorities also entered claims of employment discrimination. Catholics, Jews, Seventh-Day Adventists, Jehovah's Witnesses, Chinese, and Japanese American workers all filed discrimination cases on the basis of creed, color, national origin, or race. See Daniel, *Chicano Workers and the Politics of Fairness*, "Chapter 1: People in the Distance." For an account of LULAC's limitations see Cynthia Orozco, *No Mexicans, Women, or Dogs Allowed: The Rise of the Mexican American Civil Rights Movement* (Austin, TX: University of Texas Press, 2009).

hearings less than successful. In Davidson's defense, he spent much of the initial part of the hearings having to answer the committee's repeated accusation that the fact that so few Mexicans, Mexican Americans, and Africans Americans found defense employment might be attributed to something besides employment discrimination.¹¹

The Los Angeles hearings revealed a pervasive pattern of racial and religious discrimination. Los Angeles contractors, FEPC investigators learned, preferred to hire Protestant workers over Catholic or Jewish workers. They also learned that many contractors refused to offer employment to racial minorities at all. When contractors did extend employment offers to non-white workers, they tended to offer custodial work or a lower pay scale.

Historian Clete Daniel has rightly described the Los Angeles hearings as indicative of the "tendency among the committee's membership and staff to define discrimination in . . . terms of the historically disadvantaged status of blacks." Yet Mexican and Mexican American workers did not always experience discrimination in the same ways as African Americans. Workers of Mexican descent certainly experienced discrimination based on color or race, but they also faced discrimination on a variety of other levels.¹² Even though the number of Mexicans and Mexican Americans living in Los Angeles outnumbered African Americans nearly 4 to 1, the committee allotted time for only a handful of Mexican American leaders; most notably, attorney Manuel Ruiz Jr. and Dr. Victor Egas.¹³ The two men received six minutes of combined testimony. The committee gave Ruiz and Egas almost no time to prepare, and they could do little more than paint a picture of broad scale hiring discrimination and dual wage systems. Lacking individual cases of reported discrimination, the two men suggested that the committee install a permanent investigator in Los Angeles to uncover what they believed was a pervasive pattern of discrimination against workers of Mexican descent.¹⁴

Had the FEPC sent a permanent field investigator to Los Angeles, it would have learned the degree to which citizenship status impacted hiring and promotion decisions. The matter of alien employment was particularly contentious in cities such as Los Angeles, where defense contractors regularly excluded Mexican nationals from employment on the basis that aliens could not be employed in defense industries. In October 1941, the War Department announced "that there is no prohibition" by law or regulation of the employment of non-citizens on defense contracts, excepting high security or intelligence contracts. Even after the War Department issued an end to such practices, some defense contractors and subcontractors refused to hire Mexican nationals. They claimed that doing so might jeopardize national security. Other contractors used loopholes in state laws, arguing that unless a work project was explicitly defined as "a public military or defense" project, the law allowed them to exclude aliens from employment.¹⁵ Mexicans, in other words, potentially faced discrimination both concerning their race, as well as their citizenship status.

¹¹ Ruchames, *Race, Jobs, and Politics*, 33; Reed, *Seedtime for the Modern Civil Rights Movement*, 39; Kersten, *Race, Jobs, and the War*, 23; Leonard, *The Battle for Los Angeles*, 41-42.

¹² Daniel, *Chicano Workers and the Politics of Fairness*, 6, 7.

¹³ *Ibid.*, 6.

¹⁴ *Ibid.* 11.

¹⁵ T. J. Hayes, Brigadier General, US Army, Director, Production Branch, War Department to Chief of the Air Corps, Chief of Chemical Warfare Service, Chief of Engineers, Chief of Ordnance, Quartermaster General, Chief Signal Officer, Surgeon General, and Judge Advocate General, October 24, 1941, Memo No. 14329, Box 3, Folder 2, Manuel Ruiz Papers, M0295, Department of Special Collections, Stanford University Libraries, Stanford, California, (hereafter Ruiz Papers).

After the October 1941 FEPC hearings, Mexicans and Mexican Americans in Southern California seemed wary of the FEPC's investigatory prowess. Nevertheless, they continued to call upon the federal government to make good on its promise of domestic wartime unity. In April 1942, for instance, a group of prospective laborers in Los Angeles contacted attorney Manuel Ruiz, who had testified before the FEPC some seven months earlier. Ruiz, a Los Angeles native, discovered that local contractors refused to hire Mexican nationals for a public housing project by federal and state funds. Ruiz wrote to Herbert Carrasco, the State Labor Commissioner for California. According to Ruiz, contractors building defense housing in Los Angeles County excluded "aliens of Mexican extraction from employment." Denying aliens employment in war industries defied EO 8802 and recent policy changes issued by the War Department, but more importantly, it undermined the sense of hemispheric cooperation laid out by FDR's Good Neighbor Policy.¹⁶

Mexican America leaders were well aware of the possibilities presented by the Good Neighbor Policy. Ruiz, for example, used the Good Neighbor Policy to argue for an expansive vision of what constituted an "American," employing a hemispheric, rather than national identity. Ruiz was a lifelong Republican who later in life privileged the rights of citizens over non-citizens and stumped for Barry Goldwater in 1964. But in 1942, he took the politically courageous stance of defending the employment rights of Mexican nationals. "Since Mexico has declared war and is now an ally of the United States," Ruiz pointed out, "it is practicable and urgent that all impediments to the employment of loyal workers be removed."¹⁷ Ruiz reasoned that by denying employment to Mexican aliens California contractors had violated EO 8806 by discriminating against prospective workers because of their national origin. In appealing directly to Carrasco, Ruiz believed that the California State Labor Board would issue an announcement supporting the federal government's policy of hiring aliens in defense industries.¹⁸ Carrasco declined to do so. He declared that the War Department's policy did not extend to the aliens in question since the Los Angeles housing project was only "incidentally aiding the defense effort."¹⁹ Moreover, employing aliens on such projects violated California labor codes.¹⁹

Ruiz might have requested an FEPC investigator to investigate the situation. After the Los Angeles hearings, however, he seems to have lost faith in the ability of the FEPC to thoroughly investigate the concerns of the Mexican descent population. Instead, Ruiz contacted local War Manpower Commission representatives. By reaching out to the War Manpower Commission, Ruiz hoped to prevail upon the power of the federal government to force California contractors into compliance with anti-discrimination initiatives.²⁰ Two weeks later, he contacted the Labor Relations Advisor for the US Housing Authority. Ruiz asked the Housing Authority

The War Department reaffirmed and clarified this announcement on November 18, 1941, when it announced that aliens could be employed in all private industries holding defense contracts, except those "performed under Navy classified and aeronautical contracts." In these cases, private employers were instructed to apply for security clearance for alien workers. Secretary of Navy to various department heads, November 18, 1941, Memo 15790, Op-16-B-10, P14-2/AM, Serial 2938016, Box 3, Folder 2, Ruiz Papers.

¹⁶ Manuel Ruiz to David Carrasco, April 15, 1942, Box 3, Folder 2, Ruiz Papers.

¹⁷ Ruiz served as the National Chairman of the Republican National Convention's Hispanic Division during the Goldwater Campaign. Manuel Ruiz, undated memo regarding Spanish Speaking Peoples' Committee on Defense Employment meeting for June 13, 1942, Box 3, Folder 2, Ruiz Papers; Gutiérrez, *Walls and Mirrors*, 149.

¹⁸ Manuel Ruiz to David Carrasco, April 15, 1942, Box 3, Folder 2, Ruiz Papers.

¹⁹ Herbert Carrasco to Coordinating Council of Latin-American Youth, April 22, 1942, Box 3, Folder 2, Ruiz Papers.

²⁰ Coordinating Council of Latin-American Youth to Guy Nunn, April 29, 1942; Coordinating Council of Latin-American Youth to Alexander, April 29, 1942, Box 3, Folder 2, Ruiz Papers.

supply the Coordinating Council of Latin-American Youth with copies of recently circulated instructions requiring all housing authorities “to withdraw clauses preventing the hiring of friendly aliens.”²¹

Ruiz and his supporters did not have to wait long. Less than six weeks after the initial inquiry, the federal government acted decisively. Landon Post, acting on behalf of the Commissioner of the National Housing Agency, informed local housing authority offices across the state of California that aliens were eligible for employment on all public works sponsored by the National Housing Authority. In addition, the agency reminded local housing commissioners that the employment of non-citizens, particularly those from Mexico and other Latin American countries, was an essential part of the war effort. “It is the desire of the Federal Public Housing Authority that aliens of friendly nations be permitted to work upon all our projects that we will take such further steps as appear necessary in order to reach this end,” Post said.²² Post’s position marked a continuation of Harry Hopkins’ and Frances Perkins’ joint effort to extend the New Deal to resident aliens, by requiring federally funded state employment programs to offer employment opportunities to aliens.²³

If federal agents were sometimes reluctant offer their assistance, as in the case of the FEPC, many Mexican Americans were nevertheless eager to have the federal government’s attention. Other reports of non-employment related discrimination flowed into the FEPC office. Some of the worst offenses came from Texas: San Felipe High School teachers were denied admittance to restaurants at Eagle Pass; a cafe in Uvalde refused service to Mexican American soldiers in uniform; while another restaurant owner posted a sign reading, “For Whites Only—No Mexicans Served.” Segregation extended beyond eating establishments: a sanitarium refused admittance to Mexicans and Mexican Americans, and when hospital administrators mistakenly admitted Mexicans or Mexican Americans, hospital staff segregated them into special wards. The town of Marathon refused to enroll Mexican American students in the town’s school, which New Deal dollars had funded. Instead, school administrators sent Mexican American students across town to a dilapidated building, “lacking sanitary facilities and recreation grounds.”²⁴ Unfortunately, the FEPC could do nothing to tackle social discrimination. Executive Order 8802 only authorized the FEPC to investigate instances of employment discrimination in defense industries. Allegations of discrimination in private industries or denials of admission to public places such as restaurants, movie theaters, or parks fell under state and local jurisdiction.²⁵

The toothlessness of Executive Order 8802, which had created the FEPC, did not help matters. The order empowered the committee to “receive and investigate complaints of discrimination” and to “take appropriate steps to redress grievances which it finds to be valid.”

²¹ Manuel Ruiz. to Ted Gillen, May 19, 1942, Box 3, Folder 2, Ruiz Papers.

²² Larry Post to Housing Authorities of Kern County, City of Los Angeles, Los Angeles County, City of Oakland, City of Richmond, City and County of Sacramento, City and County of San Francisco, County of Santa Barbara, City of South San Francisco, San Bernardino County, May 26, 1942; Manuel Ruiz Jr. to Guy Nunn, May 29, 1942, Box 3, Folder 2, Ruiz Papers.

²³ Fox, *Three Worlds of Relief*, 197, 202; War Manpower Commission Policy Statement with Regard to Employment in War Industries, June 29, 1942, Box 172, Folder: War Manpower Commission, 1942 (General Materials), Record Group 174, Office of the Secretary, Secretary Frances Perkins, Subject File, 1940-1945, War Manpower Commission, National Archives, College Park, (hereafter RG 174 Secretary Perkins).

²⁴ Appendix I - A: Cases of Discrimination in Texas,” ca. 1942, Box 339, Folder: Additional Hearing Materials; Lawrence Cramer to Francisco Castillo Najara, April 28, 1943, Box 371, Folder: Mexican Study, RG 228 FEPC, NA, CP.

²⁵ Lawrence Cramer to Conrad James Carreon, June 26, 1942, Box 339, Folder: Additional Hearing Materials, RG 228 FEPC, NA, CP.

Beyond recommending measures, the committee lacked any real power. While it could investigate claims of discrimination, hold hearings, and make recommendations, it lacked any authority to enforce its findings.²⁶ Moreover, the committee endured perpetual attacks from politicians, most notably Southern Congress members, eager to discourage any challenge to the prevailing racial order. Perpetual staff changes and disorganization further doomed the first FEPC to a short-lived existence so that by early 1943 the committee had fallen out of existence.

Despite the disastrous Los Angeles hearings, the first FEPC's early investigations in other areas of the Southwest allowed the federal government to learn more about the Mexican American population. By spring 1942, the FEPC had dozens of pending investigations across the Southwest. Most concerned the denial of employment because of race, the creation of a separate wage scale for non-white workers, or the relegation of Mexican and Mexican American workers to menial job positions. Fernando Ypina submitted such a complaint to local FEPC investigators in 1942. His experience, investigators feared, typified the employment experiences of Mexicans and Mexican Americans across the Southwest. According to Ypina, the director of the Texas State Employment Office regularly announced that employers wanted "no Mexicans." "When a Latin American of Mexican descent finishes a course in one of the Defense Schools," Ypina said, "his applications are not accepted, or if they are he is never given a test." The guards at the shipyards in Houston pulled Mexicans and Mexican Americans out of employment lines and asked them, "Can't you understand that we don't want Mexicans?"²⁷

In early 1942, the FEPC announced that it would hold hearings in El Paso later that summer. Scheduling the El Paso hearings represented the FEPC's first wide-scale investigation into Mexican and Mexican American discrimination complaints. Though the committee had investigated individual complaints throughout the Southwest, these hearings were to be the first time the committee dedicated the bulk of its attention to the employment discrimination faced by the population.²⁸

Over the next several months, FEPC field investigators assembled over 150 notarized discrimination complaints that revealed an extensive pattern of discriminatory treatment. The complaints fell largely into two categories: "a wage differential for Mexican and Anglo-Americans on the basis of race or color alone and secondly, a failure on the part of management to upgrade Mexican workers into any occupations beyond heavy, dirty laboring work." Workers also complained that employers required them to use "segregated employment offices, payroll windows, toilets, drinking fountains and company controlled recreational facilities." Investigators worked around the clock gathering further evidence, though, by that point, the need for a public hearing was evident. By early June, the committee had rescheduled the El Paso hearings for mid-August. No one, however, told New Mexico's Senator Dennis Chávez, an early Latino Congress member, about the rescheduled hearings until mid-July. By then, the Roosevelt administration had already embarked on a path to forestall the Southwest hearings indefinitely.²⁹

On June 20th, Undersecretary of State Sumner Welles advised Roosevelt that the State Department "strongly" opposed "the public hearings which the Committee on Fair Employment

²⁶ Executive Order 8802, dated June 25, 1941, General Records of the United States Government, Record Group 11, NARA. See also Louis Ruchames, *Race, Jobs, and Politics: The Story of FEPC* (New York: Columbia University Press, 1953), 25

²⁷ "Cases of Discrimination," Box 339, Folder: Additional Hearing Materials, RG 228 FEPC, NA, CP.

²⁸ Lawrence Cramer to Ernest Trimble, July 21, 1942; Lawrence Cramer to CJ Carreon, June 26, 1942, Box 339, Folder: Hearing Background Material, RG 228, FEPC, NA, CP.

²⁹ "Conclusions and Recommendations," November 19, 1943, Box 371, Folder: Mexican Study, RG 228 FEPC, NA, CP.

Practices proposes to hold in the Southwest.” According to Welles, the State Department was averse to the hearings because public exposure of pervasive discrimination would be seized upon by the US’ enemies as a way of destroying the Good Neighbor Policy. He also accused the FEPC of conducting an “ill-conceived” campaign. The committee ought to conduct itself “by discreet investigation rather than by holding public hearings,” Welles said.²⁶ According to Welles, it was the Mexican government that wanted to avoid the embarrassment that public hearings might bring, not the State Department. By that point, the US and Mexican governments were already deeply engaged in negotiations over a bilateral labor agreement that would provide the US agriculture and railroad industries with a supplemental labor force. Three days later Roosevelt told his aide, Marvin McIntyre, to take up the issue with FEPC Chairman Malcolm MacLean “and tell him really for international reasons public hearing should be stopped. And tell Sumner Welles that you are doing so and that he also may do it.” Welles wasted no time in informing MacLean that FDR had ordered the hearings canceled. The cancellation of the El Paso hearings damaged the FEPC’s reputation amongst Mexican Americans and disarmed it of its only real weapon, the public hearing.³⁰

Although the committee’s findings were unlikely ever to be made public, the FEPC decided to continue its investigations throughout the fall of 1942. The committee requested permission to hold the Southwest hearings again in November, a request that the State Department immediately denied. By that time, the FEPC was in acute distress. The committee had been shunted from the Executive Office to the War Manpower Office and in the process lost most of its funding and autonomy. A series of personality conflicts and personnel issues led most of the committee to resign throughout the fall and winter of 1942–1943.

As the FEPC’s work ground to a halt, the White House scrambled to reassure the public that the president had not abandoned his promise to protect minority employment rights. For nearly five months, Roosevelt refused to name a new committee, partly because no one would agree to become chairman. Eventually, Attorney General Samuel Biddle convinced the president to ask Monsignor Francis Haas.³¹

Good Neighbors and Good Catholics: Mexican Americans, the Office of the Coordinator for Inter-American Affairs, and the NCWC

To gain a better sense of the conditions in the Southwest, the federal government commissioned three important studies of Mexicans and Mexican Americans in the spring of 1942: a “Report on Rapid Survey of Resident Latin American Problems and Recommended

³⁰ Sumner Welles to the President, June 20, 1942, as quoted in Daniel, *Chicano Workers and the Politics of Fairness*, 39; Zamora, *Claiming Rights and Righting Wrongs*.

³¹ David J. Sapos, “Report on Rapid Survey of Resident Latin American Problems and Recommended Program,” Box 339, Additional Hearing Materials, RG 228 FEPC, NA, CP; “Spanish-Americans in the Southwest and the War Effort,” August 18, 1942, Special Collections Library, University of Wisconsin, Milwaukee.; “Report on the Spanish-speaking Peoples in the Southwest, Field Survey March 14 to April 7, 1942,” Box 371, Folder: Mexican Study, RG 228 FEPC, NA, CP; “Program for Cooperation with Spanish-Speaking Minorities in the United States: Progress Report,” Office of the Coordinator of Inter-American Affairs, Division of Inter-American Activities in the United States, July 1, 1942 (report is labeled July 1, 1942, but all indications are that the report was released July 1, 1943), Box 35, Folder 9, United States Conference of Catholic Bishops General Counsel/Legal Department, The American Catholic Research Center and University Archives, Catholic University of America, Washington, DC, (hereafter Legal Department Papers) .

Program,” “Spanish-Americans in the Southwest and the War Effort,” and a “Report on the Spanish-speaking Peoples in the Southwest.”³² From these initial reports, federal investigators quickly learned that Mexicans and Mexican Americans across the region shared a set of overlapping problems, including poverty, lack of employment opportunities, job discrimination, limited educational opportunities, poor health and community resources, substandard housing, and linguistic barriers. Disconcertingly to investigators, Mexican Americans also seemed to lack a highly visible national organization, similar to the National Association for the Advancement of Colored People for African Americans. One investigator described the population as the nation's “most submerged class,” a population set apart by poor wages, slums, disease, poverty, delinquency, and other forms of economic and social discrimination.

If the Mexican descent communities across the Southwest and Upper Midwest were connected through a shared set of problems, rather than a shared racial or ethnic identity, then as federal investigators revealed, they were also connected by their shared affiliation with the Catholic Church.³³ The Church's position, one federal investigator noted, was “strengthened further because it is the only group which is successful in furnishing education and social services to the Spanish-speaking people.” She might well have added that it was one of the only groups willing to pursue federal recourse on behalf of this population.³⁴ Both US and Mexican government officials were aware of the US Church's interest in the population. In October 1942, for instance, Monsignor John O'Grady (1886–1966), Executive Secretary of the National Conference of Catholic Charities, received a small bundle of confidential letters. O'Grady opened the envelope to find a series of letters between Francisco Castillo Najera, the Mexican Ambassador to the US, and federal agents overseeing the nation's integration of racial minority war workers. The arrival of the envelope at the NCWC's headquarters in Washington, D.C., likely came as no surprise to O'Grady.³⁵

By 1942, O'Grady had distinguished himself as an important source of intelligence on Mexican and Mexican American political affairs for the US State Department, and a powerful social reform activist. O'Grady regularly corresponded with Assistant Secretary of State Adolf Berle Jr., and other members of the State Department. Additionally, he served as an occasional point of contact between the Roosevelt administration and an informal network of Mexican

³² David J. Saposs, “Report on Rapid Survey of Resident Latin American Problems and Recommended Program,” Additional Hearing Materials, Box 339, RG 228 FEPC, NA, CP; “Spanish-Americans in the Southwest and the War Effort,” August 18, 1942, Special Collections Library, University of Wisconsin, Milwaukee.; “Report on the Spanish-speaking Peoples in the Southwest, Field Survey March 14 to April 7, 1942,” Box 371, Folder: Mexican Study, RG 228 FEPC, NA, CP.

³³ “Program for Cooperation with Spanish-Speaking Minorities in the United States: Progress Report,” Office of the Coordinator of Inter-American Affairs, Division of Inter-American Activities in the United States, July 1, 1942 (report is labeled July 1, 1942, but all indications are that the report was released July 1, 1943), Box 35, Folder 9, Legal Department Papers.

³⁴ Alice Kahn to Marjorie Lawson, “Summary of Spanish-Americans in the Southwest” (Report #25, OWI) and “The War Effort and War Attitudes of Spanish-speaking people in the Southwest” (Special Report #19, OWI), Box 371, Folder: Mexican Study, RG 228 FEPC, NA, CP.

³⁵ Will Alexander to John O'Grady, December 7, 1942; “Report from Los Angeles,” November 25, 1942; John O'Grady to G. Howland Shaw, October 12, 1942; John O'Grady, “A More Considered Policy in the Employment of Mexicans in Industry in Houston Area”; Francisco Castillo Najera to Will Alexander, October 2, 1942; Adolfo Domínguez, “Memorandum on Racial Discrimination: Houston, Texas,” all in Box 37, Folder 10, Catholic Charities of the United States of America Records, The American Catholic Research Center and University Archives, Catholic University of America, Washington, DC, (hereafter CCUSA).

American leaders and allies working to direct the federal government's attention to the Mexican descent population's social and economic disenfranchisement.³⁶

Born in Ireland in 1886, O'Grady was ordained a priest in 1909. Shortly thereafter, he immigrated to Omaha, Nebraska, where he began ministry. After three years in Nebraska, he was sent to Catholic University of America for graduate studies. He obtained a doctorate in sociology and economics in 1915. Four years later, he became the Executive Secretary of the National Conference of Catholic Charities, the nation's largest Catholic social services agency, and over the next two decades established himself as a leading expert on social welfare reform. Like other Catholic social reformers of his day, he maintained ties with the NCWC and the Catholic University of America, serving as dean of its School of Social Work.³⁷

Upon reading the envelope's contents, O'Grady learned that the shipyards of Houston, Texas, one of the nation's largest shipbuilding regions, refused to hire Mexican or Mexican American workers. Defense contractors claimed that they had "no openings" and Mexican and Mexican applicants were deemed "incompetent." The new Mexican Consul in Houston, Adolfo Domínguez, had declined to contact local federal agents tasked with investigating employment discrimination because the nearest representative, stationed in El Paso, Texas, was "too far . . . to be effective." Even more worrisome was the Mexican Consul's observation that continued discrimination against Mexicans and Mexican Americans threatened the war effort and contradicted the Good Neighbor Policy. "It would seem almost a paradox," he wrote, "to criticize our enemies of the Axis nations for doing the same wrongs that are allowed to exist within the confines of the greatest democracy of all, namely, the United States of America."³⁸ In his letter, Domínguez noted the FEPC's existence but voiced doubt over the agency's ability to enforce Executive Order 8802, FDR's prohibition against employment discrimination in the national defense industry. The same order established the FEPC and expressly forbid discrimination on the basis of race, national origin, religion, or color. More generally, Domínguez' claim that the presence of a federal representative "would inspire confidence and fortify the faith on the part of [Mexicans and Mexican Americans]" spoke to a widely-held belief in the power of the federal government to act in ways that bettered the lives of everyday citizens.³⁹

³⁶ See, for instance, Elis M. Tipton to John O'Grady, November 14, 1942; John O'Grady to Elis M. Tipton, November 20, 1942, Box 37, Folder 7 CCUSA. See also, John O'Grady to Adolf Berle Jr., February 6, 1942, Box 37, Folder 7; John O'Grady to Raleigh A. Gibson, December 4, 1941, Berle-O'Grady Correspondence, 1941, Box 37, Folder 8, all in CCUSA

³⁷ Will Alexander to John O'Grady, December 7, 1942; "Report from Los Angeles," November 25, 1942; John O'Grady to G. Howland Shaw, October 12, 1942; John O'Grady, "A More Considered Policy in the Employment of Mexicans in Industry in Houston Area"; Francisco Castillo Najera to Will Alexander, October 2, 1942; Adolfo Domínguez, "Memorandum on Racial Discrimination: Houston, Texas," all in Box 37, Folder 10, CCUSA.

O'Grady first voiced his support for legislative advocacy in his dissertation, "A Legal Minimum Wage," in which he used a comparative analysis of minimum wage movements in other English-speaking countries to argue for a federally mandated minimum wage law in the United States. Later in life, O'Grady became an outspoken opponent of the McCarran Walter Act, arguing that the 1952 immigration reform law "perpetuate[d] the doctrine of Nordic Superiority." John O'Grady, *A Legal Minimum Wage* (Washington, DC: National Capital Press, 1915); Saul Alinsky, unpublished autobiography, Box 1, Folder 1, O'Grady Papers; John O'Grady, "The McCarran Immigration Bill: the Perpetuation of the Doctrine of Nordic Superiority is the Basic Question," *Commonweal*, June 20, 1952

³⁸ Adolfo Dominguez, "Memorandum on Racial Discrimination: Houston, Texas," Box 37, Folder 10, CCUSA.

³⁹ *Ibid.*

Frustrated by local employment agents' apparent inability "to see that applicants are accepted," and concerned about the implications of employment discrimination for hemispheric relations, Domínguez asked Dr. Will Alexander to establish an office to support minority workers in Houston. Instead of answering Domínguez directly, Alexander sent copies of the request to O'Grady. O'Grady responded by asking his friend and colleague Assistant Secretary of State Gardiner "Howland" Shaw (1893–1965) to consult with several federal administrators on the problem. O'Grady, hearing "from unimpeachable sources that there is still considerable discrimination against Mexicans in Houston industries," urged Shaw to raise the issue with his colleagues in the State Department.⁴⁰

Shaw was an ideal candidate for such a task. Born into a Protestant family, he converted to Catholicism early in his adulthood, even considering the priesthood. Instead of becoming a priest, Shaw became an influential leader in the NCWC. O'Grady asked Shaw to meet with Nelson Rockefeller, the Coordinator of Inter-American Affairs, and Secretary of Commerce Jesse Jones. The support of Jones, who happened to own or hold influence over most Houston industries and media outlets, was essential to O'Grady's plan. O'Grady believed that with Rockefeller's and Jones' support, Houston could become a model for Mexican and Mexican American employment. Shaw shared this vision. His willingness to consult with Rockefeller and Jones reflected his connection with O'Grady, as well as the State Department's concern in addressing employment discrimination in such a way as to avoid any publicity that might have pointed to the unneighborly treatment of Mexican nationals.⁴¹

The State Department had good reason to be concerned. Six months earlier, the Mexican Consul had lodged a complaint over police brutality in nearby Port Arthur, Texas. The incident began with a knock on the door. It was just after midnight on April 9th, 1942 when Police Captain Glenn Hamman and four of his men knocked on Bartolo Hernández's front door. By the time Captain Hammon and his men left the residence, Hernández and his roommate, Jesús Rivera, would be left battered and bruised. The two men were both home recovering from work related injuries: Hernández from a broken back and Rivera from a crippled left arm. Hamman and the other officers approached the Hernández home without a search or arrest warrant, looking for "women and marihuana." Rivera and Hernández invited the plain-clothes cops inside to conduct a search but denied hiding drugs or women.

⁴⁰ Remarkably little is known about Gardiner "Howland" Shaw. He joined the State Department in 1917, worked as the chief of the Division of Near Eastern Affairs from 1926–1929, Chief of the Division of Foreign Service Personnel from 1937–1941, and as Assistant Secretary of State from 1941–1945. In 1941, the National Conference of Catholic Charities elected him president, where he worked closely with O'Grady. In addition to his foreign service work, he maintained a lifelong interest in the problems of juvenile delinquency. Shaw's first assignment in the Foreign Service took him to Turkey. His time in Turkey left a permanent impression. There he witnessed the use of capital punishment for crimes ranging from petty theft to armed rebellion. Returning to the US years later, Shaw committed himself to criminal rehabilitation, especially among juveniles. Shaw's newfound passion found a natural home in the NCWC. Howland Shaw to Franklin Roosevelt, December 4, 1944, in Press Statement, No. 606, Department of State, Box 76, Folder 54, CCUSA. Shaw authored numerous articles detailing his views on juvenile delinquency, including "The Art of Disinterested Friendship in the Treatment of Juvenile Delinquency" (1944); Biographical Statement, Box 76, Folder 54, CCUSA; Dean Acheson, *Present at the Creation: My Years in the State Department* (New York: W.W. Norton and Co., 1970), 14; "G. Howland Shaw, Diplomat, 72, Dies," *New York Times*, August 17, 1965; "Shaw Heads Catholic Charities," *New York Times*, October 23, 1941.

⁴¹ Will Alexander to John O'Grady, December 7, 1942; "Report from Los Angeles," November 25, 1942; John O'Grady to G. Howland Shaw, October 12, 1942; John O'Grady, "A More Considered Policy in the Employment of Mexicans in Industry in Houston Area"; Francisco Castillo Najera to Will Alexander, October 2, 1942; Adolfo Domínguez, "Memorandum on Racial Discrimination: Houston, Texas," all in Box 37, Folder 10, CCUSA.

Unable to find what they claimed to have come for, the five police officers began screaming racial slurs, demanding that Rivera and Hernández reveal the women and “marihuana.” Of course, there was nothing to reveal. In the next instant, the police pulled out their blackjacks and began savagely beating Rivera and Hernández. One of the officers put his gun to Hernández’s head screaming: “If you don’t tell me where the ‘women and marihuana’ are, I’ll kill you.” Neither man resisted. Dr. GR Solis, who examined Hernández shortly after the assault, recorded multiple six-inch bruises along the man’s still healing broken back, face, and scrotum. He also noted that Hernández had not consumed any drugs or alcohol.⁴²

News of unprovoked police brutality against the two men quickly leaked out of the small town of Port Arthur, Texas, where the incident had occurred. Stories of racial violence were hardly news in South Texas. This time it was different. Hernández, a long-term resident and Rivera, a recently naturalized citizen both reached out to the Mexican Consul in Houston, Adolph Castillo Najera, who would shortly be promoted to the role of ambassador. Castillo Najera had established a productive working relationship with Alexander in the WMC some months earlier, when the two men collaborated to provide increased job training opportunities for Mexican nationals in the Detroit area. In addition to contacting Alexander, Castillo Najera also forwarded the case to the US State Department and the FEPC. The Port Arthur incident could not have been more ill-timed for Roosevelt’s administration, which was, by that point deep in labor negotiations with Mexico. For its part, the FEPC disclaimed any ability to aid in the situation, which after all, had nothing to do with employment discrimination.

Even as the FEPC’s work temporarily stopped, the White House continued to investigate social conditions in the Southwest. The OCIAA conducted a series of studies between 1942 and 1943 that led the office to recommend the development of a leadership program for Mexican Americans. The NCWC was equally keen to play a role in any federal effort to develop a leadership program for Mexican Americans. O’Grady’s worked closely Sinarquista leaders such as Salvador Abascal, the former leader and founder of the Unión Nacional Sinarquista, a Mexican political organization. The Sinarquistas were a group of extremely conservative Catholics who hoped to reunify the Church and Mexican state. Abascal traveled around the US Southwest and West forming secret subsidiary chapters called Las Legiones. While, as historian Jason Dormady explains, these organizations were not militant, their extreme nationalist leanings nevertheless aroused the suspicion of the FBI.⁴³

O’Grady’s association with Sinarquista leaders brought him into contact with Assistant Secretary of State Adolf Berle Jr., US Ambassador to Mexico, George Messersmith, and American Consul Raleigh Gibson beginning in the 1930s. These useful connections made O’Grady a natural point of contact when the State Department decided to investigate the possibility of creating a national leadership program to counteract any strains of Sinarquismo in places such as Los Angeles, where federal officials worried that Mexicans and Mexican Americans would join the Sinarquista movement. The FBI described the Sinarquistas as a movement with extreme fascist elements and an open alliance with the Catholic Church. The FBI feared that Nazis had infiltrated the movement and that anti-US sentiment would continue to hamper the US war effort. Moreover, they accused the Catholic Church of operating “against the

⁴² A. Cano del Castillo to Melvin Combs, April 13, 1942; Sworn Statement of Ray Livingston, April 14, 1942; Sworn Statement of Dr. GR Solis, April 10, 1942; Will Alexander to Lawrence Cramer, June 18, 1942, Box 339, Folder: Additional Hearing Materials, RG 228 FEPC, NA, CP.

⁴³ Young, *Mexican Exodus*, 147-148; Jason Dormady, *Primitive Revolution: Restorationist Religion and the Idea of the Mexican Revolution, 1940-1948* (Albuquerque: University of New Mexico Press, 2011), 113.

emergence of spontaneous organizations among Church members.”⁴⁴ O’Grady quickly disabused the State Department of this notion, claiming instead that the Catholic Church strongly supported the development of local democratic organizations.

When Berle shared news of the proposed leadership program, O’Grady saw an opportunity to secure a piece of the pie for the NCWC. “For some time past there has been a considerable amount of talk about the desirability of developing a national organization of Spanish-Americans,” O’Grady explained to San Antonio Archbishop Robert Lucey. According to O’Grady, the plan had originated with Alexander, who had first raised the issue with Nelson Rockefeller, Coordinator of Inter-American Affairs. The OCIAA, O’Grady knew, funded various community programs aimed at inter-cultural dialogue. O’Grady believed that the OCIAA’s interest in developing a Mexican American leadership program would provide the NCWC for the opportunity to create a federally funded, Catholic program. “Mr. Montavon feels, and I quite agree with him, that a good deal can be done in steering this program if we proceed carefully,” O’Grady noted.⁴⁵

In February 1943, Special Assistant to the Coordinator, Walter Pendergast, and director of the Division of Inter-American Activities in the US, Victor Borella, requested a meeting with the NCWC. They met with William Montavon, who served as a personal advisor to Nelson Rockefeller, Coordinator of Inter-American Affairs. Montavon seems to have regarded Borella with a good deal of suspicion. That Borella’s religious affiliation and racial status remained somewhat of a mystery caused a flurry of concern amongst NCWC leadership. Montavon and Ready need not have worried. During his visit to NCWC headquarters, Borella, (who was in any case, of Italian descent, though Catholic) indicated that he would ask Rockefeller for a list of Bishops and Archbishops with whom he might meet during an upcoming trip to the Southwest.⁴⁶

The purpose of Borella’s trip would be to identify which local agencies might aid the Division’s social service program. Borella had already worked closely in Los Angeles with Catholic leaders and Manuel Ruiz Jr. on the Latin American Youth Committee and anticipated further fruitful collaborations with other NCWC leaders. He hoped to use existing Catholic agencies in the creation of educational and community health programs in other cities in the Southwest. In addition to providing Borella with a list of Catholic leaders in places such as Texas and Southern California, Montavon also brought the work of Colorado NCWC members to Borella’s attention.⁴⁷ Montavon provided Victor Borella with a letter of introduction to Archbishop Robert Lucey, and insisted that that he also contact a San Antonio priest.⁴⁸

After the meeting, Montavon wrote to the priest in San Antonio, informing him that the OCIAA would be sending an agent to investigate conditions in San Antonio. Borella and George I. Sánchez both visited with the priest and asked for his insight on the most pressing needs of San

⁴⁴ John O’Grady to Adolf Berle Jr., February 6, 1942, Box 37, Folder 7, CCUSA Papers; Adolf Berle Jr. to John O’Grady, December 19, 1941; Raleigh Gibson to Adolf Berle Jr., December 11, 1941; Josephus Daniels to John O’Grady, September 11, 1941; Adolf Berle Jr to Raleigh Gibson, September 20, 1941 Box 37, Folder 8, CCUSA Papers, United States, Office of War Information, Special Services Division, “Report Number 24: Spanish-Americans in the Southwest and the War Effort,” (1942), 12-13.

⁴⁵ John O’Grady to Robert Lucey, February 11, 1942, Box 37, Folder 11, CCUSA Papers.

⁴⁶ William Montavon to Michael Ready, February 3, 1943, Box 35, Folder 9, Legal Department Papers.

⁴⁷ *Ibid.*; Ignacio L. Lopez to Joseph T. McGuckin, July 7, 1943, Carton 4, Folder: Mexican Division, Alan Cranston Papers, BANC MSS 88/214 c, The Bancroft Library, University of California, Berkeley, (hereafter Cranston Papers).

⁴⁸ William Montavon to Carmen Tranchese, February 26, 1943; Carmen Tranchese to William Montavon, March 2, 1943, Box 35, Folder 9, Legal Department Papers.

Antonio's Mexican descent community. Upon his return to Washington, Borella reported to Rockefeller that the trip had been a most successful one and that he had learned a great deal from his conversations with Catholic clergy. While it is not clear that anything developed from the San Antonio trip beyond the creation of useful contacts between the Office of the Coordinator and local clergy, the Office identified Catholic leaders as key players with a staked interest in the Mexican descent population. The Coordinator's Office also looked to NCWC to direct the OCIAA's attention to areas of immediate concern.⁴⁹

When Borella returned to Washington, Walter Prendergrast, Borella, and Michael Ready met to discuss implementing a social service program in key sites across the Southwest. Just before the scheduled meeting, Joseph McGucken, the Archbishop of Los Angeles, wrote to Prendergast, telling the Coordinator's assistant that field representatives in Los Angeles refused to cooperate with Catholic leaders. Ready, who had also corresponded with McGucken, raised the issue of OCIAA-Catholic cooperation during the meeting. Prendergast assured McGucken and Ready that he would personally instruct the office's representative in Los Angeles to cooperate with McGucken. He also maintained that Catholic cooperation was essential for integrating Mexicans and Mexican Americans into "the national body of the United States" and avoiding any disruption in production.⁵⁰ The men also considered the possibility of a conference to be held in a Southwestern city for the purposes of discussing the economic and sociological questions concerning Mexicans and Mexican Americans. The conference would eventually give birth to the Catholic Church's first national effort to provide greater social services and leadership opportunities for the population, the Bishops' Committee for the Spanish Speaking.

The National Catholic Welfare Conference's General Secretary relished the idea of a conference bringing together leaders in community action from areas across the Southwest. After delaying action for nearly two weeks, the General Secretary nominated Father Raymond McGowan as the NCWC's point person on the conference. In addition to his involvement with the Catholic labor movement, McGowan also directed the NCWC's Social Action Department. A former student of New Deal intellectual John Ryan, McGowan had a special interest both in the labor movement and the status of Mexicans and Mexican Americans. He contacted his former seminary chum, San Antonio Archbishop Robert Lucey. Within just three weeks of the meeting between Prendergast, Borella, and Ready, McGowan had drafted a proposal for the OCIAA, created a four-day conference schedule, and secured a location for the conference.⁵¹

Borella and company had all but guaranteed some level of funding for the conference. McGowan proposed an event that would bring together "the chief people in the Southwest working to help" the Mexican descent population. The NCWC provided facilities under the auspices of the San Antonio Archdiocese. McGowan described the conference as one in which the leaders in the Southwest had come together to learn which agencies were conducting work amongst the population across the region. In other words, the NCWC proposed what it believed to be the first region-wide meeting of social workers, community leaders, youth leaders, labor organizers, economists, sociologists, business leaders, religious leaders, educators, and government administrators, working to integrate Mexican and Mexican American workers into

⁴⁹ Nelson Rockefeller to William Montavon, March 23, 1943, Box 35, Folder 9, Legal Department Papers.

⁵⁰ Walter Prendergast to Joseph McGucken, March 24, 1943, Box 90, Folder 17, Records of the Office of the General Secretary, The American Catholic History Research Center and University Archives, Catholic University of America, Washington, DC, (hereafter OGS Papers).

⁵¹ Raymond McGowan to Michael Ready, April 19, 1943; Michael Ready to Raymond McGowan, April 13, 1943; Michael Ready to Walter Prendergast, April 13, 1943; Walter Prendergast to Michael Ready, March 25, 1943, Box 90, Folder 17, OGS Papers.

the war program and to solve problems of economic and social inequality.⁵² Borella worked closely with McGowan to develop a grant proposal that would pass OCIAA funding muster. In the end, the NCWC requested \$7,500 from the OCIAA to cover the cost of publications, travel, and guest speakers. The OCIAA approved the funding request and the NCWC sent invitations to approximately 45 delegates for a meeting to be held in the summer of 1943.

On an early summer morning in 1943, San Antonio Archbishop Robert Lucey spoke about the plight of Mexican Americans at a conference on Latinos in the Southwest. Lucey, the most prominent episcopal voice on Latino concerns, worked closely with the NCWC to address the needs of Mexican Americans. Lucey asked, “Can we keep our self-respect if we demand that the colored American fight for freedom in Africa and deny him freedom at home? Can we make the western hemisphere a bulwark of liberty and law while we maim and mangle our Mexican youth in the streets of our cities?” He continued his questioning, “[C]an we, the greatest nation on earth, assume the moral leadership of the world when race riots and murder, political crimes and economic injustices disgrace the very name of America?”

Often remembered by friends and detractors as a quiet man who nevertheless liked to hear himself talk, Lucey was not a likable man. His contemporaries described him as “cold,” “pompous,” and “self-righteous,” but he knew how to stir a crowd. The conference at which he spoke received billing from local media and national Catholic press outlets. Excerpts of Lucey’s speech, “Are We Good Neighbors?” appeared in print form across the nation, stirring religious and secular audiences alike. Among the attendees at the July 1943 conference were numerous Catholic leaders, representatives from various federal agencies, and newly appointed Fair Employment Practice Committee Chairman, Francis Haas.⁵³

The event was something of a marvel for its time, hosted by the Catholic Church and funded by the Office of the Coordinator of Inter-American Affairs, a federal agency charged with promoting cooperation across the Americas. Many Americans still regarded the Catholic Church with a great deal of suspicion and mistrust, though FDR did not. The New Deal coalition that had first elected him president in 1932, and again in 1936 and 1940, relied on Catholic support. Monsignor John Ryan’s fiery defense of the New Deal and condemnation of Father Charles Coughlin in 1936 had won Roosevelt’s open admiration. Ryan and his colleagues received appointments at all levels the New Deal Administration.

Claiming Employment Rights for Mexican Americans: Mexican American Catholics and the Second FEPC

The group that Lucey addressed at the July 1943 Conference on Spanish-Speaking People of the Southwest had gathered together under the auspices of the Catholic Church in San Antonio to discuss the problems preventing Mexicans and Mexican Americans from fully participating in the war effort. Among the attendees were numerous Catholic leaders, Mexican American civil rights activists, and representatives from the federal government. In the case of newly appointed

⁵² “Proposal of a Conference on Spanish-Americans in the Southwest,” April 28, 1943, Box 90, Folder 17, OGS Papers.

⁵³ Robert Lucey, “Are We Good Neighbors?: Opening Address of His Excellency, the Most Reverend Robert E. Lucey, STD, Archbishop of San Antonio, The Conference on Spanish-Speaking People of the Southwest,” Incarnate Word College, San Antonio, Texas, July 20, 1943, Box 90, Folder 17, OGS Papers; Carey McWilliams, *North from Mexico: The Spanish Speaking People of the United States*, revised edition (New York: Praeger Publishers, 1990), 247.

Fair Employment Practice Committee Chairman, Monsignor Francis Haas, church and state representatives were one and the same. His attendance at the conference was part of an effort to redirect federal attention to race relations in the Southwest, as well as to establish a more permanent link between federal anti-discrimination initiatives and the US Catholic Church.⁵⁴

Roosevelt's first two choices for FEPC chairman, Dr. Will Alexander, former head of the Minority Groups Branch for the War Manpower Commission, and Dr. Frank Graham, president of the University of North Carolina, Chapel Hill, both declined the appointment, ostensibly because they believed the task to be an impossible one. Dr. Alexander privately told presidential aides, "I can't do it. You tell him if he wants me to go over and let the Germans and Japs shoot at me, I'll do that. But I won't try that FEPC thing. I can't make it work."⁵⁵

Desperate to revive the committee, Attorney General Samuel Biddle urged FDR to select a new chairman. In an unsigned memo to the President, Biddle suggested that FDR consider selecting candidates who could individually represent employers, labor, African Americans, and the Catholic Church.⁵⁶ In May 1943, after months of negotiations between the President and his top advisors, FDR appointed Monsignor Francis Haas to head the FEPC.

Haas fit the bill. Towering over six feet and weighing more than 200 pounds, Haas was larger than life in appearance and principle. His flaming red hair and defense of unionism in the 1920s and 1930s garnered him the name "Red" Haas. He frequently sported a disheveled look – a crumpled suit and scuffed shoes – completed by an appreciation for cigars and whiskey, a persona that could seem out of place among Washington's elite.⁵⁷

Born in 1889 in Racine, Wisconsin, Haas entered Milwaukee's St. Francis Seminary in 1904 and was ordained in 1913. He spent the early years of his priesthood in Milwaukee before joining the faculty at his alma mater in 1915. From there, he went on to pursue graduate work in sociology at the Catholic University of America under the tutelage of the famed labor priest, John A. Ryan. Under Ryan's able direction, Haas received a formal education in labor politics. By the time he returned to Milwaukee in 1923, he had already gained a reputation as a labor mediator. Eight years later, he received an appointment as director of the National Catholic School of Social Service in Washington, D.C. The position at the National Catholic School of Social Service gave Haas an official standing similar to Ryan who by then was director of the NCWC's Social Action Department. Haas worked closely with other NCWC staffers on social initiatives related to labor and economics. Within a few short years, FDR's administration sought Haas' expertise in the field of labor mediation.⁵⁸

Haas cultivated a charisma that instantly charmed most upon meeting him. A naturally empathetic listener, he believed the NCWC had an important role to play in bringing about a moral economy that ensured that the safety net of the New Deal reached racial minority groups. Haas' vision included the right to collective bargaining and a living wage for all workers. He

⁵⁴ The new committee included John Brophy, Milton Webster, Boris Shishkin, Sara Southall, PB Young, Sr., and Samuel Zemurray. The committee hired Malcolm Ross as its executive secretary. Kersten, *Race, Jobs, and the War*, 4; Ruchames, *Race, Jobs, and Politics*, 37.

⁵⁵ Quoted in Blantz, *A Priest in Public Service*, 208.

⁵⁶ "Suggested Members of the Committee," February 3, 1943, Box 123, Folder 12, Francis J. Haas Papers, The American Catholic History Research Center and Archives, Catholic University of America, Washington, DC, (hereafter Haas Papers).

⁵⁷ For an in-depth discussion of Haas' life, see Blantz, *A Priest in Public Service*. Robert Lucey was also shortlisted for the job. The President's advisors noted that Lucey's work amongst laborers, particularly Mexican Americans, made him a top candidate.

⁵⁸ See chapter 2, "The Disciple of John A. Ryan, 1919-1933," in Blantz, *A Priest in Public Service*, 22-46.

believed that greater economic and racial equality went hand-in-hand. His successor, Malcolm Ross, later described Haas as “the gentlest of persuaders and most incorrigible of battlers.”⁵⁹ At the time of his appointment, Haas’ work also included Dean of Social Science at the Catholic University of America and an appointment as a special conciliator for the Department of Labor. His work in the field of labor was both an extension of his deep personal commitment to labor and a belief that such social reform was the application of Catholic social teaching.⁶⁰

Haas only directed the FEPC for five months and only took the job after FDR personally promised that he would support Haas’ decisions. But during that short time, Haas used his position to remold the committee and its outlook completely. He used the appointment to try to hammer out how the committee would define discrimination and to create leadership opportunities for Mexican Americans within the federal wartime administration. The previous FEPC’s limited engagement with discrimination complaints outside of the African American community especially concerned Haas. Rather than abandon the FEPC’s commitment to black Americans, Haas hoped to expand the committee’s purview to include all racial and religious disenfranchised Americans. Upon assuming the chairmanship, Haas revamped the staff’s racial and religious makeup to include African Americans, whites, Protestants, Jews, Catholics, Mexican Americans, and several Japanese American stenographers.⁶¹

⁵⁹ Malcolm Ross, *All Manner of Men: The Racial Crisis in American Life* (New York: Reynal Hitchcock, 1948), 23.

⁶⁰ Blantz, *A Priest in Public Service*, 135.

⁶¹ Ross, *All Manner of Men*, 32.



Figure 3.2 Image of Francis Haas being sworn in as FEPC chairman Francis Haas' swearing in as FEPC chairman; left to right: Samuel Biddle, Robert Wagner, Mary Norton, Francis Haas, Supreme Court Justice Wiley Rutledge, and Paul McNutt (Courtesy of Acme Press).

Haas knew of his pending appointment some time before the announcement was final and played a key role in drafting the executive order naming him to the FEPC. Three days before Roosevelt issued Executive Order 9346, revamping the FEPC, Haas wrote to Archbishop Robert Lucey, asking for his help in selecting a Mexican American to join the seven-person committee. Haas laid out clear criteria: "Well, here is the kind of man I should like to have. He should have a good social outlook; preferably, and of no little importance, a Spanish name; could be from California, New Mexico, Texas, or even Washington, and of course, I would expect him to be more than a nominal Catholic."⁶²

Haas immediately went to work. During the four months between Executive Order 9346 and the creation of its 12 regional offices in September 1943, the FEPC designed the bureaucratic mechanisms for determining which cases it would pursue. The committee defined discrimination as the refusal to hire or promote a worker because of their race, color, creed, or national origin. The committee would also consider complaints of unfair employment practices evidenced by inferior working conditions or unequal pay, and the segregation of unions or the

⁶² Francis Haas to Robert Lucey, May 20, 1943, Box 27, Folder 28, Haas Papers.

denial of union voting rights on the basis of race, color, creed, or national origin as a form of job bias.

The two executive orders differed in several small ways. Essentially, EO 9346 implemented and amended EO 8802 by reestablishing the FEPC. EO 9346 moved the FEPC directly to the executive office, as Haas has stipulated in his acceptance of the chairmanship. It also provided compensation to the chairman. Under the original order, the chairman had served voluntarily and received compensation only for his immediate travel expenses. The new order also provided the FEPC with the authority to make policy recommendations to all federal agencies and the president. It also allowed made the FEPC the preeminent federal authority on employment discrimination by granting it the power to recommend training programs to the War Manpower Commission, the other federal agency charged with overseeing the employment of racial minorities.⁶³

EO 9346 granted the FEPC jurisdiction to examine complaints of discrimination in three areas: 1) federal agencies, 2) employers and employee unions of employers holding federal contracts, regardless of whether or not those contracts pertained to the war, and 3) employers in essential defense industries. In order to open a case, the complainants had to submit: "a signed complaint against a named employer, alleging discrimination relating to employment, placement or training because of race, creed, color, or national origin." Regional offices would perform intake and evaluate the case's merit. If the investigator found sufficient evidence, then they docketed the complaint and met with the accused party. Field officers endeavored to resolve docketed cases locally.⁶⁴ If, however, they could not resolve the case, then the FEPC would consider a public hearing.⁶⁵

For five months Haas worked to get the FEPC off the ground and running. Then, in late September, his work was cut short when he learned that someone had anonymously submitted his name for an opening as Archbishop in Grand Rapids. It would be to the task of others to continue his work in the FEPC. Pope Pius XII announced Haas' new position on October 1, 1943. Haas resigned from the FEPC chairmanship a week later. As a sign of his commitment to the long-delayed railroad investigations, he continued his work with the FEPC for another two weeks, making sure that plans were well underway before he left Washington.⁶⁶

Shortly before he left office, Haas' vision of a Mexican American FEPC member was fulfilled. In August 1943, he appointed University of Texas professor Carlos Castañeda to the

⁶³ Executive Order 8802 dated June 25, 1941, General Records of the United States Government; Record Group 11; National Archives (<https://www.archives.gov/historical-docs/todays-doc/?dod-date=625>); Franklin D. Roosevelt: "Executive Order 9346 Establishing a Committee on Fair Employment Practice.," May 27, 1943, online by Gerhard Peters and John T. Woolley, *The American Presidency Project* (<http://www.presidency.ucsb.edu/ws/?pid=16404>).

⁶⁴ *The FEPC and How it Operates*, as quoted in Kersten, *Race, Jobs, and the War*, 45.

⁶⁵ From the outset, it was clear to everyone involved that the new FEPC and the WMC would remain administratively independent of one another. Though the two agencies would operate independently, they would consult with one another in the "full utilization and training of manpower in and for war production without discrimination because of race, color, creed, or national origin." In a memo detailing the new working arrangement between the FEPC and the War Manpower Commission, Director Paul McNutt and Haas warned their subordinates that they fully expected "the spirit of teamwork on the part of the personnel of the two agencies." There were to be no repeats of previous inter-departmental conflicts. Francis Haas to Paul McNutt, July 12, 1943; Box 124, Folder 2, Haas Papers; "Operating Agreement Between FEPC and WMC on Non-Discrimination Problem," ca July 1943, Box 123, Folder 8, Haas Papers.

⁶⁶ Francis Haas to Franklin Roosevelt, October 7, 1943; Franklin Roosevelt to Francis Haas, October 14, 1943, Box 124, Folder 9, Haas Papers.

FEPC Region X office. In addition to his work as a civil rights leader, Castañeda was well known to Catholic leaders throughout the Southwest for his devout faith. Haas' work to appoint a Mexican American investigator was not in vain. Castañeda's work, in particular, reveals how Mexican Americans finally gained the attention of the FEPC, the only agency federally authorized to respond to employment discrimination. Having a Mexican American on the FEPC allowed the population to take fuller advantage of EO 8802 and to call upon the federal government to protect their rights as US citizens. Haas, Lucey, and O'Grady had argued for the appointment of a Mexican American leader to the FEPC for just this reason.



Figure 3.3 Carlos E. Castañeda, 1949 (Courtesy of Neal Douglas, February 23, 1949 the University of North Texas Libraries, The Portal to Texas History, texashistory.unt.edu and the Austin History Center, Austin Public Library).

Carlos Castañeda was precisely the sort of man that Haas had asked Lucey to find. Born in Camargo, Mexico in 1896, Castañeda immigrated with his parents to Brownsville in 1908. He earned received a PhD in history from the University of Texas at Austin, where he eventually became a librarian and later a historian. Castañeda's faith undergirded much of his intellectual work. His seven-volume, *Our Catholic Heritage of Texas 1519– 1936*, was an exhaustive chronical of Texas Catholic history, and eventually garnered him recognition as a Knight of the Holy Sepulchre and Knight Commander in the Order of Isabella the Catholic.⁶⁷

Numerous people, including Lucey, wrote to Haas in the weeks after he became chairman, recommending Castañeda for an appointment with the FEPC. Castañeda could count

⁶⁷ In 1939, Castañeda served as president of the American Catholic Historical Association; Félix D. Almaráz Jr. *Knight Without Armor: Carlos Eduardo Castañeda, 1896-1958* (College Station, TX: Texas A&M University Press, 1999), 172, 189.

New Mexico Senator Dennis Chavez, NCWC Legal Department Director William Montanan, and numerous colleagues, friends, and priests among his supporters, including San Antonio Attorney and diplomat Alonso Perales. Although he was not part of the FEPC's staff, Perales played a key role in familiarizing Mexicans and Mexican Americans with the committee's purpose and encouraging workers to bring forth instances of discrimination. Perales then forwarded complaints of discrimination directly to Castañeda, who in turn opened an investigation. At the end of his investigations, Castañeda frequently asked Perales to contact the complainant to ensure that the issue remained resolved.⁶⁸

Born in 1898 and orphaned at age 6, Perales eventually became one of the most influential Mexican American civil rights leaders of his generation. By the mid-1920s, Perales had served in the army, earned a law degree, married, and joined the State Department as a diplomat. He co-founded the League of United Latin American Citizens (LULAC) in 1929, an organization that its founders hoped would be for Mexican Americans what the NAACP had become for African Americans. Shortly thereafter, Perales made San Antonio his permanent home. A devout Catholic, Perales remained dedicated to his religion, his family, Mexican American civil rights throughout his life.⁶⁹

Days after Haas' nomination as FEPC chairman was leaked, Castañeda asked Perales to contact Representative Kilday on his behalf. "While in San Antonio yesterday I talked with Archbishop Lucey and told him I felt that I should be appointed to this committee which will have tremendous importance in the solution of discriminations against our people."⁷⁰

Castañeda, through his connections in the federal government's Office of the Coordinator of Inter-American Affairs, learned that Haas had already formed the executive committee, yet was open to the appointment of a Mexican American at the "earliest possible opportunity." "Unofficially, [I] understand Father Haas will give favorable consideration" to appointing a Mexican American at the "earliest possible opportunity," one contact explained.⁷¹ TX Representative Kilday and Senator Connally also recommended Castañeda for the position. In response to Castañeda's request, Lucey wired Haas directly, highlighting his prominent Catholic status and employment history. "Have never met a Latin American in this country better fitted." Lucey followed up with Haas three days later by mail, offering his strongest recommendation.⁷² Haas appointed Castañeda to the Dallas field office in August 1943, and less than two weeks later he became the acting director of Region X. Under Castañeda's leadership, the FEPC expanded its investigation activities in the Southwest. He began work with the FEPC with 26 cases on his docket in August 1943, and by 1944, that number had grown to 106.⁷³

As soon as Castañeda received his appointment, he began drumming up support for the FEPC amongst his friends and colleagues in Texas. He wrote to Perales, "I am sending herewith

⁶⁸ Zamora, *Claiming Rights and Righting Wrongs*, 134-136.

⁶⁹ Cynthia E. Orozco, *No Mexicans, Women, or Dogs Allowed*, 111-114; Mario T. García, *Católicos: Resistance and Affirmation in Chicano Catholic History* (Austin, TX: University of Texas Press, 2008), 60.

⁷⁰ Carlos E. Castañeda to Alonso S. Perales, May 29, 1943, Box 34, Folder 1, Carlos E. Castañeda Papers, Benson Latin American Collection, University of Texas at Austin, (hereafter Castañeda Papers).

⁷¹ Carlos E. Castañeda to Robert Lucey, June 4, 1943, Box 27, Folder 11, Castañeda Papers.

⁷² Robert Lucey to Carlos E. Castañeda, June 7, 1943, Box 27, Folder 11, Castañeda Papers; Robert Lucey to Francis Haas June 5, 1943, Box 27, Folder 28; William Montavon to Francis Haas, June 23, 1943, Carmen Tranchese to William Montavon, May 29, 1943, both in Box 35, Folder 9, Haas Papers.

⁷³ Marianne Bueno, "Intellectually He Was Courageous; in Public Action He Was Cautious and Prudent": A Reassessment of Carlos E. Castañeda's Wartime Service," 102; Zamora, *Claiming Rights and Right Wrongs*, 133-134.

a copy of the agreement between the Committee and the War Manpower Commission, which will give you an idea of the nature of my work and the extent to which I can act in cases of economic discrimination in the employment of Latin Americans in war industries.” According to historian Emilio Zamora, Castañeda saw the FEPC as part of the FDR administration’s attempt to apply the Good Neighbor policy in the Southwest.⁷⁴

Having a representative on the FEPC allowed Mexicans and Mexican Americans to take fuller advantage of FDR’s nondiscrimination order. Haas, Lucey, and other Catholic leaders had argued for the appointment of a Mexican American leader to the FEPC for precisely this reason. Castañeda’s work with Mexican American civil rights organizations, such as the League of United Latin American Citizens (LULAC), provided him with access to a network of Mexican American leaders. Castañeda relied on this network to relay to him complaints of discrimination across the Southwest.⁷⁵

Even within the confines of the FEPC, however, Mexican Americans found themselves disenfranchised. Castañeda recorded his experience of employment discrimination in a letter to Perales in November 1943. “Here I am the Acting Regional Director of the President's Committee on Fair Employment Practice, a victim of discrimination myself. Strange as it may seem, I can do more for others than I can for myself, so I must appeal to you.”⁷⁶ The past August, the executive committee had promised Castañeda that he would be promoted to Regional Director of the FEPC's Region X office. Evidently, there “was some hesitancy” about appointing Castañeda as Regional Director, so instead, FEPC Chairman Malcolm Ross appointed him as Associate Director. After more than three months, Castañeda continued to act as a Regional Director, but without the salary and title of one. Perales promised to send a letter to Congressman Kilday, asking him to speak with Ross about the matter. Perales also assured Castañeda that his “good work ha[d] already made itself felt.”⁷⁷

⁷⁴ Carlos E. Castañeda to Alonso S. Perales, August 26, 1943, Box 4, Folder 43, series 7, Alonso S. Perales Papers, Special Collections, University of Houston Libraries (hereafter Perales Papers); Zamora, *Claiming Rights and Righting Wrongs*, 134.

⁷⁵ Carlos Castañeda to John Herrera, August 24, 1944, texashistory.unt.edu/ark:/67531/metaph248744/; Carlos Castañeda to John Herrera, February 20, 1945, <https://texashistory.unt.edu/ark:/67531/metaph248733/>, University of North Texas Libraries, The Portal to Texas History, crediting Houston Metropolitan Research Center at Houston Public Library.

⁷⁶ Theodore Jones to Francis Haas, August 6, 1943, Folder 3, Box 124, Haas Papers; Carlos E. Castañeda to Alonso S. Perales, November 16, 1943, Box 4, Folder 43, series 7, Perales Papers.

⁷⁷ Alonso S. Perales to Carlos E. Castañeda, November 22, 1943, Box 4, Folder 43, series 7, Perales Papers.



Figure 3.4 Alonso S. Perales and his wife, Marta, walking on Houston Street in San Antonio” is reprinted with permission from the publisher Arte Público Press – University of Houston

In December 1943, Castañeda finally received a new appointment, though not the one he had anticipated. Instead of naming him Regional Director, Malcolm Ross gave him the title of “Special Assistant on Latin-American Problems.” The new appointment elevated him “above all Regional Directors” and made him “second only to the Chairman himself.” Castañeda took the appointment as evidence of “the success in making the Committee and the President realize the importance of giving more emphasis to the solution of the problem of discrimination in the Southwest,” for which he gave a large share of the credit to Perales. As Special Assistant on Latin-American Problems, Castañeda travelled around the US West and Southwest investigating possible cases of discrimination.⁷⁸

In May 1944, Castañeda summoned the support of his friend and colleagues, urging them to reach out to their respective Congressmen in support of the Dawson-Scanlon-LaFollette Bill. The bill called for the establishment of the FEPC as a permanent agency, rather than a wartime measure. The future of the bill and the entire anti-discrimination endeavor worried Castañeda enough that he sent Perales a personal check for \$100 and asked him to fly out immediately to appear before the House Labor Committee as a representative “for all Latin Americans in the Southwest.” Castañeda believed that unless the FEPC could be established on a

⁷⁸ Carlos E. Castañeda to Alonso S. Perales, December 21, 1943, Box 4, Folder 43, series 7, Perales Papers; Harry L. Kingman to Carlos E. Castañeda, January 25, 1944, Carton 1, Folder: FEPC, Harry Lees Kingman Papers, BANC MSS 76/173 c, The Bancroft Library, University of California, Berkeley, (hereafter Kingman Papers).

permanent basis, then it would be "a waste of time to continue with the Committee." Castañeda urged Perales to prepare a statement of support that emphasized: "that the Latin American is a loyal citizen, has always been and will continue to be unless he is driven to regret his American citizenship." He also encouraged Perales to remind the committee members of the importance of Mexican and Mexican American labor to the US economy.⁷⁹

During the Labor Committee's hearings on the permanent FEPC bill, Senator Chávez presented a letter from Perales in support of the bill. Chávez requested that both the letter and a note of Perales' service to the US government be made a part of the Congressional hearing record, "and then had a young man read" Perales' entire statement. Castañeda also delivered a statement which he later said "went over big." Detailing the day's events to Perales, Castañeda wrote "I think both you and I did a good days work for the Latin-Americans on Friday, September 8, 1944, that should go down in history." Castañeda promised to have copies of their statements sent to leaders in Texas, California, New Mexico, Arizona, and Colorado.⁸⁰ Perales applauded Castañeda's efforts. "Good work, my Boy, keep it up. We are proud of you, and we appreciate your efforts on our behalf."⁸¹

While the postwar fate of the FEPC remained uncertain, Castañeda continued his work at full steam. Perhaps sensing that his efforts might be halted at any moment, Castañeda directed Perales to tell any complainants in San Antonio to write him directly regarding their case. "They do not have to wait until I come to San Antonio," Castañeda urgently told Perales. "We want to keep pushing the case of the Mexicans, be they citizens or not, until they get a fair deal in employment and wages."⁸² The humiliation faced by so many Mexicans and Mexican Americans left Castañeda dismayed. "While it is not lawful to segregate [Mexicans or Mexican Americans] in public conveyances, eating places, and hotels or rooming houses, the only place where they are not segregated is in public conveyances," he wrote. "In trains and buses is no designated place for them, as there is for the Negro in Texas," he continued. "But in eating places, rooming houses, and hotels, they are frequently refused admission or service on some flimsy excuse, or with a frank statement that they do not serve 'Mexicans.'" Castañeda saw such discrimination as rooted in economics. "At the basis of the discrimination against the Mexican minority," he wrote, "is the desire to exploit him." Addressing employment discrimination was the first step, he believed, in addressing the widespread pattern of social discrimination against the Mexican descent population.⁸³ As committed as Castañeda's efforts with the FEPC were, they could do little to address the social discrimination the many Mexicans and Mexican Americans continued to face, particularly in areas of Texas.

Castañeda's growing discontent reflected his frustration with the federal government's unwillingness to fully support Mexicans' and Mexican Americans' civil rights. Castañeda's political connections, which made him such an asset to the FEPC when it hoped to open more investigations in the Southwest, made him a liability when he publically supported anti-segregation measures. Perales also encouraged Castañeda to take a stronger stance on social discrimination. Castañeda, however, found himself in a difficult position. His natural inclination

⁷⁹ Carlos E. Castañeda to Alonso S. Perales, May 27, 1944, Box 4, Folder 44, series 7, Perales Papers.

⁸⁰ Carlos E. Castañeda to Alonso S. Perales, September 12, 1944, Box 4, Folder 44, series 7, Perales Papers.

⁸¹ Alonso S. Perales to Carlos E. Castañeda, September 13, 1944, Box 4, Folder 44, series 7, Perales Papers.

⁸² Carlos E. Castañeda to Alonso S. Perales, October 4, 1944; Alonso S. Perales to Carlos E. Castañeda, October 7, 1944, Box 4, Folder 44, series 7, Perales Papers.

⁸³ Carlos E. Castañeda, "The Problem of the Mexican," nd., Box 48, Folder 15, Castañeda Papers.

was to speak out forcefully against the mistreatment of Mexicans and Mexican Americans in areas outside of employment. In 1945, for instance, Castañeda wrote an article for *La Prensa*, a Spanish-language newspaper, that concerned some within the FEPC. Here, he related his recent testimony before the Senate Committee on Education and Labor and openly critiqued the Texas Good Neighbor Commission for failing to address the segregation in place of public accommodation. When Castañeda's supervisor, Malcolm Ross, learned of the article, he admonished him: "Your influence in the Southwest is very great, and I think I showed you that I appreciate your enthusiastic use of it for the benefit of the FEPC. I must, however, caution you to be exceeding circumspect in public expressions."⁸⁴ Ross' rebuke disheartened Castañeda. Frustrated with Ross' response and the FEPC's impermanence, Castañeda resigned his position in 1945.

That same year, Congress underfunded the FEPC to hasten its death. Over the next two years, FEPC supporters tried to enact an FEPC law, but to no avail. Hundreds of supporters wrote to Senator Chávez, who spearheaded the movement to create a permanent FEPC.⁸⁵ Archbishop Lucey submitted a statement in support of a permanent FEPC. According to Lucey, the "number of cases of discrimination, investigated and adjusted by the FEPC" alone validated the need for its continued existence. "Now that the strains of war are over . . . there is no longer any pressure to adhere to justice" in the employment of minorities, Lucey wrote. "As long as there are some who will not administer justice," he continued, "there is need of legal compulsion, backed by educational interpretation, to bring security to those who need it most."⁸⁶ Castañeda shared the statement with Perales: "I am sending you copy of the statement by Archbishop Lucey, short but sweet. But what a MAN."⁸⁷

Haas' appointment to the FEPC marked a shift in the relationship between the Catholic Church, Mexicans and Mexican Americans, and the federal government. The NCWC continued to expand its vision of a more economically just society and pressed the federal government to adopt legislation guaranteeing full employment and protection against employment discrimination, but it followed the lead of Mexican American civic leaders. Haas used his various appointments with the federal government to shed light on inequality in the West and Southwest. At the same time, Mexican American leaders, such as Carlos Castañeda and Alonso Perales, leveraged their Catholicism to foster a change in the relationship between the federal government and themselves.

"Before the war," Castañeda later noted, Mexicans and Mexican Americans were "restricted. . . as a general rule to manual labor, undesirable jobs requiring physical endurance, or of such a nature as to involve occupational risk." The FEPC, he insisted "greatly improved" their working conditions. As employment opportunities improved, so too did working conditions. But Castañeda was quick to dispel notions that the FEPC had been a panacea to America's race

⁸⁴ Malcolm Ross to Carlos E. Castañeda, May 10, 1945, quoted in Zamora, *Claiming Rights and Righting Wrongs*, 138; Bueno, "Intellectually He Was Courageous," 106.

⁸⁵ A Bill to prohibit discrimination in employment because of race, creed, color, national origin, or ancestry, Box 93, Folder 1, Dennis Chávez Papers, Center for Southwest Research, University Libraries, University of New Mexico, (hereafter Chávez Papers).

⁸⁶ Robert Lucey, untitled statement, no date, ca. 1946, Box 27, Folder 11, Castañeda Papers.

⁸⁷ Carlos E. Castañeda to Alonso S. Perales, April 8, 1946, Box 34, Folder 2, Castañeda Papers.

problem.⁵⁷ “The FEPC was not a noble experiment,” he wrote. “It was not a new fangled idea, a special privilege or a war concession. It was the late but frank recognition of an injustice that needed to be righted for the successful prosecution of the war.” Nor was the federal government’s job of righting such injustices complete. The FEPC’s work was more important in time of peace than in time of war, Castañeda argued. Access to employment regardless of race, creed, color, or national origin was in his mind a fundamental right. To deny such rights, Castañeda warned, was “un-American, undemocratic and unpatriotic. . . a negation of the very basis on which democracy stands.”⁸⁸

For all its missteps and shortcomings, the FEPC became the federal government’s first attempt to address employment discrimination against minority workers. Other agencies provided job training, allowing many to move out of agricultural work into the higher-paying industrial sector. While many racial minorities, including Mexicans and Mexican Americans, did experience employment gains during the war years, the federal agencies charged with protecting their interests were poorly funded, understaffed, and short-lived. That these agencies were often ill-equipped to fulfill their mission on a national level did not deter racial liberals like Haas, Lucey, Castañeda, and Perales. These civil rights leaders and sympathetic allies prevailed upon the federal government to address chronic issues of inequality, especially in Mexican descent communities.

Monsignor Francis Haas’ appointment to the FEPC marked a shift in the relationship between the Catholic Church, people of Mexican descent, and the federal government. The NCWC, under the influence of Haas, Ryan, Lucey, and others continued to expand its vision of a more economically just society and pressed the federal government to adopt legislation guaranteeing full employment and protection against employment discrimination. Haas used his various appointments with the federal government to shed light on inequality in the West and Southwest. At the same time, Mexican American leaders, such as Carlos Castañeda and Alonso Perales, leveraged their Catholicism to foster a change in the relationship between the federal government and themselves. Equal employment, they believed, was the first step to racial equality.⁸⁹

Shortly after the FEPC’s untimely demise, President Truman created the President’s Committee on Civil Rights and named Francis Haas as a member of the committee. Truman charged the committee with investigating the status of civil rights by conducting hearings and producing a written report of its findings.⁹⁰ In his testimony before the President’s Committee on Civil Rights in 1947, Rev. John Birch testified “Practically every problem faced or created by the Latin American in the United States finds its basis in economics. Before anything else is done, the earning power of the Spanish Speaking people must be increased.” To address economic inequality, Birch recommended, “this Committee do all in its power to bring about a law which would eliminate unfair employment practices.”⁹¹ Birch’s testimony reflected a longer history of Catholic-federal coordinated efforts to address employment discrimination. He appeared before the committee on behalf of a recently organized office within the National Catholic Welfare

⁸⁸ Carlos E. Castañeda, “Committee of 100,” fall 1945, Box 67, Official Files of Malcolm Ross, Chairman of the President’s Committee on Fair Employment Practice, RG 228 FEPC, NA, CP.

⁸⁹ Blantz, *A Priest in Public Service*, 221.

⁹⁰ Harry S. Truman: “Executive Order 9808 - Establishing the President’s Committee on Civil Rights,” December 5, 1946. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=60711>.

⁹¹ John J. Birch, “The Spanish Speaking People of the United States: An Introductory Statement,” in *Are We Good Neighbors*, 56. Statement made before the President’s Committee on Civil Rights, May 14, 1947.

Conference, the Bishops' Committee for the Spanish Speaking. Of the 15 members on the committee, one member, Archbishop Francis Haas, had an intimate knowledge of Birch's work with the Mexican descent population.

Over the next 15 years, the BCSS directed much of the NCWC's work amongst the population. During that time, the NCWC's focus shifted away from the specific goal of employment discrimination and towards the broader goal of greater economic equality, which included the right to collective bargaining and stable employment. By the time Birch appeared before the President's Committee on Civil Rights, the NCWC had already identified what it believed to be the primary obstacle to Mexicans' and Mexican Americans' economic enfranchisement: the Bracero Program.

Chapter Four: A Moral Crusade: The National Catholic Welfare Conference, the Department of Labor, and the Fight to End the Bracero Program

On a hot, humid day in June 1958, a small gathering of Catholic priests prepared a last-ditch effort to stave off what some had come to call “a substitute for slavery,” “the shame of America,” and “America’s badge of infamy.”¹ Inside the Capitol building’s south wing, a group of congressmen convened for the fourth day of hearings on the Mexican farm labor program. By midafternoon, the sky had grown overcast and the mood inside Room 1310 was tense. Most members of the Gathings’ Committee represented corporate agriculture or were agriculturalists themselves. Led by Arkansas Representative E.C. Gathings, the Gathings’ Committee on Agriculture constituted a nearly impenetrable pro-grower, anti-labor Congressional force. Committee members committed themselves to maintaining a supply of cheap tractable labor, and the summer hearings were more a perfunctory exercise than an actual investigation.

As he prepared to deliver his testimony that afternoon, Father James Vizzard faced an audience of hot, irritable House committee members. Undaunted, the priest began. Introducing himself as the representative of the National Catholic Rural Life Conference’s DC Office, Vizzard got straight to the point. “Corporate farms have the equivalent of a slave-labor force provided to them at the cost of many tens of millions of dollars to the American taxpayer... We urge the elimination not of the termination date, but at the earliest possible moment, the termination of the Mexican farm labor program itself.”² Vizzard’s moral condemnation of the farm labor system and those who used it rankled the congressmen present. His accusations that growers, and indeed some of the committee members themselves, profited at the expense of American taxpayers and through the exploitation of America’s poorest citizens stoked tempers further. Unable to contain his irritation, Texas Representative William Poage leaped out of his seat and angrily attacked the priest, his morals, and the entire Catholic Church.³ Undeterred, Vizzard calmly continued.⁴

Father Vizzard’s testimony did not change the course of history that day. Already determined to keep the Bracero Program afloat, the committee recommended that Congress extend the program, which it did until June 1961. Vizzard’s testimony did, however, signal the emergence of a new labor-liberal coalition that threatened to undermine grower control over farm labor. This coalition consisted of Catholic advocates of farm labor, racial liberals, union organizers, and key members of the US Department of Labor. The Catholic-led coalition, which included NCWC leaders and focused on securing collective bargaining rights for Mexican

¹ James Vizzard, “Badge of Infamy,” *Country Beautiful*, January 1962.

² “Statement of Rev. James L. Vizzard, SJ Representing the National Catholic Rural Life Conference, Washington, DC,” *Farm Labor: Hearings Before the Subcommittee on Equipment, Supplies, and Manpower*, Eighty-fifth Congress, Second Session on Problems in the Southwest, (US Government Printing Office, 1958), 437; “Priest Assailed at House Inquiry. Called ‘Character Assassin’ for Alleging ‘Slave Labor’ of Mexicans on Farms,” *The New York Times*, June 13, 1958.

³ James Vizzard to Archbishop William Mulley, June 14, 1958, Box 23, Folder 19, James L. Vizzard Papers, M0324, Department of Special Collections, Stanford University Libraries, Stanford, CA, (hereafter Vizzard Papers).

⁴ George Higgins to Robert Lucey, July 3, 1958, July 3, 1958, Box 37, Folder 17, Monsignor George Higgins Papers, Catholic University of America, Washington, DC (hereafter Higgins Papers); “Priest Assailed at House Inquiry,” *New York Times*, June 13, 1958.

American farm workers, differed from an earlier labor-liberal coalition that focused on securing civil rights for African Americans vis-à-vis labor unions before and just after World War II.⁵

For nearly 7 years, from 1954 to 1961, defenders of domestic migrant labor and opponents of the Bracero Program, the largest imported farm labor program in US history, had bitterly swallowed their disappointment as growers strengthened their chokehold, and Congress repeatedly extended Public Law 78. Vizzard's appearance before the Gathings' Committee was part of a joint Catholic-US Department of Labor effort to secure for domestic farmworkers what was, in theory, guaranteed to Mexican farmworkers, namely, a guaranteed minimum wage, adequate housing, workmen's compensation, and safe transportation between job sites.

Vizzard's testimony also revealed the vibrancy of an economic civil rights activism aimed mainly at assisting Mexican American farmworkers.⁶ This activism came at an unlikely time from unlikely places—during the climax of the post-Taft-Hartley era and from leading representatives of the US Catholic Church and US federal government, a partnership that fused religion and politics. During the Cold War, church-state coordination facilitated a civil rights activism based on greater economic equity for domestic migrant workers. This activism followed the lead of Mexican American organizations who identified the Bracero Program as a threat to the economic stability of domestic migrant workers. The management and end of the Bracero Program demonstrated the degree to which both Catholic and state allies believed that racial inequality for Mexican Americans could be eliminated by stabilizing the most economically vulnerable segment of the population, migrant workers, many of whom were Mexican American.

In the 1950s, members of the Catholic hierarchy and the Department of Labor projected a social order grounded in Catholic teachings of egalitarianism rooted in the protection of workers' rights to fair wages and organization. Catholic leaders anchored their economic advocacy in a longer tradition of workers' rights that included the right to a living wage, protection from unemployment, the right to collective bargaining, and a just distribution of wealth and income. For them, collective bargaining was a fundamental civil right. These teachings formed the religious and intellectual backdrop of Catholic-educated laypeople, including those employed by the federal government.⁷

The creation of a Cold War labor-liberal coalition should be viewed not as an anomaly, but rather as the continuation of a longer historical project to extend the logic of New Deal

⁵ For more on the African American labor liberal coalition see: Paul Frymer, *Black and Blue: African Americans, the Labor Movement, and the Decline of the Democratic Party* (Princeton University Press, 2010); Michael K. Honey, *Southern Labor and Black Civil Rights: Organizing Memphis Workers* (University of Illinois Press, 1993); MacLean, *Freedom is Not Enough*; Charles D. Chamberlain, *Victory at Home: Manpower and Race in the American South during World War II* (Athens: University of Georgia Press, 2003); Eric Schickler, *Racial Realignment: The Transformation of American Liberalism, 1932-1965* (Princeton University Press, 2016); G. William Domhoff and Michael J. Webber, *Class and Power in the New Deal: Corporate Moderates, Southern Democrats, and the Labor-Liberal Coalition* (Stanford University Press, 2011); Brilliant, *The Color of America Has Changed*; Elizabeth Fones-Wolf and Ken Fones-Wolf, *Struggle for the Soul of the Postwar South: White Evangelical Protestants and Operation Dixie* (University of Illinois Press, 2015); Nelson Lichtenstein, *State of the Union: A Century of American Labor* (Princeton University Press, 2002).

⁶ The term domestic worker refers to US citizens working in agriculture and bracero indicates a Mexican citizen contracted by the US government to provide temporary agricultural labor in the US.

⁷ Pope Leo XIII, *Rerum Novarum*; John Ryan, *Distributive Justice: The Right and Wrong of Our Present Distribution of Wealth* (New York: The MacMillian Company, 1916); NCWC News Service, "Catholics in Every Field Should Ready Papal Social Encyclicals, Secretary Tobin Tells Club," NCWC News Service, October 10, 1949, Box 26, Folder: N-National C 1948, NC-58, Entry 30, Office of the Secretary, Subject File of Secretary Maurice J. Tobin, 1949-1952, Record Group 174 Department of Labor, National Archives, College Park, Maryland, (hereafter NC-58, Entry 30, RG 174).

liberalism to economically and racially marginalized Americans. The labor-liberal coalition's effort to end the Bracero Program in the 1950s has gone unnoticed by historians for several reasons. First, historians have long argued that the post-1947 period represented a decline in labor unionism and economically oriented civil rights activism. More recent scholarship, however, suggests historians have overgeneralized this narrative. Despite the climate of the Cold War, African American and Mexican American political groups continued to seek equality in the workplace throughout the 1940s and 1950s. At the state level, labor leaders in places such as California and New York won important victories, including fair employment practice commissions. Within US history more generally, however, there has not been enough attention paid to the Catholic Church as a political actor. Catholic labor leaders played a key role in legitimizing Cold War labor unionism as a non-communist activity. For its part, Latina/o history has not systematically considered religion as a political force. Moreover, most scholars of the Bracero Program have been profoundly uninterested in religion.⁸

Religious leaders, however, advocated fiercely for farm worker unionization, particularly after the passage of Taft-Hartley in 1947. The law gutted much of labor's New Deal and intensified fears of left-leaning unions. Farm labor advocates certainly viewed unionism as an avenue to greater equality, and they continued to pursue a labor-oriented civil rights agenda during a period in which industrialized labor faced an uphill battle. To combat farmworker poverty and the devastating effects of the migrant cycle on community and family life, NCWC leaders joined members of the Department of Labor and pushed for domestic farm labor unionization, ultimately coming to see the Bracero Program as an impediment to it. Department of Labor officials, from the Secretary of Labor to various regional directors of the Bureau of Employment Services, articulated a vision of economic equality for domestic migrant workers inflected with Catholic social justice teachings. These Labor officials self-identified as Catholic and worked tirelessly with leading members of the US Catholic hierarchy.

⁸ Two notable exceptions to this are Lori Flores, whose recent book, *Grounds for Dreaming*, considers religious figures as key allies in the California farmworker movement, and Alan Watts, who looks at the role of churches in shaping the farm worker movement in California and Texas.

Risa Goluboff, *The Lost Promise of Civil Rights* (Harvard University Press, 2007); Jacquelyn Dowd Hall, "The Long Civil Rights Movement and the Political Uses of the Past," *Journal of American History* 91 (2005): 1233-63; Kenneth Burt, "The Fight for Fair Employment and the Shifting Alliances among Latinos and Labor in Cold War Los Angeles," in *Labor's Cold War: Local Politics in a Global Context*, Shelton Stromquist, ed. (University of Illinois Press, 2008); William Issel, "'A Stern Struggle': Catholic Activism and San Francisco Labor, 1934-1958," in *American Labor and the Cold War: Grassroots Politics and Postwar Political Culture*, Robert W. Cherny, ed. (Rutgers University Press, 2004); Mark Brilliant, "Re-Imagining Racial Liberalism," in *Making the American Century: Essays on the Political Culture of Twentieth Century America*, Bruce J. Schulman, ed. (Oxford University Press, 2014); David Chappell, *A Stone of Hope: Prophetic Religion and the Death of Jim Crow* (Chapel Hill: University of North Carolina Press, 2004); John McGreevy, *Parish Boundaries: The Catholic Encounter with Race in the Twentieth-Century Urban North* (Chicago University Press, 1998); Mario T. García, *Católicos: Resistance and Affirmation in Chicano Catholic History* (University of Texas Press, 2008); David Gutiérrez, *Walls and Mirrors: Mexican Americans, Mexican Immigrants, and the Politics of Ethnicity*, (University of California Press, 1995); David Gutiérrez, "The New Turn in Chicano/Mexicano History: Integrating Religious Belief and Practice," in *Catholics in the American Century: Recasting Narratives of U.S. History*, R. Scott Appleby and Kathleen Sparrows, eds. (Cornell University Press, 2012); Deborah Cohen, *Braceros: Migrant Citizens and Transnational Subjects in the Postwar United States and Mexico* (Chapel Hill: University of North Carolina Press, 2011); Lori A. Flores, *Grounds for Dreaming: Mexican Americans, Mexican Immigrants, and the California Farmworker Movement* (Yale University Press, 2016); Alan J. Watts, *Farm Workers and the Church: The Movement in California and Texas* (Texas A&M University Press, 2010).

During this period, the NCWC experienced a shift in its relationship with Mexican American and Mexican Catholics and the US federal government. The work of Monsignor Francis Haas, William Montavon, and Father John O'Grady with federal agencies during World War II had established the NCWC as a spokesperson for the population. The NCWC's collaboration with the Department of Labor around the issue of migratory labor helped to further solidify its and its subsidiary agencies' position as mediators between the federal government and the Mexican descent population in the US Southwest.

The NCWC's agitation against the Bracero Program was essential to unionization efforts during the 1950s, when Cold War preoccupations with subversive communist threats paralyzed much of the labor movement. During this period, Americans celebrated what they saw as the triumph of American capitalist democracy over Soviet communism, and consumerism over scarcity. They also viewed left leaning labor unions with suspicion. Catholic labor leaders played a key role in legitimizing Cold War labor unionism as a non-communist activity. Indeed, NCWC leaders such as Father John Cronin and Father Edmund Walsh worked closely with Senator Joseph McCarthy to defeat domestic communism. Other NCWC leaders, such as Cardinal Francis Spellman and San Antonio Archbishop Robert Lucey, advocated for an aggressive American foreign policy towards the Soviet Union and its client states. Their public roles as Cold War warriors allowed them to champion union causes without the fear of raising the US House Committee on Un-American Activity's ire, one of the biggest threats against progressive activism in Cold War America. NCWC leaders' political reputations as anti-Communists, then, inoculated the labor-liberal coalition against accusations of subversive activity.⁹ Catholic advocacy thus helped pave the way for increasing public awareness about economic inequality.¹⁰

The late 1950s and early 1960s were ripe for such activism. Publications such as John Kenneth Galbraith's *The Affluent Society* (1958), Robert Frank's photographic investigation *The Americans*, and Michael Harrington's *The Other America: Poverty in the United States*, all brought the issue of economic inequality in an age of plenty front and center to the American public's consciousness. Galbraith and Harrington demonstrated that the unprecedented affluence and consumer convenience of the 1950s and early 1960s were steeped in poverty and inequality. These critiques lent an intellectual framing for the Catholic push towards greater economic inclusion for groups such as migrant workers by providing Americans and their Congressional leaders with a new understanding of poverty.

Even though Galbraith's book lent its title to the problem of economic inequality in American society, it was Harrington who made the gaps in American society legible for millions, by reducing an unnamable problem of inequity to a single word: poverty. He brought the concept of the culture of poverty into the living rooms of middle class Americans, and his became a household name as thousands bought and discussed *The Other America*. Even here the Catholic Church's reach could be felt. Harrington, a former member of the Catholic Worker Movement,

⁹ Patrick McNamara, *A Catholic Cold War: Edmund A. Walsh, SJ, and the Politics of American Anticommunism* (New York: Fordham University Press, 2005), ix, 145.

¹⁰ For more information regarding the collaboration between the Department of Labor and the Bishops' Committee for the Spanish-Speaking, see Robert Emmett Lucey Papers (LUC), University of Notre Dame Archives, Notre Dame, IN, (hereafter Lucey Papers), Box 14, Folders 1-6, 8, Box 15, Folder 5, Lucey Papers; Box 8, Folder 29; Box 61, Folders 6-7, Higgins Papers; "Report to the President on Domestic Migratory Farm Labor, 1960," Box 32, Folder: President's Committee on Domestic Migratory Farm Labor, Papers of Robert C. Goodwin, Truman Presidential Library, (hereafter Goodwin Papers).

directly credited the movement and Dorothy Day with bringing him into contact with “the terrible reality of involuntary poverty.”¹¹

Harrington referred to American agriculture as “one of the major successes of the affluent society,” and painted a picture of abject poverty, families loaded “like cattle into trucks and mak[ing] their pilgrimage of misery.”¹² Moreover, he gave middle class housewives a stake in the conversation by depicting their consumer choices as moral issues that directly impacted the lives of agricultural workers. In so doing, Harrington brought the problem of worker poverty across class and color lines in a way that echoed the work of Vizzard and other religious leaders who likewise linked the future success of agricultural labor unionism to the everyday purchasing choices of middle class Americans.

The reframing of the agricultural question as one relevant to American consumers granted the labor-liberal coalition’s cause new traction. Vizzard and his Catholic colleagues believed that the Bracero Program presented the primary obstacle to unionism and thus greater economic and social parity. The NCWC began its efforts to end the Bracero Program in the early 1940s through the creation of its Bishops’ Committee for the Spanish Speaking. Its early efforts focused on studying the program’s impact on US farmworkers. After President Truman appointed Archbishop Lucey to the President’s Commission on Migratory Labor, the NCWC and BCSS began to agitate for the migrant laborers’ collective bargaining rights. Their advocacy pitted citizen workers against noncitizens and called for securing the US-Mexico border. After the deportation campaigns of the mid 1950s, the NCWC and BCSS shifted their attention to monitoring the Bracero Program. Instead, they focused their attentions on ending the Bracero Program in the name of creating economic and social equity for Mexican Americans and protecting Braceros from the immorality associated with labor camps. They worked closely with Secretary of Labor James Mitchell and several of his associates first to monitor and then dismantle the imported farm labor program by demonstrating to the American public the human costs of migrancy associated with agricultural production. Their primary goal was to dismantle the Bracero Program.

Creating a Catholic Response to the Farm Labor Program

First enacted as a wartime emergency program in 1942, and later extended as a series of bilateral agreements and legislative acts, the Bracero Program proved a point of contention between the growers who demanded easy access to Mexican labor and their leading opponents. In its early years, the program passed through a series of administrative hands, first from the Farm Security Administration, and then to the War Manpower Commission, before finally landing with the Department of Labor in 1948.¹³ From 1951 to 1963, Congress extended the program under Public Law 78. Although the program initially received little publicity, state officials deemed it an essential national effort to feed the US at home and abroad during World War II and the Korean War. Contributing to the production of food and fiber fueled the fight against Hitler, and the Departments of State and Labor anticipated full cooperation from the

¹¹ Harrington, *The Other America: Poverty in the United States*, 231.

¹² *Ibid.*, 39.

¹³ Galarza, Ernesto, *Merchants of Labor: The Mexican Bracero Story* (Santa Barbara: McNally & Loftin Publishers, 1964), 51.

Catholic Church and other voluntary organizations.¹⁴ As the abuses of the program became more blatant at the close of WWII, these groups withdrew their support.

Over time, the NCWC became one of the most vocal critics of the farm labor program. The introduction of thousands of unorganized guest workers in 1942 had alarmed NCWC leaders. Many bishops feared that the program would undermine the fragile existence of agricultural workers, who remained unorganized and outside the protective reach of labor laws.

As part of its social action platform, the NCWC advocated economic inclusion for all Americans by way of labor unionism, maintaining “that if the liberties of all citizens are to be protected, unions, together with organized bodies, not only can but must play an indispensable part in banishing unemployment and unfair prices... Unions have a contribution to make—and one which they alone can make—toward establishing a just and stable social order.”¹⁵ NCWC officials lauded the passage of New Deal labor legislation in the 1930s as the first steps toward a more inclusive society. Consequently, they decried the exclusion of agricultural workers from this social welfare legislation as a condemnation to second-class citizenship. The conference feared that the Bracero Program would further marginalize field workers, particularly those who traveled the harvest trail from South Texas to California, Washington, and locales throughout the upper Midwest.

The vision and mission of two NCWC members, Robert E. Lucey and Raymond McGowan, shaped the Church’s early response to the Bracero Program. The two men had become close friends during their time together in Rome, where they and another good friend, the future Francis Cardinal Spellman completed theological studies. Originally from California, Archbishop Robert Lucey spent the first years of his priesthood in Los Angeles, under the supervision of long-time social advocate, John J. Cantwell. By 1941, Lucey had garnered attention from local labor leaders and Catholic leaders alike, and the Vatican elevated him to the archbishopric of San Antonio.¹⁶ In 1943, Lucey’s close friend, Father Raymond McGowan, then assistant director of the NCWC’s Social Action Department, requested funding from the US Office of the Coordinator of Inter-American Affairs. McGowan proposed a series of seminars in the Southwest to generate a regional conversation about the status and needs of the Mexican descent population.¹⁷ The seminars were held in San Antonio in July 1943, and in Denver in 1944. They included local Mexican American community leaders, Catholic bishops, OCIAA representatives, and others interested in the status of the Spanish speaking.

More than anything else, the NCWC hoped seminar participants would tackle the underlying cause of racial inequality in the region, economic instability.¹⁸ As Lucey put it in his

¹⁴ David Gutiérrez, *Walls and Mirrors: Mexican Americans*, 133-135; Mario T. García, *Católicos*, 114-116; Jeffery Burns, “Migrants and Braceros,” in *Mexican Americans and the Catholic Church, 1900-1965*, Jay P. Dolan and Gilberto Hinojosa, eds. (Notre Dame University Press, 1994), 210.

¹⁵ Monsignor John O’Grady, “Conference on the Importation of Mexican Labor, May 22, 1942,” Box 37, Folder 10, Catholic Charities, USA, Catholic University of America Archives, Washington, DC, (hereafter Catholic Charities); Monsignor Francis Haas, “Jobs, Prices, and Unions,” *Social Action Series*, no. 19 (New York City: Paulist Press, 1941), 3.

¹⁶ Saul E. Bronder, *Social Justice and Church Authority: The Public Life of Archbishop Robert E. Lucey* (Temple University Press, 1982), 25-30, 74.

¹⁷ Raymond McGowan to Victor Borella, April 29, 1943, Box 90, Folder 17, United States Conference of Catholic Bishops, Office of the General Secretary, University Archives, Catholic University of America, (hereafter OGS Papers).

¹⁸ See Box 90, Folder 17, USCCB/OGS; Meeting of Archbishops of the Southwest, NCWC, Annual Meeting of the Bishops, 9:00 A.M., November 17, 1944, Catholic University, Washington, D.C., Box 13, Folder 8, Lucey Papers; “The Spanish Speaking of the Southwest and West (second report),” (Washington, D.C.: National

opening remarks to the San Antonio conference, "If I were asked to mention one outstanding problem that weighs most heavily upon our Mexican people, I would say that it is the burden of undeserved poverty." According to Lucey, poverty and discrimination went hand in hand. "If the Mexican is sometimes not a good American, what can you expect from a man who during all his life was socially ostracized, deprived of civil rights, politically debased, and condemned to economic servitude?" Lucey admonished.¹⁹ For the San Antonio Archbishop and other seminar participants, the goals of economic equality and racial equality were inseparable.

In response to the inter-American seminars, the NCWC created a standing national committee comprised of bishops in the Southwestern US. The new committee, the Bishops' Committee for the Spanish-Speaking (BCSS), represented the first time the Catholic Church had attempted to coordinate a national response to the needs of its Spanish-speaking members. Led by Archbishop Lucey, the BCSS guided the NCWC's efforts among the population and spoke for the conference on matters of public interest concerning Spanish-speaking Americans. Though the committee took cues from Mexican American leaders and labor organizers, the BCSS remained under Archbishop Lucey's directorship throughout its existence. The BCSS encouraged local priests to advocate for fair wages and employment practices by reaching out to local divisions of the Farm Security Administration and the Fair Employment Practice Committee. The bishops believed that economic and social improvement depended heavily upon worker organization. They insisted "unions [are] needed for farm workers" and the "law should be extended to protect [the] organization of farm workers (NLRA)." ²⁰ The goal of extending economic equality to domestic migratory farm labor through unionism drove much of the BCSS's agenda.

Echoing the position of labor unions and Mexican American civic organizations, the BCSS argued that the presence of braceros undermined the political advancement and economic security of Mexican Americans. Lucey hoped that the BCSS would be able to bring the New Deal to Mexican Americans in the Southwest by improving their social and economic conditions through mission work and the creation of "a Little Wagner Act for agricultural workers to enable them to organize," a position that he maintained throughout the 1940s and 1950s.²¹ However, he faced an uphill battle. Heralded as the triumph of organized labor, the National Labor Relations Act or Wagner Act provided for the formation of the National Labor Relations Board, a federally appointed board to help mediate labor disputes. The NLRA strengthened industrial labor's position even as it weakened the already fragile organizing status of agricultural workers. Specifically excluded from protection under existing labor laws, employers had no legal obligation to recognize agricultural labor unions. Moreover, the American Federation of Labor

Catholic Welfare Conference, 1944), 6. Recommendations of the Seminars on Spanish-Speaking People, 1945, Box 13, Folder 10, Lucey Papers.

¹⁹ William Montavon to Michael Ready, November 18, 1942, Box 90, Folder 17, USCCB/OGS Papers; Robert Lucey, "Are We Good Neighbors?: Opening Address to the Second Conference on the Spanish Speaking of the Southwest and West," *The Spanish Speaking of the Southwest and West: A Report of the Conference of Leaders, From the Missouri River to California and the Mexican Border, Held by the Social Action Department of the National Catholic Welfare Conference at Incarnate Word College, San Antonio, Texas, July 20-23, 1943, Under the Sponsorship of Most Rev. Robert Emmet Lucey, STD, Archbishop of San Antonio* (Washington, DC: Social Action Department, National Catholic Welfare Conference, 1943), 16-17.

²⁰ Recommendations of the Seminars on Spanish Speaking People, 1945; Actas de la junta de la mesa directive del comité episcopal a para los fieles de habla española que se celebren en El Paso, Texas, el 21 de Febrero, 1945, Lucey Papers.

²¹ Robert Lucey to John Wagner, October 2, 1958, Box 16, Folder 5, Lucey Papers.

(AFL) and the Congress of Industrial Organizations (CIO), the two largest representative bodies of unionized labor in the US, initially took little interest in field workers.

The passage of the National Labor Relations Act relied partly on what farm labor organizer and BCSS supporter, Ernesto Galarza later termed a “loose political alliance” between farmers and industrial labor unions that emerged in the 1930s. According to Galarza, labor had sold out farmworkers in exchange for the Wagner Act. The alliance between organized labor and agriculture ended in 1947, when “corporation farm interests” represented by the Farm Bureau Federation and National Grange “united with the National Association of Manufacturers and the Chamber of Commerce to secure the passage of the Taft-Hartley Act.”²² By then, the damage had already been done. Congress had defined agricultural labor rights in opposition to industrial labor rights. Without the protection of the state, field workers faced “displacement from steady jobs, disruption of community life, broken strikes, standby hiring, lower wages, and forced migration to the cities.” The denial of migrant workers’ participation in the democratic process came in the name of protecting the American public from a “national food shortage [or] a crisis of democracy”—crises that few outside of agribusiness believed existed.²³

In 1945, labor’s influence reached an all-time high, and leaders of the AFL and CIO declared a moratorium on strikes as part of their commitment to ramping up wartime production. The moratorium was short-lived. By late 1945, the war had ended and more than a quarter of a million workers were on strike. The strikes increased in number and intensity the following year. By late 1946, labor’s political decline tilted to a full downward spiral. Congress responded by passing the National Labor Management Relations Act, or Taft-Hartley, in 1947. Taft-Hartley profoundly impacted the trajectory of labor unionism in the industrial sector. It outlawed secondary boycotts, sympathy strikes, mass picketing, and the organization of managerial personnel. The law empowered the state and employers by permitting states to pass “right-to-work” laws and allowing employers or the state to request anti-strike injunctions against striking workers. Section 9(h) of the law required all union officials to sign an affidavit disavowing Communist Party affiliation or intentions to overthrow the federal government. The law barred those union leaders who refused to sign from NLRB services.²⁴

The law impacted the labor movement in a variety of ways. In the aftermath of the 1946 strikes and the constraints imposed by Taft-Hartley, union leaders shifted their objectives away from a larger say in company operations and greater social benefits from the government, and more towards “maximizing workers’ purchasing power.”²⁵ As historian Lizbeth Cohen has noted, in the post-Taft-Hartley period, labor leaders such as George Meany, Walter Reuther, and Philip Murray began to focus their activism on workers as consumers, rather than expanding the federal welfare state to provide greater security for working Americans. This shift in priorities resulted in an economic civil rights activism that emphasized economic participation through consumerism rather than obtaining equality through the workplace, effectively limiting workers’ position in relation to the wage labor economy. Some civil rights organizations such as the National Association for the Advancement of Colored People (NAACP) continued to pursue racial equality alongside economic integration. The purging of labor union leadership, however,

²² Ernesto Galarza, Memo: “In RE: Organization of Corporation Farm Employees,” ca 1955, Box 9, Folder 9, Ernesto Galarza Papers, M0224, Department of Special Collections, Stanford University Libraries, Stanford, CA, (hereafter Galarza Papers).

²³ Galarza, *Farm Workers and Agri-business*, xii.

²⁴ Ellen Schreckers, “McCarthyism and the Labor Movement: The Role of the State,” in *The CIO’s Left-Led Unions*, Steve Rosswurm, ed. (Rutgers University Press, 1992), 147.

most notably those unions chartered under the CIO, tampered much of these earlier efforts towards racial equality.²⁵

Not all industries, however, witnessed a decoupling of labor and civil rights activism. Agricultural unions, barred from participation in NLRB services by the fact that they were explicitly disqualified from the National Labor Relations Act, were technically exempt from the restrictions imposed by Taft-Harley on industrial labor.²⁶ The 1950s and 1960s provided farmworkers with a new opportunity for labor-oriented civil rights activism not open to industrial workers. Part of this new opportunity was wrought by Catholic efforts to counter the growing economic gap between industrial workers and field workers. In a moment when other activists shied away from class-based arguments of racial inequality, Lucey, and other Catholic leaders used the moral authority of the Church and its reputation as a premier anti-Communist organization to draw attention to the ways in which class and race intersected to create inequality for Mexican Americans. For the NCWC this meant securing for farmworkers what the labor movement had already obtained for industrial workers, a minimum wage, social security, and the right to collective bargaining. Under Lucey's direction the Bishops' Committee for the Spanish-Speaking spearheaded the NCWC's efforts.

Evaluating the Need for Foreign Labor

The National Farm Labor Union and other organization publicly pleaded for the President to open an investigation into the problems that plagued the Bracero Program. In 1949, for instance, Roy Wilkins, acting Secretary of the NAACP wrote to President Truman requesting a presidential commission charged with investigating the conditions faced by those engaged in agricultural work. President Truman responded to these public calls and created the President's Commission on Migratory Labor in 1950. Four of the five men chairmen, Noble Clark, William Leisenson, Maurice von Hecke, and Peter Oedgard, hailed from illustrious governmental and academic careers. They brought with them decades of experience in agricultural science, solving labor disputes, and creating national economic policy. The fifth member, San Antonio Archbishop Robert E. Lucey, represented the commission's "social conscience."²⁷

The President's Commission on Migratory Labor met during the summer and fall of 1950. After gathering 30 volumes of testimony from 12 public hearings held across the country, the commission released a 188-page report, full of recommendations that included terminating the Bracero Program, organizing farm labor, criminalizing the hiring of undocumented workers, and establishing a permanent committee staffed by the Secretaries of Labor and Agriculture to advise the President on matters related to migratory labor. The Commission's report highlighted what contemporary racial liberals and labor activists viewed as the central contradiction in the

²⁵ Lizabeth Cohen, *A Consumers' Republic: The Politics of Consumption in Postwar America* (New York: Alfred A. Knopf Press, 2003), 153-154.

²⁶ Despite agriculture's exclusion from the Wagner Act and similar labor laws, growers regularly invoked the law to limit the impact of agricultural labor strikes.

²⁷ Peter Kirstein, "Anglo Over Bracero: A History of the Mexican Worker in the United States, From Roosevelt to Nixon" (PhD diss., Saint Louis University, 1973), 173; Jim Norris, *North for the Harvest, Mexican Workers, the Bracero Program, and the Sugar Beet Industry* (Minnesota Historical Society Press, 2009), 88; "The New Dealing Archbishop," *Time Magazine*, April 7, 1941, 73-74; Harry S. Truman, "Executive Order 10129 – Establishing the President's Commission on Migratory Labor," June 3, 1950, Box 39, Folder: Migratory Labor Committee 1949, NC-58, Entry 30, RG 174.

farm labor program. Theoretically, imported labor received guarantees of employment, minimum wages, workmen's compensation, medical care, housing, and sanitation standards, while domestic labor received none of these benefits. In practice, growers and contractors often subjected braceros to flagrant abuses from denying them wages, charging exorbitant rates for room and board, and failing to meet even minimum housing requirements.²⁸

While highlighting the problems of the Bracero Program, commissioners also noted that "domestic migrants not only have no protection through collective bargaining but employers refuse to accord to them the guaranties they extend to imported alien farm workers." "In effect," the PCML noted, "the negotiation of the Mexican International Agreement is a collective bargaining situation in which the Mexican Government is the representative of the [foreign] workers."²⁹ Domestic workers received no such support from the US State Department. Organized farm employers could present the State Department with their interests and views, but few workers belonged to a union.

The testimony of individual farm workers, social workers, religious organizations, and labor unions heavily impacted the PCML's recommendations. Collectively, this testimony revealed a deeply rooted belief that the importation of foreign labor impeded efforts to obtain economic security for agricultural workers, a belief echoed by Lucey and the other commissioners. For his part, Lucey ordered BCSS representatives to appear before the commission and requested that the NCWC send representatives to testify as well. NCWC and BCSS representatives presented a unified critique of the Bracero Program and the problems plaguing the agricultural industry.³⁰ However, it was the testimony of the National Farm Labor Union, fresh off of a 30-month long strike in California, which caught the commissioners' attention.

Most efforts to organize farmworkers in the 1950s met with failure. The National Farm Labor Union took the lead in organizing the industry. Led by Ernesto Galarza, a former immigrant turned scholar-activist, and HL Mitchell, a former sharecropper from Arkansas, the NFLU staged the most significant agricultural strikes in the postwar period.³¹ The most notable of these was the California-based DiGiorgio strike of 1947-1950. The strike ultimately ended in defeat. The local union chapter proved unable to overcome the powerful combination of bracero strikebreakers, grower access to undocumented workers, and pressure from Congress and the California State Senate Committee on Un-American Activities. In an ironic twist, DiGiorgio's lawyers successfully argued that NFLU 218 had violated the provisions of the Taft-Hartley Act through their use of secondary boycotts. The irony was not lost on union organizers. A group of workers excluded from protection and recognition under the Wagner Act had been held with violating its watered-down form, the Taft-Hartley Act. Although an appeals court eventually

²⁸ The Commission also noted that foreign contracts did not uniformly extend same benefits to all workers contracted under the Bracero Program. For example, workers from the West Indies "arrived on whatever terms these foreign governments were able to secure in negotiation with private employers of the United States," Calavita, *Inside the State*, 32.

²⁹ *Migratory Labor in American Agriculture*, 50-51.

³⁰ Statement of Reverend William J. Gibbons Before the President's Commission on Migratory Labor, July 13, 1950, Subject File, Record Group 220: President's Commission on Migratory Labor, available online: https://www.trumanlibrary.org/whistlestop/study_collections/migratorylabor/documents/index.php?documentdate=1950-07-13&documentid=9-3&pagenumber=1.

³¹ Brilliant, 147; Galarza, *Farm Workers and Agri-business in California, 1947-1960* (Notre Dame University Press, 1977), see Chapter Three, especially "The DiGiorgio Strike."

reversed the decision, the reversal came too late to save the strike.³² By the time the strike ended in 1950, local labor leaders had become convinced that efforts to organize farm workers and improve working conditions would never come to fruition so long as the Bracero Program persisted.

Galarza and Mitchell saw the President's Commission on Migratory Labor as an opportunity to expand New Deal legislation farmworkers. More specifically, the two labor organizers argued that Congress had refused to include agricultural labor in New Deal legislation, such as the Wagner Act, the Fair Labor Standards Act, the Social Security Act, and most state Workmen's Compensation programs. agricultural laborers had not realized the same social and economic advancements as industrial laborers. In short, the NFLU charged, Congress had compromised the New Deal for agricultural workers with one hand, and subsidized the growth of growers with "billions of dollars" in the form of agricultural subsidies with the other. NFLU testimony offered a comprehensive picture of the tensions between domestic agricultural workers, braceros, and undocumented Mexican migrants.³³ Mitchell and Galarza's sentiments reverberated throughout the Commission's report, which warned that the continued practice of hiring undocumented labor would result in the economic displacement of Mexican Americans across the Southwest, forcing them to enter the migrant labor stream to seek better wages further north.

The PCML stressed that the continued practice of hiring so-called "wetback" labor harmed domestic workers far worse than the Bracero Program itself, as undocumented workers accepted far lower wages and working conditions than did braceros or domestic workers. The Bracero Program inevitably stimulated undocumented migration because more workers sought work permits than the Mexican government allowed. Others opted to cross the border on their own to avoid contract restrictions.³⁴

Without strengthening the security along the US-Mexico border and providing legislation that forbade the hiring of undocumented labor, the Commission darkly warned that the Southwest faced a "virtual invasion." These warnings echoed those of Mexican American organizations such as the American GI Forum, a veterans' rights organization. August 18, 1950, Dr. Hector García, head of the American GI Forum sent a telegram to President Truman and requested that the State Department initiate an investigation of the "wetback situation in the Valley." The GI Forum argued that contrary to popular belief, there was no labor shortage to be found in the Valley. Furthermore, as García reported, the continued importation of documented and undocumented labor caused a serious depression in the standard of living. Civil rights leader and Mexican American intellectual, George I. Sánchez likewise referred to referred to unsanctioned Mexican immigrants as "a major source of social and economic infection" and "a focal point from which flow social poisons...of various kinds: disorganized, migratory populations; segregated schools; hostilities and tensions; political apathy; economic waste; peonage; and a divided citizenry." For Lucey, García, Sánchez, and others concerned about the

³² Cohen, *Braceros: Migrant Citizens and Transnational Subjects*, 153-154; Ernesto Galarza, *Spiders in the House and Workers in the Field* (Notre Dame University Press, 1970), 22-28.

³³ July 13-14, 1950, "Statement to the President's Commission on Migratory Labor, Submitted by the National Farm Labor Union," Washington, D.C., National Council on Agricultural Life and Labor Records, BANC MSS 67/139 z, The Bancroft Library, University of California, Berkeley, (hereafter referred to as NCALL MSS).

³⁴ Ngai, *Impossible Subjects*, 148; *Migratory Labor*, 71.

social and economic status of Mexican Americans, undocumented Mexican immigrants were a perilous threat.³⁵

Despite the Commission's recommendations, Congress voted to extend the Bracero Program under what became known as Public Law 78. President Truman threatened to veto the legislation. When Congress threatened to override his veto, however, Truman signed the act into law, effectively extending the Bracero Program against the advice of his own commission. Theoretically, growers could not seek contract labor unless United States Employment Service (USES) officials certified a genuine domestic labor shortage within a given locale. In practice, USES continued to certify labor shortages "carte blanche," despite the increasing numbers of domestic workers displaced by participants in the Bracero Program. The majority of the PCML's recommendations were initially ignored, including its recommendation that the president establish a permanent, intra-agency committee dedicated to investigating and advising Congress and the President on the status of migratory labor. Over time, however, many of the Commission's recommendations would either be enacted or provide fuel for the fight against PL 78. For many invested in the PCML's investigation, including Ernesto Galarza, PL 78 signaled the abandonment of Truman's promise to secure full citizenship rights for those left out of the New Deal.

Lucey's service on the President's Commission on Migratory Labor expanded Church-state coordination with regard to the Bracero Program. As a leading figure in the labor-liberal coalition, which actively sought to root out communism even as it attempted to stabilize the economic position of Mexican American farm laborers, Archbishop Lucey's service cemented the status of the BCSS and the National Catholic Welfare Conference' as a leading non-governmental migrant labor advocacy groups. Moreover, the PCML's report final report fundamentally shaped the programs and advocacy of these leading Catholic agencies throughout the remainder of the Bracero Program. Prior to his appointment to the PCML, the Catholic Church's interaction with the state had largely been limited to state-sponsored advisory initiatives, such as the OCIAA's sponsorship of the seminars in the Southwest, which later gave rise to the BCSS. Following Lucey's service on the commission, the Church-state cooperation entered a new chapter as both the Department of Labor and the BCSS each began to rely on one another first to regulate, and later to disband the Bracero Program.

Building a Labor-Liberal Coalition

In the years between the release of the Commission on Migratory Labor's report in 1951 and the commencement of deportation campaigns in 1953, the BCSS and NCWC worked closely with labor unions and Mexican American civic organizations seeking to secure a "little Wagner Act" for farm workers. Lucey, himself a long-time supporter of labor, adopted a new language of unionism when advocating for the economic and civil rights of Mexican decent farm laborers. His service on the PCML allowed Lucey to reframe the fight to gain economic security for

³⁵ *Migratory Labor*, 69, 75-81, 88. Hector Garcia to Harry S. Truman, August 18, 1950, telegram, Official File, Truman Papers, available online: http://www.trumanlibrary.org/whistlestop/study_collections/migratorylabor/documents/index.php?pagenumber=2&documentdate=1950-08-18&documentid=3-8; George I. Sánchez and Lyle Saunders, "'Wetbacks' – A Preliminary Report to the Advisory Committee Study of Spanish-speaking People, The University of Texas, not to be released before June 12, 1949," 8-9, Box 39, Folder: 1950 Migratory Labor Committee, NC-58, Entry 30, RG 174.

migratory workers as a battle to protect the rights of citizens against the unchecked greed of agribusiness and the infiltration of communists into labor unions. The BCSS and Mexican American civil rights organizations such as the League of United Latin American Citizens (LULAC) and the American GI Forum argued that the biggest threat to domestic labor came from undocumented migrants and those who employed them. In order to curtail some of the more devastating effects of the migratory cycle, the BCSS sought to stabilize the population by pushing for minimum wages, guarantees of work through contracts, and workmen's compensation laws—all of which were, in theory, guaranteed to non-citizen agricultural contract workers.³⁶

As much as the BCSS and the NCWC defended the rights of domestic workers to unionize they did not seek to protect the rights of undocumented workers. As chairman of the BCSS Lucey was the foremost Catholic advocate for Mexicans and Mexican Americans and one of the nation's leading advocates for the population. He called for an end to the "endless stream of wetbacks traveling north into Texas [and]...and into California at Calexico." During his service on the President's Commission on Migratory Labor, Lucey had highlighted undocumented immigration as one of the nation's chief labor and security concerns. Throughout the early 1950s he urged Congress to allow INS agents to search for unauthorized immigrants in communities throughout the Southwest.³⁷

By late 1952, the influx of undocumented workers from Mexico had increased exponentially as had public cries for government action. In January 1953, the *New York Times* reported that during 1952, undocumented Mexican migrants numbered close to 1.5 million. Demanding a federal response to the "invasion of wetbacks," the *Times* and countless other news outlets painted a border security crisis.³⁸ Undocumented workers lacked even the basic, oft-flouted protections of contracted labor, and without the protection of a contract, the Mexican Consul was often powerless to intervene. In response to the flagrant violation of the international labor agreement, Mexico refused to sign the annual renewal agreement unless the US guaranteed employer sanctions for hiring undocumented workers.³⁹

The rhetoric surrounding the mid-twentieth century deportation of Mexican immigrants differed significantly from the forced relocation campaigns of the 1930s. During the 1930s, immigration restrictionists deployed stereotypes of Mexicans and Mexican Americans as diseased, foreign, and overly dependent on welfare relief. In the early 1950s, restrictionists relied upon concerns over national security to sanctify the expulsion of unauthorized Mexican immigrants. If these immigrants could cross the border without incident, restrictionists warned, so too could Communist infiltrators. Lucey, for example told one public audience that "If

³⁶ Father J.B. Gremillion, "In Mexico—June-July 1952, Report #2," National Catholic Rural Life Conference, Des Moines, Iowa, Box 23, Folder 3, Vizzard Papers.

³⁷ "Prelate Raps Recruiting Of Mexican Workers; Shortage of U.S. Farm Help 'Artificial,' According to Texas' Archbishop Lucey," *The Monitor* (San Francisco), February 5, 1954, p. 17; Robert E. Lucey to Rev. John Wagner, September 8, 1962 Box 15, Folder 4, Lucey Papers. As quoted in Gina Marie Pitti, "To Hear About God in Spanish," 300; Harry S. Truman: "Special Message to the Congress on the Employment of Agricultural Workers from Mexico," July 13, 1951. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=13837>; García y Griego, "The Importation of Mexican Contract Laborers," 56-57; Timothy Matovina, *Latino Catholicism: Transformation in America's Largest Church* (Princeton University Press, 2012), 199.

³⁸ Gladwin Hill, "Tide of 'Wetbacks' Reaches Crest; 11,500,000 in Southwest in 1952," *the New York Times*, January 11, 1953.

³⁹ Sydney Gruson, "Mexican Workers Here Face Loss of Jobs with Agreement Ending," *The New York Times*, February 8, 1952.

Communists, saboteurs, and trouble-makers wish to come here...they should join the Army of Invasion comping up from the South legally or otherwise.”⁴⁰ Lucey’s participation in the public discourse surrounding unauthorized immigration meant that Catholic organizations such as the BCSS became complicit in the formation and implementation of racialized immigration policies that culminated with Operation Wetback in 1954.⁴¹

Lucey and the BCSS were not alone in their attack on undocumented immigrant labor. The American GI Forum, a Mexican American veterans’ organization and the AFL issued a report, “What Price Wetbacks?” in 1954. The reports’ authors echoed Lucey and other immigration restrictionists. They argued that undocumented laborers lived in unsanitary conditions and were exploited by large growers. They also linked undocumented workers to crime, quoting law enforcement officials who accused immigrants of committing 75% of the country’s felonies. Like Lucey, the American GI Forum and AFL celebrated the Border Patrol’s removal of undocumented immigrants.⁴²

In 1953, the Border Patrol began conducting raids in Mexican descent communities. Over the course of one year, the Immigration and Naturalization Service deported more than one million unauthorized immigrants. The NCWC and BCSS did not protest against the expulsion campaigns, claiming instead that the removal of undocumented immigrants would stabilize the economic status of US citizens. These predictions failed to come to fruition. The following year, Congress authorized an unprecedented number of new bracero contracts, allowing growers to compensate for their lost access to undocumented foreign labor. The increased number of bracero contracts sparked a renewed protest over PL 78.

The Catholic critique of PL 78 found a supporter in Labor Secretary James P. Mitchell. Born in New Jersey in 1900, Mitchell was raised in a Catholic household and educated in parish schools. He began his career as a grocer and industrial worker. In 1942 Mitchell started working in labor relations and in 1953 received a nomination as Secretary of Labor. Although his record on industrial labor relations was somewhat mixed, Mitchell was an active supporter of domestic migrant laborers. Known as the “moral conscience” of the Eisenhower Administration, Mitchell’s commitment to domestic workers was nothing short of a personal, moral obligation. Mitchell believed that by gradually stabilizing wages and employment stability for domestic workers he might relieve growers of their dependency on foreign labor. These efforts pleased neither labor organizers nor growers.

Throughout his tenure as Secretary of Labor, Mitchell faced sharp criticism from both organized labor and the increasingly powerful grower constituency. Labor leaders insisted that the Labor Department, from the Secretary himself down to its regional representatives, belonged to the growers. Growers held that Mitchell bent under the influence of organized labor and mandated an unconstitutional minimum wage. And there was some evidence for each of these claims. Indeed, the Labor Secretary lacked the legal authority to set a minimum wage for agricultural workers. Regional United States Employment Services representatives, employees technically under Mitchell’s supervision, often refused to recognize strike conditions, ignored the use of braceros and undocumented workers as strikebreakers, and certified labor shortages where none existed.

⁴⁰ A1 Antczak, “Migrants’ Lot Held ‘Disgrace of Agriculture,’ The Monitor (San Francisco) as quoted in Pitti, “To Hear About God in Spanish,” 303.

⁴¹ Pitti, “To Hear About God in Spanish,” 300.

⁴² Texas State Federation of Labor, AFL and American GI Forum of Texas, “What Price Wetbacks?,” (Austin: private publication, 1954), 28.

The practice of ignoring the Secretary of Labor's orders at the regional level frustrated labor leaders, who watched helplessly as union jobs evaporated. National Agricultural Workers Union organizer and BCSS ally Ernesto Galarza noted one such instance in 1954. "The CIO Fruit and Vegetable Workers Union 78 which based contracts in the packing shed of both Arizona and California has lost over 2,500 jobs in the Imperial Valley to Mexican nationals who perform the work formerly done in the sheds directly in the fields. AF of L Unions of processing workers are similarly affected," Galarza complained to fellow union leader HL Mitchell (no relation to the Secretary).⁴³ To Galarza, the Labor Department was directly responsible for the displacement of the Local 78 workers, and he wasted no time in clarifying his position.

Though many of his colleagues hesitated to attack the Department of Labor directly, Galarza had no such qualms. Galarza held the Labor Department, which he considered "less an advocate of workers than a sensitive barometer of the powerful forces that focus in the national capital," at least partially responsible for labor's inability to secure economic rights for workers.⁴⁴ One expression of the DOL's moral failings in Galarza's mind was its decision "to leave to growers the determination of housing policy, public or private. Denied a place to live," Galarza exclaimed, "domestic farm laborers discover yet again that their powerlessness economically [is] matched by their powerlessness politically."⁴⁵ If the mandate of the Department of Labor was to "oversee labor-management relations and to provide an institutional arena in which the interests of American workers [could] be voiced, if not always realized," then, according to Galarza, it had failed on both counts.⁴⁶

Growers had a different opinion. Even before Congress enacted the Bracero Program they had clamored for Mexican labor. Growers cast Mexican farmworkers as biologically suited for agricultural labor. Charles Teague a citrus and walnut grower from California for instance, described his laborers as "naturally adapted to agricultural work, particularly in the handling of fruits and vegetables... Many of them have a natural skill in the handling of tools." Teague and other growers saw themselves as defenders of American democracy and providers of an essential service to the American public. "The American farmer is engaged in producing the foods and fibres which are absolutely essential to life," Teague said. "Any delays in production or harvesting are not merely an economic loss to the farmer – they are a loss of essentials to the consuming public."⁴⁷ Other growers insisted that Galarza and his colleagues had it backwards. The presence of Mexican nationals did not decrease wages for domestic workers, defenders of the Bracero Program argued. Instead, the influx of foreign workers led to wage increases. In California, one grower, a William Tolbert, testified "the wage rate has increased 189 percent" since 1943.⁴⁸

⁴³ Ernesto Galarza to HL Mitchell, May 30, 1954, Reel 38, Southern Tenant Farmers' Union Records #3472, Southern Historical Collection, Wilson Library, University of North Carolina at Chapel Hill, (hereafter STFU Records).

⁴⁴ Ernesto Galarza, *Farm Workers and Agri-business*, 82.

⁴⁵ *Ibid.*, 66.

⁴⁶ Francis Rouke, *Bureaucracy, Politics, and Public Policy*, (Little Brown Press, 1969), 20, quoted in Kitty Calavita, *Inside the State*, 136.

⁴⁷ Charles C. Teague, *Fifty Years a Rancher: Recollections of a Half a Century Devoted to the Citrus and Walnut Industries of California and to Furthering the Cooperative Movement in Agriculture* (Charles Teague, 1944), 150.

⁴⁸ "Statement of William H. Tolbert, National Farm Labor Users Conference and California Farm Labor Association, Accompanied by Bruce Sanborn, California Production Association; George Lyons, Vegetable Industry, California and Arizona; and Leland J. Yost, Coachella Valley Farmers Association, Thermal, Calif.," *Hearings Before the Subcommittee of Equipment, Supplies, and Manpower of the Committee on Agriculture House*

To get to the heart of the matter, Secretary of Labor James Mitchell created an elaborate network of farm labor advocates tasked with monitoring PL 78 and reporting violations to local and regional Bureau of Employment Services Offices.⁴⁹ Secretary Mitchell was concerned primarily with two things: violations of bracero contracts and the displacement of domestic workers. By demonstrating to the American public that the Bracero Program caused irreparable harm to domestic farmworkers, Mitchell hoped his network would be able to exert sufficient pressure on Congress to, at the very least, revise the program.

As Congress debated the future of the Bracero Program in 1955, the CIO noted that rising unemployment left “no moral justification for continuance of the present program without substantial change.” These words did not fall on empty ears. Robert Oliver, director of the legislative committee for the CIO and personal assistant to Walter Reuther, insisted that if the program were to continue for the following year, PL 78 required a minimum of three amendments. Among those were: increased provisions for enforcement of the program, that the DOL conduct public hearings regarding the need for imported workers and the prevailing wage, and, most importantly “equal treatment of US workers.” In this regard, labor argued that the international agreement’s provisions for housing, guaranteed minimum wages, and work contracts “discriminate[d] against US agricultural workers by giving imported Mexican contract workers specified guarantees and benefits not offered to US workers.” The CIO felt certain its proposal “would bring about a great increase in the employment of US agricultural workers.”⁵⁰ Although not yet ready to join forces, here the words of organized labor echoed the sentiments of Secretary of Labor Mitchell who strongly believed that it was “only common sense and simple justice” that the program be amended to remove those provisions that on paper protected the rights of contract workers over those of US workers.⁵¹

House committee chairman, Harold Cooley of North Carolina hotly contested the CIO’s allegations and insisted that while labor advocates and others frequently associated PL 78 with “reports of substandard living conditions of migrant laborers and their families,” the reports could have “no possible connection with the program” since it brought “only male workers” from Mexico.⁵² The Gathings Committee concurred with Cooley and refused to sponsor any of the CIO’s recommendations. Despite the testimony of Milton and others, Congress slashed funding for the DOL’s enforcement program in 1955, resulting in a significant reduction in the number of DOL enforcement officers.

Tasked with protecting domestic farmworkers while securing the interests of their employers, the Department of Labor found itself in an impossible situation. Whenever the department sought to intervene on behalf of domestic workers by way of wage increases or by

*of Representatives, Eighty-Fourth Congress, First Session on H.R. 3822, March 16-22, 1955, Serial H, (United State Government Printing Office, 1955), 115. For an in depth discussion on growers’ changing views of agricultural labor, please see Deborah Cohen, *Braceros: Migrant Citizens and Transnational Subjects in the Postwar United States and Mexico*.*

⁴⁹ “Proposed Migratory Labor Program,” 1954, Box 54, Folder: 1954 Migrant Labor Program, NC-58, Entry 36, Office of the Secretary, 1954 Subject Files, Messages-Solicitor’s Office, Record Group 174 Department of Labor, National Archives, College Park, Maryland, (hereafter NC-58, Entry 36, RG 174).

⁵⁰ “CIO Opposes House Bill and Administration Proposals on Extension of Mexican Contract Labor Program: Urges Amendments of Present Law,” Press Release for Friday PM Papers, May 13, 1955, Box 62, Folder 5, George I Sánchez Papers, University of Texas, Austin, Texas (hereafter Sánchez Papers).

⁵¹ Robert Oliver, Director of the CIO Legislative Committee to Congressman Harold D. Cooley, Chairman of the House Agriculture Committee, no date, Box 62, Folder 5, Sánchez Papers.

⁵² Harold D. Cooley, Chairman of the House Agriculture Committee, “Report on the Extension of Mexican Labor,” HR 3822, May 24, 1955, Box 62, Folder 5, Sánchez Papers.

cracking down on grower abuses of the contract system, the department faced the unenviable task of facing down growers and their congressional defenders in budget hearings. By the late 1950s, the department's leadership had grown tired of the two-step and refused to back down in its defense of domestic farmworkers. Instead, the labor secretary began centralizing agricultural employment information for prospective employees, insisting that Congress establish a minimum wage for domestic workers, and calling public opponents of the entire program to testify before Congress.⁵³

Part of Mitchell's changing attitude on Bracero Program stemmed from his increasing contact with Catholic clergy fighting to end the program. In 1955, Congress slashed funding for the Department of Labor's enforcement program, resulting in a significant reduction in the number of enforcement officers. In light of the staff shortage, the Department of Labor began to rely upon voluntary organizations, particularly Catholic clergy represented by the Bishops' Committee for the Spanish-Speaking, to report violations of housing, wages, and substandard living standards.⁵⁴

In the spring of 1956, for instance, Regional DOL Director Ed McDonald instructed Farm Placement Representative W.B. McFarland to meet with representatives of the BCSS. During the meeting, McFarland informed BCSS Executive Secretary William O'Connor "due to our limited staff, of field men we [can] not check every employer regularly and that in the event the Pastors in the area should receive any information regarding immoral and illegal activities they should immediately notify the appropriate Regional Office." McFarland promised that following such reports, "an investigation would be authorized, completed and necessary action taken."⁵⁵ In exchange for Catholic cooperation, McFarland promised that regional DOL offices would assist in the Church's effort to provide spiritual services for braceros.

In addition to striking a deal with the BCSS, McFarland furnished the organization with a directory of regional offices and a copy of the most recent contract offered to braceros so that priests might be better aware of potential contract violations. Father R.A. Goddard of Stamford, Texas noticed such violations during his weekly visit to labor camps in his district of Northwest Texas. October 1957 was a bitterly cold month in North Texas, with nightly temperatures dropping below freezing. Concerned about the poor conditions at the camp, Goddard contacted Father O'Connor. "The migrants are living in inhumane conditions," Goddard wrote. "It would take pages to describe the lack of sanitation, overcrowding, etc., but what they complain mostly about is cold...Some talk of leaving but they did not make any money up to now and the situation in Mexico is so poor...I read their contract. It is a revolting joke."⁵⁶ O'Connor quickly forwarded Goddard's report to local DOL representatives and instructed Goddard to file a notice of a contract violation with the same office. When Dempsey King, the DOL area supervisor, visited the camps in question, he too noted the violations and ordered the labor camps' directors to provide sufficient heating facilities and additional blankets or risk losing their contracts.⁵⁷

The Bishops' Committee for the Spanish-Speaking became one of Secretary Mitchell's chief allies in the fight to improve conditions for domestic farmworkers. By the time the Department of Labor began working closely with the Bishops' Committee for the Spanish-

⁵³ Kitty Calavita, *Inside the State*, 136.

⁵⁴ W.B. McFarland, Regional Farm Placement Representative to Ed McDonald, Regional Director, Department of Labor, May 29, 1956, Box 16, Folder 5, Lucey Papers.

⁵⁵ *Ibid.*

⁵⁶ Raphael Goodard to William O'Connor, October 27, 1957, Box 16, Folder 4, Lucey Papers.

⁵⁷ Ed McDonald, to William D. O'Connor, November 13, 1957, attached report, Box 16, Folder 4, Lucey Papers.

Speaking in 1956, the BCSS had become the leading Catholic advocacy group for Mexican American migrant workers and well known outside of religious circles. Lucey's involvement in the field of migrant labor and directorship of numerous civic organizations, including the National Consumers' League, profoundly influenced individuals across religious and political spectrums. Writing to Lucey on the occasion of his Silver Jubilee in 1959, Monsignor Higgins praised, "You will probably never fully appreciate until you get to heaven what a great inspiration your example has been in [the] field of Catholic social action." Higgins, whose work brought him into contact with political leaders across religious divides continued, "I am particularly conscious of the constructive influence you have had over the years on the thinking of non-Catholics... If and when the migratory labor problem is ever brought to a reasonably satisfactory solution," Higgins assured Lucey, "history will undoubtedly give the lion's share of credit to Your Excellency."⁵⁸

In 1956, Secretary Mitchell introduced tightened housing and wage requirements to the contract labor program over the protests of corporate agriculturalists. When it became apparent that Mitchell intended to enforce these regulations, constituents in large grower states such as California, Texas, and Arkansas began to press their Congressional representatives to push back against the Department of Labor's program. Congress responded by cutting the department's budget. By more rigorously enforcing the provisions of PL 78, Mitchell sought to improve the conditions of domestic workers. In 1958, he stipulated that all growers seeking the use of foreign labor would be required to offer the same provisions of employment to domestic workers before being certified for the use of braceros. These conditions included housing, transportation, wages, and duration of work.⁵⁹

Tightened enforcement measures hardly marked the Secretary of Labor as anti-bracero. A series of political maneuvers designed to undermine Mitchell's oversight of the Bracero Program in 1960, however, resulted in Mitchell's shift from a pro-farmer, moderately pro-labor Secretary to a pro-labor, anti-Bracero Program Secretary in 1960.⁶⁰

Coordinating with the BCSS provided concrete benefits for the understaffed DOL regional offices in other ways as well. As part of his plan to alleviate periods of unemployment amongst domestic farmworkers, Secretary James Mitchell created a centralized network that would communicate available jobs to job seekers early in the harvest season. In July 1956, Texas Employment Commissioner James Strauss traveled throughout the central and southeastern regions of Texas, introducing himself to various bishops and explaining the function of the Texas Employment Commission.⁶¹ Strauss intended for priests to convey the purpose of the Texas Employment Commission to migrant laborers. Strauss provided the BCSS with a list of 600 crew leaders and the BCSS Regional Office wrote a letter to each crew leader "pointing out their

⁵⁸ George Higgins to Robert Lucey, April 15, 1959, Box 37, Folder 17, Higgins Papers.

⁵⁹ "Significant Improvements in the Mexican Program—1956-1958," April 9, 1958, Box 32, Goodwin Papers.

⁶⁰ Thomas A. Lane, Department of Labor to Higgins, Washington, D.C., Resolution by the California State Legislature, Senate Concurrent Resolution No. 13, Minimum Acceptable Standards for the Housing of Mexican National Workers (December 1956, Amended January 7, 1957), April 12, 1957, Box 61, Folder 6, Higgins Papers; Lucey to James P. Mitchell, Secretary of Labor, Washington, D.C., April 1, 1960, Box 4, Folder 1, Lucey Papers; Higgins to E.C. Gathings, MC, Chairman, Subcommittee on Equipment, Supplies and Manpower, House Agriculture Committee, Washington, D.C., March 23, 1960, Box 61, Folder 6, Higgins Papers; Craig, *The Bracero Program*, 151-156; Calavita, *Inside the State*, 153.

⁶¹ The Texas State Employment Commission was part of a federal-state employment office system that fell under the Department of Labor.

obligations to the migrants that they transport to different areas to work in the beet fields and to harvest other crops.”⁶²

One result of the coordination between the Texas Employment Commission and the BCSS was that the Texas Employment Commission received fewer complaints from workers than ever before. The BCSS considered the decline in migrants’ complaints to the Texas Employment Commission to be the result of its efforts to "reach migrants through their crew leaders." In a series of interviews conducted by Strauss and other representatives, crew bosses overwhelmingly related that their work plans depended directly on the information they received from local priests and during Sunday Mass.

The collaboration between state employment commission office and the Catholic Church reached well beyond Texas. One crew leader, Vicente Chavarria, advised that he did not leave the state with his crew unless he had received a referral from the employment commission office. Chavarria also reported that the "Catholic Churches where we attend Sunday Mass in Laredo and other places of the United States...strongly emphasize for us to use the services of the Employment Offices." Another crew leader, Rafael Cantu, recalled that his crew planned their seasonal work all the way to Wisconsin through the state employment commission and that he learned of the state employment commission from his local priest during Sunday Mass.⁶³

A Moral Crusade to End the Bracero Program

The Department of Labor-BCSS collaboration served other purposes as well. Following up on BCSS complaints of bracero labor abuse allowed the department to create a public image of limiting employer abuses of the contract labor system. Labor unions, religious groups, and Mexican American political organizations regularly pressed the Department of Labor to reevaluate the need for imported labor based on both the presence of domestic labor and employer abuse of braceros. Grower’s associations, who held sway over Congress, regularly asserted their need and preference for bracero labor. Secretary Mitchell hoped to limit agribusiness’s dependence on foreign labor, which he increasingly identified as the source for the widespread socio-economic disenfranchisement of millions of domestic migrant laborers.⁶⁴ Involving the Catholic hierarchy, especially Archbishop Robert Lucey, in the regulation of the Bracero Program injected the DOL’s management of the program with a sense of moral authority. When Congress met to extend Public Law 78 in 1958, the labor-liberal coalition introduced a new Catholic lobbyist, Father James Vizzard.

Vizzard belonged to the fight for migrant labor rights, heart and soul. Originally from San Francisco, he entered into the field of agricultural economics under the direction of Paul Taylor, while his tutelage as a labor priest proceeded under the two most prominent labor priests of the mid-20th century, Monsignor George G. Higgins, and Archbishop Robert E. Lucey. The result was a fiery Jesuit advocate who dedicated his career to improving the plight of farmworkers. Despite a severe back injury that plagued him throughout his life, resulting in prolonged periods

⁶² William O’Connor, “Results of Last Year’s Activities in the Regional Office,” October 1957, Box 16, Folder 4, Lucey Papers.

⁶³ Mr. R. Garcia, Office Manager to James H. Strauss, District Director, Texas Employment Commission, October 4, 1957; James H. Strauss to William O’Connor, BCSS, San Antonio, October 10, 1957, Box 16, Folder 4, Lucey Papers.

⁶⁴ W. B. McFarland, William D. O’Connor, October 11, 1957, Box 16, Folder 4, Lucey Papers.

of hospitalization, Vizzard appeared before Congressional subcommittees more than 100 times in a span of 20 years. At times, Vizzard's powerful oratory skills and unwavering commitment to farmworkers brought him into conflict with his superiors. It also made him a fearless adversary to corporate agriculture and lifelong friend to labor activists such as Cesar Chavez. Employed by both the Bishops' Committee for the Spanish-Speaking and the Washington, D.C. office of the National Catholic Rural Life Conference (NCRLC), Vizzard became one of the most public opponents of PL 78 in the six years preceding the end of the Bracero Program.⁶⁵

As the 1950s unfolded, Catholic advocacy against the Bracero Program matured. Catholic agencies shifted their approach from partnering with the Department of Labor on questions of enforcing PL 78 to raising consciousness about its deleterious effects. By the late 1950s, Catholic advocacy centered in Washington, DC, as Congress repeatedly renewed the Bracero Program. In 1958, Secretary Mitchell's Congressional supporters requested that Father Vizzard and Monsignor Higgins testify before the Gathings' Committee. The two men called for greater moral responsibility towards domestic migrant welfare and railed against the "slavery"-like nature of the Bracero Program.

Higgins' and Vizzard's testimony before the committee called for an end to PL 78 for two reasons: "the evils which accompanied the Bracero Program" and program's detrimental effects on domestic migrant labor.⁶⁶ Speaking on behalf of the Bishops' Committee for the Spanish-Speaking and the NCWC's Social Action Department, Monsignor George Higgins reminded the committee of the NCRLC and other Catholic organizations' longstanding positions on the issues of PL 78 and migratory labor. Higgins argued that growers and local communities held a "direct and morally inescapable responsibility" for the welfare of migrant laborers, which included providing housing comparable to community standards, full health services, adequate income, social security benefits, and appropriate and convenient educational opportunities.⁶⁷ Local communities, the state, and to a lesser extent, the farmworkers themselves, he went on, ought to fund these local opportunities. To assist farmworkers in achieving these aims, Higgins urged organized labor to either "accept agricultural workers into their own membership" or to train agricultural workers "to form their own effective, responsible unions."⁶⁸

In their joint testimony, Higgins and Vizzard compared the program to a legalized form of slavery, one in which desperate workers were bound to labor in fields, often against their will. Vizzard was quick to point out that growers tended to ignore key points of the bracero contract,

⁶⁵ "Biography," Finding Aid to James L. Vizzard Papers, Department of Special Collections and University Archives, Stanford University, <http://findingaids.stanford.edu/xtf/view?docId=ead/mss/m0324.xml;chunk.id=bioghist-1.8.4;brand=default>; David Bovée, *The Church and the Land: The National Catholic Rural Life Conference and American Society, 1923-2007* (Catholic University Press: 2012), 233-240; James Vizzard to Robert Lucey, April 28, 1958; Lucey to Vizzard, June 10, 1958; Vizzard to Lucey, June 14, 1958; Vizzard to Lucey, February 21, 1961, Box 23, Folder 19, Vizzard Papers.

⁶⁶ Statement of The Rev. James L. Vizzard, S.J. representing the National Catholic Rural Life Conference, before the Subcommittee on Equipment, Supplies and Manpower concerning proposed extension of the U.S. Mexican Farm Labor Program. Testimony, June 11, 1958; Statement of Very Rev. Msgr. George G. Higgins, Director, Social Action Department, National Catholic Welfare Conference, Washington, D.C., before the Subcommittee of the House Committee on Agriculture hearings held on the extension of Public Law 78, June 11, 1958, Box 31, Folder 9, Vizzard Papers.

⁶⁷ Statement of Very Rev. Msgr. George G. Higgins, Director, Social Action Department, National Catholic Welfare Conference, Washington, D.C., before the Subcommittee of the House Committee on Agriculture hearings held on the extension of Public Law 78, June 11, 1958, Box 31, Folder 9, Vizzard Papers.

⁶⁸ Associated Press, "Benson Opposes Farm Job Rules: Declares Mitchell's Moves for Migrants Contrary to Administration Code," *The New York Times*, September 12, 1959.

particularly in the determination of a prevailing wage, adequate housing, and upholding the moral integrity of their workers, not unlike the plantation slaveholders of the antebellum South. “In early California history,” he noted, “the struggle was lost by the few who attempted to establish slavery there. Having lost that battle, however, they searched for and found substitutes.”⁶⁹ Vizzard’s testimony stirred enough controversy to cause Texas Representative William Poage, to lash out angrily, saying “I do not think that committee ought to sit here and allow the good names of all users of Mexican labor to be put in question when obviously only a few are guilty.”⁷⁰

The second point of Vizzard’s and Higgins’ combined testimony dealt with the negative impact of the Bracero Program on domestic workers and represented a longer-standing project of bringing Catholic social justice to the fields. In stark tones, the two priests described how the contract labor program stimulated the unauthorized migration of hundreds of thousands of Mexican workers to the US. The presence of such a large labor pool unrestricted by the terms of bracero contracts allowed growers to offer substandard wages and working conditions, simultaneously depressing wages and creating a labor surplus. What was the incentive, they asked, for growers to provide a decent wage or housing conditions to domestic workers when the undocumented worker could be had at half the price of a domestic worker? Not only did PL 78 harm the wellbeing of a sister nation and its citizen migrants by dividing Mexican families, and undermining the basic social structure of Mexican society, but it also harmed American workers. As long as domestic workers continued to be denied the right to unionize, they were unable to mount a sustained resistance to deteriorating working conditions. Vizzard charged:

We hold as one of our most cherished American principles that all men are created equal. But for the hundreds of thousands of our fellow citizens in the migratory labor force this principle is cold comfort indeed. Their equality ends with the cradle, or before they even reach the cradle. From the time of their birth they will experience equality neither in nourishment nor health nor housing nor education. They will be denied opportunity for decent employment, for wholesome, stable family and community living. They will be social misfits and political outcasts. This is a matter to weigh heavily on the conscience of every American citizen and more heavily on the consciences of those who are directly involved in it. As a priest I wonder how God will judge this nation[,] which tolerates such patent and widespread injustices.⁷¹

Recognizing that any solution to the current labor arrangement would require sacrifice, Vizzard contended that such responsibility belonged to growers who had, for too long, reaped benefits at the expense of society’s most vulnerable members. Despite, impassioned pleas made by Higgins, Vizzard, and others, Congress voted to extend Public Law 78 until June 30, 1961.

Congress’s extension of the Bracero Program in 1958 occurred alongside renewed public attention to the migrant plight that was part of a broader social critique of the *Affluent Society*. In

⁶⁹ Statement of The Rev. James L. Vizzard, S.J. representing the National Catholic Rural Life Conference, before the Subcommittee on Equipment, Supplies and Manpower concerning proposed extension of the U.S. Mexican Farm Labor Program, June 11, 1958, Box 31, Folder 9, Vizzard Papers.

⁷⁰ “Statement of Rev. James L. Vizzard, SJ Representing the National Catholic Rural Life Conference, Washington, DC,” *Farm Labor: Hearings Before the Subcommittee on Equipment, Supplies, and Manpower*, Eighty-fifth Congress, Second Session on Problems in the Southwest, (US Government Printing Office, 1958), 441.

⁷¹ *Ibid.*

addition, it brought about the maturation of several public advocacy groups, including the National Advisory Committee on Farm Labor, a committee created by labor organizer HL Mitchell in 1954. Led by Archbishop Lucey, Frank Graham, Monsignor George Higgins, A. Philip Randolph, Eleanor Roosevelt, and other prominent citizens, the National Advisory Committee proposed an investigatory hearing on the status of migratory labor. The organization's keynote witnesses included Secretary of Labor Mitchell, Senator Eugene McCarthy, agricultural workers, and various representatives of the labor movement. The committee officially began holding hearings in February 1959. Over a period of two days, more than 50 individuals testified or presented statements before the Advisory Committee on the subject of migratory labor. Board members sought to raise public awareness of the conditions facing thousands of migrant workers through the hearings and a subsequent publication of the committee's findings. "We are convinced that changes will come once our fellow-Americans are informed of the substandard conditions under which so many of these agricultural workers and migrant families live." Other members of the labor-liberal coalition believed that committee members could do more than influence public opinion. Senator John F. Kennedy expressed his optimism that the "Committee and the organizations you influence will be able to speed up [Mitchell's] department study so that we will be able to have an Administrative measure for minimum wages for agricultural workers at this session of Congress."⁷²

The Advisory Committee provided one of the few public forums for domestic migrant workers to present their experiences in the fields. Workers testified that their biggest obstacles were "1) low wages; 2) poor working conditions; 3) bad housing; 4) lack of information about jobs." The committee learned that in the early 1950s former farmworkers Raul Aguilar and his wife, Trinidad ran a small grocery store that supplied both groceries and news of the local job market to customers in Soledad, California. Eventually, the grocery store became a place to receive union information as well. When union efforts in the Salinas Valley dried to a trickle, so too did the Aguilar's grocery clientele. Labor organizers argued that the impact of braceros, undocumented workers, and union busting tactics displaced domestic field workers and destroyed the local economy, which depended on farm labor wages. "Most of these people used to be our customers, and we made pretty good money," Raul recalled. "Soon these people found themselves out of a job because the Mexican Nationals started working in everything." The Aguilars' store, like so many other local businesses, closed. Eventually, union organizers abandoned much of their efforts in the region, and the Aguilars moved to Stockton, where they started "all over again; working in the onions at 10 cents a basket."⁷³

The Aguilars' testimony illuminated a broader pattern of community disruption echoed by other labor rights advocates. Mexican American civic leaders working in the field of agricultural labor found that migrant workers experienced lower health outcomes compounded by inadequate housing and medical care. Hector P. García, the founder of the American GI Forum and a physician from South Texas, spent much of his career working with Mexican American migrant workers. During the hearings, García confessed, "I may be here because I am still haunted by that remembrance of a day ten years ago when the little boy came to my office to ask me to go and see his mother. I went to his home—a one-room shack. I found a dead mother

⁷² A. Philip Randolph and Frank P. Graham, Introduction, National Advisory Committee on Farm Labor, 1959, *The Report on Farm Labor: Hearings of the National Advisory Committee on Farm Labor* (New York: National Advisory Committee on Farm Labor, 1959), 2; 3.

⁷³ Raul Aguilar in the National Advisory Committee on Farm Labor, *The Report on Farm Labor*, 6.

with six children laying in the same bed, all covered with blood from the hemorrhage of a dying tubercular mother.”⁷⁴

The committee's hearings confirmed the need for agricultural workers but condemned the federal government's failure to bring them under the protection of the welfare state.⁷⁵ “The one thing that is known, without dispute, about farm workers,” the committee wrote, “is that we can’t get along without them.” Even still, committee members lamented the lack of labor laws protecting migrants, as well as their inability to participate in the political process. Rowland Watts, Staff Counsel for the American Civil Liberties Union, testified that most domestic workers were denied “ordinary rights which we have come to consider as common to all citizens.”⁷⁶ The low-paying nature of agricultural wages should have qualified most domestic workers for governmental aid. The migratory nature of their work, however, meant that most laborers spent only a few months in each location and failed to meet the residency requirements for local and state welfare services. Migrant workers’ “stateless” status also meant that they were “politically powerless” to exercise “their voting rights as citizens” and “excluded from nearly all of the benefits of social legislation the past twenty years ha[d] brought to industrial workers.”⁷⁷ The hearings shed light on the widespread economic and political disenfranchisement of farmworkers.

In an effort to correct migrants’ stateless status, James Mitchell strongly endorsed the hearings. Mitchell’s participation in the National Advisory Committee’s winter hearings led to an all-out assault on his office by growers and their representatives. During the summer of 1959, a pro-bracero faction led by EC Gathings and William Poage, grower organizations, and Secretary of Agriculture, Ezra Taft Benson, worked to wrest the farm labor program from Mitchell’s control and to improve grower access to bracero labor. The labor-liberal coalition responded by trying to buoy public opinion of SOL Mitchell’s work amongst farm labor advocates. Monsignor George Higgins, for instance, worked around the clock trying to connect the secretary with highly regarded civic leaders.

In the fall of 1959, Higgins wrote to his friend and mentor, Archbishop Lucey, in the hope that Lucey might make time to meet with Mitchell during an upcoming trip to DC. “Secretary of Labor Mitchell and his top advisors in the Labor Department are anxious to chat with Your Excellency in Washington,” Higgins informed Lucey. “I told the Secretary that I would contact you about this matter in Rome and ask you to let us know...He and the members of his staff are extremely grateful to Your Excellency for your leadership in the field of migratory labor, and they want to show their appreciation.”⁷⁸ Lucey relished the opportunity to share his migrant worker platform with the Labor Secretary and readily agreed to meet for dinner during an upcoming visit to Washington. The dinner proved a success. After the Archbishop had retired for the evening, Mitchell, Higgins, and a small group of friends continued until 4 a.m. “I tried unsuccessfully several times to break up our little bull session, but [Mitchell] wanted to talk and that's all there was to it...I w[as] delighted to stick it out until the bitter end,” Higgins later confessed to Lucey. “This was probably first time in his life that Jim ever had to let down his hair to a couple of priests, and he seemed to enjoy it very much. So it goes. It’s a hectic sort of life, but every now and then, in the Providence of God, we are able to do a little good—or so I

⁷⁴ *The Report on Farm Labor*, 6.

⁷⁵ *Ibid.*, 5.

⁷⁶ *Ibid.*, 29.

⁷⁷ *Ibid.*, 30, 33.

⁷⁸ George Higgins to Robert Lucey, October 5, 1959, Box 37, Folder 17, Higgins Papers.

like to think.”⁷⁹ The meeting between Higgins, Lucey, and SOL Mitchell demonstrated the Secretary’s growing uncertainty over the necessity and viability of the farm labor program its flagrant abuses. Following the meeting between Higgins, Mitchell, and Lucey, the secretary began to appear regularly as the headline speaker at migrant labor conferences hosted by the Catholic Church throughout the country denouncing the farm labor program and calling for economic justice for migrant workers.

An ardent Catholic himself, and close friend to several NCWC leaders, Mitchell appointed Monsignor George Higgins as one of four citizen consults called to evaluate the Mexican contract labor program in 1959.⁸⁰ During his service on the committee, Higgins relied closely on Lucey to guide him on matters related to migrant farm labor. Just as Lucey had in his capacity as an advisor to President Truman eight years earlier, Higgins insisted that unless Congress either ended PL 78 or radically amended the law, the importation of bracero labor would continue to depress wages and working conditions for domestic workers. Higgins also called for a federal minimum wage, child labor legislation for the agricultural industry, and unionization arguing that the “best hope of ending the poverty of farmworkers lay in their successful organization into bargaining associations.” Without the help of unions and the defeat of PL 78, there seemed little hope for improving the plight of farm labor.⁸¹

The “Consultants’ Report,” issued by Higgins’ committee to the Department of Labor acknowledged some economic benefits of the Bracero Program but was clear in its insistence that program directly hurt American migrant laborers. Imported labor had the effect of limiting job opportunities for domestic laborers, despite the fact that, legally, growers were obligated to employ all available, suitable domestic workers before contracting foreign workers. In violation of these obligations, growers in Texas and California regularly withheld job openings from US workers. In addition, the consultants found that the presence of foreign workers lowered wages. The fact that growers could contract foreign workers further hindered domestic workers’ bargaining position. The consultants argued that the bracero contracts provided foreign workers with benefits that domestic workers did not enjoy. These advantages included: free transportation and subsistence en route and between jobs; work guarantees providing an opportunity to work at least three-fourths of the workdays in the contract period; free housing, which technically was required to meet minimum standards; prevailing wage guarantees; and workmen's compensation. In short, the continuation of PL 78, without amendments would continue to perpetuate the so-called domestic labor shortage while simultaneously diminishing the standard of living for hundreds of thousands of domestic migrant laborers.

The consultants agreed that a temporary renewal of PL 78 conditioned on substantial amendments, so “as to prevent adverse effect, insure the fullest use of domestic workers, and limit the use of Mexican labor to unskilled seasonal jobs,” was as much as they could recommend. To guarantee the protection of domestic works, the consultants recommended that Congress amend PL 78 to limit the use of Mexican workers to “temporary labor shortages involving only unskilled non-machine jobs, to authorize the Secretary of Labor to insure active competition for

⁷⁹ George Higgins to Robert Lucey, November 18, 1959, Box 37, Folder 17, Higgins Papers.

⁸⁰ Monsignor George G. Higgins and William Bole, *Organized Labor and the Church: Reflections of a Labor Priest* (New York: Paulist Press, 1993), 85-86.

⁸¹ Higgins to Lucey, February 12, 1959, Box 37, Folder 17, Higgins Papers; January 1961, National Advisory Committee on Farm Labor, Information Letter #13, Box 25, Folder 11, Vizzard Papers; Mechlin Moore, “Migrant Labor Issue Debated,” *Washington Post and Times Herald*, February 6, 1959; Higgins, *Organized Labor and the Church*, 85.

domestic farm labor."⁸² The consultants also recommended that employers be required to undertake their own recruitment efforts and provide domestic workers with benefits equivalent to those given imported workers.

The Consultant's report also served as the basis for which Eisenhower's advisory committee submitted its recommendations on migratory labor. Chaired by James Mitchell, the 1960 President's Migratory Labor Committee report was a summary of what the committee and its constituent agencies had achieved for farmworkers in the previous four years. "Most American workers enjoy standards of living, security and leisure never before reached by any nation in the history of the world," the President's Committee reported. "It is apparent, however, that there are some Americans who have not shared in our Nation's great prosperity, some who are not protected by the majority of our social legislation, and some whose living and working conditions are far below those of most American workers."⁸³ Recognizing that the US had achieved unprecedented wealth and security during WWII and the immediate postwar period, the Committee on Migratory Labor emphasized the experiences of those Americans who had been left out of the Affluent Society. Not clear why this is capitalized since you don't mention Galbraith until a few pages later

In his 1960 State of the Union Address, Eisenhower called attention to "the denial to some of our citizens of equal protection under the law." Mitchell and his fellow committee members argued that "migratory farmworkers, most of whom are members of minority groups, are victims of this 'denial.'"⁸⁴ The committee maintained that migrants were more "in need of protective legislation than most other Americans," because Congress specifically excluded them from legislation that would have brought them unemployment insurance, the right to collective bargaining, and most other forms of government aid available to other American workers. By that same token, as nonresidents, most migratory workers were ineligible for the State and county welfare programs that might have alleviated some of their poverty. Without the advantages of health care, adequate food and housing, a stable family life, and the "opportunity to belong to and participate in community living which makes for responsible citizenship," the committee darkly warned that the children of migrants would be unable to escape the cycle of poverty that bound their parents to migrancy.⁸⁵

Part of Mitchell's vision of greater economic equity for farm laborers included steady employment during off seasons. Under his direction, the Committee established the Earning Opportunities Forum for Migrants, a community-based effort to help migrants settle into year-round employment. The program relied on the "coordinated action by local public agencies, voluntary organizations and employers in providing employment opportunities and counseling and training necessary to qualify the migrant for placement in suitable employment." The Committee focused on two locations in its report to the president: Belle Glade, Florida, and San Antonio, Texas. It was in San Antonio, through the efforts of Archbishop Lucey and the Bishops' Committee for the Spanish-Speaking, that the Committee sought to address the needs of Mexican American farmworkers.⁸⁶ The BCSS also participated in the Annual Worker Plan, the

⁸² Statement on Legislation to Extend Public Law 78 Presented Before the Subcommittee on Equipment, Supplies and Manpower House Agriculture Committee by Rt. Rev. Msgr. George G. Higgins, Box 31, Folder 9, Vizzard Papers.

⁸³ "Report to the President on Domestic Migratory Farm Labor, 1960," President's Committee on Domestic Migratory Farm Labor, 3.

⁸⁴ *Ibid.*, 4.

⁸⁵ *Ibid.*

⁸⁶ *Ibid.*, 10.

Committee's effort to create advanced employment schedules and stable employment for migrant workers and their families, by disseminating employment information throughout parishes nationwide.

In the context of the greater public investment in the human cost of agricultural production, Mitchell waged his final congressional battle. Congressional debate over the extension of PL 78 continued throughout the summer of 1960. Growers and their supporters attempted to curtail the Secretary of Labor's authority over the farm labor program and introduced a series of bills that would grant the Secretary of Agriculture, a department friendlier to grower interests, joint conservatorship over the program. Congressional opposition to Public Law 78 grew significantly when the House Committee on Agriculture also introduced a series of amendments designed to give the Secretary of Agriculture veto power of Department of Labor policies, and to prevent the Secretary of Labor from establishing minimum wages and working conditions for domestic farmworkers. Growers also pushed their Congressional allies to have PL 78 extended two additional years.⁸⁷ Opponents of PL 78 meanwhile had increased their numbers during the recent election and joined ranks across both houses of Congress to mount a serious challenge to the law's extension.⁸⁸

Mitchell was well prepared for the grower coalition's counterattack against DOL regulations and organized a series of witnesses to testify before the DOL friendly House Subcommittee on Equipment, Supplies, and Manpower. On March 31, 1960, Higgins testified before the committee as a representative of the Catholic Church and the Department of Labor's Consultant Committee on Migratory Labor and presented the committee's recommendations. Congress, however, refused to bite. Though it did not offer substantial changes to PL 78, it did limit law's extension to December 31, 1961. Protesting Congress's refusal to significantly revise the farm labor program Archbishop Lucey "castigated 'those members of Congress who stand in fear and trembling before the organized might of the farm block ready always to vote for the strong against the weak.'"⁸⁹ He implored Catholic laymen and women to continue calling and writing congressional representatives. While the labor-liberal coalition found victory in the fact that Congress extended PL 78 for only six months, it was the coalition's hope that the incoming presidential administration would bring about a new era in farm labor advocacy.

Defending the Bracero Program in the Affluent Society

The rise of the labor-liberal coalition signaled a change in public awareness of the human cost of migrancy and agricultural production. Despite this public attention and the tensions surrounding the 1958 Congressional hearings, migrant laborers overwhelmingly lacked a voice in the advocacy aimed at altering their economic status. Even forums designed to generate solutions to migrancy were more often an organ created for migrants rather than one composed of migrants. A 1959 Conference to Stabilize Migrant Labor, for instance, proclaimed itself a "unique and pace-setting conference," one that would, for the first time, unite labor leaders, voluntary organizations, and representatives of the federal government. Together, these groups

⁸⁷ April 1, 1960, Lucey to James P. Mitchell, Secretary of Labor, Washington, D.C., Box 19, Folder 4, Lucey Papers; Craig, *The Bracero Program*, 157; Calavita, *Inside the State*, 153-154.

⁸⁸ Craig, *The Bracero Program*, location 3176 of 4983.

⁸⁹ Bishops' Committee for Migrant Workers, Vol. 1, No. 2, September 1960.

would "help develop a national policy concerning migrant labor."⁹⁰ Nowhere on the conference program was there space for migrant workers to testify to their needs, to give voice to what they saw as the most pressing issues for agricultural labor. Instead, these voluntary groups and federal agents met under the auspices of the Catholic Church and the US Department of Labor to help direct the fate of migrant labor. The labor-oriented civil rights activism that defined PL 78's end came on behalf of, but not from, migrant workers.

The migrant worker situation reached an even greater public audience that fall when CBS aired a one-hour documentary, *Harvest of Shame*. Narrated by legendary reporter Edward R. Murrow, *Harvest of Shame* created a new level of public awareness regarding the social cost of American agriculture. Murrow interviewed dozens of migrant workers, growers, labor union leaders, and government officials, most notably Labor Secretary Mitchell, who referred to the plight of migrant farmworkers as a "shame in America." Mitchell's direct condemnation of the migrant labor situation, the growers' lobby, and the Bracero Program lent the documentary an air of moral and political authority. Casting the battle to secure migrant labor rights as a moral crusade, Mitchell made clear on which side of the fight he fell, declaring "Lord help the fellow like myself who dares suggest that perhaps the government should do something about the workers who work on farms...It's morally wrong, it seems to me, for any man, any employer to exploit his workers." Reiterating Mitchell's argument that farm worker had no legislative voice, Murrow called on voluntary groups and interested individuals to push back against the growers' unrivaled sway over Congress.⁹¹

Although *Harvest of Shame* focused principally on African American migrant workers, the BCSS and National Catholic Rural Life Conference capitalized on the documentary's shocking appeal to the public in their public campaigns against the importation of farm labor by screening the film for labor groups and other civic organizations. In January 1961, Higgins advised Lucey that former Secretary of Labor Mitchell had arranged a special showing of the film for the Apostolic Delegation (the Pope's diplomatic representatives).⁹² CBS informed the hierarchy that they intended to rerun *Harvest of Shame*, followed by a "half-hour debate on the subject of migratory labor," for which Higgins would recommend to CBS suitable participants.⁹³

Congress hesitated to promote further public debate on the Bracero Program after the documentary raised public ire. Confident that the public would no longer tolerate the high human cost of cheap produce, James Vizzard informed the Gathings Committee "that growers underestimate the basic decency of the American housewife. Careful and bargain-conscious as she undoubtedly is in her shopping, I am quite confident that she is willing to pay the full price of a product, including a just return to all who participate in its production...If the growers feel they need help to get the facts to the consumer," Vizzard continued, "I can assure them that every Catholic organization, and a good many other organizations as well, will join wholeheartedly in any effort necessary to educate the public to the moral and economic imperatives."⁹⁴

⁹⁰ Willis Jensen to Membership List, 1959, Box 27, Folder: 1959 Conferences on Migratory Labor, Goodwin Papers.

⁹¹ Edward R. Murrow, *Harvest of Shame*, television documentary, produced by CBS (1960; CBS), YouTube, https://www.youtube.com/watch?v=yJTVF_dya7E; Vizzard to Higgins, November 21, 1962, Box 25, Folder 11, Vizzard Papers; Higgins to James P. Mitchell, November 27, 1962, NCALL Papers.

⁹² The Apostolic Delegation served as the Pope's representative to the United States before the establishment of formal diplomatic relations between the US and Rome in 1984.

⁹³ George Higgins to Robert Lucey, January 4, 1961, Box 37, Folder 17, Higgins Papers.

⁹⁴ Statement of Rev. James L. Vizzard, Director, Washington, Office, National Catholic Rural Life Conference, US Congress, Senate, Committee on Agriculture and Forestry, *Extension of the Mexican Farm Labor*

The arrival of a new presidential administration in 1961 marked a shift in church-state relations. Mexican American voters played a key role in Kennedy's election. Viva Kennedy Clubs sprang up across the Southwest. Drawn together by a mutual desire to elect a president who would recognize issues in Spanish-speaking communities, these clubs brought diverse groups of Latinos together, including Mexican American Puerto Ricans, Cubans and other South and Central Americans. The clubs focused on publicizing Kennedy's platform, holding voter registration drives, and raise the profile of the Mexican American electorate. For his part, Kennedy was the first presidential candidate to openly court Latino voters.⁹⁵

The 1960 election of the nation's first Catholic president should have stirred the NCWC's hopes for a new era in church-state collaboration. Instead, John F. Kennedy's ability to detach the religious question from politics signaled to both the American public and the NCWC that the US bishops could expect no special favors from the new president. In some ways, the ascendancy of Catholic political legitimacy had begun nearly three decades earlier. Catholics served in increasing numbers in every branch of the federal government beginning in the late-1920s. They held positions as presidential advisors and appointees, staffed special commissions, and issued Supreme Court rulings. Kennedy's election in 1960 was the culmination of that ascendancy. It signaled the complete integration of US Catholics into American politics, and as one historian noted "the end of Protestant America."⁹⁶

As Harrington worked to bring *The Other America* to publication, the Department of Labor took a harder line on grower violations of Public Law 78. Under Secretary Arthur Goldberg's leadership, the Labor Department began to crack down on growers' use of braceros as strikebreakers. In January 1961, the National Advisory Committee on Farm Labor informed its membership that US and Mexican officials had ordered over 500 braceros to leave the lettuce fields of Bruce Church, Inc., a ranch located in California's Imperial Valley. During a series of recent AFL-CIO pickets, Church had "borrowed" nearly 400 additional braceros from nearby farms to use as strikebreakers. The bilateral agreement governing the program directly prohibited the use of braceros as strikebreakers and DOL officials removed all braceros working in Church's fields.⁹⁷ Church's corporate farm was one of nearly a dozen corporate agricultural farms under strike. The Advisory Committee reported that each of the farms under strike had hired Mexican nationals nearly exclusively despite the number of qualified domestic workers applying for these jobs. According to the committee's report, growers' refusal to hire domestic labor showed growers' clear preference for "low-cost and easily intimidated bracero labor." The refusal to hire qualified citizen workers who sought employment on farms employing braceros was a "violation of the 'gate-hiring' provision of the Mexican farm labor program." Domestic workers faced

Program: Hearings before Subcommittee on S. 1466, S. 1945, 87th Congress, 1st Session, June 12-13, 1961 (US Government Printing Office, 1961), (hereafter 1961 Hearings Before US Senate), 151-152.

⁹⁵ Ignacio García, *Viva Kennedy: Mexican Americans in Search of Camelot* (Texas A&M University Press, 2000), 92.

⁹⁶ John McGreevy, *Catholicism and American Freedom: A History* (WW Norton & Company, 2003), 213; Jay P. Dolan, *The American Catholic Experience: A History from Colonial Times to the Present* (Notre Dame University Press, 1992), 421-422; Martin Marty, *Modern American Religion, Volume 3: Under God, Indivisible, 1941-1960* (Chicago University Press, 1996), 4.

⁹⁷ January 1961, National Advisory Committee on Farm Labor, Information Letter #13, Box 24, Folder 6, Vizzard Papers.

intimidation by armed guards when applying for jobs earmarked for braceros. Goldberg refused to tolerate worker intimidation.⁹⁸

The Gathings' Committee scrambled to further extend the Bracero Program in reaction to Goldberg's enforcement of Public Law 78. However, the labor-liberal coalition presented a nearly united front in its opposition to such action during the 1961 Congressional hearings. The coalition found common cause with Kennedy's new administration, which insisted it would not support a farm labor bill without extensive revision to the program. The new administration had a list of conditions for its continued support of PL 78. These included a series of changes that extended the Secretary of Labor's authority to limit the number of braceros available in a region "to the extent necessary to assure active competition for domestic workers." Secretary Goldberg also insisted that those growers employing Mexican workers offer comparable "conditions of employment" to domestic workers and, that growers offer braceros wages "at least equivalent to the Statewide or National average rate for hourly paid farm labor, whichever is the lesser."⁹⁹ Many of the Kennedy administration's demands reflected those of voluntary groups who had labored tirelessly, and at times fruitlessly, throughout the 1950s.

Numerous civic organizations urged Congress to repeal the Bracero Program, including the preeminent Mexican American veterans' organization, the American GI Forum. The American GI Forum, which had under the leadership of Hector García worked to provide migrant workers with healthcare services, actively protested the continuation of the bracero program. Organization leaders such as Robert "Bob" Sánchez noted the impact of braceros on local economies. Testifying before the Senate Committee on Agriculture during the summer of 1961, he recounted his experience as an attorney along the US-Mexican border. "I can at any moment look out the window of my law office in McAllen, Texas, and see our own domestic workers dig deep and hesitantly for a nickel cup of coffee...many of them are my clients and my friends," Sánchez explained.

Like the Bishops' Committee for the Spanish-Speaking, the GI Forum saw the bracero program as "one of the most serious problems" facing the social and political mobility of Mexican Americans, "a people whose socioeconomic status is sagging badly under the strain of the bracero program, or bracero problem...a people who, in the midst of plenty...are faced with a situation in life which worsens day by day." Sánchez reported that the stream of low-wage workers drove down wages, forcing Mexican Americans to migrate out of the Rio Grande Valley in search of employment elsewhere. "The displacement of domestic farmworkers starts on the Mexican-American border," Sánchez insisted, "and then stretches across the entire land, leaving its familiar social and economic chaos behind."¹⁰⁰

The bill that passed both houses at the end of the summer failed to satisfy Kennedy or the labor-liberal coalition. Despite his veto threat Kennedy signed the bill into law and warned, "The adverse effect of the Mexican farm labor program as it has operated in recent years on the wage and employment conditions of domestic workers is dear and is cumulative in its impact. We

⁹⁸ January 1961, National Advisory Committee on Farm Labor, Information Letter #13, Box 24, Folder 6, Vizzard Papers.

⁹⁹ Statement of Arthur Goldberg, Secretary of Labor, 1961 Hearings Before US Senate 159-166; Craig, *The Bracero Program*, location 3294 of 4983.

¹⁰⁰ Statement of R.P. Sanchez, Chairman, Committee on Migratory Labor, American GI Forum of the United States, McAllen, Tex.," 1961 Hearings Before US Senate, 299-301.

cannot afford to disregard it. We do not condone it.”¹⁰¹ Kennedy’s and Sánchez’s words echoed those of Archbishop Lucey who wrote in response to the extension of PL 78, “The measure of society lies not in what it does for the affluent strong but what it makes possible for the poorest and weakest of its members...I daresay our society is judged in the eyes of the world by what it does for the domestic migratory farmworkers.”¹⁰²

In 1963, a Democratic-led Congress voted phase out the Bracero Program. During a long summer hearing, Vizzard and Sánchez submitted testimony to the Gathings’ Committee. This time, however, they were joined by San Antonio’s first Mexican American Congressman, Henry B. Gonzalez, whose district was home to one of the largest populations of domestic workers in the nation.¹⁰³ Collectively, the three men and numerous other witnesses testified that the growers in the Southwest refused to recruit domestic workers and that the farm labor program depressed wages, forcing many domestic workers into migration. The ascendance of new political stars, such as New Jersey Senator Harrison Williams, Jr., also hastened the program’s end. In a 1963 report on the state of migratory labor to his fellow senators, Williams wrote, “At a time when the United States gives assistance to poorer nations on the sound principle that the cause of freedom is weakened for all if poverty exists anywhere, we must recognize that our own Nation can be weakened by poverty and neglect among its citizens.”¹⁰⁴ The statements that Williams and others made in the last days of the Bracero Program echoed arguments about the destabilizing nature of poverty on the larger social fabric of the United States that Lucey and others had made for nearly three decades. Though Williams and others were not visibly Catholic, their arguments nevertheless reflected a powerful critique of moral economy rooted in a decades-old New Deal-Catholic coalition.

Despite growers’ attempts to resuscitate PL 78, by early 1965 it was clear that the era of large contract labor had ended. Several things contributed to the termination of Public Law 78. Chief among these was the increased mechanization of agriculture, particularly in California and Texas, where bracero usage had been the highest. The shifting political environment and raised public awareness about the plight of domestic workers also discouraged continued use of the program.

The BCSS and other Catholic organizations were not uniquely responsible for the Bracero Program’s termination. Their activism, however, did raise public awareness about the human costs of agricultural production. The work of Higgins, Vizzard, Lucey, and others, helped to shift federal attention to the problems faced by domestic farm workers. As Public Law 78 expired, Catholic organizations such as the Bishops’ Committee for the Spanish-Speaking moved

¹⁰¹ John F. Kennedy: "Statement by the President Upon Signing Bill Governing Recruitment of Mexican Agricultural Workers.," October 4, 1961, online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, <http://www.presidency.ucsb.edu/ws/?pid=8368>.

¹⁰² Robert Lucey, as quoted in the National Advisory Committee on Farm Labor, “Below the Poverty Level: America’s Farm Workers,” (NY: 1964).

¹⁰³ Statement of Henry B. Gonzalez, A Representative in Congress from the State of Texas, US Congress, House of Representatives, Committee on Agriculture, *Mexican Farm Labor Program: Hearings Before the Subcommittee on Equipment, Supplies and Manpower of the Committee on Agriculture on H.R. 1836 and H.R. 2009*, 88th Congress, 1st Session, March 27, 28, 29, 1963 (US Government Printing Office, 1963), (hereafter 1963 Hearings Before HOR), 319-320; Rev. James L. Vizzard, Director, Washington, Office, National Catholic Rural Life Conference, as Presented by Father Ralph Duggan, 1963 Hearings Before HOR, 294-295.

¹⁰⁴ Harrison Williams, Jr., “Third Report of the Committee on Labor and Public Welfare, United States Senate, Made by its Subcommittee on Migratory Labor, Pursuant to S. Res. 273 (as amended), 87th Congress, 2nd Session, A Resolution Authorizing a Study of the Problems of Migratory Labor Together with Individual Views,” (Washington, DC: US Government Printing Office, 1963), vii.

their attention away from the fields and back to the cities. Catholic attention to urban poverty did not mean that all Catholic leaders or priests abandoned farmworkers. Higgins and other priests continued to play an important role in farm labor unionism, but they increasingly took a backseat to farm labor organizers.

In 1965, not long after PL 78 expired, grape workers in Delano, California declared a strike against the nation's leading producer of table grapes, DiGiorgio Corporation. The strike would last more than five years and succeed in finally securing a collective bargaining agreement for more than 10,000 agricultural workers. It also divided Catholics across the nation.

In 1966, Stockton Bishop Hugh Donohue issued a statement on behalf of all Catholic bishops in California, supporting the grape workers. Donohue's support infuriated many California Catholics. Catholic growers called Donohue's statement a "mockery of religion" and threatened to withhold donations from local parishes. California growers accused Catholic bishops of supporting communists and left-wing radicals. "How can I be a practicing Catholic?" and "where is there room for God in subversive thinking?" one grower asked. Members of the NCWC, such as Higgins, used their positions to offer support for the striking farmworkers. The US hierarchy overall, however, refused to officially endorse the strike. Their flocks included Catholics on both sides of the picket line. Instead, they urged Congress, yet again to include agricultural workers in protective labor legislation. The bishops' refusal to officially endorse the strike seemed like a betrayal to many Mexican American farmworkers.¹⁰⁵ The bishops, however, would eventually lend their support and help to negotiate the largest collective bargaining agreement for agricultural workers in US history.¹⁰⁶

The birth of the church-state labor coalition, which united in the 1950s to eliminate racial injustice by closing the economic gap between US migratory workers and their industrial counterparts, remains a critical episode in labor and civil rights history. In the context of the Cold War, when many civil rights and labor activists shied away from class-based explanations of racial inequality, leading Catholic officials drew upon their status as religious leaders and labor advocates to fight for the economic integration Mexican American migrant workers. By demonstrating the inextricable ties between race and class, the Church and state leaders sought to expand the unmet promises of the New Deal and in so doing created a lasting, vibrant church-state partnership.

The labor-liberal coalition that worked to dismantle the Bracero Program did so nearly a decade before famed farm labor organizer César Chávez arrived on the scene in 1958. The attention that the program would receive by Chávez in the late 1950s, and in the early 1960s by

¹⁰⁵ Georgann Perelli-Minetti to George Higgins ca. March 1966 and attachments, Box 159, Folder 4, Higgins Papers; George Higgins, "The Grape Boycott and the Right to Organize," *The Yardstick: Catholic Tests of a Social Order*, January 6, 1969, Box 227, Folder 2, Higgins Papers; National Conference of Catholic Bishops, "The National Conference of Catholic Bishops' Statement on Farm Labor," November 13, 1968, Box 126, Folder: 1968-1969, National Conference of Catholic Bishops, Ad Hoc Committee on Farm Labor, The National Catholic History Research Center and University Archives, Catholic University of America, Washington, DC.

¹⁰⁶ For a detailed account of how the US Catholic bishops came to support the farmworkers' movement see: Marco G. Prouty, *César Chávez, the Catholic Bishops, and the Farmworkers' Struggle of Social Justice* (Tucson: The University of Arizona Press, 2006).

social commentators such as Edward Murrow and Michael Harrington, was set in motion by Catholic attention to the problem of farm labor in the 1940s and early 1950s. Catholics were certainly not alone in their protests of the farm labor program. Beginning in the 1960s Protestant ministers such as Chris Hartmire, who directed California's Migrant Ministry, also played a significant role in unionizing farmworkers. Grassroots organizers, such as Community Service Organization director Fred Ross, and his protégé, César Chávez, likewise worked to help bring about greater economic equality for Mexican Americans.¹⁰⁷ These efforts were not entirely divorced from the NCWC. Catholic organizations continued to advocate for greater economic equality for migrant workers. When Chávez became the national director of the CSO, he began allocating more of the organization's resources to studying the problems in farmworker communities. In 1961, the Bishops' Committee on Migratory Labor, a subcommittee of the BCSS, awarded a grant to the CSO to study farmworker housing conditions.¹⁰⁸

The Church's role in administering the Bracero Program ended as James Mitchell's tenure as Secretary of Labor came to a close. The political connections between federal officials and Catholic leaders, however, continued to flourish, demonstrating the extent to which Catholic organizations had become embedded in the state apparatus. Catholic advocacy in the areas of poverty and inequality expanded the collaboration between Catholic organizations and federal agencies. The political alliances built during the 1950s and early 1960s with Senators Lyndon Johnson, Harrison Williams, Eugene McCarthy, and other progressive politicians seeking to eradicate poverty in all areas of American life helped the NCWC to nurture these connections. By the late 1960s, the NCWC would become the largest non-governmental recipient of federal anti-poverty funds. The NCWC's success in securing federal dollars soon spelled trouble for its relationship with young Mexican American Catholics, who deeply resented the NCWC's refusal to turn over these funds to local leaders.

¹⁰⁷ Quoted in Mark Brilliant, *The Color of America Has Changed*, 86.

¹⁰⁸ Matthew García, *From the Jaws of Victory: The Triumph and Tragedy of Cesar Chavez and the Farm Worker Movement* (University of California Press, 2014), 27.

Part III

Chapter Five: Waging the War on Poverty: Catholic Bishops, the Chicano Movement, and Racial Liberalism in the Great Society

In April 1966, San Antonio Archbishop Robert Lucey wrote to his longtime friend, President Lyndon B. Johnson, inviting him to San Antonio. As a testament to his close relationship with the President, Lucey asked Johnson to attend the Golden Jubilee of his ordination into the priesthood. “Lyndon,” Lucey confessed, “I feel like a pole cat inviting the President of the United States to this celebration because you have already been so good to me, but if you could come it would make this the greatest Golden Jubilee that Texas and our country ever witnessed.”¹ Johnson was unable to make the trip to San Antonio, but gave every indication that nothing would have pleased him more than to see his old friend celebrate such an important milestone. The two men had been political allies since the 1940s and became close friends in the 1950s. It was Archbishop Lucey who baptized the President’s first grandchildren after his daughter, Luci, converted to Catholicism.²

While Johnson did not attend, he did send Lucey’s old friend Sargent Shriver in his stead. Shriver gave an honorary address at the event, which included over 100 Protestant and Catholic leaders from across the country. He noted that Lucey’s war on poverty had begun more than two decades before Johnson signed the Economic Opportunity Act of 1964. “The voice of Archbishop Lucey has been particularly eloquent in support of our most forgotten and most neglected Americans, the Indians and the Mexican Americans and the Negroes of the Southwest,” Shriver explained. “His voice on their behalf is now registered in the highest councils of the government’s official program.”³ Shriver’s appearance at the celebration represented a high point in Lucey’s career. By the mid-1960s, Lucey was a nationally recognized champion of Mexican American economic and civil rights. The day was coming, though, when his commitment to racial justice would be sorely tested. That test would begin within the archbishop’s inner circle of social justice-minded priests.

Three developments directly fueled the conflict: the Second Vatican Council, the Catholic Church’s four-year council designed to create a Church more relevant and sensitive to its membership; President Lyndon Johnson’s War on Poverty, a legislative package that sought to ease growing economic inequality throughout the United States; and the explosion of Mexican American civil rights activism known as the Chicano movement. The late 1960s Chicano protests against the US Catholic Church, then, were the collision of three historical events and the consequence of longstanding political alliances that determined the economic and political fate of many Mexican Americans without offering them much of a role in determining that fate. The close personal friendships between elite politicians and Catholic leaders shaped War on Poverty programs and to a certain extent, determined Mexican Americans’ access to federal resources controlled by Catholic agencies. The Chicano movement confronted entrenched institutional practices that curtailed Mexican Americans’ voice in politics and other opportunities for self-determination.

¹ Robert Lucey to Lyndon B. Johnson, April 14, 1966, Box 10, Folder 5, Lucey Papers.

² Jake Jacobsen to Jack Valenti, January 25, 1966; Jake Jacobsen to Henry B. Gonzalez, January 27, 1966; Jack Valenti to Robert Lucey, February 24, 1966; Lyndon B. Johnson to Robert Lucey, March 12, 1966; Jack Valenti to Robert Lucey, April 22, 1966; Lyndon B. Johnson to Robert Lucey, May 10, 1966, all in folder: Robert E Lucey Name File, White House Name Files, Lyndon B. Johnson Presidential Library.

³ Sargent Shriver, March 14, 1966, as quoted in Bronder, *Social Justice and Church Authority*, 106.

The War on Poverty blew open the incongruity between a Catholic language of communalism that emphasized self-determination and equality, and the reality of federally funded Catholic social justice programs led and controlled by Anglo-American bishops. The US Catholic Church also struggled to implement a host of changes wrought by Vatican II, which included creating more church leadership positions for racial minorities. As changes in church governance and organization unfolded first on a national level, and then on a local level, the divergence between Church teachings and practices became more evident.

Mexican Americans called for a new form of Catholic advocacy: one led by Mexican Americans that aimed to create a more inclusive national state. Many longtime Catholic advocates, however, were not yet ready to turn over control of Catholic resources. The disconnect heightened tensions between many Mexican American Catholics and the US Catholic hierarchy. Between 1968 and 1969, protests flared up across the Southwest. In San Antonio, a group of 51 priests rebelled against longtime social justice champion, Robert Lucey, and demanded his retirement, while Los Angeles and San Diego saw similar protests against Catholic leadership. A Christmas Eve protest in Los Angeles became particularly violent when undercover police attacked Mexican American protestors. The Los Angeles incident forced longtime James Francis Cardinal McIntyre into retirement, while in San Diego protests resulted in a 3-day siege of a Catholic retreat facility by local Mexican American Catholics.

The protests of the late 1960s symbolized the growing tensions between an aging Catholic hierarchy and its young, politically active Mexican American clergy and laity over the role of the Church in organizing Mexican descent communities during a period of immense social change. Lucey and several of his supporters maintained that Catholic organizations had an obligation to provide technical assistance to local communities and to act as a point of connection between community leaders and the federal government. His detractors insisted that the Church had an obligation to allow Mexican Americans to assume new leadership roles and greater self-determination over Catholic resources dedicated to Mexican descent communities.

These conflicts also challenged the Catholic hierarchy's role as a mediator between the Mexican descent population and the US federal government. During the 1960s, a wave of social movements and a slate of civil rights legislation – including the Civil Rights Act of 1964, the Voting Rights Act of 1965, the Immigration and Nationality Act of 1965, and the Civil Rights Act of 1968 – forever changed the American political landscape. Amid African American protest movements of the 1960s and the United Farm Workers movement, Mexican Americans in urban areas staged their own protests, demanding that civic, state, and federal government agencies grant them equal representation. Protestors called for equal educational and employment opportunities. The spate of Chicano protests against the Catholic Church also revealed the unraveling of the labor-liberal coalition that had united Catholic and Mexican American leaders around a shared commitment to dismantling the Bracero Program.

By the early 1960s many Mexican American Catholics had grown tired of what they saw as the lack of response from the Catholic Church's hierarchy. Arguing that the NCWC had neglected Mexican Americans, groups of university students, priests, Brown Berets, parish women, and nuns formed new organizations, such as *Católicos Por la Raza*, *PADRES*, and *Las Hermanas*, to better represent their interests both inside and outside of the Church. The Chicano movement's mobilization efforts were not divorced from the Catholic Church, but rather began in the midst of the Church. In other words, the Church's positionality—how it understood its relationship to Mexican American Catholics and how they in turn understood their relationship to the Church—is key to understanding not only how the early movement organized and

operated, but how it ultimately worked to change the face of powerful institutions including the US Catholic Church.⁴

Some historians have closely examined the cultural distance between Mexican American ethno-Catholicism and the institutional Church.⁵ However, they have paid virtually no attention to the relationship between Vatican II, the War on Poverty, and Mexican American civil rights activism in the 1960s. The collision of these events, however, most certainly impacted the course of a wider civil rights movement. Much of Mexican Americans' activism in Southwestern cities such as Los Angeles and San Antonio – both home to the nation's largest Mexican descent populations – began in WOP funded Catholic-led community action programs. These programs brought the future leaders of organizations such as the Mexican American Legal Defense and Education Fund (MALDEF) and the National Council for La Raza (NCLR) together under the auspices of the Catholic Church.⁶ Indeed, many of the Chicano movement's earliest efforts at

⁴ I date the Chicano period as 1964-1981. The Chicano movement had many antecedents in an earlier Mexican American civil rights movement, and many activists and scholars continue to identify themselves as part of an active Chicano movement. I use the immediate events that led up to the wave of student walk outs from LA to Albuquerque to Denver to San Antonio in 1964 to mark the beginning of the movement and the election of Henry Cisneros as Mayor of San Antonio in 1981 as part of a broader trend of electing Mexican American civic leaders, to signify the end of the movement.

⁵ See especially, Gina Marie Pitti, "To Hear About God in Spanish;" Roberto R. Treviño, *The Church in the Barrio: Mexican American Ethno-Catholicism in Houston* (University of North Carolina Press, 2006); Mario T. García, *Católicos: Resistance and Affirmation in Chicano Catholic History* (University of Texas Press, 2008); Mario T. García, *Chicano Liberation Theology: The Writings and Documents of Richard Cruz and Católicos Por La Raza* (New York: Kendall Hunt Publishing, 2009); Jay P. Dolan and Gilberto Hinojosa *Mexican Americans and the Catholic Church, 1900-1965*, vol. 1 (University of Notre Dame Press, 1997); Timothy Matovina, *Guadalupe and Her Faithful: Latino Catholics in San Antonio From Colonial Origins to the Present* (Johns Hopkins University Press, 2005); Jay P. Dolan, ed. *The American Catholic Parish: A History From 1850 to the Present: Volume 2: Pacific States, Intermountain West, Midwest* (Paulist Press, 1987); Jay P. Dolan and Allan Figueroa Deck, SJ, eds. *Hispanic Catholic Culture in the US: Issues and Concerns*, vol. 3 (University of Notre Dame Press, 1997); George J. Sánchez, *Becoming Mexican American: Ethnicity, Culture and Identity in Chicano Los Angeles, 1900-1945* (Oxford University Press, 1993); Richard Martínez, *PADRES: The National Chicano Priest Movement*; Timothy Matovina and Gary Riebe-Estrella, SVD, *Horizons of the Sacred: Mexican Traditions in US Catholicism* (Cornell University Press, 2002); Ana-Maria Diaz-Stevens, *Oxcart Catholicism on Fifth Avenue: The Impact of Puerto Rican Migration Upon the Archdiocese of New York* (University of Notre Dame Press, 1993); Jorge Iber, *Hispanics in the Mormon Zion: 1912-1999* (College Station: Texas A&M University Press, 2000); Janette Rodriguez, *Our Lady of Guadalupe: Faith and Empowerment Among Mexican American Women* (University of Texas Press, 1994); Thomas Tweed, *Our Lady of the Exile: Diasporic Religion at a Cuban Catholic Shrine in Miami* (Oxford University Press, 1997); Pablo Villa, *Border Identifications: Narratives of Religion, Gender, and Class on the US-Mexico Border* (University of Texas Press, 2005); David A. Badillo, *Latinos and the New Immigrant Church* (Johns Hopkins University Press, 2006); Timothy Matovina, *Latino Catholicism: Transformation in America's Largest Church* (Princeton University Press, 2012); Roberto R. Treviño and Richard V. Francaviglia, eds., *Catholicism in the American West: A Rosary of Hidden Voices* (College Station: Texas A&M University Press for the University of Texas at Arlington, 2007); Tomás F. Summers Sandoval Jr., *Latinos at the Golden Gate: Creating Community and Identity in San Francisco* (University of North Carolina Press, 2013).

⁶ Matt S. Meier and Feliciano Ribera, *Mexican Americans/American Mexicans From Conquistadors to Chicanos* (New York: Hill and Wang, revised ed., 1994); Ian Haney López, *Racism on Trial: The Chicano Fight for Justice* (Cambridge: Belknap Press, 2004); Richard Edward Martínez, *PADRES: The National Chicano Priest Movement* (University of Texas Press, 2005); Treviño, *The Church in the Barrio*; García, *Católicos*; García, *Chicano Liberation Theology*; Neil Foley, *Mexicans in the Making of America*; Foley, *Quest for Equality: The Failed Promise of Brown-Black Solidarity* (Cambridge: Belknap Press, 2014); David Montejano, *Quixote's Soldiers: A Local History of the Chicano Movement, 1966-1981* (University of Texas Press, 2010); Craig A. Kaplowitz, *LULAC: Mexican Americans and National Policy* (College Station: Texas A&M Press, 2005); Carlos Vargas-Ramos and Anthony M. Stevens-Arroyo, eds. *Blessing La Política: The Latino Religious Experience and*

organizing and mobilizing were led by Catholic clergy members and local Mexican American lay leaders. Chicano clergy members helped to form other landmark organizations of the movement, such as Communities Organized for Public Service or COPS and the Mexican American Unity Council – two organizations that focused on increasing Mexican Americans’ political participation and improving social conditions and educational opportunities.

Mexican American protestors argued that the limited number of Mexican and Mexican American priests, and the lack of a single bishop of Mexican descent within the entire US hierarchy, made the Church incapable of representing or understanding members of Mexican descent. The Catholic Church’s propensity to commune with elite politicians and to channel federal funds into local social welfare programs raised the stakes even higher.⁷

The developments that eventually collided in a Chicano Catholic revolt in the late 1960s began with Vatican II and its impact on the US Catholic Church’s model of inclusion. The War on Poverty and the NCWC’s influence on War on Poverty programs fueled the conflict further. War on Poverty funds supported a number of Catholic community action programs, which became an organizing ground for Chicano activists (both clergy and non-clergy). Some of these activists broke away from the Church, while others hoped to foster a change from within. These Mexican American activists – both those who worked to promote changes from within the Church and those who forged a separate path – helped to reshape the US Catholic hierarchy.

Examining the close relationship between changes in the US Catholic Church and the War on Poverty, and their collision with the Chicano movement helps to explain why the trajectory of Mexican American civil rights activism unfolded in a radically different way than that of other minority groups. While African American civil rights leaders of the 1960s, such as Martin Luther King Jr., had ties to policy makers and prominent politicians, most Mexican American leaders lacked these direct connections, except through Catholic clergy. In previous decades, many Mexican American leaders had relied on their connections to Catholic leaders to gain the ear of federal policymakers. The National Catholic Welfare Conference’s close ties to policymakers had situated the institution as a mediator between the federal government and Mexican American leaders as early as the 1930s. The NCWC’s ability to direct federal attention to social and economic problems in the Southwest had been extraordinarily successful during World War II, but their advocacy left little room for Mexican American leadership. During the 1950s and early 1960s, Lucey and other Catholic clergy advocated on behalf of Mexican American migrant workers by demanding an end to the Bracero Program. As sympathetic as these white allies were, they often failed to view their Mexican American counterparts as equals. By the mid-1960s, young Mexican American leaders began to shrug off these earlier forms of advocacy. Instead, they sought direct access to policymakers. If those in power would not listen

Political Engagement in the United States (Praeger: ABC-CLIO, LLC, 2012). Robert Bauman, *Race and the War on Poverty: From Watts to East L.A.* (University of Oklahoma Press, 2008); Michael B. Katz, *The Undeserving Poor: From the War on Poverty to the War on Welfare* (Oxford University Press, 2nd edition, 2013); William Clayson, “The War on Poverty and the Chicano Movement in Texas: Confronting ‘Tio Tomás’ and the ‘Gringo Pseudoliberals,’” in *The War on Poverty: A New Grassroots History, 1964-1980*, Annelise Orleck, ed. (Athens: University of Georgia Press, 2011); G. Cristina Mora, *Making Hispanics: How Activists, Bureaucrats, and Media Constructed a New American* (University of Chicago Press, 2014); Daniel Immerwhar, *Thinking Small: The United States and the Lure of Community Development* (Harvard University Press, 2015); Gareth Davies, *From Opportunity to Entitlement: The Transformation of Great Society Liberalism* (University of Kansas Press, 1996); Noel A. Cazenave, *Impossible Democracy: The Unlikely Success of the War on Poverty Community Action Programs* (State University of New York Press, 2008); Scott Stossel, *Sarge: The Life and Times of Sargent Shriver* (Smithsonian Books, 2004).

⁷ Richard Cruz, “The Church and La Raza,” in García, *Chicano Liberation Theology*, 24.

to Mexican Americans, then they would make themselves impossible to ignore.⁸

Vatican II and the Remaking of the US Catholic Church

In October 1962, some 2,450 Catholic leaders from around the world flocked to Rome to meet as an international council. The Council, commonly referred to as Vatican II, brought together more Church leaders than at any time in the institution's 2,000-year history. Two hundred and thirty-nine of the Council Fathers came from the United States, nearly equaling the total number of Europeans present.⁹ The high number of US bishops in attendance demonstrated the growing importance of the US Catholic hierarchy in Church politics. The European Council Fathers hoped to revive Catholicism in Europe, which had been in decline since World War II. Despite European enthusiasm for Vatican II reforms, the Catholic Church never regained its pre-WWII status on the European continent. Instead, the council represented a dramatic shift in the global power dynamics of the Church. The final session of the council concluded with an acknowledgment that the future of the Church depended on its growing presence in the Global South. Inasmuch as Vatican II symbolized the Church's recognition that it needed to reassert its relevance in a post-WWII world, it was also the official debut of Catholic leaders in the United States, Africa, South America, and Asia in global Church politics.¹⁰

Vatican II met in four sessions from October 1962 to December 1965 to discuss the Roman Catholic Church's relationship with the modern world. Vatican II was a remarkable moment in world history. It was the first time that the Vatican had held a meeting of such international scope, or invited non-Catholic observers to witness the internal workings of Catholic politics. Vatican II's findings and recommendation reshaped the Catholic Church in the United States and throughout the world. In the United States, the national bishops' conference known as the National Catholic Welfare Conference split into two conferences and most of the US bishops spent the remainder of the decade determining how to implement recommended changes that the Vatican Council began issuing during its first meeting in 1962.¹¹

At the close of Vatican II, 16 documents emerged that would reshape the modern Catholic Church. Collectively, these documents redefined the Catholic Church's role in the postwar period. These documents embraced ecumenism and religious freedom, discarded the use of Latin in Mass for local languages, and encouraged national conferences to find a place in their administration for lay members to assume leadership roles.¹² The Vatican II documents became the foundation for asserting the role of the Church and human relationships in areas such as

⁸ G. Christina Mora, *Making Hispanics*, 21.

⁹ The first Vatican Council had been called by Pius IX approximately 100 years (1868) prior to determine the Church's relationship to rationalism, materialism, and liberalism. The term Council Fathers refers to the bishops who attended the council meetings. Council Fathers averted a near crisis when Pope John XXIII died unexpectedly in June 1963. Under church law, the Council was suspended until a new pope could be elected and decide whether to continue or abandon the council. The cardinals quickly elected Giovanni Battista Enrico Antonio Maria Montini (who took the pontifical name Paul VI) as the new pope. Pope Paul VI immediately reconvened Vatican II.

¹⁰ Leslie Woodcock Tentler, "The American Reception and Legacy of the Council," in *The Long Shadow of Vatican II*, 37-39.

¹¹ John W. O' Malley, *What Happened at Vatican II*, 34.

¹² Ecumenism is the efforts by multiple religious groups to promote greater cooperation and understanding. Ecumenical movements in the United States increased substantially following World War II. *What Happened at Vatican II*, 33-35; Leslie Woodcock Tentler, "The American Reception and Legacy of the Council," in *The Long Shadow of Vatican II*, 37-39.

economics, social justice, poverty, ecumenism, and politics. The Council Fathers also condemned the growing economic inequality between developed countries and their counterparts. “Never has the human race enjoyed such an abundance of wealth, resources, and economic power,” the Council Fathers wrote, “and yet a huge proportion of the worlds' citizens are still tormented by hunger and poverty, while countless numbers suffer from total illiteracy.”¹³ They called on Catholics, both clergy and laity alike, to see themselves as part of the same global community and to speak out against social and economic injustices. In the late 1960s Mexican American civil rights leaders would invoke Vatican II teachings in their efforts to create a more inclusive Catholic Church. In this way, the council marked the beginning of a democratization process within the US Catholic Church.

International media interest in Vatican II delivered the council via television or radio directly into the homes of millions of Catholics around the world. Pope John XXIII's wild popularity even led *Time* magazine to name him “man of the year” in 1962. The keen media interest meant that Catholics were apprised of Vatican II developments almost as they unfolded. Debates and disagreements between the leaders of the Church had previously remained behind closed doors. Now, they unfolded in the public arena. For perhaps the first time, the Catholic Church seemed less of a monolith shrouded in mystery than a venerable institution that open to change.¹⁴

In the years following Vatican II, the perception of institutional malleability encouraged local Catholics to demand a greater say in local social action programs. The appointment of lay leaders to positions within the bishops' conference helped to stir these ideas. It also encouraged all church leaders to act in a spirit greater ecumenism, or collaboration with other religious traditions. Instead of invoking a protective stance against proselytization, NCWC leaders, such as Monsignor George Higgins, collaborated with other faith leaders to address common issues of poverty and racial discrimination. Undoubtedly the NCWC still sought to promote Catholic interests where it could, but it no longer viewed itself in competition for Catholic souls the way that it had through the 1950s.

In addition to embracing a language of communalism, Vatican II instructed the bishops to create national episcopal conferences (national conferences of bishops to direct social action programs), akin to the NCWC.¹⁵ The Catholic conferences that had previously existed remained, but several significant changes allowed laity and local priests to assume larger leadership roles. Most notably, new national conferences created offices directed and staffed by lay Catholics as opposed to clergy. These changes had a profound impact on the US church. Most importantly, they encouraged the US hierarchy to reexamine its relationship with its members by consulting with the laity in matters of church governance. Many of the older bishops, such as Archbishop Robert Lucey, actively resisted the call to consult with the laity. Lucey and others continued to see a bishop's governance of his diocese as absolute. Lucey, and the position he represented

¹³ *Pastoral Constitution on the Church in the Modern World*, *Guadium et Spes*, promulgated by His Holiness, Pope Paul VI on December 7, 1965, http://www.vatican.va/archive/hist_councils/ii_vatican_council/documents/vat-ii_cons_19651207_gaudium-et-spes_en.html.

¹⁴ Higgins later described Bracker as a “credit to his profession.” George G. Higgins, “Milton Bracker's Reporting,” *New York Times*, January 31, 1964, <http://search.proquest.com/docview/115676446/6D021D62B7084D40PQ/11?accountid=14496>; O'Malley, *What Happened at Vatican II*, 34-35.

¹⁵ *Christus Dominus*, one of the final Council documents issued in 1965, called for the creation of national assemblies of bishops, or episcopal conferences. Some 40 conferences, including the NCWC, had existed informally before 1965. In addition, *Christus Dominus*, created a college of bishops, which increased the bishops' power.

would later signal trouble, as younger clergy and laity clamored for greater control over Church resources.¹⁶

The Road to Johnson's War on Poverty

As bishops from around the world met at Vatican II, a social revolution was underway in the United States. The black civil rights movement, urban riots, and the assassination of President John F. Kennedy all rocked the nation. From 1964-1968, civil rights legislation made its way through Congress, including the Civil Rights Act of 1964, the Voting Rights Act of 1965, the Immigration and Nationality Act of 1965, the Economic Opportunity Act of 1964, and the Civil Rights Act of 1968. The Civil Rights Act of 1964 and the Economic Opportunity Act of 1964 tied together the issues of racial and economic equality. The NCWC and its successor, the United States Catholic Conference (USCC), would play a pivotal role in determining how the programs sponsored under this legislation would take shape on the ground. One bishop later described the 1960s legislation “as the basis of a whole new evolution, if not a revolution, in the American way of life.”¹⁷

The revolution, as it were, began on January 8, 1964, when President Lyndon B. Johnson declared an “unconditional war on poverty” in his first State of the Union Address. “Unfortunately, many Americans live on the outskirts of hope. Some because of their poverty, and some because of their color, and all too many because of both. Our task is to help replace their despair with opportunity,” the President said.¹⁸ Johnson’s address called for legislation that would eliminate social and economic barriers to equality. Johnson’s program was a legislative package that included healthcare reforms, food security programs, job training, educational reforms, and legal services. Congress authorized the War on Poverty (WOP) through the passage Economic Opportunity Act of 1964. The law established an Office of Economic Opportunity within the Executive Office of the President. WOP legislation would, its architects hoped, “mobilize the human and financial resources of the nation to combat poverty in the United States.” A director and coordinating staff administered the Office of Economic Opportunity and collaborated with federal agencies where appropriate.

The office managed programs that included the Job Corps, Volunteer Development Program, special programs for migrant workers, and community action programs. Many of these programs directly targeted African American and Mexican descent communities. The NCWC’s close ties to the Johnson administration allowed it to channel millions of federal dollars into Catholic sponsored community action programs, further situating the NCWC as a mediator between the US federal government, Mexicans, and Mexican Americans.¹⁹

In many ways, the War on Poverty set out to finish what the New Deal had begun three decades earlier. Although the New Deal created economic security for many Americans, it did so

¹⁶ Jeremy Bonner, “Who Will Guard the Guardians?: Church Government and the Ecclesiology of the People of God, 1965-1969,” in *Empowering the People of God: Catholic Action before and after Vatican II*, Jeremy Bonner, Mary Beth Fraser Connolly, Christopher Denny, eds., (Fordham University Press, 2013), 228.

¹⁷ Monsignor Bryan O. Walsh to Bishop Carroll, May 1965, Box 95, Folder 7, OGS.

¹⁸ Lyndon B. Johnson: “Annual Message to the Congress on the State of the Union.,” January 8, 1964. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=26787>.

¹⁹ *Handbook on the Antipoverty Legislation and the Involvement of Private Agencies: First Draft*, August 10, 1964, Box 95, Folder 3, OGS.

by repressing the rights Americans of color. For example, the Wagner Act of 1935 guaranteed the right of collective bargaining to industrial workers even as it denied that same right to workers in agriculture and domestic services – two industries dominated by African Americans, Mexican immigrants, and Mexican Americans. The act also allowed for racially segregated unions. By guaranteeing collective bargaining for some Americans while denying it to others, the New Deal created parallel, racialized tracts of economic development within the United States. But while civil rights organizations decried racism and economic inequality in the 1950s, the federal government remained largely unwilling to intervene.²⁰ In the absence of elected representatives, the NCWC served as the main mediator between the federal government and the Mexican descent community from the 1940s to the late 1950s.

The publication of Michael Harrington's *The Other America* in 1962 thrust the issue of poverty and racial inequality back onto a national stage. The book came to John F. Kennedy's attention in 1963, when Dwight MacDonald's review essay, "Our Invisible Poor," debuted in *The New Yorker*.²¹ The Kennedy administration began addressing part of the problem in 1961, through the creation of the President's Committee on Juvenile Delinquency. The Committee on Juvenile Delinquency funded a number of projects that aimed to provide youth with educational and job opportunities, and social services.²² It is difficult to say what shape Kennedy's anti-poverty program might have taken had he not been assassinated in 1963. Johnson's anti-poverty program, however, was infused with New Deal liberalism and idealism.

Johnson was a former New Dealer who prided himself on his previous work with the National Youth Administration, a New Deal agency that had provided local work and educational opportunities for young Americans. Soon after he was sworn in, he set the nation on an anti-poverty course that would reach beyond the frontiers of the New Deal. "The Great Society," Johnson declared in a commencement address at the University of Michigan, "demands an end to poverty and racial injustice." The War on Poverty would be the foundation of Johnson's Great Society.

At the heart of the War on Poverty lay the Community Action Program, the largest antipoverty initiative in US history. The program was an experiment in cooperative democracy – one in which federal agencies channeled funds to state governments, who then decided how best to use the resources to combat poverty on a local, community level. Great Society reformers followed an overseas community development model that placed control of federal funding in

²⁰ Jill Quadagno, *The Color of Welfare: How Racism Undermined the War on Poverty* (Oxford University Press, 1994), 22; Ira Katznelson, *When Affirmative Action Was White*, 55-58; Thomas Sugrue, *Sweet Land of Liberty*, 53-55; for an example of how dual economic development played out in many of the nation's major cities, see: Robert O. Self, *American Babylon: Race and the Struggle for Postwar Oakland* (Princeton University Press, 2003); Thomas Sugrue, *Sweet Land of Liberty: The Forgotten Struggle for Civil Rights in the North* (New York: Random House, Inc., 2009).

²¹ Maurice Isserman, "50 Years Later: The War on Poverty and the Other America," *Dissent Magazine*, Winter 2012; Dwight McDonald, "Our Invisible Poor," *The New Yorker*, January 19, 1963.

²² Noel A Cazenave, *Impossible Democracy: The Unlikely Success of the War on Poverty Community Action Programs*, 52; John F. Kennedy: "Executive Order 10940 - Establishing the President's Committee on Juvenile Delinquency and Youth Crime," May 11, 1961, online by Gerhard Peters and John T. Woolley, *The American Presidency Project* <http://www.presidency.ucsb.edu/ws/?pid=58878>; John F. Kennedy, "Remarks on Report of President's Committee on Juvenile Delinquency and Youth Crime," May 31, 1962, Speech Files, Series 03, President's Office Files, Presidential Papers, Papers of John F. Kennedy, <https://www.jfklibrary.org/Asset-Viewer/Archives/JFKPOF-038-033.aspx>.

the hands of local leaders. They believed that local leaders and residents could best decide how to address poverty within their communities.²³

One of the first things that Johnson did after he announced his war on poverty was to appoint Sargent Shriver, Kennedy's brother-in-law, to draft the War on Poverty package. Johnson gave Shriver a free rein in developing the WOP programming. He consulted with leaders in education, civil rights organizations, business, labor, agriculture, and state governments. During his testimony before Congress in 1964, WOP director Sargent Shriver told Congress that the program would rely "on local leadership and initiative," creating "a partnership between the Federal Government and the communities of this Nation."²⁴ Shriver's work with Catholic social action programs, however, undoubtedly influenced his approach to the War on Poverty.²⁵

Born in 1915, Robert Sargent "Sarge" Shriver was a devout Catholic. His Catholicism was, according to his biographer, "a mobilizing vision for action here on earth." Indeed, Catholic social teachings infused his approach to anti-poverty initiatives. As an adult, Shriver attended a daily Mass and spent much of his professional life as an attorney directing Catholic causes. In 1952, for example, he joined Chicago's Catholic Interracial Council, an organization patterned on Father John LaFarge's New York council. Both councils sought to improve race relations within the Church and social conditions outside of it. One year later he joined the Kennedy family when he married Eunice Kennedy. By 1955, Shriver was president of the Chicago council.²⁶ Shriver used his position as president of the Catholic Interracial Council to encourage Chicago's Samuel Cardinal Stritch to publicly condemn racial discrimination, which he did in October 1955 and again in September 1956. Under Shriver's direction, the Catholic Interracial Council oversaw the integration of most Catholic Chicago high schools. When Johnson tapped Shriver to head up the WOP package in 1964, he received the wholehearted blessing of the NCWC.

Bringing the War on Poverty to the NCWC

Shriver warmly invited NCWC leaders to collaborate with the White House on the War on Poverty, but that did not mean he blindly followed the NCWC's recommendations. Although they counted on Shriver as a political and spiritual ally, NCWC leaders knew they would have to call on their extensive political network to keep them informed as to the "direction that Mr. Johnson's 'war on poverty' might take."²⁷ From his meetings with Shriver, Monsignor Frank

²³ Lyndon B. Johnson, "Remarks at the University of Michigan," May 22, 1964, *Public Papers of the Presidents of the United States: Lyndon B. Johnson, 1963-64*. Volume I, entry 357, pp. 704-707. Washington, D.C.: Government Printing Office, 1965; Immerwahr, *Thinking Small*, 135.

²⁴ Sargent Shriver, *Hearings on HR 10440 Before the Subcommittee on the War on Poverty of the House Committee on Education and Labor*, 88th Congress, 2nd Session, part 1, 20 (1964), as quoted in Richard Leach, "The Federal Role in the War on Poverty Program," *Duke Law Review*, (1966), 22; Evelyn L. Forget, "A Tale of Two Communities: Fighting Poverty in the Great Society (1964-48)," *History of Political Economy*, volume 43, number 1, 2011.

²⁵ At the time of his appointment, Shriver was directing the Peace Corps Program. Immerwahr, *Thinking Small*, 138.

²⁶ Scott Stossel, *Sarge: The Life and Times of Sargent Shriver* (Washington, DC: Smithsonian Books, 2004), 3, 114, 123, 127, 674-675; John McGreevy, *Parish Boundaries: The Catholic Encounter with Race in the Twentieth-Century Urban North*, 85-87.

²⁷ Memo, February 19, 1964, Box 95, Folder 1, OGS.

Hurley, the NCWC's Assistant General Secretary, knew that the support of voluntary organizations was critical to the WOP survival.

To generate support for Johnson's program, Monsignor Frank Hurley recommended that the NCWC take concrete steps. He urged Paul Tanner, the NCWC's General Secretary to name a point person with whom Shriver and others could coordinate with on Catholic interests in the WOP programs. Part of the WOP's success depended on the program's appeal to average Americans and voluntary institutions. Hurley advised Tanner to instruct the Social Action Department to issue a statement on the "broad concepts of charity" to emphasize the welfare aspect of the program, as well as the need for the federal government to direct antipoverty initiatives. In addition, he recommended that three or four bishops be asked to deliver a sermon on "the theology of poverty," which would offer religious instruction on social welfare legislation.²⁸

The Social Action Department's statement became the US Catholic bishops' official endorsement of Johnson's proposals. Monsignor George Higgins reminded American Catholics that left untreated, poverty caused "moral injuries" in the form of "immorality, juvenile delinquency, [and] the loss of taste of living and working." The hierarchy called for social programs to enable disenfranchised Americans to become "productive members of our economic society." The bishops also insisted that "we must view abject poverty as we view physical sickness, as an evil that must be prevented when possible and certainly cured as soon as possible."²⁹ The most pressing problem for the NCWC was solving the "problem of want in the midst of plenty."³⁰

The Social Action Department's anti-poverty statement bore the imprint of other authors besides Higgins. The NCWC had undergone several leadership changes in the late 1950s; in the early 1960s, Monsignor Frank Hurley began all but running the bishops' conference. Technically Monsignor Paul Tanner held the position of the NCWC's General Secretary. By the early 1960s, however, Tanner had become chronically ill, and Hurley began taking on more of the NCWC's day-to-day operations. Tanner's incapacitation was well known enough that Johnson's aides advised him to "develop more than a passing relationship" with Hurley because "for all practical purposes Hurley is running the NCWC."³¹

For NCWC leaders, it must have seemed as if the teachings of *Rerum Novarum* and other social encyclicals would finally be fulfilled, something that Church leaders such as Monsignor John A. Ryan and Francis Haas had worked to achieve since the New Deal. The WOP promised to close the gap of economic inequality in the United States. Moreover, its commitment to solving "the problem of want in the midst of plenty" echoed the Vatican II document, *Guadium et Spes*, which called upon religious and global leaders to pursue an end to poverty, hunger, and unemployment. Numerous Catholic organizations issued statements of support immediately following Johnson's State of the Union in January 1964. Like the Social Action Department, the National Catholic Rural Life Conference offered its strong endorsement of antipoverty programming. Both organizations played a vital role in dismantling the Bracero Program and remained equally committed to eradicating poverty throughout the United States. The Rural Life

²⁸ Ibid.

²⁹ "A Religious View of Poverty: Statement of the Department of Social Action," February 28, 1964, Box 95, Folder 1, OGS.

³⁰ Ibid.

³¹ Author unknown (probably Jack Valenti) to Bill Moyers, October 29, 1964, Box 6, Folder: executive RM 3-1, Catholics, Presidential Papers of Lyndon B. Johnson, 1963-1969, White House Central Files.

Conference called specifically for federal attention to Americans living below the poverty line in rural areas. It estimated that nearly 12 million people lived in poverty in rural America, while 75% of farm employees earned an income at or below the poverty line.³²

From 1964 to 1968, the NCWC and its reorganized self, the United States Catholic Conference (USCC), handled the administrative and technical work of helping local dioceses to participate in the War on Poverty. The committee provided consultation on local program proposals, helped develop program models, represented the dioceses with the Office of Economic Opportunity (OEO), and clarified policies and procedures for Community Action Procedures. The NCWC substantial work with the War on Poverty led the Department of Housing and Urban Development to request NCWC assistance in the passage of housing legislation and appropriations. In return, local Catholic groups sought and received assistance in establishing low-income housing projects.³³

Other members of the labor-liberal coalition also voiced their support for antipoverty initiatives. In April 1964, AFL-CIO president Walter Reuther proposed the creation of a National Citizens Crusade Against Poverty, comprised of representatives from church groups, businesses, labor unions, educational organizations, and farm associations. Reuther felt that such an organization was essential to launching “a more rounded approach to the problem of civil rights.”³⁴ Like the NCWC, Reuther linked the cause of racial equality to greater economic equality. According to Monsignor George Higgins, the new organization would build upon the Leadership Conference on Civil Rights, but would differ in its identification of “underlying economic problems which are both cause and effect of racial discrimination.” It also included a much wider membership than that of the Leadership Conference, an earlier organization that aimed to eliminating racial discrimination.³⁵

A month and a half later, approximately 140 leaders met in DC to form the Citizens Crusade Against Poverty. Reuther convened the meeting, and the United Auto Workers pledged some \$1 million towards the CCAP’s operating budget.³⁶ Reuther envisioned the CCAP as a “counterpart to the proposed Federal Government’s War on Poverty and as a part of the struggle for civil rights.” Higgins’ membership on the Crusade Against Poverty fell much in line with the spirit of Vatican II, which encouraged interfaith collaboration to address problems such as poverty and social inequality.

As soon as Johnson declared “an unconditional war on poverty,” the NCWC created a new organization that would easily map onto the federal bureaucracy. NCWC leaders hoped that the new Division of Poverty would allow for an easier flow of ideas and money between the two bureaucracies. The agency’s sole purpose was to coordinate the action of Catholic organizations with federal offices and other religious groups working to “confront the continuing problem of

³² See Chapter 13: Fighting Poverty in David Bovée, *The Church and the Land: The National Catholic Rural Life Conference and American Society, 1923-2007* (Washington, DC: Catholic University of America Press, 2012).

³³ “Suggested Budget, Division of Poverty, the Department for Social Development,” September 5, 1968, Box 80, Folder: Poverty Programs, 1968-1969, USCCB/USCC.

³⁴ George Higgins to Paul Tanner, April 22, 1964, Box 95, Folder 1, OGS.

³⁵ In 1962, President Kennedy invited George Higgins to join the President's Committee on Equal Employment Opportunity, a precursor to the Equal Employment Opportunity Commission. Higgins' participation on the committee allowed him to see the issues of poverty and racial discrimination as closely linked together. George Higgins to Frank Tanner, April 22, 1964, Box 95, Folder 1, OGS.

³⁶ Crusade Against Poverty Memo, July 6, 1964, Box 95, Folder 2, OGS.

poverty in the United States.”³⁷ The Division’s response to the passage of the Economic Opportunities Act in 1964, was to create the National Catholic Coordinating Committee Against Poverty. The Committee met regularly with top WOP officials, including Shriver, to draft resolutions that ensured the funding eligibility of local Catholic agencies. Thomas Hinton, a lay Catholic who had previously worked for the National Catholic Community Service, headed up the Catholic Coordinating Committee. Hinton created an Urban Task Force, whose primary responsibility was to respond to the perceived urban crisis.

The Economic Opportunity Act stumbled through Congress that summer. NCWC leaders worked closely with Sargent Shriver’s office to develop a political strategy that would not only ensure the act’s safe passage through Congress, but that would also include provisions for private agencies to receive government grants. NCWC leaders such as William “Bud” Conceding (who had replaced William Montavon as director of the Legal Department), Monsignor Frank Hurley, and other NCWC leaders each worked closely with the Johnson administration in the crafting of the anti-poverty program. Hurley, who worked closest with Shriver’s office, suggested to General Secretary Paul Tanner, that the NCWC create a handbook to go along with the antipoverty bill. The handbook enabled the NCWC “to work with the government office in developing administrative procedures,” and also “provide a guideline for Catholic agencies” hoping to participate in the program.³⁸ The book identified available resources and suggested “ways and means of marshaling these resources on the local and national levels.”³⁹

The NCWC also issued a monthly news bulletin, designed to keep American Catholics aware of developments related to War on Poverty Program. NCWC leaders encouraged each Catholic diocese to create a Diocesan Poverty Coordinator and that each diocese “seek representation on the [respective] Community Action Committee.” In short, the anti-poverty program sponsored by the NCWC provided a pathway for local church organizations to coordinate with the federal government on local problems.⁴⁰ Put differently, the NCWC became the conduit through which federal dollars flowed to local, Catholic-sponsored Community Action Programs.

Much of the NCWC’s early energies went into establishing non-public, Catholic schools’ eligibility to receive federal dollars. The NCWC also tapped into a federal reservoir of monies reserved for community action programs.⁴¹ By March 1964 it had become clear that the WOP would include a job training program and community action programs. Initially, it seemed as though churches might be excluded from hosting community action programs. Over time, however, churches became an integral part of the WOP. Indeed, Shriver attributed the success of the WOP to church organizations involvement in administering federally financed projects. In a speech to the Catholic Interracial Council in 1965, Shriver told audience members that the US would win the War on Poverty “because church after church, and agency after agency, has put

³⁷ “Division for Poverty: The Department for Social Development, Meeting of Committee on Social Development,” September 13, 1968, Box 80, Folder: Poverty Programs, 1968-1969, USCCB/USCC.

³⁸ Frank Hurley to Paul Tanner, July 20, 1964, Box 95, Folder 2, OGS.

³⁹ *Handbook on the Antipoverty Legislation and the Involvement of Private Agencies: First Draft*, August 10, 1964, Box 95, Folder 3, OGS.

⁴⁰ “Suggested Budget, Division of Poverty, the Department for Social Development,” September 5, 1968, Box 80, Folder: Poverty Programs, 1968-1969, USCCB/USCC.

⁴¹ Frank Hurley to Patrick O’Boyle, February 20, 1964, Box 95, Folder 1, OGS.

aside denomination differences...because priests like Father [James] Vizzard live with migrants when others treated them like the untouchables of India.”⁴²

In January 1965, the Bishops' Committee for the Spanish-Speaking, the National Catholic Rural Life Conference, Reuther's Citizens Crusade Against Poverty and James Patton's National Policy Committee on Pockets of Poverty sponsored a National Conference on Poverty in the Southwest. LBJ lent his support to the conference committee, telling committee organizers “I have asked Mr. Sargent Shriver, the Director of the Office of Economic Opportunity, to provide you with whatever assistance you may need.”⁴³ Dozens of other organizations, including Mexican American civil rights organizations, such as the American GI Forum, also participated in the conference. Conference planners anticipated approximately 750 participants, but over 2200 registered before forms ran out and still there were hundreds of late arrivals. Robert Lucey, Vice President Hubert Humphrey, and Sargent Shriver delivered the keynote addresses. Individual families presented their experiences of poverty.

The NCWC owed much of its warm reception with the Johnson administration to a handful of individuals such as Archbishop Lucey. The NCWC also relied on its connections to those closest to the president, especially Joseph Califano Jr. and Jack Valenti, Johnson's secretary. Valenti became the go-between for the administration and the Vatican.⁴⁴ Lucey helped to create the arrangement, meeting with both the Pope's representative to the United States, Apostolic Delegate Egidio Vagnozzi and Valenti numerous times. The San Antonio Archbishop provided background information on Vagnozzi to Johnson's office. He asked that the President consider designating Valenti as an unofficial liaison between the White House and Catholic Church, which Johnson happily did.⁴⁵

Lucey was one of Johnson's staunchest supporters. Even when public opinion fell away from the President over US involvement in Vietnam the late 1960s, Lucey's support never wavered. The two men had known each other as political allies since at least the late 1940s when Johnson had been the junior Senator from Texas. The two men became closer when Johnson's oldest daughter, Luci, converted to Catholicism in 1965. During his presidency, Johnson's affection for Catholic leaders was well-known enough that the administration found itself occasionally having to reassure the public that “the President is not taking instructions in the Catholic faith...he is too ecumenical to consider becoming anything other than a Protestant who enjoys attending Catholic services from time to time.”⁴⁶ When Johnson was inaugurated for a second term in 1965, it was Lucey who gave the invocation. And when the President signed the Medicare Extension Act in 1966, it was the archbishop by his side.⁴⁷ At the time Johnson noted,

⁴² Sargent Shriver, “Address to the Catholic Interracial Council, Davenport, Iowa,” June 5, 1966, <http://www.sargentshriver.org/speech-article/address-to-the-catholic-interracial-council-1966>.

⁴³ NCWC, *The War On Poverty: A Newsletter*, January 15, 1965, first edition, Box 95, Folder 5, OGS.

⁴⁴ Jack Valenti to Lyndon B. Johnson, February 26, 1965, Box 6, Folder: executive RM 3-1, Catholics, Presidential Papers of Lyndon B. Johnson, 1963-1969, White House Central Files.

⁴⁵ Robert Lucey to Jack Valenti, February 5, 1965; Jack Valenti to Lyndon B. Johnson, February 5, 1965, Box 6, Folder: executive RM 3-1, Catholics, Presidential Papers of Lyndon B. Johnson, 1963-1969, White House Central Files.

⁴⁶ George Christian to John Macy Jr., July 16, 1968, Box 103, Folder: PP 13-3, 1/1/68, President's Papers, 13-3, White House Central Files.

⁴⁷ Johnson's personal affection is well-documented in what survives of the correspondence between the President and the Archbishop. At the height of a personnel conflict within Lucey's archdiocese, Johnson included a hand written note: “We know that you know what is best – but we want you to know that we love Father Schneider as we love you and his contributions of strength to me and my family is great as yours has always been.” Lyndon B.

“I remember Archbishop Lucey in the 1930s. He wasn’t nearly as respectable then as he is now. He was kind of a bolshevik in the minds of a lot of people when came down here

The NCWC and other religious organizations hoped to capitalize on Lucey’s popularity with the Johnson administration. In August 1965, the NCWC formed the National Catholic Coordinating Committee to coordinate the anti-poverty activities of various NCWC departments. The new office distributed over 16,000 handbooks and collaborated with local diocesan anti-poverty coordinators. Most importantly, the NCWC continued to create liaisons with the OEO, which served two purposes: “to keep us informed on programs and developments; to handle difficulties encountered by Catholics sponsoring anti-poverty programs.”⁴⁸ Hurley wrote to Robert Lucey on January 29, 1965, congratulating him on his recent appointment to the National Advisory Council for the War on Poverty. He used the opportunity to remind Lucey that the National Catholic Coordinating Committee was working with Catholic agencies to get federal dollars.⁴⁹

In October, NCWC General Secretary Paul Tanner requested Lucey’s service as co-chairman of the newly formed Interreligious Committee Against Poverty. Lucey would serve alongside a number of religious leaders, including Archbishop Raymond Gallagher, Dr. Eugene Blake of the National Council of Churches, and Rabbi Seymour Cohen of the Synagogue Council of America. Tanner later explained to Gallagher that he was “inviting Archbishop Lucey to serve as a Catholic co-chairman. Since he is also on the Advisory Committee for OEO, he will lend an added status as far as the Protestants are concerned.” The Interreligious Committee began meeting in January 1966. Sargent Shriver hailed the committee as “a breakthrough in ‘ecumenism’ for social action,” and urged President Johnson to find time to meet with Lucey and the committee’s five other co-chairmen.⁵⁰

San Antonio felt the warmth of the President’s regard for its archbishop. The San Antonio Archdiocesan Coordinating Committee on Poverty received a grant of over \$440,000 for summer work.⁵¹ In 1965, with Lucey’s blessing, Father John Yanta applied for and won a grant for the archdiocese’s first community action program, the San Antonio Neighborhood Youth Organization. The program sought to provide educational and recreational opportunities for San Antonio’s Mexican American youth. Between 1965 and 1968, the organization received close to six million dollars in WOP funds. Lucey’s ability to channel federal funds into local programs reflected his longstanding friendship with Johnson, as well as the NCWC’s carefully placed coordinating council.

The Power of Catholic Grassroots Activism

In 1960, Lucey had appointed Sherrill Smith to run the Archdiocese's Office of Social Action. Born in 1921 and raised in Chicago, Smith served in the Navy during World War II and was engaged to be married until he received what he called “a call to the priesthood” in 1949. By

Johnson to Robert E. Lucey, June 10, 1967, Box 6, Folder: RM 3-1, 11/4/66 -, Presidential Papers of Lyndon B. Johnson, 1963-1969, White House Central Files.

⁴⁸ Frank Hurley to Paul Tanner, nd, ca August 1965, Box 95, Folder 7, OGS.

⁴⁹ Frank Hurley to Robert Lucey, January 29, 1965, Box 95, Folder 5, OGS; List for National Advisory Council, Folder: Robert E. Lucey Name File, White House Name Files.

⁵⁰ Paul Tanner to Robert Lucey, October 29, 1965; Paul Tanner to Raymond Gallagher, October 29, 1965, both in Box 95, Folder 8, OGS; Sargent Shriver to Bill Moyers, January 11, 1966, Box 1, Folder: RM, Religious Matters, 11/23/63-9/23/66, Presidential Papers of Lyndon B. Johnson, 1963-1969, White House Central Files.

⁵¹ John Wagner to Thomas Hinton, May 24, 1965, Box 95, Folder 6, OGS.

the early 1970s, Smith had become a self-proclaimed “renegade priest,” occasionally jailed for his social activism. While attending a nine-month seminary course in Boston in 1947, Smith wrote to Lucey for permission to study for the priesthood in San Antonio. Something about the Archbishop's style of social justice appealed to Smith. The late-blooming seminarian arrived in San Antonio in 1948 and immediately began full-time study. Religious study ignited a passion in Smith. Later Smith recalled that while attending St. John's Seminary, he was assigned toilet clearing duty. “I had the toilets, and they were never clearer than when I had cleaned them because I was on fire. This was God’s work, and the crap laying around... smelled rosy to me.”⁵² Lucey hoped that Smith might pursue doctoral study under the direction of George Higgins. After completing a master’s degree in economics at Catholic University, however, Smith headed back to San Antonio.

Not long after he arrived back in San Antonio, Smith began working with a semiretired Raymond McGowan, the former director of the NCWC's Social Action Department who had spent much of his early career working under John Ryan. McGowan took Smith under his wing and helped him to organize various strikes and marches in San Antonio. In 1959, the International Ladies Garment Workers Union at Tex-Sun, a local clothing plant, went on strike after meetings with the plant’s management failed to address substandard working conditions and poor wages. The strike lasted from 1959 until 1963 and was led by Mexican American women. According to Smith, Lucey gave him a free hand in working with the strikers. Smith’s work with the strikers became the first step on his path to becoming the archbishop's personal troubleshooter. “I know he liked having a priest out there in the streets and in the neighborhoods, doing these things, putting the church on the line,” Smith later recalled. Local newspapers saw Smith’s participation as an official endorsement of the union’s actions by the entire Catholic Church. Such portrayals troubled the priest. The belief that a single person could represent all Catholics struck Smith as patently untrue. It would also eventually cause a rift between Lucey, who believed in the supremacy of Church authority, and the outspoken priest.⁵³

Smith believed fighting racial segregation in San Antonio was the Social Action Department’s primary function. He led stand-ins and protests to force the integration of local theaters, while Lucey inserted nondiscrimination employment and union membership clauses into all archdiocesan contracts. In the spring of 1964, as pressure mounted for the passage of national civil rights legislation, Lucey demanded that his priests take an active interest in civil rights demonstrations and pending legislation. He insisted the priests could not afford to remain “silent.” Lucey took it a step further. He decreed Sunday, May 24, 1964, “Civil Rights Sunday” and sent detailed sermon outlines to all of the priests in the Archdioceses. He ordered local priests to preach in favor of the pending Civil Rights Act of 1964 and insisted that local pastors provide their parishioners with the names and addresses of Texas' two senators so that parishioners might contact their representatives expressing their support of civil rights bills.⁵⁴

In spring 1965, organizers invited Smith to join the march from Selma to Montgomery, Alabama. Smith was one of 300 marchers chosen to make the entire trek from Selma to Montgomery. After the march had ended, he gained even closer access to the Archbishop. Lucey

⁵² Oral History Memoir of Sherrill Smith, June 29, 1972, Interview I, (1-3, 8, 30, 82, 86).

⁵³ For a definitive account of the strike, see Lori A. Flores, “An Unladylike Strike Fashionably Clothed: Mexicana and Anglo Women Garment Workers Against Tex-Son, 1959-1963,” *Pacific Historical Review*, vol. 78, no. 3, pages 367-402. Interview II, (46). (change page number. this is the PDF pg number, not the document page number).

⁵⁴ Border, *Social Justice and Church Authority*, 102.

fully endorsed Smith's participation. Many Anglo-Catholics in San Antonio and other places criticized Smith's participation and questioned Lucey's authority over the priest. Criticism of the priest's presence in the march did not bother Lucey. Instead, he later congratulated Smith and other priests for having "rightly placed the law of God above the laws of man."⁵⁵

Archbishop Thomas Toolen, the Catholic Archbishop of Mobile-Birmingham, criticized the priests and nuns who had descended upon his diocese as "outside crusaders" who failed to comprehend racial conditions in the South. Smith's participation in the march was widely publicized by the Catholic media after a photo of him appeared in a May 1965 edition of *The Saturday Evening Post*. Lucey ignored Toolen's criticisms and thanked Smith for his participation. "Welcome home to a good soldier from the warfare in Alabama," Lucey wrote.⁵⁶ Smith took Lucey's congratulations as a license for further social protests against racial inequality in other regions of the South and Southwest.

Lucey and Smith shared many of the same social ideals. In the fall of 1965, they launched Project Equality – "a national project aimed at trying to root out discrimination in employment in businesses and institutions" with whom the Catholic Church did business. Lucey's participation in the program caught the President's attention, who thanked Lucey for his "support and participation in Project Equality" and help in fulfilling "the goal of equal opportunity in employment."⁵⁷

So close were the two men that Lucey gave Smith almost free rein in determining which causes to champion. In the summer of 1966, for example, Smith and another priest, William Killian, went to Rio Grande City, Texas to join a rally for striking farmworkers. Though they offered few initial details, Killian and Smith received the Archbishop's blessing. One week later, the two priests returned to Rio Grande City, this time with BCSS executive secretary, Father Henry Casso. Together, the three men led a march through town that ended on the steps of the Court House. Over the next two weeks, Casso – again with Lucey's blessing – organized a food train to provide some 10,000 pounds of food to the strikers. Local newspapers blasted the priests' actions calling them, "Lucey's firebrands," and referring to Lucey as "the most liberal...prelate, who is always found mixed up in political matters of far left sympathies."⁵⁸ Mexican Americans, however, cheered the priests' activism. Jake Rodriguez, a local lay member, wrote to one newspaper, "Some people in San Antonio seem to be totally ignorant of the church's role in the social and economic betterment of our community." Rodriguez demanded that Smith's and Lucey's critics acquaint themselves with the papal encyclicals on social justice.⁵⁹ Lucey defended his priests' actions. Shortly after the protests, however, Lucey and Smith began butting heads.

The trouble began later that fall when Smith joined the picket lines of the International Union of Electrical Workers, Local 1012, who were protesting Marshall Steve's resistance to an IUE organizing campaign. Soon after Smith joined the frontlines, Steve stormed into Lucey's office, demanding that he remove Smith from the frontlines. Steve, who was a close friend to the

⁵⁵ *San Antonio Express*, March 19, 1965, as quoted in Bronder, *Social Justice and Church Authority*, 103.

⁵⁶ Robert Lucey to Sherrill Smith, March 29, 1965, quoted in Bronder, *Social Justice and Church Authority*, 103.

⁵⁷ Interview III, (216); Lyndon B. Johnson to Robert Lucey, September 10, 1965, Robert E. Lucey Name File, White House Name Files.

⁵⁸ *Valley Evening News*, June 20, 1966, quoted in Bronder, *Social Justice and Church Authority*, 103.

⁵⁹ Jake Rodriguez, "Father Smith Defended," nd, 1967, misc. newspaper clipping, Box 8, Folder 15, Erasmo and Sally J. Andrade Papers, Benson Latin American Collection, University of Texas Libraries, the University of Texas at Austin (hereafter, Andrade Papers).

President and Mrs. Johnson, accused Smith of preventing a settlement, which embarrassed Lucey a great deal. “You have hurt the Archbishop of San Antonio by throwing yourself too passionately into labor controversies,” Lucey told Smith. Smith fired back, “One minute I’m a champion; the next I’m reprovved – for doing nothing really different from the past.” Smith insisted that what was really at issue was not his involvement with the strikers, but rather, Lucey’s outdated approach to church governance. “Is the Vatican Council for freedom merely a matter for quotation?” Smith demanded. Lucey, in a seemingly uncharacteristic move, demanded that Smith stand down.⁶⁰

One week later, United Farm Workers organizer, César Chávez, asked Lucey to send Smith and Killian to Rio Grande City to support the ongoing farmworkers strike. After consulting with the bishop there, Lucey declined to send his priests. Smith and Killian believed that Lucey had betrayed the Church’s core mission by abandoning the poor in favor of upholding Church authority. Smith and Killian decided to go without the Archbishop’s permission. Their disobedience came on the heels of a similar incident with BCSS Executive Secretary, Father Henry Casso.

Born in Detroit in 1932, Casso spent his childhood in an orphanage Victoria, Texas, after his father was seriously injured in a train accident. While there, he decided to join the priesthood and use his ministry to combat poverty. After receiving his ordination in 1957, Casso served several San Antonio parishes, where he organized local youth sports teams, created recreational programs for youth, and rallied young Mexican American leaders to create civil rights organization similar to the NAACP. Like Smith, Casso worked to organize workers to fight discrimination. When Casso learned from some of his parishioners that Kelly Airforce base frequently denied Mexican Americans promotions, he presented the issue first to the Texas Commission on Civil Rights (of which he was a member) and then to the US Commission on Civil Rights. By 1966, Casso had already worked with the mayor of San Antonio on one WOP project and was eager to expand the Church’s role in the program. According to Casso, working with the “institutions created to do these kinds of things” was pivotal in trying to organize the Mexican American community in San Antonio.⁶¹

His goals aligned well with Lucey, who asked Casso to join the Bishops Committee for the Spanish Speaking in 1966. Casso described Lucey as “a stern man” but “fearless guy” who was “a fighter for the social encyclicals of the Church.” From Lucey, the younger priest learned that not only could the Church do more for Mexicans and Mexican Americans, its social teachings obligated it to do so. It was with this vision in mind that Casso wrote to President Johnson in late 1966, urging the President to do more for the Mexican Americans across the country. He reminded Johnson of his longstanding relationship with Lucey and asked the President to consider Lucey’s longtime commitment to the population.⁶²

Casso’s efforts paid off. In October 1966, Casso and a group of Mexican American leaders – including Cesar Chávez and Herman Gallegos – received an invitation to meet with White House staff. “We hope to probe into the problems of the Spanish-speaking people,” presidential aide David North told Casso, “and to discuss the most effective means of attacking

⁶⁰ Robert Lucey to Sherrill Smith, October 10, 1966, quoted in Bronder, *Social Justice and Church Authority*, 120.

⁶¹ Henry Casso Interview, “Casso 2,” (University of the Incarnate Word Chicano History Project), 1.

⁶² Henry Casso Interview, “Casso 1,” (University of the Incarnate Word Chicano History Project), 1; “Casso 3,” (University of the Incarnate Word Chicano History Project), 4; Harry McPherson Jr. to John Wagner, May 25, 1966; Henry Casso to Lyndon B. Johnson, October 5, 1966, Folder: Bishop, C, White House Name Files.

these problems. We will pay particular attention to the area of employment and immigration matters.”⁶³ Although Casso directed the President’s attention to unresolved issues in San Antonio, it cost him his good relationship with Lucey. Lucey’s commitment to his parishioners was absolute, but he was not an easy man to please. Casso’s perceived insubordination infuriated the older man. Lucey blasted his priests for using his relationship with Johnson to promote Mexican American interests. Smith found himself reassigned to a small parish, while Casso would be shortly out of a job. On January 13, 1967, Lucey relocated Smith to a parish on the edge of the San Antonio Archdiocese. That same day he fired Casso from the BCSS.⁶⁴

Firing Smith and Casso proved to be a fatal misstep in the career of an otherwise politically astute Archbishop. Lucey had grossly miscalculated the amount of support his priests had amongst the Mexican American laity in San Antonio. Mexican American Catholics reminded Lucey that priests such as Sherrill Smith or Henry Casso “identified closely with the people.” Local Catholics demanded that the Church hierarchy uphold their rights as Catholics, be they access to Mass in Spanish or opportunities to direct Catholic societies and social welfare programs. These Catholics were not so much dismissing Lucey’s years of leadership as they were laying claim to the Catholic Church as their own. They sent letters to newspaper editors in droves, urging support for Smith and Casso. A local chapter of the American GI Forum pleaded for the priests’ reinstatement. One letter writer warned, the “removal of Father Smith as social-action director of the archdiocese will set back the social awareness of the church for 10 years.” Local organizations held fund raisers to support Smith and others, with one local effort attracting more than 1,000 attendees.⁶⁵ By early 1967, a group of more than 50 priests had united in San Antonio, demanding Lucey’s retirement. At the head of the crowd were Fathers Sherrill Smith, Henry Casso, and William Killian (another priest fired by Lucey for social activism).

Growing tensions between Mexican Americans and the aging Catholic hierarchy spread beyond San Antonio. In the summer of 1966, events in Los Angeles worried more conservative factions of the Catholic hierarchy. Most of the Catholic bishops had embraced Johnson’s War on Poverty as the fulfillment of *Rerum Novarum* and *Guadium et Spes*. Francis Cardinal McIntyre, however, regarded the program with suspicion. In June 1966, he informed General Secretary Paul Tanner that a Community Action Program in Los Angeles, locally known as the Economic and Youth Opportunity Agency, fostered the growth of “Communistic, leftist and radical groups.” That these leanings might take root among minority groups especially frightened McIntyre. The cardinal believed that the 1965 Watts Riots had been incited by radical groups and feared that Mexican American youth would take similar action during the summer of 1966.⁶⁶ Indeed, some local Mexican American leaders reported, “that their youth look to the Watts riot and wonder if they must do likewise to get attention and help.”⁶⁷ McIntyre had detected what the OEO and the

⁶³ David S. North to Henry Casso, October 11, 1966; Joseph Califano Jr. to Henry Casso, October 24, 1966; Lyndon B. Johnson to Henry Casso, November 13, 1967, Folder: Cassl, White House Name Files.

⁶⁴ Bronder, *Social Justice and Church Authority*, 86, 123.

⁶⁵ “Group Comes to Father Smith Defense,” *San Antonio News*, March 23, 1967, Box 8, Folder 15, Andrade Papers; “Garcia Says Church Fails to Meet Challenges of the Times,” *San Antonio News*, nd, Box 8, Folder 13, Andrade Papers; Sylvia Springer, “1,000 Attend Testimonial Dinner-Dance for Fr. Smith,” *San Antonio Express*, May 22, 1967, Box 8, Folder 15, Andrade Papers.

⁶⁶ James Cardinal Francis McIntyre to Paul Tanner, June 21, 1966, Box 95, Folder 11, OGS.

⁶⁷ Dick Fullmer and CB Patrick to Edgar May, February 5, 1966, Box 56, Folder: Equality of Races 1 of 4, HU2, White House Confidential Files.

FBI had already documented, namely, that a failing community action program that had become a feeding ground for community discontent.⁶⁸

Both the OEO and the NCWC sought to neutralize the situation. NCWC General Secretary Tanner and his staff followed up with Hyman Bookbinder, Special Assistant to Sargent Shriver. Bookbinder advised the NCWC that both the OEO and the FBI had the Los Angeles situation under close surveillance. McIntyre's communications with Tanner led to a direct connection between the Office of Economic Opportunity and the Cardinal's Committee for the War on Poverty (the local WOP community action program sponsored by the Los Angeles Archdiocese) and Bookbinder followed up on the communique with a personal visit to Los Angeles.⁶⁹

The brewing tensions in San Antonio and Los Angeles were indicative of a battle within the Catholic hierarchy that would soon take a national stage. In later years, Smith recalled that Lucey was “always behind the times...he never quite caught up.”⁷⁰ Lucey, Smith maintained, was a difficult man with whom to work. “We had reached the time when some of us felt that the archbishop was no longer providing us with the leadership in the archdiocese that we felt we needed...A lot of people began to think that he was not the liberal that he had professed to be.”⁷¹ By 1968, Smith had joined 50 other priests in a concentrated effort to force Lucey's retirement.

The conflict between Lucey and his priests reflected the changes within the post-Vatican II Catholic Church, which shifted the authoritarian emphasis away from a direct hierarchical channel to a more diffuse system of church governance. The NCWC split into two conferences in early 1967: the National Conference of Catholic Bishops (NCCB) and the United States Catholic Conference (USCC). The NCCB attended matters of theology and church governance. The USCC managed social action programs and coordinated with government offices on the implementation of those programs. In effect, the USCC became a lobbyist both on Capitol Hill and within the US Church. Like the old NCWC, the USCC had five main departments: the Office of General Counsel, the Lay Organizations Department, the Department of Social Development, Catholic News Service, and Migration and Refugee Services. The old Social Action Department resurfaced as the Department of Social Development, while the Immigration Bureau became the Office of Migration and Refugee Services. Following the recommendations of Vatican II, the USCC created committees within each of the five departments that were staffed in part by lay members. The committees advised the major USCC departments about potential social action plans and provided division leaders with an opportunity to raise concerns voiced by local lay leaders.

The reorganization of the Catholic hierarchy resulted in significant changes for its relationship with the Mexican descent population. In 1967, the Bishops' Committee for the Spanish-Speaking became the United States Catholic Conference's Division for the Spanish-Speaking. Over the protest of many Mexican American leaders, the USCC relocated the office from San Antonio to Washington, DC in mid-1970. Under the new arrangement, the Division for

⁶⁸ Bernard L. Boutin to Joseph Califano Jr., April 6, 1966, Dick Fullmer and CB Patrick to Edgar May, February 5, 1966, Box 56, Folder: Equality of Races 1 of 4, HU2, White House Confidential Files.

⁶⁹ Hinton to Paul Tanner, July 5, 1966; Paul Tanner to Francis McIntyre, July 5, 1966; Francis McIntyre to Paul Tanner, July 8, 1966, all in Box 95, Folder 11, OGS; Bernard L. Boutin to Joseph Califano Jr., April 6, 1966, Dick Fullmer and CB Patrick to Edgar May, February 5, 1966, Box 56, Folder: Equality of Races 1 of 4, HU2, White House Confidential Files. For an in-depth history on the EYOA in Los Angeles, please see Robert Bauman, *Race and the War on Poverty: From Watts to East L.A.*

⁷⁰ Interview I, (102).

⁷¹ Interview IV, (278).

the Spanish-Speaking became one of the several divisions operating within the Department of Social Development. Whereas Lucey had directed the efforts of the BCSS, Mexican American lay members drove the agenda of the new Division for the Spanish-Speaking. USCC leaders claimed that the move would enable better coordination and allow the hierarchy to demonstrate its commitment to Spanish-Speaking people better. Vatican II, then, radically altered the shape of Church governance – both globally and within the United States – and opened a new space for self-determination within the Church.⁷²

While Lucey and other church leaders of his generation had paved the way in creating new leadership opportunities for Mexican American Catholics, they were not entirely ready to take the next step and share church governance with these same Catholics. In early 1967, Father Miguel Barragán arrived in San Antonio from Oakland to take over as a field representative of the BCSS.⁷³ He arrived in the midst of a massive national and local reorganization of Catholic resources. Having fired Henry Casso in early 1967, Lucey found himself without an Executive Secretary. Impressed with Barragán's enthusiasm, he offered him the position of interim director.

For his part, Lucey insisted that the role of the BCSS and related agencies sponsored by the Catholic hierarchy was limited to that of advocacy and consulting. Barragán maintained that the BCSS could and should do more. In his role as interim director of the national office, Barragán pledged the BCSS' (and by default that of the entire US Catholic hierarchy) support for the formation of La Raza Unida, a new political organization. In December 1967, he reported to the BCSS' newsletter readership that following federal hearings investigating civil rights issues in El Paso, leaders representing some 45 Mexican American organizations met to form La Raza Unida. “On this historic day, October 28, 1967, La Raza Unida organized in El Paso, Texas, proclaims the time of subjugation, exploitation, and abuse of human rights of La Raza in the United States is hereby ended forever.” Organizers affirmed their commitment to the “Constitutional Democracy of the United States of America and to the religious and cultural traditions we all share.” In addition to their involvement, organizers demanded the right to organize community and labor groups, “the guarantee of training and placement in employment of all levels,” access to safe and sanitary housing within existing communities, political representation, and “the strong enforcement of the Treaty of Guadalupe-Hidalgo, particularly the section dealing with land grants and bilingual guarantees.” In addition, organizers expressed their outrage at “police harassment, discrimination and brutality inflicted on La Raza.”⁷⁴

Barragán's activities alarmed Lucey, by then wary from the Smith-Casso controversy. Barragán openly challenged Lucey's authority and indeed that of any bishop, to speak on behalf of Mexican Americans. Lucey seems to have feared the loss of his own authority, which reflected both the massive changes in an institution to which he dedicated his life, and the rejection of advocacy by a population to whom he had dedicated his career. He decided to hire a new director for the BCSS and began working to relocate Barragán to California. Barragán, however, refused to leave San Antonio. In early 1968, Lucey hired Antonio Tinajero to direct the National Office for the BCSS. Before accepting the job in San Antonio, Tinajero had worked as a special assistant to Sargent Shriver in the Office of Economic Opportunity. After months of negotiating, Lucey finally convinced Tinajero to leave DC and take over the BCSS.

⁷² Frank Hurley to Gerald f. Cox, December 5, 1968, Box 81, Folder: Spanish Speaking, 1966-1968, USCC/USCC.

⁷³ Robert Lucey to Alan McCoy, October 3, 1967, Box 17, Folder 6, Lucey Papers.

⁷⁴ “Los directores del comité episcopal para la gente de habla Española les dejan un prospero año nuevo,” BCSS Newsletter, December 1967, Box 81, Folder: Spanish Speaking, 1966-1968, USCCB/USCC.

Tinajero clashed with Barragán spectacularly. Barragán resented Tinajero's management style, as well as his interference in local community action programs. For his part, Lucey was elated to finally have attracted a Mexican American leader with federal credentials to the BCSS. Moreover, Tinajero tended to follow a Lucey's directives, while Barragán, like many other young priests, questioned the aging cleric's ability to direct the Catholic Church's mission on behalf of Mexican Americans, especially as he distanced himself from those he perceived as militants. Mexican American priests, such as Barragán and Casso, believed that Lucey had retreated from his previous social justice stance.

Locally sponsored projects seemed to fuel a growing divide between the Archbishop and his priests. In 1968, the San Antonio Archdiocese created a new community action proposal. The new community action program, the Mexican American Unity Council (MAUC) would provide the space and support for poor Mexican Americans to “develop the organizational and programmatic means and resources by which to deal with these problems within a legal-political framework.” Instead of a government or church agency determining how best to help an individual community, MAUC allowed low-income Mexican Americans to meet and identify their needs and concerns. These meetings served as a basis for the programs sponsored by the project.

MAUC assisted the community by providing help with leadership development and finances. The idea was to identify and train local leaders to address local problems because they were best suited for identifying and solving those problems. MAUC's organizers also believed that “a secondary, but equally important task of the MAUC is to establish an effective and positive relationship with other groups and individuals who are also involved in finding solutions to the social problems of the Mexican American.” Consequently, MAUC membership included Texas State Senator Joe Bernal, Father Miguel Barragán, Pete Tijerina (who would go on to co-found the Mexican American Legal Defense and Education Fund), José Angel Gutiérrez, Ignacio Pérez, and Willie Velásquez.⁷⁵

Barragán's membership in MAUC was the final straw for Lucey and Tinajero. Tinajero demanded that Barragán resign from MAUC, but the priest refused. Instead, he began a 5-month organizing campaign at the expense of the BCSS office that took him from San Antonio to Washington, DC, Phoenix, Los Angeles, and El Paso. In April 1968, California civil rights leader, Bert Corona, phoned Tinajero, asking for his support for Reies Tijerina, a fellow organizer who police had arrested in New Mexico. Tinajero informed him that “the BCSS could do nothing on this matter.” Corona then shared with Tinajero that Barragán had accompanied him to Washington in hopes of meeting with Johnson's advisors. “Sensing my surprise,” Tinajero told Lucey, “he [Corona] asked me not to scold Father Barragán to which I answered that Father Barragán could do what he liked on the weekend and that besides I did not scold adults.”⁷⁶

In May, the situation worsened further when Barragán went to DC to represent the BCSS at the Poor People's March. Having failed to secure permission from either Lucey or Tinajero to leave the archdiocese, the priest seemed to be following the lead of Sherrill Smith and other social activist-minded priests. Lucey, however, was not impressed. Instead, he asked Barragán's supervising Bishop, Floyd Begin of Oakland, to recall the priest to California and wondered “if Father Miguel is a mental case.”⁷⁷ Barragán refuted Lucey's accusations.

⁷⁵ “A Proposal for the Development of Community Cooperative Projects Among the Lower Income Mexican Americans of San Antonio, Texas, Box 17, Folder 6, Lucey Papers.

⁷⁶ Tinajero to Lucey, May 8, 1968, Box 17, Folder 6, Lucey Papers.

⁷⁷ Robert Lucey to Floyd Begin, May 16, 1968, Box 17, Folder 6, Lucey Papers.

The last “directive I received from the newly appointed Executive Secretary, Mr. Antonio Tinajero, is clearly stated in his memo of April 19th. Why all the confusion? Let me inform you that I have no intention of reporting to the Oakland Dioceses by September 1st,” the priest retorted. “Nor will I even consider it until I have in my possession an official document from the Archbishop [of San Antonio] stating my termination of office with the BCSS and specific reasons for my dismissal.” Bishop Begin timidly asked Barragán to return to Oakland, which the priest flatly refused. “My plans are to continue working in the Southwestern states of Texas, New Mexico, Colorado, Arizona, and California as a consultant to the Southwest Council of La Raza and the Mexican American Legal Defense Program.”⁷⁸ Barragán was true to his word. Over the next few months, however, as he traveled across the country, accusations of credit card theft and insubordination flew back and forth between the priest, Tinajero, and Lucey.

Much of the tension between Tijanero, Barragán, and others had to do with competing visions of the role of the Catholic Church in organizing Mexican American communities. Tinajero echoed the institutional view. He insisted that Catholic organizations such as the BCSS existed not to serve as “direct, popular leaders, leading the troops in the forefront,” but instead to act as “technical aides, enablers, connectors, providers of resources, direction, information and ideas.”⁷⁹ Barragán, on the other hand, maintained, “If the Bishops Office was set up to assist the millions of Spanish Speaking people – especially the millions of Mexican American poor in the Southwest – then let it begin to supplement the Christian word with similar action.” He called for Mexican Americans to assume new leadership roles in the Catholic Church, telling Begin, “The time has come to identify hypocrisy and to remove Ecclesiastical tyrants who spread more hate and dissension among their priests and lay people than love.” Moreover, Barragán noted that despite the BCSS’s legislative lobbying efforts, the organization had “not done anything directly with the people” in years.⁸⁰

Bishop Begin wrote to Lucey in response to Barragán’s letter. Barragán wrote to Begin that he would continue his work with the Southwest Council of La Raza, regardless of Lucey’s feelings on the matter. Begin suggested, that in light of Barragán’s letter, the San Antonio Archbishop ought to release the wayward priest and questioned whether or not the priest’s organizing activities even fell under the jurisdiction of the BCSS. “I should like to know how La Raza is related to the Bishops’ Committee if at all. I gave Father Barragán permission to work in your office, not to become a free-lance agent,” Begin told Lucey. The exchange between the two archbishops evidenced the hierarchy’s growing bewilderment on how to respond to Mexican American demands for greater self-determination.⁸¹

Barragán's prayers were soon answered. The San Antonio priests wrote Pope Paul VI on September 11, 1968, requesting that the Pope enforce the mandatory retirement age for Lucey. Mexican Americans from across the region picketed the Archbishop's home on a nightly basis. News of the San Antonio revolt crossed the President's desk in October 1968, when aides reported that a group of “51 priests have asked for the removal of Archbishop Robert E. Lucey,

⁷⁸ Floyd Begin to Robert Lucey, July 16, 1968; Miguel Barragán to Floyd Begin, August 27, 1968, Box 17, Folder 6, Lucey Papers.

⁷⁹ Tinajero to Lucey, May 8, 1968, Box 17, Folder 6, Lucey Papers.

⁸⁰ Tinajero to Lucey, May 8, 1968; Miguel Barragán to Floyd Begin, August 27, 1968, Box 17, Folder 6, Lucey Papers.

⁸¹ Floyd Begin to Robert Lucey, July 16, 1968, Box 17, Folder 6, Lucey Papers.

the spiritual leader of 500,000 Roman Catholics in Texas.”⁸² The end of Lucey’s remarkable career was marred by controversy. In the months before his resignation, local newspapers accused the Archbishop of promoting a “medieval culture.” One month later, Lucey received a gentle, but firm reminder that canon law required bishops to resign at the age of 75. “Although the Holy Father reserves to himself the decisions on the petition, Prelates [(bishops)] are expected to submit their resignation when the limit is reached.” A believer in Church authority to the end, Lucey dutifully resigned.⁸³

Meanwhile, Tinajero had his troubles of his own. When the NCWC transformed into the UCSS in 1967, it created the Social Development Division. That same year, the UCSS transferred the BCSS out of San Antonio, to Washington, DC. The USCC maintained that it would be easier to coordinate a national program if that program’s central office was located in DC. Tinajero, however, had only just relocated his family from DC to San Antonio. A father of four, Tinajero did not relish moving back to the capital. For most of 1967, the BCSS existed as two entities, the former BCSS, and the newly formed United States Catholic Conference’s Division for the Spanish-Speaking. For nearly two years, Tinajero drug his heels, and refused to relocate, though he eventually gave in 1970.

Mexican American leaders reacted with alarm when they learned that the BCSS office would relocate to the East Coast. Herman Gallegos, director of the Southwest Council of La Raza, which also counted Miguel Barragán amongst its leadership, called for the USCC to rescind its decision. César Chávez reminded the USCC that “most Mexican Americans live in the Southwest.” Pete Tijerina, executive director of the Mexican American Legal Defense and Education Fund – a board on which fired priest Henry Casso also served – called “the very existence of the National Office of the Division [of the Spanish Speaking] in the heart of the Mexican American community an important symbol of the Catholic Church’s concern for and commitment to the Mexican American poor.”⁸⁴ According to Tinajero, the USCC Division office functioned primarily as “a consulting firm, sponsored by the Bishops of the United States for the purpose of assisting those individual dioceses with significant Hispanic populations in their efforts to develop far-reaching and effective programs.”⁸⁵

Tinajero presented the Division as part of a broader effort not only to make the Church more inclusive but also to make it more responsive and representative of its entire membership. Through the Division, the Church would assist Spanish-speaking Americans in acquiring greater political agency.⁸⁶ Pete Tijerina and others believed that relocating the office to DC cast doubt as to the sincerity of that commitment. Tinajero’s experience working for the Catholic Conference demonstrated the limits of Catholic progressivism in the immediate post-Vatican II period. The conference was prepared to appoint more Mexican American leaders within its bureaucracy. It

⁸² The AP bulletin was passed to Johnson for “night reading,” Tom Johnson, October 25, 1968; Richard Beene, “Associated Press Bulletin,” October 25, 1968, Box 6 Presidential Papers of Lyndon B. Johnson, 1963-1969, White House Central Files; Luigi Raimondi to Robert Lucey, November 29, 1968, Box 17, Folder 8, Lucey Papers.

⁸³ “Garcia Says Church Fails to Meet Challenges of the Times,” *San Antonio News*, nd, Box 8, Folder 13, Andrade Papers.

⁸⁴ Herman Gallegos to Frank Hurley, October 15, 1969; César Chávez to John Cardinal Dearden, December 15, 1969; Pete Tijerina to John Cardinal Dearden, October 13, 1969, all in Box 81, Folder: Spanish Speaking, 1969, USCCB/USCC.

⁸⁵ Division for the Spanish Speaking: National Office, *Newsletter*, January 1969, Box 81, Folder: Spanish Speaking, 1969, USCCB/USCC.

⁸⁶ Division for the Spanish Speaking: National Office, *Newsletter*, January 1969, Box 81, Folder: Spanish Speaking, 1969, USCCB/USCC.

was not, however, prepared to yield control of any federally funded to programs to Mexican Americans.

The USCC's decision to relocate the BCSS office from San Antonio to Washington, DC, evidenced its disconnect with Mexican and Mexican American Catholics. USCC leaders rightly believed that the hierarchy could better coordinate the flow of federal resources into Catholic programs from DC. Close geographic proximity allowed USCC representatives to meet regularly with members of the Johnson administration, and later the Nixon administration. It also enabled the hierarchy to keep lobbying body closely apprised of developments on Capitol Hill. Mexican American civil rights organizations such as MALDEF would eventually create DC headquarters as well. In relocating the Division for the Spanish Speaking, however, the USCC seems to have underestimated the symbolic importance of keeping the institutional Church's presence amongst its Spanish-speaking laity.

The Chicano Movement's Collision with the US Catholic Church

Mexican American priests and lay members pressed the US hierarchy and the Vatican to name a Mexican American bishop after Lucey's retirement. In April 1969, Father Ralph Ruiz organized a group of Chicano priests to meet in the recently closed La Salle High School in San Antonio. They met primarily to discuss individual and corporate issues related the Catholic Church and its response to its Mexican parishioners. More specifically these priests met to discuss the hierarchy's failure to address the needs of Mexican descent parishioners, the discrimination of Mexicans and Mexican Americans by the church and society at large, the lack of Mexican American clergy and representation within the ecclesiastical hierarchy, and the church's discrimination of that clergy. Future Archbishop Patrick Flores noted that as a young priest in Houston, he was "prohibited from hearing confessions in Spanish or communicating in Spanish with parishioners." One priest noted that the hierarchy's ban of Spanish created "second-class Catholic citizenship" for Mexican and Mexican American Catholics.⁸⁷

The outpouring of Mexican American civil rights activism associated with the Chicano movement surged in the late 1960s. Activists across the US West and Southwest fought for a broad cross section issues, including farm worker rights, political enfranchisement, land grant rights, improved educational opportunities, respect of cultural autonomy, and greater control over local resources. Protestors united around a shared racial and ethnic identity. As part of their activism, many Chicano leaders issued a scathing critique of the Catholic hierarchy.

A handful of priests who would become some of the most influential leaders of the Chicano movement, including Fathers Henry Casso, Virgilo Elizondo, and David Durán, attended the meeting. By the end of their meeting, these mostly young, Chicano priests, formed the basis of the first, influential and lasting Chicano organization within Catholic Church the *Padres Asociados para Derechos Religiosos Educativos y Sociales* (Associated Priests for Religious, Education, and Social Rights), or PADRES. Lasting from 1969 until 1989, the PADRES was by most measures enormously successful in achieving its aims – by the end of the 1970s, the number of Mexican bishops had increased from 0 to 12. Moreover, the USCC urged dioceses with large Spanish-speaking parishes to adopt a more relevant brand of Catholicism in the liturgical life of the diocese by offering by offering Mass in Spanish and recognizing ethno-

⁸⁷ Martínez, *PADRES*, 34-35.

religious practices. The USCC offered its official recognition of the organization as one representative of Hispanic priests in early 1970.⁸⁸

PADRES was especially influential in its efforts to reshape the US Catholic hierarchy. Chaired by San Antonio native, Father Patrick Flores, the organization put together a list of 10 US-born Hispanic candidates as potential bishops. Of these, Flores topped the list. Born in 1929 to migrant workers, Flores attended parochial schools before deciding to joining the priesthood. The Galveston Archbishop ordained him in 1956. From Southeast Texas, Flores began leading the Christian Family Movement and also joined the BCSS. Working alongside fellow Mexican American priests, Flores played a key role in organizing PADRES and gaining diocesan support for the organization in 1970. When the Vatican named Flores auxiliary bishop to San Antonio in 1970, it was with the wholehearted support of the PADRES membership.⁸⁹

Although PADRES defined itself as an inclusive organization, it chose not to extend its initial invitation to the Los Angeles Archdiocese. PADRES withheld membership to the southern California archdiocese for two reasons: its notorious hierarchical animosity towards Mexican Catholics and the insular attitudes of Mexican American clergy in that archdiocese. The tensions that boiled over in Los Angeles in December 1969 had simmered for decades. *Católicos Por La Raza* formed in the midst of the Los Angeles Archdiocese, an Archdiocese under the leadership of Cardinal McIntyre and notorious for its poor treatment of Mexican American Catholics. *Católicos* was a group of young Mexican Americans, mostly college students. Ricardo Cruz, one of the group's co-organizers described the organization as a "group of poor people, Chicano people, mostly from East Los Angeles who...gathered together to look at their church, the Catholic church, to protest what we consider unfair racist and otherwise detrimental activity by our own church toward our own people." Finally, the group blasted the church for the contradiction between its wealth and the poverty of the barrios. To remedy these deficiencies, *Católicos Por La Raza* demanded increased Mexican American representation in the church's hierarchy, a return of the church to the hands of its members, and an opportunity for the laity to participate in all decisions assumed by the Church. Led by Cruz, *Católicos Por La Raza* staged various protests throughout Los Angeles aimed at forcing the church to respond to its demands.⁹⁰

As historian, Mario García has noted, *Católicos* drew attention to the contradiction between the poverty of the Mexican American laity and the wealth of the institutional Church by juxtaposing the Los Angeles Archdiocese's decision to build a \$1 million cathedral for Anglo American Catholics amid one the city's poorest barrios. McIntyre and other Church leaders, however, had refused to consider a low-income housing project for Mexican and Mexican American Catholics citing a lack of sufficient funding. Cruz noted that the stained glass in the new cathedral was worth roughly \$250,000, "yet, Chicanitos [small children] are praying to La Virgen de Guadalupe as they go to bed hungry and will not be able to afford decent education." They, like San Antonio's priests and laity believed that Church leadership had abandoned the poor in favor of promoting authority. "When there is an authority opposed to the people," *Católicos* reasoned, "this authority is illegitimate and tyrannical. As Christians and Catholics, we

⁸⁸ Richard Martínez, *PADRES: The National Chicano Priest Movement*, 51-82.

⁸⁹ Invitation to Episcopal Ordination of Most Reverend Patrick Flores, May 5, 1970, Box 8, Folder 13, Andrade Papers; "Chicano Named as Archbishop," *National Catholic Reporter*, vol. 10, no. 33, June 21, 1974, Box 3, Folder: Chicano Bishops, Anthony R. Soto Papers, M0763, Department of Special Collections, Stanford University Libraries, Stanford, CA, (hereafter Soto Papers).

⁹⁰ Testimony of Richard Cruz, as quoted in Mario T. García, *Chicano Liberation Theology: The Writings and Documents of Richard Cruz and Católicos Por La Raza* (Dubuque, IA: Kendall Hunt Publishing Company, 2009), 78.

can and must fight against the mismanagement of OUR Church.”⁹¹ These calls soon manifested into violent protests.

On Christmas Eve 1969, St. Basil’s Cathedral in downtown Los Angeles became a battleground between the local Catholic leadership and the young, Mexican American faithful. Just as James Francis Cardinal McIntyre raised the host in anticipation of the miracle that would transform the chalice of wine and basket of wafers into the literal blood and body of Christ, protestors burst through the doors to the church vestibule.⁹² Secure within the sanctuary, the choir and congregation sang, “O come all ye faithful,” while protesters screamed from the vestibule, “Let the poor people in!” The irony was not lost on the undercover sheriff’s deputies in the congregation, who tensed in anticipation of mayhem.⁹³

Exactly what happened next remains lost to history. Within minutes, members of the LAPD emerged in full riot gear from busses hidden behind the cathedral. They maced several of the protestors and beat others into submission. The result was a confusing, bloody confrontation between police and protestors on the steps of the altar to Christ on the celebration of his birth. Audiences at home watched the televised Mass but saw none of the violent clashes between protestors and the police, a miracle in itself.

Cardinal McIntyre addressed the congregation as police made their arrests, saying “We are ashamed of the participants and we recognize that their conduct was symbolic of the conduct of the rabble as they stood at the foot of the cross, shouting, ‘Crucify Him!’”⁹⁴ With one broad brushstroke, the Cardinal depicted those Catholics fighting for a more inclusive church and the antagonists at the heart of their religion as one and the same and denied a Chicano claim to the Catholic Church. The Church, according to Cruz, had become a “model of hypocrisy,” and the Christmas Eve protests were animated by calls to return the Church to the poor. By the end of the night, police had arrested 21 of the demonstrators, including Richard Cruz, spokesman for Católicos. Attorney Oscar Zeta Acosta, famous for his friendship with Hunter Thompson and for representing the Chicano 13 of the East LA walkouts, represented the St. Basil 21. Acosta, who was also infamous for his dealings with the LAPD, later called the evening “a police riot.”⁹⁵

Two weeks before the St. Basil’s incident, Richard Cruz and a handful of other Católicos members forced their way into the Los Angeles Chancery office, demanding that Francis Cardinal McIntyre lead a church “more relevant to Mexican-American needs.” McIntyre enjoyed a troubled relationship with the city’s Mexican descent community. Officially, the cardinal followed in the footsteps of his predecessors, promoting the archdiocese’s social welfare projects

⁹¹ Católicos Public Letter, November 29, 1969; “The Church: The Model of Hypocrisy,” 9, both quoted in García, *Chicano Liberation Theology*, xviii-xix.

⁹² The host is a portion of sacramental bread, usually a round, thin wafer, used in communion. A vestibule is a hallway or entrance way to the main room or sanctuary of a church building.

⁹³ Historian Mario T. García estimates that there were roughly 200-350 protestors gathered outside of St. Basil’s that night. Newspaper reporters later reported an estimated 300 attendees. García, *Chicano Liberation Theology*, xxiii; Robert Rawitch, “Catholic Church Picketed After Violent Protest: Mexican-American Group Returns to St. Basil’s Following Row at Mass,” *Los Angeles Times*, December 26, 1969, ProQuest Historical Newspapers: Los Angeles Times, pg. 3. <http://search.proquest.com/news/docview/156430554/59C73126955D4933PQ/1?accountid=14496>.

⁹⁴ Robert Rawitch, “Catholic Church Picketed After Violent Protest: Mexican-American Group Returns to St. Basil’s Following Row at Mass,” *Los Angeles Times*, December 26, 1969, ProQuest Historical Newspapers: *Los Angeles Times* (<http://search.proquest.com/news/docview/156430554/59C73126955D4933PQ/1?accountid=14496>) pg. 3.

⁹⁵ García, *Chicano Liberation Theology*, xxvii; Ricardo Cruz, “The Church: the Model of Hypocrisy,” in *Chicano Liberation Theology*, 27.

begun decades earlier. The next day following the confrontation with Cruz and others, the Cardinal presided over the ground-breaking of a \$4 million hospital designed to serve a large segment of the Mexican American population. The project was nearly a decade in the making. His interactions with Mexican American Catholics, however, were fraught with tension. More often, he refused to meet personally with Spanish-speaking Catholics.⁹⁶ After forcing a meeting with the cardinal, the Católicos staged the vigil and protest designed to interrupt the cardinal's Christmas Eve mass. Less than six months later, the cardinal announced his retirement.

By setting their protest in Los Angeles, a city already ripe with tension, the Católicos' leadership guaranteed that their efforts would receive national attention. The *Los Angeles Times* and the *New York Times* both reported the incident. Catholic leaders met behind closed doors in Washington, DC to strategize a response before issuing a public statement condemning the disruption.⁹⁷

Historians have recounted the St. Basil story multiple ways since the early 1980s, making it symbolic of Mexican American discontent in the Catholic Church. At the heart of this narrative is the story of the Catholic hierarchy and its refusal to use its vast resources on behalf of Mexicans and Mexican Americans. Early Chicano scholars accused the Church of deeply rooted discriminatory practices and labeled it a colonizing institution that force-fed assimilation to Mexican immigrants. These claims were not without merit. In the early 1970s, Chicanos need look no further than the St. Basil incident for evidence of negligence and discrimination within the Catholic Church. As late as the early 1970s some local priests still held Mass for segregated congregations. Catholic advocacy at the national and regional levels, however, told a vastly different story. Leaders of the National Catholic Welfare Conference had worked alongside state and federal officials for nearly three decades to address problems such as employment discrimination, the unionization of farmworkers, and the elimination of poll taxes. Bishops such as Robert Lucey worked with the NCWC to pursue these goals on a local level.

The difference between the local and national Church had to do with institutional governance. Until Vatican II (1962-1965), local bishops controlled the local affairs of his diocese. He might choose to embrace or reject the National Catholic Welfare Conferences Opportunities for local leadership depended directly on an individual bishop's willingness to create a communal dialogue between laity and clergy. This diffuse style of church governance allowed pockets of racism to flourish in certain dioceses, while others pursued a more progressive path. Beginning with Vatican II, which encouraged greater lay participation than ever before, local dioceses adopted a more collaborative form of leadership.

⁹⁶ John Dart, "Chicano-Catholic Conflict: a Split Over Philosophy," *Los Angeles Times*, December 31, 1969, ProQuest Historical Newspapers: *Los Angeles Times* (<http://search.proquest.com/news/docview/156367731/59C73126955D4933PQ/4?accountid=14496>), pg. 1.

⁹⁷ Meier and Ribera, *Mexican Americans/American Mexicans*, 226-229; Ian Haney López, *Racism on Trial: The Chicano Fight for Justice*, 38, 230; Mario T. García, *Católicos: Resistance and Affirmation in Chicano Catholic History*, (see especially Chapter Five: Religion in the Chicano Movement); Richard Edward Martínez, *PADRES: The National Chicano Priest Movement*, 36-38; Mario T. García, *Chicano Liberation Theology: The Writings and Documents of Richard Cruz and Católicos Por La Raza*; Roberto R. Treviño, *The Church in the Barrio: Mexican American Ethno-Catholicism in Houston*; Neil Foley, *Mexicans in the Making of America*; Foley, *Quest for Equality: The Failed Promise of Brown-Black Solidarity*; David Montejano, *Quixote's Soldiers*; Craig A. Kaplowitz, *LULAC: Mexican Americans and National Policy*.

Chicano Catholic Leadership and Advocacy

A 1972 strike in El Paso demonstrated the transformative power of Mexican American access to Catholic resources. The strike, against the nation's largest manufacture of men's slacks, began in May 1972, when several hundred workers walked out of a Farah Manufacturing plant in San Antonio and later out of an El Paso plant. At the time, Farah Manufacturing employed mostly Mexican American workers in eight plants across the Southwest. The company's headquarters and largest plant were located in El Paso. The strike made national news. *Time Magazine* reported news of the strike, as did national newspapers. Most portrayed the strike as a showdown between company owner Willie Farah and El Paso Bishop Sidney Metzger.

Within two months of the San Antonio walkout, a group of supportive allies had formed the National Citizens for Justice for Farah Workers, led by New York Senator Gaylord Nelson. Nelson saw the strike an essential "step to develop broad support for the civil rights of Mexican-Americans."⁹⁸ By spring 1973, the National Citizens Committee in Support of Farah workers could count among its many supporters Senators Edward Kennedy, Gaylord Nelson, George McGovern, and John Lindsay. Governor Nelson Rockefeller and AFL-CIO president George Meany also endorsed the boycott.⁹⁹ Religious groups across the country endorsed the strike and the boycott.

The strike was the result of nearly three years of organizing that began in 1969, when Tony Sánchez, an 18-year veteran with the Amalgamated Clothing Workers of America (ACWA) traveled to El Paso to organize garment workers. After a slow start, Adam González, a worker in the shipping department called Sánchez and asked him to help organize the plant. Approximately 60 workers attended the first meeting and signed union cards. Shortly thereafter, Farah management fired González. He appealed his discharge and the National Labor Relations Board ruled that he had been unfairly dismissed. The company appealed the district ruling all to the Fifth District Court of Appeals, which ordered Farah to reinstate González and with backpay. Eventually, the ACWA held elections and the San Antonio and El Paso plants voted to unionize, over the protests of Farah management.¹⁰⁰

Born to Lebanese immigrants, Willie Farah, the company's 53-year old president, was proud of his American citizenship. Farah's sense of civic pride led him to refuse employment to aliens. So strong was his patriotism that he refused to use foreign made machinery and once, according to local legend, required a contractor to rebuild his home after catching the man using Japanese-made nails.

By all accounts, Farah provided his employees with an unusual number of benefits, including Thanksgiving turkeys, Christmas gifts, on-site clinics that provided eyeglasses at cost or free to workers, and a cafeteria that sold hot lunches at cost. He did not, he insisted, set quotas for his employees. "Our people, in their own wish to excel," he later said "set these quotas themselves." He also insisted that the fairly high turnover of first year workers (which hovered

⁹⁸ Gaylord Nelson to George Higgins, July 20, 1972, Box 61, Folder 13, Higgins Papers; Jefferson Cowie, *Stayin' Alive: The 1970s and the Last Days of the Working Class* (New York: The New Press, 2010), 54.

⁹⁹ "Bishop v. Farah," *Time Magazine*, March 26, 1973 vol. 101, no. 13, reprinted in *Viv La Huelga: Farah Strike Bulletin*, no. 19, Box 117, Folder 3, Higgins Papers

¹⁰⁰ "Farah: The Strike that has Everything," *The Texas Observer*, December 29, 1972, 5, Box 117, Folder 3, Higgins Papers; Farah Manufacturing Company, Inc., and Amalgamated Clothing Workers of America, AFL-CIO, Southwest Regional Joint Board before the National Labor Relations Board of Judges, Washington, DC, Case No. 23-CA-4435, January 29, 1974; Notice to Employees, Posted by Order of the National Labor Relations Board, Box 117, Folder 4, Higgins Papers.

around 50%) had to do with the number of women employed by the company. “As you know,” Jim Farah, Willie’s son and assistant, said, “the majority of women work on short-term reasons, to buy a car, to buy a home . . . different from a man.”¹⁰¹ Many of Farah’s comments, however, contradicted his workers’ experiences, particularly in El Paso.

The main El Paso plant was nearly a 1/2-mile long. Plant managers used bicycle messengers to deliver memos from one end of the factory to the other. Hundreds of machines, operated by mostly Mexican American women, crowded the cutting room floor, as piles of finished pants grew to the hundreds. Workers received an 11-minute rest break in the morning, 10 minutes in the afternoon, and a 45-minute lunch break. The company, according to Farah, was the largest civilian employer between Dallas and Los Angeles, employing some 14% of El Paso’s population. More than 95% of the company’s 9,500 employee workforce were Mexican American, and of those, nearly 90% were women. Although workers agreed that the plant was clean and air conditioned, the lack of job security and fear of management’s intimidation, created a hostile working environment.¹⁰²

Every Tuesday at 1 pm several hundred Mexican American workers on strike from Farah gathered with their families in the chapel of Our Lady of Sorrows Catholic Church, a parish of nearly 25,000 mostly poor, Mexicans and Mexican Americans. The chapel had “become a symbol of resistance to the ways things have always been done in this border city.” Workers received moral and political support from one another, as well as their “Mexican-born priest,” Jesse Muñoz. Those who gathered in the church received “\$30 in weekly strike benefits.” Muñoz, whose parish included approximately 1/4 of the entire Farah workforce, saw a dramatic increase in Mass attendance as the strike continued.¹⁰³

According to Muñoz “When the people walked out it was in protest to the very irrational violations of their dignidad, their human dignity. They didn’t actually need any union to come around and stir them up. They walked out because the situation was unbearable.” He called the strikers “heroic.” “They are all on exodus to a promised land.” Non-striking workers contributed to the distress fund for their fellow workers on strike. Still another worker described the loss of his home as a consequence of going on strike. One man reported that before the strike the workers did not know each other’s names because they “were not allowed to speak to each other.”¹⁰⁴ One of the workers was Father Muñoz’ own sister, Consuela, who had worked on and off at Farah for 8 years before joining the strike. As a belt setter, Consuela’s manager set her daily quota at 2,040 pieces. In order earn raises, her quota was gradually raised to 3,000 pieces. Any time she left her machine, Consuela’s manager questioned her. After a brief verbal confrontation, she stopped receiving raises.¹⁰⁵

Other workers likewise described oppressive working conditions, insufficient wages, and lack of job security as their primary reasons of going on strike. Women reported especially tense working conditions. Manuela Reyes began working at the El Paso plant when she was just 16.

¹⁰¹ Austin Scott, “The Battle of Farah,” *Washington Post, Times Herald*, December 23, 1973, Box 117, Folder 1, Higgins Papers.

¹⁰² Ibid.

¹⁰³ “Address of Most Reverend Sidney M. Metzger, DD, Bishop of El Paso, Texas to the US Catholic Conference of Bishops’ Annual Meeting, Washington, DC, November 1973, Statement on the strike and Boycott of Farah Manufacturing Company,” Box 117, Folder 4, Higgins Papers.

¹⁰⁴ *The People vs. Willie Farah* produced and directed by Harold Mayor, http://www.texasarchive.org/library/index.php/The_People_vs._Willie_Farah_ (1973).

¹⁰⁵ Austin Scott, “The Battle of Farah,” *Washington Post, Times Herald*, December 23, 1973, Box 117, Folder 1, Higgins Papers.

Over the course of six years she only saw a 30¢ an hour raise. The plant's atmosphere violated her sense of human dignity. "At the break time is the only time you can go to the bathroom," she said. "If you have to go to the bathroom when it is not the break, the supervisor sees you and he waits for you outside and when you come out he asks why you went in, what took you so long. Perhaps it is your period...and you must change your clothes...But it is embarrassing to say this to the supervisor, so you just say you don't know why it took so long and look dumb. And then he just looks at you like ...it is not good."¹⁰⁶

Father Donald J. Bauer, a priest from New York, joined the Amalgamated Clothing Workers of America as a religious consultant shortly after the strike began. After receiving his bishop's permission, the priest travelled across the country urging bishops to endorse the boycott of Farah products.¹⁰⁷ Bauer traveled to cities across the northern US, encouraging inter-faith groups to support the boycott of Farah products. Bauer's role as a religious consultant to the union was somewhat unprecedented in the labor movement. Priests of an earlier generation, such as Francis Haas and Raymond McGowan, had worked as labor mediators, but not as religious consultants. Bauer's hiring pointed to a new attention to both Catholics and Mexican Americans within the labor movement. Moreover, it demonstrated a geographic shift in labor unionism from the urban north to the west and southwest.¹⁰⁸

On March 8, Bishop Metzger pronounced: "As matters stand in Farah, without a written negotiated personnel policy the Worker has insufficient assurance of job security, insufficient assurance of reasonable and negotiated production quotas, and insufficient assurance of a fair wage scale. Without these three basic requirements there is no social justice...If the Company were to meet the demands of social justice by collective bargaining, I am confident it would prosper wonderfully."¹⁰⁹

In November, the United States Catholic Conference issued a resolution on the strike. The Bishops reminded Catholics across the nation that Vatican II called for collective bargaining as a basic, human right. "Included is the right of freely taking part in the activity of these unions without the risk of reprisal." The bishops' unified support of the strike was nearly unprecedented. The USCC commissioned two separate studies of the strike and determined "there is a lack of social justice and the workers organizing in the Amalgamated Clothing Workers of America deserve support of the Christian community and others of good will." In addition, the conference endorsed the strike and urged "a boycott of Farah products by all people of good will."¹¹⁰

Willie Farah responded to Metzger's letter in December 1942 by writing to each bishop in the US. Farah claimed that in response to unionizing efforts, his employees "simply refused to join up." Moreover, he claimed that his company practiced social justice by offering "increasingly more secure and steady jobs in a healthy environment to thousands of people."¹¹¹ That same month, Farah sent members of his management team to meet with Metzger. The

¹⁰⁶ "Farah: The Strike that has Everything," *The Texas Observer*, December 29, 1972, 4, Box 117, Folder 3, Higgins Papers.

¹⁰⁷ Father Donald Bauer to Cardinal/Archbishop/Bishop [sent to Catholic bishops across the country], August 9, 1973, Box 117, Folder 1, Higgins Papers.

¹⁰⁸ Father Donald Bauer to Joseph L. Hogan, March 28, 1973; David Cunningham to Donald Bauer, March 17, 1973, Box 117, Folder 3, Higgins Papers.

¹⁰⁹ Father Donald Bauer to Paul Poling, July 5, 1973, folder 1, box 117, Higgins Papers.

¹¹⁰ Committee on Social Development and World Peace, United States Catholic Conference, "Resolution on Farah Manufacturing Company - Amalgamated Clothing Workers of America Labor Dispute," November 1973; John Cosgrove to Joseph Gill, January 14, 1974, Box 117, Folder 1, Higgins Papers.

¹¹¹ William Farah to Bishops of the United States, December 11, 1972, Box 117, Folder 3, Higgins Papers.

group met with the bishop as “Catholics, as citizens of our community, and as members of the Farah Management team.” They insisted that Farah Manufacturing provided fair employment opportunities to its workers, and only dismissed its employees as a last resort. The strikers, however, held a different view. They argued that Farah had a long-standing history of employment abuse that ranged from setting unreasonable quotas to fiscal irresponsibility.

Workers and the union sued Farah over a company-sponsored savings plan the they claimed the company used to “lure workers into making interest-free loans to their employer.” Workers alleged that management pressure them into contributing \$5 a week to the savings plan, which also did not pay any interest. Excepting unusual circumstances, workers could not retrieve their money until the end of the year. Funds were deposited into an account in the company’s name at El Paso National Bank, which Willie Farah also directed. Farah then used workers’ funds to cover the company’s operating expenses.¹¹²

Bishops across the nation issued orders forbidding Catholic schools from purchasing school uniforms manufactured by Farah. In the short run, the boycott proved extremely effective. As one of the nation’s largest consumers of Farah products, Catholic schools had the power to dramatically shift the outcome of the nearly two-year long strike. From May to July 1973, the company’s profits dropped 7% from \$41.2 million to \$38.3 million. The boycott also impacted the company’s stocks, which dropped from an all-time high of \$39.5/share when the strike began in 1972 to below \$7 by September 1973.¹¹³ Metzger described the boycott as “the very soul of this strike.”¹¹⁴

Members of the Citizens committee included civil rights leaders such as Bayard Rustin, César Chávez, and A. Philip Randolph, politicians such as Senator Edward Kennedy, Edward Roybal, future presidential hopeful Walter Mondale, and various social activists, including Carey McWilliams, Clark Kerr, and Monsignor George Higgins. The committee sent regular updates, urging civic groups to support the Farah boycott. The “Don’t Buy Farah Pants” campaign estimated that its efforts cost the company as much as \$14 million during the first year of the strike. College newspapers targeted one of the company’s largest consumer groups: students.¹¹⁵

Willie Farah directly blamed the closure of half of his company’s plants and the prolonged strike on five Catholic bishops. He found the efforts of San Antonio Archbishop Francis Furey, Auxiliary Bishop Patrick Flores, and El Paso Bishop Sidney Metzger particularly meddlesome. He claimed that the efforts of Catholic bishops, had “intimidated retailers selling his company’s products” because “retailers don’t want to fight the church.” Farah accused the men of being “party to obstructing collective bargaining.”¹¹⁶ Farah responded to Metzger’s support of the strikers with a scathing critique. He accused the bishop of “lolling in wealth and ignorance of conditions at the plant. He belongs to the rotten old bourgeoisie.”¹¹⁷

Farah Manufacturing responded to the boycott with its own propaganda and public appeal campaign. In a publication, *For the Defense of Farah Workers*, the company’s supporters

¹¹² Amalgamated Clothing Workers of America, AFL-CIO, *The Advance*, September 1973, Vol. 59, No. 9, Box 117, Folder 1, Higgins Papers.

¹¹³ Ibid.

¹¹⁴ *The People vs. Willie Farah* produced and directed by Harold Mayor, [http://www.texasarchive.org/library/index.php/The_People_vs._Willie_Farah_\(1973\)](http://www.texasarchive.org/library/index.php/The_People_vs._Willie_Farah_(1973)).

¹¹⁵ Judy Bardacke to Citizens Committee Members, February 22, 1973, Box 117, Folder 3, Higgins Papers.

¹¹⁶ Nell Fenner Grover, “Farah Blames Five Bishops,” *San Antonio Express*, December 13, 1973, Box 117, Folder 1, Higgins Papers.

¹¹⁷ “Farah: The Strike that has Everything,” *The Texas Observer*, December 29, 1972, 3, Box 117, Folder 3, Higgins Papers.

pleaded with the consuming public to avoid participating in the boycott against Farah slacks. They claimed that union leaders had instituted the boycott in a failed attempt “to *compel* the workers at Farah to join the Amalgamated Clothing Workers’ Union,” which, according to company leadership, workers had refused to do.¹¹⁸ Reverend Paul Poling, a Presbyterian minister known for his anti-labor sentiments, was one of the company’s strongest allies. He and other likeminded individuals argued that Farah workers had rejected the ACWA’s offer to organize the plant. Poling accused the Catholic bishops of ruling on “unreliable informants, with resultant errors in judgement and action.”¹¹⁹ Poling capitalized on the fact that many Catholic Farah workers stood in opposition to their bishop’s support. In a letter published in the *El Paso Times* in December 1972, some 2,500 workers defend Willie Farah and insisted that they did not want to be unionized. Later, Muñoz, who recognized most of the names on the so-called letter, reported that Farah had used the names of employees without their knowledge or consent.

The strike garnered comparisons with the grape strike in California, though ACWA leaders insisted that their boycott caught on much faster than the grape or milk boycotts. The press noted that unlike the Delano strike, Farah workers lacked a leader with César Chávez’ charisma. Instead of a Chavez, they had a Metzger, a 71-year-old bishop, whose quiet dedication had persuaded the entire Catholic bishops’ conference to come out in support of the strike. The bishops’ support of Farah workers also caught the attention Senators Gaylord Nelson and Edward Kennedy. But, as the press often failed to note, it was the work of a single Mexican American priest, whose sister first reported working conditions at Farah, that captured Metzger’s support.¹²⁰

The strike ended in 1974, when a resistant Willie Farah drug himself to the bargaining table. The success of the campaign energized many of the former strikers and left them confident that if God was not on their side, the Catholic Church surely was. Yet the optimism that buoyed striking Farah workers to the bargaining table was not long for the world. A second round of negotiations in 1977 was marked by layoffs, poor union leadership, and discontent amongst the rank and file. Shortly thereafter, Farah closed his plant and relocated to the other side of the border.¹²¹

The protests of the late 1960s were profoundly successful in changing the racial hierarchy of the US Catholic Church and its social outlook. Until 1970, the US hierarchy contained no Mexican American bishops. By the late 1970s, the hierarchy included ten Mexican American bishops. Moreover, organizations led by Mexican American priests and nuns, such as PADRES and Las Hermanas, gained official recognition by the national bishops’ conference for the first time in US history. Mexican American leaders also assumed leadership roles within the newly organized Catholic conference and began channeling Catholic resources into Mexican American communities.

On paper, the Church imagined itself as a cultural and spiritual reservoir for Mexican Catholics, a paternal guide to those it deemed the most vulnerable. In practice, the Church provided both a source of refuge and oppression for its Mexican American members, the

¹¹⁸ Paul Newton Poling, *For the Defense of Farah Workers* (1972), 2, Box 117, Folder 1, Higgins Papers.

¹¹⁹ *Ibid.*, 4.

¹²⁰ “A Boycott Begins to Hurt at Farah,” *Business Week*, June 2, 1973, 56; Robert Getz, “Farah and the Bishop: Supporting the Pants Strike,” *Commonweal*, June 1, 1973, 300, Box 117, Folder 2, Higgins Papers.

¹²¹ Cowie, *Stayin’ Alive*, 55.

orientation of its relationship paternalistic. On the one hand, the Church offered both space and structure for Mexican Catholics to organize and create community, on the other, it reinforced the local racial and political structures, instituted policies of segregation and limited ecclesiastical resources available to Mexican Catholics. During the Chicano movement periods of conflict, confrontation, and reconciliation defined the relationship between the Catholic hierarchy and Mexican American Catholics.

By 1972, the Vatican had come to realize that the US Catholic Church required a fundamental shift in the makeup of its hierarchy, and the pope consecrated the first Mexican American Bishop, Patrick Flores. Both the *Católicos Por La Raza* and PADRES claimed victory for Flores' appointment, but equally important were the protests in San Antonio that forced Archbishop Lucey's retirement. The USCC followed the election of Patrick Flores as bishop with a series of national meetings, the Encuentros Hispano de Pastoral, in 1972, 1977, and 1985. These meetings provided a national forum for Mexican American Catholics—both clergy and laity—to raise concerns and address injustices within the Church and society. The meetings came about in response to the demands of laity, clergy, and clerical organizations such as los PADRES and Las Hermanas. One of the major goals of the first Encuentro to was to address the lack of Latina/o representation in the institutional church. Despite comprising nearly 25% of all Catholics in the United States, Latina/os had no institutional representation before the election of Flores in 1972. Within the decade, Mexican Americans had gained ten new bishops. With Mexican American leaders increasingly at the helm, the USCC began to take on new causes important to the Mexican descent community, most notably immigration reform.¹²²

¹²² "Chicano Named as Archbishop," *National Catholic Reporter*, vol. 10, no. 33, June 21, 1974, "Hispanic Bishops Denounce Racism in Church," *The Monitor*, August 25, 1977, both in Box 3, Folder: Chicano Bishops, Soto Papers.

Chapter Six: Wielding the Cross: How Mexican American Organizations and the Catholic Church Made Immigration Reform a Civil Rights Issue

In 1979, two Arizona ranchers, Thomas and Patrick Hanigan, stood trial in a federal district court for the kidnapping and torture of three Mexican farmworkers. The Department of Justice's involvement in the case marked the first time in US history that the federal government had investigated and prosecuted US citizens for violating undocumented immigrants' civil and human rights, making the case a landmark in Latina/o history.¹ The *Hanigan* case, as it became known, brought together Mexican American civil rights groups and the United States Catholic Conference under the banner of immigration rights advocacy.

Despite prosecutors' multiple failed attempts to win a conviction, a national coalition grew up around the case, uniting immigration and civil rights advocates. The United States Catholic Conference (USCC), the Mexican American Legal Defense and Education Fund (MALDEF), and the Antioch School of Law spearheaded the effort to draw federal attention to the case. These efforts eventually succeeded in securing federal action and the Department of Justice brought federal charges against the Hanigans.²

No other single incident made the issue of addressing the status of undocumented immigrants through immigration reform more pressing for the US Catholic Church and Mexican American civil rights organizations than the lynching of three farmworkers in 1976 and the repeated acquittal of their torturers. Together, these groups drove the charge for immigration reform. Groups such as MALDEF called on the Carter administration to deliver on its promise to protect human rights, as did the United States Catholic Conference (USCC). In the end, it was the USCC that would play a pivotal part in shaping immigration reform through the appointment of Notre Dame University President, Theodore Hesburgh as chairman to the Select Commission on Immigration and Refugee Policy (SCIRP). SCIRP conducted hearings around the country and Congress adopted most of its recommendations into the Immigration Reform and Control Act of 1986 (IRCA). The momentum stirred by the *Hanigan* case helped to keep Congress' attention on immigration reform.³

The *Hanigan* case, then, became a pivotal moment in the fight to obtain greater equality for Mexican descent persons across citizenship lines, as it galvanized national and international calls for the protection of immigrants civil and human rights through federal action.⁴ Undocumented immigrants' lack of standing before the law, more than anything else, united MALDEF, the USCC, the National Council for La Raza, the United Farm Workers Union, and

¹ As of 2017, Michael Daly Hawkins, the federal prosecutor for the case, is a senior judge for the 9th Circuit Court of Appeals.

² The United States Catholic Conference (USCC) replaced the National Catholic Welfare Conference (NCWC) in 1968. The USCC continued to act as the official spokes body for the US Catholic bishops, granting it the power to represent the Catholic Church in the United States in matters of public policy or public interest.

³ Albert Rodriguez, "Statement by Hon. Albert Rodriguez, Mayor of Douglas, AZ. Meeting with Assistant Attorney General Drew Days, III, Phoenix, Arizona, December 1, 1978," Box 1, Folder 11, Antonio D. Bustamante Papers, Accession #2000-02191, Arizona State University Libraries: Chicano Research Collection, (hereafter, Bustamante Papers).

⁴ National Coalition on the Hanigan Case, "Juicio Hanigan en Corte Federal," Hanigan Brothers Case, 1977-1979, Subject Files, Special Collections and Archives, University of California, San Diego, Herman Baca Papers, MSS 0649 (hereafter, Baca Papers MSS 0649).

other civil rights organizations, in the shared battle to secure a basic set of legal rights that included protection against violence from police agencies and civilians.⁵

In the 1970s, immigration rights advocates frequently used the terms human rights and civil rights interchangeably. As they eventually learned, the two were not entirely interchangeable. Civil rights denoted set of protections that derived legal standing before the law, which undocumented immigrants did not have. Importantly, immigration rights advocates did not equivocate civil rights with citizenship rights. In essence, the National Coalition on the *Hanigan* case tried to argue that civil rights – which they generally took to mean due process, protection against bodily harm, and the right to legal representation – were a fundamental human right, that is a category of rights which individuals are entitled to as human beings.

In the decade following the incident, national civil rights organizations and the USCC used the *Hanigan* case to fight for immigration legislation that included a pathway to documented status for undocumented immigrants. These advocacy groups repeatedly referenced the *Hanigan* case in their testimony before Congress, communications to the Department of Justice, and letters to their membership, as a way of demonstrating the urgency of immigration reform. Moreover, the Hanigan case provided a powerful counternarrative to the wave of anti-immigrant hysteria that swept the nation in the late 1970s, by placing human faces on the so-called “illegal alien problem.”⁶

Historians have referenced the *Hanigan* case in passing since at least 1990. The brutality of the case and its continuing contemporary resonance have made it impossible for historians of Mexican Americans and the borderlands to ignore. But discussion of the case remains largely confined to these groups of historians, despite its importance to immigration legal history, international human rights history, civil rights, and US religious history. The case reveals that Mexican immigrants and their advocates used the court system to lay claim to greater civil rights for immigrants – in this instance, the right to protection from lynching and other forms of racialized violence. Other examples of legal redress during the 1970s and early 1980s included discrimination in employment and public education.

⁵ Notions of human rights have changed dramatically over time. This chapter is not a treatise on human rights, nor is it an attempt to intervene in that literature. For a sampling of human rights literature, please see: Daniel Sargent, *A Superpower Transformed: The Remaking of American Foreign Policy Relations in the 1970s* (Oxford University Press, 2015); Samuel Moyn, *Human Rights and the Uses of History* (Verso Books, 2014); Samuel Moyn, *The Last Utopia: Human Rights in History* 2nd ed. (Belknap Press, 2012); Samuel Moyn, *Christian Human Rights* (University of Pennsylvania Press, 2015); Lynn Hunt, *Inventing Human Rights: A History* (New York: W.W Norton & Company, 2008); Mary Ann Glendon, *A World Made New: Eleanor Roosevelt and the Universal Declaration of Human Rights* (New York: Random House Trade Paperbacks, 2002); Steven L.B. Jensen, *The Making of International Human Rights: The 1960s, Decolonization, and the Reconstruction of Global Values* (Cambridge University Press, 2016); Mark Philip Bradley, *The World Reimagined: Americans and Human Rights in the Twentieth Century* (Cambridge University Press, 2016); Gene Zubovich, “The Protestant Search for ‘the Universal Christian Community’ between Decolonization and Communism,” *Religions*, vol. 8, no. 1, 2017 (www.mdpi.com/journal/religions); David Hollinger, *After Cloven Tongues of Fire: Protestant Liberalism in Modern American History* (Princeton University Press, 2013).

⁶ Geraldo Cadava’s groundbreaking study of Arizona, *Standing on Common Ground: The Making of a Sunbelt Borderland*, was the first monograph length study to offer more than a passing reference to the case. Cadava presented a major intervention in Mexican American and immigration legal history when he noted that historians have paid far too little attention to the case. See Chapter 5: Violence and Sanctuary in Cadava, *Standing on Common Ground*. See also: Armondo Navarro, *The Immigration Crisis: Nativism, Armed Vigilantism, and the Rise of a Countervailing Movement* (New York: AltaMira Press, 2009); Brian D. Behnken, ed., *Civil Rights and Beyond: African American and Latino/a Activism in the Twentieth-Century United States* (Athens; University of Georgia Press, 2016).

Examining the grassroots activism that this case inspired demonstrates how immigration rights activists used the context of international human rights debates to draw attention to the status of undocumented peoples in the United States. It also makes clear that the USCC and Mexican American civil rights activists expanded their understanding of civil rights to include immigrant rights. Racialized violence against Mexican immigrants brought the Mexican descent community together across the divides of citizenship.⁷ Traditionally restrictionist groups such as the League of United Latin American Citizens and the United Farm Workers came out in support of the three farmworkers. The role of the Catholic Church in the case, particularly that of Pablo Sedillo, is even less known. The USCC played a key part in sustaining the movement to bring the Hanigans to justice. It and other coalition members also helped to advocate for Mexican immigrants' human rights more broadly by demonstrating the pitfalls inherent in US immigration law.⁸

The national movement that united under the banner of immigration advocacy in the late 1970s and early 1980s also became a vehicle of change in the relationship between the US federal government, the Catholic Church, and Mexicans and Mexican Americans. Just 15 years prior, the bishops' conference had actively sought to limit Mexican immigration. It collaborated with the US Department of Labor and Congress to monitor and end the Bracero Program and initially applauded the Border Patrol's attention to the "wetback invasion" of the early 1950s. Even as late as the 1960s, the Catholic bishops had continued to insist that undocumented Mexican immigrants represented one of the United States' top national security threats. With the Hanigan case, the bishops' conference emerged as one of the most powerful allies to undocumented immigrants. In just two decades, the bishops' conference shifted from an anti-undocumented immigrant institution to a staunch defender of undocumented immigrants. During this period, the relationship between the bishops and Mexican American Catholics underwent a noticeable transformation. During the 1960s, Mexican American Catholics and the US bishops had tussled over the latter's role as an advocate and spokesperson for Mexican Americans. During the 1970s, Mexican Americans continued to struggle to obtain leadership positions, but the USCC increasingly allowed Mexican Americans greater control over USCC resources.⁹

The change in the bishops' position no doubt owed a significant debt to the activism of Chicano Catholics - who demanded a Catholic Church that both represented and defended their interests. The expansion of Mexican American leadership opportunities within the USCC shifted the conference's outlook on immigration. Mexican American Catholics who assumed new leadership roles used their positions within the USCC to draw attention to the needs of Mexican descent communities across the Southwest. Mexican American leaders within the USCC, such as Pablo Sedillo Jr., held simultaneous leadership positions in civil rights organizations. These connections were at times tenuous, but they nevertheless allowed organizations such as MALDEF or the National Coalition on the Hanigan Case, to operate under the moral clout of the Catholic Church. Together, these groups pressed the federal government first to address the

⁷ José Medina to Ambassador Dr. De Olloqui, October 28, 1976, Box 8, Folder 17, PADRES Collection, (PDR), University of Notre Dame Archives (UNDA), Notre Dame, IN 46556, (hereafter, PADRES Collection).

⁸ For studies on how Mexican American civil rights activists such as César Chávez responded to the undocumented immigrant question during the 1970s, please see: David Gutiérrez, *Walls and Mirrors; Mexican Americans, Mexican Immigrants, and the Politics of Ethnicity*; Matt García, *From the Jaws of Victory: The Triumph and Tragedy of Cesar Chavez and the Farm Worker Movement* (University of California Press, 2012).

⁹ Rev. Theodore J. Radtke, "Move On, Sons of Misfortune," *Catholic Action* vol. xxxiii, no. 6 June 1951, 13.

Hanigan case, and then to provide greater protections for undocumented immigrants first through the courts and then through legislative reform.

During the 1970s and early 1980s, undocumented immigrants who entered the US fell between the cracks of US immigration law and international treaties protecting human rights. Although the United Nations General Assembly passed numerous international treaties on human rights in the 1960s and 1970s, the US refused to ratify most of these treaties. Not until the early 1990s did the US ratify the Convention on Elimination of All Forms of Racial Discrimination, the International Covenant on Civil and Political Rights, and the Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment. To date it has still not ratified international treaties protecting the rights of children, migrant workers, persons with disabilities, or the Convention Against Enforced Disappearance.¹⁰ The *Hanigan* case represented one of the most extreme examples of the effort to assert legal protections for undocumented immigrants at a federal level and the difficulties inherent in such efforts.

In many ways, the story of the three farmworkers and the men who kidnapped and tortured them was not a new one. White men had visited violence on Mexicans and Mexican Americans in the borderlands for over a century. Using racialized violence against Mexicans and Mexican Americans as means of exerting power, whether through lynching, rape, or other forms of physical terror, began almost soon as white colonists started pouring into Texas in the 1820s. These episodes escalated when Texas declared independence from Mexico in 1836 and again after the US annexed the northern third of Mexico in 1848. They continued across the Southwest throughout the 19th and 20th centuries. What changed in 1976 was that for the first time in US history, a national movement began agitating for a legal remedy to the nearly 150-year-old practice of racialized brutality against Mexican immigrants.¹¹

The Lynching

On August 17, 1976, the home of Don Ramon Soto in the border town of Agua Prieta, Sonora bustled with activity well into the evening. It was about 8 o'clock that night when three young farmworkers, Manuel García Loya (25), Eleazar Ruelas Zavala (24), and Bernabe Herrera Mata (21), met for the first time at Soto's home. The three men chatted briefly and made plans to travel together to work on a nearby Arizona ranch that regularly employed Mexican day laborers.¹²

The following morning, García and Herrera went to a local grocery store where they bought bread, bologna, cheese, and bananas. After gathering their supplies, García, Herrera, and Ruelas began walking along the wire fence that marked the international border between Mexico and the United States. The three men quietly made their way across the sparsely populated desert under a blistering August sun. Each wore two sets of clothing. The older, exterior clothes protected the nicer, interior clothes from the mesquite thorns and barbed wire that dotted the

¹⁰ Daniel J. Sargent, *A Superpower Transformed: The Remaking of American Foreign Relations in the 1970s* (Oxford University Press, 2015), 251-252.

¹¹ See for instance, David Montejano, *Anglos and Mexicans in the Making of Texas*.
¹² Antonio Bustamante, Benedict Jackson, and Juan Ruiz (interviewers and transcribers), Transcribed Interview of Bernabé Herrera, January 30, 1978; Antonio Bustamante and Juan Ruiz (interviewers and transcribers), Transcribed Interview of Eleazar Ruelas, January 31, 1978, Box 76, Folder 1, Record Group 6, Mexican American Legal Defense and Educational Fund Records, M0673, Dept. of Special Collections, Stanford University Libraries, Stanford, California, (hereafter, RG 6, MALDEF Records).

landscape. The young men also carried with them a small sack with extra clothes, a plastic milk jug, and a lunch bag.¹³

A few miles outside of Agua Prieta, the men jumped over the fence separating the two countries, and entered the United States. They continued walking until they came to a small cluster of houses next to a copper smelter, where they turned sharply northward. On their right was the smelter and on their left, a drive-in movie theater. Not wanting to be seen, the three men ducked between the drive-in's large screens. The path they had chosen took them directly across a ranch belonging to George Hanigan and his two sons, Patrick (22) and Thomas (19).

As the men trekked across the ranch, they ran out of water, and stopped at a nearby windmill to refill their plastic jug before continuing on their way. In the distance, a young man was working on a tractor. Trying to stay out of sight, García, Herrera, and Ruelas crept along a fence close to the road. When they heard a truck approaching, the farmworkers dropped to the ground behind a tall patch of grass. As the truck drew closer, they held their breath and waited for it to pass. The truck slowed to a stop and reversed to where the men lay hidden.¹⁴

Thomas Hanigan, the young man who had been working on the tractor, parked his truck. He got out with a gun in his hand. As the door to the truck slammed, the farmworkers pressed their bodies into the ground, trying to make themselves invisible. Hanigan jumped the fence and began looking for the three men he knew were hiding in the grass. The dried grass rustled beneath his feet as he drew closer to the farmworkers. When he found them, he approached, pointing his gun and shouting in Spanish, "Hey wets, where you going?"

"We're going to work in Elfrida," they answered.¹⁵

"No, you aren't going anywhere at all. All of you goddam wets come to the United States only to rob us, and then you go back to Mexico."

"No," the farmworkers protested, "we're going to work."

The young rancher kept his gun trained on García, Ruelas, and Herrera and ordered them to get into the camper shell that covered the back of his truck. Next, Hanigan drove to his family's ranch house, where he parked the truck, got out, and locked it. A few minutes later Hanigan returned, unlocked the camper, and told the men to get out and wait in the shade while he went back inside. The workers assumed that Hanigan had gone inside to call a Border Patrol agent.¹⁶

Within a few minutes, two other men, armed with shotguns and hunting knives, arrived in separate pickups. The younger of the two men was Thomas Hanigan's brother, Patrick. Their father, George, went inside the house and changed into his work clothes. The three Hanigan men

¹³ National Coalition on the Hanigan Case, "Report to the United States Commission on Civil Rights Regarding the Torturing of Mexicans The Hanigan Case," (June 1, 1978) 26, Hanigan Brothers Case, 1977-1979, Subject Files, Baca Papers, MSS 0649.

¹⁴ Benedict Jackson (transcriber), Transcribed Interview of Manuel García, January 31, 1978, Antonio Bustamante (interviewer), Ana Bustamante (interpreter), Box 76, Folder 1, RG 6, MALDEF Records.

¹⁵ Elfrida is an Arizona town close to Douglas and Agua Prieta.

¹⁶ Reed Wolcott, "Justice Frontera Style," *Nuestro*, May 1978, 2, Box 76, Folder 1, RG 6, MALDEF Records; Antonio Bustamante and Juan Ruiz (interviewers and transcribers), Transcribed Interview of Eleazar Ruelas, January 31, 1978, Box 76, Folder 1, RG 6, MALDEF Records; notes on interview with Bernabé Herrera, January 30, 1978, Box 1, Folder 1, Bustamante Papers.

ordered the farmworkers to get back into the camper. The two brothers, Pat and Tom, got into the front seat of Tom's truck and drove the farmworkers back to the windmill in the middle of the desert. George followed in his own pickup.

As the Hanigans drove, García, Ruelas, and Herrera huddled in the back of Tom's truck, with no idea of the terror that awaited them. They assumed that they would be deposited at a nearby Border Patrol station and began making plans to reenter the country the next day. What happened over the next several hours would radically change the lives of Ruelas, García, and Herrera, and eventually chart a new course in immigration reform.¹⁷

Once they arrived at their destination, the Hanigans ordered García, Ruelas, and Herrera to get out of the truck, one at a time. When García protested, the brothers knocked him to the ground and beat him. They tied the three young men's arms and legs together behind their backs, like cattle waiting to be branded. Using hunting knives, the brothers sliced off their victims' clothes. Once the men were naked, the Hanigan brothers grabbed fistfuls of hair, pulling the men's heads taught. Then, they used hunting knives to rip the hair from the bound men's heads. The three hogtied men begged to be released, crying, "we promise we won't ever come back."

George Hanigan laughed, "You're not going to come back here, because in a minute we're going to kill you."¹⁸

"God dam wets, you're nothing but a bunch of dirty thieves. You come here to steal and then you leave," one of the Hanigan brothers shouted.

The other brother threw the men's belongings into a fire. The smell of burned meat and clothing filled the air. Next, George grabbed a knife in one hand and Herrera's genitals in the other. He ran a knife over Herrera's scrotum, inflicting small cuts and threatened to castrate him saying, "look at his balls – I think I'll keep them."

The Hanigans asked if the three men were thirsty. When they replied, "yes," George threw the water from the plastic milk jug over the men and rolled their naked bodies in the scorching sand. The temperature of the desert sand, which by mid-morning had likely risen over 120 degrees, stuck to the bare skin, blistering it. García, Ruelas, and Herrera feared an imminent gruesome death.¹⁹

The torture continued for over an hour. The Hanigans took turns placing a gun to the farmworkers' heads, pretending to pull the trigger. They ran a branding iron over the farmworkers' naked flesh, before branding Ruelas' bare feet. They taunted their victims, saying, "Let's see if your Virgen de Guadalupe saves you." The more the farmworkers begged for mercy, the angrier the ranchers grew.

¹⁷ Benedict Jackson (transcriber), Transcribed Interview of Manuel García, January 31, 1978, Antonio Bustamante (interviewer), Ana Bustamante (interpreter), Box 76, Folder 1, RG 6, MALDEF Records.

¹⁸ Ibid.; Reed Wolcott, "Justice Frontera Style," *Nuestro*, May 1978, 1-2, both in Box 76, Folder 1, RG 6 MALDEF Records; National Coalition for the Hanigan Case, "Summary of the Hanigan Case," nd; National Coalition for the Hanigan Case, "The Hanigan Case: A Chronology," Box 77, Folder 1, RG 6, MALDEF Records.

¹⁹ Benedict Jackson (transcriber), Transcribed Interview of Manuel García, January 31, 1978, Antonio Bustamante (interviewer), Ana Bustamante (interpreter); Reed Wolcott, "Justice Frontera Style," *Nuestro*, May 1978, 1-2, both in Box 76, Folder 1, RG 6 MALDEF Records; National Coalition for the Hanigan Case, "Summary of the Hanigan Case," nd; National Coalition for the Hanigan Case, "The Hanigan Case: A Chronology," Box 77, Folder 1, RG 6, MALDEF Records.

Eventually, the Hanigans tied ropes around the necks of their captives, dragging all three through the sand. They hung the branded farmworker, Ruelas, on a nearby tree. Miraculously, he managed to stay alive by supporting his body weight against the ravine. After some time, the ranchers released Ruelas and he ran, naked, barefooted, and branded, back across the border as the Hanigans fired shotguns at him. The Hanigans released the remaining two men one at a time and told them to run as they fired at their departing figures.²⁰

Each young man made his own way back across the border before heading to a hospital. Doctors later removed at least 47 shotgun pellets from Herrera's back and 127 from García's.²¹ More than 30 pellets were permanently lodged in each man's body. Ruelas remained hospitalized for several days with severe burns to his feet. Doctors noted that the traumatized young men were "in shock and said nothing, even when asked questions" about what had happened.²² García's shock was so severe that he did not register any pain, even when doctors removed the shotgun pellets from his back without administering anesthesia or painkillers. After offering initial treatment, doctors contacted the police, who lodged a complaint with the Mexican Consul in Arizona.

Within a week of the incident, Arizona Governor Raul Castro, had condemned the attacks as "inhuman" and "a return to the days of slavery." He assured swift justice for García, Ruelas, and Herrera. Mexican President Luis Echeveria Alvarez promised "to make a formal protest with the United Nations and US State Department" if the attackers were not brought to justice.

The Investigation and First Trial

Justice, however, was neither swift nor direct. In 1978, Tom and Pat Hanigan stood trial for kidnap and torture. Despite overwhelming evidence and wide public knowledge of the case, a jury acquitted the Hanigan brothers, and so began a prolonged pattern of investigation, trial, and acquittal. Over the next five years, the two ranchers were tried and acquitted on three separate occasions. Many local Arizonans applauded the Hanigans for defending their private property from an incursion of "illegal aliens" and "burglars."²³

It is difficult to overstate the miscarriage of justice that García, Ruelas, and Herrera experienced. During their initial investigation, detectives visited the torture site identified by the victims. There, they found burnt pieces of bologna and remnants of a belt. Blood samples gathered from the area matched the blood types of two of the victims. Moreover, García, Ruelas, and Herrera provided precise details identifying their attackers – a cut on Pat Hanigan's arm that bore a fresh white bandage, Tom Hanigan's yellow and white hat, the yellow and white camper shell that transported the workers. One of the Hanigans' neighbors testified that a cow she had

²⁰ Antonio Bustamante, Benedict Jackson, and Juan Ruiz (interviewers and transcribers), Transcribed Interview of Bernabé Herrera, January 30, 1978, Box 76, Folder 2, RG 6, MALDEF Records; National Coalition for the Hanigan Case, "Summary of the Hanigan Case," nd, Box 39, Folder 1, Reveles Papers.

²¹ National Coalition for the Hanigan Case, "Summary of the Hanigan Case," nd, Box 39, Folder 1, Reveles Papers.

²² Antonio Bustamante to Michael Herbolich, March 29, 1978, Box 76, Folder 1, RG 6, MALDEF Records.

²³ La Raza National Law Students Association to Leonard Chapman, February 23, 1977, Box 39, Folder 1, Reveles Papers; Jack McElroy, "Break-ins Rile Area Residents," September 11, 1976, Box 39, Folder 1, Reveles Papers; Reed Wolcott, "Justice Frontera Style," *Nuestro*, May 1978, 3, Box 76, Folder 1, RG 6, MALDEF Records; National Coalition for the Hanigan Case, "The Hanigan Case: A Chronology," Box 77, Folder 1, RG 6, MALDEF Records.

sold to Pat Hanigan that very morning gored his arm. She later wrapped his arm in a white bandage. Detectives found Tom's hat resting on the kitchen table, and Tom was well known for driving a yellow pickup with a white camper.²⁴

During their investigation, detectives interviewed numerous people who claimed to have heard all three of the Hanigans brag about what they had done to García, Ruelas, and Herrera.²⁵ When detectives asked Thomas Hanigan if he had recently encountered any Mexican immigrants, he allegedly responded, "So what if I did?" In addition, countless individuals who knew the Hanigan brothers recalled that they frequently treated the abuse of Mexicans as a sport, telling their friends, "I think I'll go out tonight and get me a Mexican."²⁶ The Hanigans' sentiments reflected a growing public association between crime and the presence of undocumented immigrants such as Ruelas, Herrera, and García and the right of white Arizonans to seek extralegal redress without fear of reprisal.

The lynching incident also captured the tensions between twin border cities such as Douglas and Agua Prieta.²⁷ By the early 1970s, many residents in the Arizona borderlands believed that the growing number of undocumented immigrants reflected the federal government's abandonment of the region. Determined to take matters into their own hands, white nationalist vigilantes created border militias to fight the region's perceived lawlessness. Local sheriffs' deputies regularly received reports of immigrants who had succumb to violence or the desert's harsh climate. Months prior to the Hanigan incident, a Douglas rancher had allegedly shot an undocumented immigrant twice in the back as he crossed the man's ranch, a common practice in the US-Mexico borderlands.²⁸

Only a small barbed wire fence separated the border towns of Agua Prieta, Sonora and Douglas, Arizona in the early 1970s. Such boundary markers were commonplace throughout much of the US-Mexico borderlands. The US Border Patrol lacked sufficient resources to limit border crossings to authorized ports, further complicating matters. The barren desert landscape and extreme temperatures made both crossing the border and patrolling it a difficult task. Northbound job seekers regularly faced death from the hostile climate and the vigilante ranchers who patrolled their fences. The two communities, however, remained inextricably linked. The shifting winds of economic fortunes and the ebb and flow of prosperity in the post-World War II period tied the regions of southern Arizona and northern Sonora together.

In the years following WWII, Arizona's southernmost economy shifted towards the service industry, while Sonora became a major manufacturing hub. By 1970, Agua Prieta was home to more than 50 maquiladoras. These plants contributed millions of dollars to the region, making it a prosperous one. Wages earned in Agua Prieta and other nearby Mexican towns were spent in Douglas, Tucson, and other Arizona cities, creating a transborder Sunbelt economy that linked the region together. As the economy in northern Mexico expanded, hundreds of thousands of Mexican migrants moved to the region in search of employment. Those who were

²⁴ National Coalition on the Hanigan Case, "Report to the United States Commission on Civil Rights Regarding the Torturing of Mexicans The Hanigan Case," (June 1, 1978), 23, Box 39, Folder 1, Reveles Papers.

²⁵ *Ibid.*, 21.

²⁶ *Ibid.*, 23.

²⁷ Reed Wolcott, "Justice Frontera Style," *Nuestro*, May 1978, 3, Box 76, Folder 1; Paul Sedillo Jr. and Raul Yzaguirre to Friends and Members, August 3, 1978, Box 77, Folder 1, RG 6, MALDEF Records.

²⁸ National Coalition on the Hanigan Case, "Report to the United States Commission on Civil Rights Regarding the Torturing of Mexicans The Hanigan Case," (June 1, 1978) 27, 30, Hanigan Brothers Case, 1977-1979, Subject Files, Baca Papers, MSS 0649; "Bias Against Mexicans Cited in Bid to Move Cochise Trial," *The Arizona Daily Star*, November 18, 1977, Box 39, Folder 1, Reveles Papers.

unsuccessful in their search crossed the border and sought jobs as farmworkers, domestic workers, and day laborers. As the markets contracted and inflation gripped the global economy in the early 1970s, employment opportunities in the Sunbelt borderlands began to evaporate. When Ruelas, García, and Herrera crossed the border on their way to work in August 1976, they did so as part of a displaced Mexican workforce. They joined a migratory cycle that fed the US economy – hungry for cheap, tractable labor – and poured its wages back into the Mexico.²⁹

The clandestine crossing of so many immigrants left its scar on the desert landscape. Debris marked the paths that many took, angering the ranchers whose land became lined with litter and at times the bodies of those weakened by dehydration and heat.³⁰ In addition, many longtime residents saw an uptick in home burglary rates that they believed matched the growing swells of immigrants. But whether the change in crime was due to the increased number of people living in the borderlands, growing rates of income inequality, undocumented immigrants, or some combination remained unclear. Many Arizonans identified these changes as a growth in lawlessness and a loss of control over the border.³¹

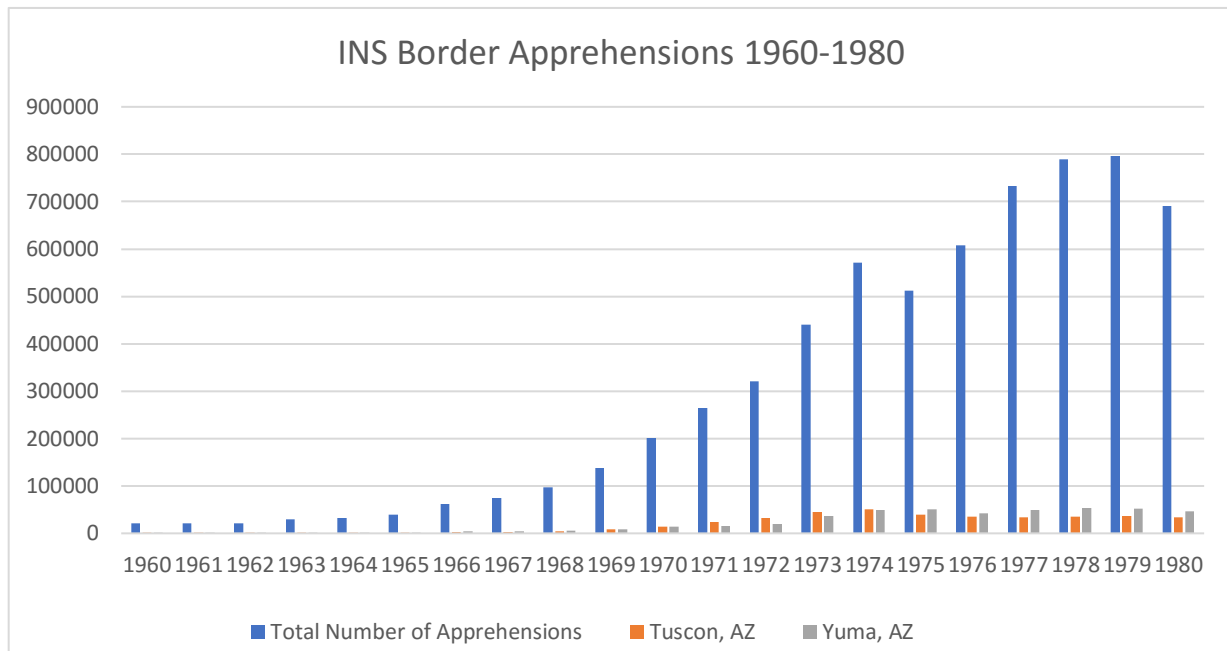


Figure 6.2 US Border Patrol Apprehensions in the Southwest and Arizona, 1960-1980³²

Nowhere were the shortcomings of US immigration policy more evident than in the complete unreliability of immigration statistics. Those involved in immigration policy-making and research have long lamented the lack of timely and accurate statistics. The lack of reliable

²⁹ Cadava, *Standing on Common Ground*, 174-178.

³⁰ Antonio Bustamante to Commissioner Lionel Castillo, March 21, 1978, Box 76, Folder 2, RG 6, MALDEF Records.

³¹ Cadava, *Standing on Common Ground*, 219.

³² United States Border Patrol Southwest Border Sectors, Total Illegal Alien Apprehensions by Fiscal Year (Oct. 1st through Sept. 30th), 1960-2016 (<https://www.cbp.gov/sites/default/files/assets/documents/2016-Oct/BP%20Southwest%20Border%20Sector%20Apps%20FY1960%20-%20FY2016.pdf>).

data led the INS Commissioner General Lionel Castillo to estimate that the number of undocumented immigrants residing in the US in the late 1970s ranged somewhere between 4 and 12 million persons, an 8-million-person margin of error.³³ The INS' inability to calculate the number of immigrants in the US was also reflected in its dismal response to the record breaking number of immigrants at the US-Mexico border. The 1970s and early 1980s saw a flood of refugees and asylum seekers fleeing war-torn Central American countries. Refugees and asylum seekers joined the already large number of undocumented immigrants who entered the United States in search of work or family reunification. The 1965 Immigration and Nationality Act left the INS ill-equipped to respond to the rush of incoming people. While the law provided the means for greater border security, it did nothing to provide the bureaucratic mechanisms for processing such large numbers of immigrants. Meanwhile, the economic downturn of the late 1970s drove many immigrants northward in search employment. Many immigrants, whether because of bureaucratic delays or because of economic pressures, sought to enter the US surreptitiously.³⁴

Like so many of those apprehended by the INS, there was no evidence that García, Ruelas, or Herrera ever entered the US for any reason other than to seek employment. That did not stop public officials from categorizing unauthorized border crossers as criminals and protecting those who harmed them from legal retribution. Despite evidence that the Hanigans bore at least some responsibility for Ruelas, García, and Herrera's injured state, local law enforcement refused to arrest the ranchers. For thirteen months, judges and county prosecutors refused to try the Hanigans, arguing that undocumented immigrants had "no civil rights to violate" and that no crime had been committed.³⁵

The Hanigans had deep roots in the community. George Hanigan, the former head of Cochise County's Republican Party, also owned franchises for all the Dairy Queens in Arizona, excepting those in nearby Maricopa County. Even after a prosecutor finally filed charges, the initial judge in the case, a close Hanigan family friend, refused to issue arrest warrants. In addition, local newspapers supported the Hanigans and declined to publish statements from Mexican American community leaders.³⁶ When the Douglas City Council's two Mexican American councilmen introduced a resolution extending the city's regret and condolences to the Hanigan victims and other Mexican immigrants who had suffered similar atrocities, other councilmen rejected it. The Douglas city mayor called the resolution "rabble-rousing and scandalmongering...beneath the dignity of the City of Douglas."³⁷

To Ruelas, Herrera, and García, it probably seemed as if they were the criminals and not the victims, in the case. During the thirteen months following their assault, they found

³³ A study sponsored by the National Research Council in 1985, *Immigration Statistics: A Story of Neglect*, highlighted one of the most famous contemporary failures of immigration statistics. In 1979, days after the Iranian Hostage Crisis began, President Jimmy Carter asked the INS what he assumed was a relatively simple question: "How Many Iranian students are there in the United States?" A year and half later, when the National Research Council released *Immigration Statistics: A Story of Neglect*, the INS was still unable to answer the question. Daniel Levine, Kenneth Hill, and Robert Warren, eds., *Immigration Statistics: A Story of Neglect* (National Academy of Sciences: 1985), 2.

³⁴ María Cristina García, *Seeking Refuge: Central American Migration to Mexico, the United States, and Canada* (University of California Press, 2006).

³⁵ Cadava, *Standing on Common Ground*, 189;

³⁶ National Coalition on the Hanigan Case, "Report to the United States Commission on Civil Rights Regarding the Torturing of Mexicans The Hanigan Case," (June 1, 1978) 9, Hanigan Brothers Case, 1977-1979, Subject Files, Baca Papers, MSS 0649.

³⁷ *Ibid.*, 10.

themselves under police guard and confined to Hermosillo (the capitol of the Mexican state Sonora). Here the three men worked government jobs, but were forbidden from leaving the city. Mexican officials worried that the Hanigans or their supporters might bribe the farmworkers into changing their stories.³⁸ García and Ruelas later recalled, “you’d think we had committed the crimes.”

Seeking justice for the three farmworkers became linked to a broader drive to protect Mexicans and Mexican Americans throughout the Southwest; it sparked a grassroots initiative to bring the Hanigans to trial. Local immigration rights advocates in Douglas and surrounding towns, issued public statements and began a letter writing campaign to members of Congress, the Arizona governor, and the Department of Justice. They flooded town hall meetings. Their efforts paid off. After local Catholic bishops, who belonged to the USCC, and Mexican American leaders began pressuring for a “sincere, diligent prosecution,” county prosecutors sought an indictment against the ranchers. Although the district attorney eventually got that indictment, it took a groundswell of pressure applied by Mexican officials, Mexican American leaders, and the United States Catholic Conference (USCC) via local Catholic bishops.

The USCC’s interest likely helped to convince county and eventually federal officials to seek action in the case. But it was the determination of the bishops, priests, and laity who met at the Segundo Encuentro Nacional de Pastoral, a national Catholic conference for the Spanish Speaking, that first persuaded USCC leadership to recognize what had happened to Ruelas, García, and Herrera as a human rights violation worthy of prosecuting. At the close of the Encuentro in August 1977, organizers issued a call for action that the USCC quickly incorporated into its statement on human rights. This statement apprised Catholics throughout the United States of their church’s stance on human rights. “As a church,” the USCC wrote, “we commit ourselves to serve the undocumented; we ought to use our power to help solve the problems of immigration...in particular, we denounce the lack of justice in the release of the men accused of having tortured three undocumented farm workers in Douglas Arizona, and we demand an investigation by the Department of Justice.”³⁹ The Encuentro also called for a new immigration policy that included “total amnesty” for undocumented immigrants, a cause that was soon embraced by USCC leadership.⁴⁰

The USCC’s human rights statement was part of a broader groundswell of activity in 1976 and 1977 that urged the US to pledge a commitment to protecting human rights. These efforts matched those of President Jimmy Carter who, in an address before the UN General Assembly in March 1977, called for the international adoption of a broader definition of human rights. Like the USCC, Carter drew acknowledged that American “ideals in the area of human

³⁸ National Coalition on the Hanigan Case, “Report to the United States Commission on Civil Rights Regarding the Torturing of Mexicans The Hanigan Case,” (June 1, 1978) 12, Hanigan Brothers Case, 1977-1979, Subject Files, Baca Papers, MSS 0649.

³⁹ Father Thomas Cahalane to Vilma Martínez, cc: Michael Baller, MALDEF, Ester Estrada, MALDEF, Francisco Barraza, Cochise County Committee for Justice in the Hanigan Case, Jose Medina, Centro de Inmigración, and all Hanigan Coalition members, February 27, 1978; Rev. Manuel Martínez to José Bracamonte and Ricardo Parra, September 30, 1977, Box 2, Folder 15, Bustamante Papers.

⁴⁰ Some 1,200 Catholics attended El Segundo Encuentro, including 34 US bishops. National Catholic News Service, “Human Rights,” Origins, NC Documentary Service, November 24, 1977, vol. 7, no. 23, 359, Box 3, Folder 5, Bustamante Papers; Post-Encuentro Progress Report, July 1976, Box 31, Folder 31, Midwest Council of La Raza Records (MCL), University of Notre Dame Archives (UNDA), Notre Dame, IN 46556.

rights have not always been met in the United States.”⁴¹ When Carter signed the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social, and Cultural Rights in October 1977, the USCCC joined Amnesty International, the National Council of Churches, the American Jewish Council and others in strongly pressuring Congress to ratify the covenants. Congress declined to ratify the covenants. When it seemed that the Carter administration had backed away from its defense of human rights, these same organizations met with members of the administration to register their concern.⁴²

Three weeks after the USCC adopted the Encuentro’s call to action into its Declaration on Human Rights, the Bishop of Tucson (whose diocese included Cochise County where the torture incident had unfolded), issued a public statement demanding that state officials try the Hanigans. He also called for the Justice Department to monitor the handling of the Hanigan’s prosecution. Arizona’s other bishop issued similar statements to the media. Within two weeks, bishops across the Southwest began a letter writing campaign to the governor of Arizona and to the Justice Department calling for action in the case.⁴³ Similarly, Catholic priests across the Southwest joined Mexican American community leaders and submitted a formal petition asking the Justice Department in Tucson to prosecute the Hanigans.⁴⁴

The Justice Department was reluctant to take the case and decided that the Hanigans had not violated any federal criminal laws. Bowing to local pressure, the Tucson office agreed to review the case for potential civil rights violations, but concluded that investigatory action could only come from the highest federal office and passed the case to the Justice Department’s Civil Rights Division, which declined to take the case. The Civil Rights Division did, however, encourage the Cochise County District Attorney’s office to seek an indictment against the Hanigans for violating several Arizona state criminal statutes.⁴⁵

Though the wheels of justice turned slowly, they nevertheless began to turn. In October 1977, Thomas and Patrick Hanigan stood trial for the kidnap and torture of Manuel García Loya, Eleazar Ruelas Zavala, and Bernabé Herrera Mata. George Hanigan spent the remaining months of his life under a cloud of uncertainty before dying of a heart attack shortly before the trial began. Throughout the trial defense attorneys attempted to discredit the farmworkers. When it became clear that the farmworkers’ identification of the Hanigans was unimpeachable, defense attorneys deployed a worn stereotype of Mexican immigrants as thieves and rapists. If the farmworkers were burglars, then the Hanigans had not committed torture inasmuch as they had protected private property. Yet, as prosecutors pointed out, water jugs and lunch meat made for poor burglary tools.

Defense attorneys tried to undermine the prosecution’s case by pointing to inconsistencies in the farmworkers’ testimony. That none of the three victims spoke English

⁴¹ Jimmy Carter: “UNITED NATIONS –Address Before the General Assembly,” March 17, 1977, online by Gehard Peters and John T. Woolley, *The American Presidency Project* (<http://www.presidency.ucsb.edu/ws/?pid=7183>). See also, Sargent, *A Superpower Transformed*, 250-260.

⁴² 187. Briefing Memorandum From the Assistant Secretary of State for Human Rights and Humanitarian Affairs (Derian) to Acting Secretary of State Christopher, June 13, 1979, Department of State, Bureau of Human Rights and Humanitarian Affairs, 1979 Human Rights Subject Files, Lot 82D102, SHUM-NGO 1979 Programs with USG, online (<https://history.state.gov/historicaldocuments/frus1977-80v02/d187>).

⁴³ National Coalition on the Hanigan Case, “Report to the United States Commission on Civil Rights Regarding the Torturing of Mexicans The Hanigan Case,” (June 1, 1978) 15, Hanigan Brothers Case, 1977-1979, Subject Files, Baca Papers, MSS 0649.

⁴⁴ *Ibid.*, 33.

⁴⁵ Cadava, *Standing on Common Ground*, 188-192.

seemed cast a shadow of doubt over the veracity of their testimony. The jury requested that the judge allow them to consider lesser charges for the Hanigan brothers, but the judge refused to grant the request. Despite overwhelming evidence, the all-white jury acquitted the Hanigan brothers on twenty-two felony counts of kidnap, assault, robbery, and conspiracy. Case investigators later learned that nine of the twelve jurors had previously used undocumented immigrant labor in their homes and businesses, a fact investigators believed undoubtedly shaped the disposition of the case.⁴⁶

Response to the acquittal was immediate. The Mexican Consul in Arizona decried the verdict for having “opened the hunting season for every illegal alien” who entered the United States. Organizers in Tucson, Douglas, and Agua Prieta called for an economic boycott of local businesses.⁴⁷ One of two Mexican American councilmen, Frank Barraza, led the boycott alongside a local priest and other community leaders. In response, the Douglas city mayor and Anglo members of the city council tried to force Barraza to resign, sparking further protests in the local Mexican American community.

The boycott coincided with a subsequent FBI investigation into the torture incident. Already concerned about the racial tensions boiling over in Arizona, the Department of Justice quietly ordered the FBI to investigate the crime and to determine whether any federal laws had been broken. The FBI concluded that the incident, while abhorrent, fell under state and local jurisdictions.⁴⁸

The FBI’s findings infuriated local activists. “Given the total story and circumstances of what happened in Cochise County in this particular travesty of justice, the Pledge of Allegiance should be rewritten to read ‘Liberty and justice for some,’ pronounced one Catholic priest. Indeed, as the farmworkers’ supporters later told the Department of Justice, the jury in the first Hanigan trial had “forged a new standard” of law. “Instead of weighing evidence ‘beyond a reasonable doubt,’ it applied the standard of proof ‘beyond any possible doubt.’ Such is frontier justice for Mexicans.”⁴⁹

Local events soon gave these somber words a ring of prophecy. Eight days after the trial ended, law enforcement officials in the nearby Arizona town of Bisbee learned that a Mexican man had savagely raped a white woman. A posse of 50 citizens, led by the city’s mayor and the county sheriff formed and gave chase to the alleged rapist. They cornered a 17-year-old undocumented immigrant, terrorized him, arrested him, and booked him for rape. This quick form of vigilante-style justice stood in sharp contrast to the pomp and circumstance of the *Hanigan* case. Mexican American leaders declared the incident evidence of two criminal justice systems: one for euro-Americans and the other for Mexicans and Mexican Americans.⁵⁰

⁴⁶ National Coalition on the Hanigan Case, “Report to the United States Commission on Civil Rights Regarding the Torturing of Mexicans The Hanigan Case,” (June 1, 1978) 16, Hanigan Brothers Case, 1977-1979, Subject Files, Baca Papers, MSS 0649.

⁴⁷ *Ibid.*, 31.

⁴⁸ John F. Conroy to Drew S. Days, III, November 29, 1977, Box 3, Folder 29, Bustamante Papers.

⁴⁹ Associated Press, “Jury Clears Hanigans: Mexican Consul Angry,” *Tucson Daily Citizen*, October 8, 1977; Associated Press, “Boycott Urged over Hanigan Acquittal,” *Tucson Daily Star*, October 17, 1977; National Coalition for the Hanigan Case, “Summary of the Hanigan Case,” nd, Box 77, Folder 1, RG 6, MALDEF Records; National Coalition on the Hanigan Case, “Report to the United States Commission on Civil Rights Regarding the Torturing of Mexicans The Hanigan Case,” (June 1, 1978), 28, Box 39, Folder 1, Reveles Papers.

⁵⁰ National Coalition on the Hanigan Case, “Report to the United States Commission on Civil Rights Regarding the Torturing of Mexicans The Hanigan Case,” (June 1, 1978) 27, 30, Hanigan Brothers Case, 1977-1979, Subject Files, Baca Papers, MSS 0649; “Bias Against Mexicans Cited in Bid to Move Cochise Trial,” *The Arizona Daily Star*, November 18, 1977, Box 39, Folder 1, Reveles Papers.

In the days following the trial, a Tucson area priest and several other local civil rights leaders again asked the Department of Justice to initiate federal charges against the Hanigans. The Bishop of Phoenix likewise encouraged the Arizona Governor to request a federal indictment. Communities on both sides of the border began a series of pickets demanding federal prosecution and protection “from future Hanigan-like atrocities.” Supporters of the farmworkers sent hundreds of telegrams and letters to federal officials demanding that the Hanigans be brought to justice. Calling the incident an example of “racial sadism,” “genocide,” and a “human rights violation,” Arizona Governor Bruce Babbitt, AFL-CIO President George Meany, United Farm Workers Union President César Chávez, multiple Protestant organizations, and numerous US Senators and Congressmen urged the US Attorney General to take up the *Hanigan* case. Collectively they insisted that the Hanigan incident was but one in a long-standing pattern of documented violence against people of Mexican descent in the Southwest.

The DOJ, however, concluded that the Hanigan brothers had not violated any federal criminal laws or civil rights laws because it was not clear whether the extent of these laws could be broadened to include undocumented immigrants. In some cases, US federal law required victims to be “acting under the color of the law.” Undocumented immigrants, the DOJ concluded, acted outside the color of the law because they violated US federal law by entering the US without authorization. This interpretation defined unauthorized border crossings as an ongoing offense that left undocumented immigrants outside the protection of many US federal laws.⁵¹

Building a National Movement

As local community leaders on both sides of the border organized protest marches and boycotted local merchants, civil rights organizations and other sympathetic allies came together and launched a national organization to take up the cause. In the fall of 1977, several national organizations formed the National Coalition on the Hanigan Case, an umbrella organization that would work to generate national support for the three young Mexican men attacked by the Hanigans.⁵² Coalition leaders believed that the ranchers had violated the farmworkers’ civil and human rights. They hoped to persuade the US Attorney General to initiate a federal case against the Hanigans. A young Mexican American law student from Douglas, Antonio Bustamante, became the organizing force behind the Coalition.

Born in 1952, Bustamante got his first taste of civil rights activism working alongside César Chávez and the United Farm Workers.⁵³ Years later, Bustamante attributed his mother’s

⁵¹ La Raza National Law Students Association to Friends, June 15, 1977, Box 39, Folder 1, Reveles Papers; Margo Cowan to Bates Butler, October 9, 1977, Box 39, Folder 1, Reveles Papers; John Conroy to Esther Estrada, ca August 28, 1978, Box 77, Folder 1, RG 6, MALDEF Records; Thomas Cahalane to Vilma Martínez, February 17, 1978, Box 2, Folder 6, Bustamante Papers; Rev. Manuel Martínez to José Bracamonte and Ricardo Parra, September 30, 1977, Box 2, Folder 15, Bustamante Papers; Cesar Chavez to Douglas City Council, March 21, 1977, Box 2, Folder 15, Bustamante Papers; Representative Don Edwards to Raul Yzaguirre and Paul Sedillo Jr., June 20, 1979, Box 2, Folder 15, Bustamante Papers.

⁵² National Coalition on the Hanigan Case, “Report to the United States Commission on Civil Rights Regarding the Torturing of Mexicans The Hanigan Case,” (June 1, 1978) 13, Hanigan Brothers Case, 1977-1979, Subject Files, Baca Papers, MSS 0649.

⁵³ Ironically, it was on August 16, 1976, the same day that the Hanigans kidnapped and tortured García, Ruelas, and Herrera, Bustamante began his first day as a law student.

willingness to “stand up for what she believed in” and Chávez’ leadership with inspiring him to take on the case. “The biggest lesson I learned from him was that human beings can do anything. He would tell you that you never lose as long as you’re fighting,” Bustamante recalled. “The *Hanigan* case started as something small and snowballed into a movement.”⁵⁴

The Antioch School of Law, where Bustamante was a first-year law student, the USCC, and the National Council for La Raza, an organization formed in the wake of the Chicano movement, comprised the Coalition's executive board. The Antioch Law clinic acted as the Coalition's legal representative, while the National Council for La Raza helped the Coalition tap into a national network of Mexican American organizations. MALDEF later joined the board as a co-advisory member and offered its expertise as well. The USCC's Secretariat of Hispanic Affairs, the former Bishops’ Committee for the Spanish Speaking, provided the Coalition meeting space and handled the organization’s finances.⁵⁵

The USCC owed its involvement in the *Hanigan* case directly to Pablo Sedillo Jr., a layman, who co-directed much of the Coalition’s early work. Originally from New Mexico, Sedillo led various Catholic agencies throughout the Southwest for nearly 15 years before the USCC tapped him to replace Antonio Tinajero as head of its Division of the Spanish Speaking in 1971. As the director of the nation's highest Hispanic Catholic organization, Sedillo pushed the USCC to dedicate its substantial resources to helping Mexican and Mexican American Catholic communities. When he arrived to DC in 1971, Sedillo, like Antonio Tinajero, who directed the division when it moved from San Antonio to DC, lacked a sufficient staff for running a division office. That was where the similarities between the two men ended. While Tinajero had been deeply disliked by various leaders within the Mexican American community, Sedillo was generally well-liked and respected by Mexican American leaders. When the USCC attempted to diminish Sedillo’s division, he threatened to call a coordinated march of Hispanic Catholics on USCC headquarters. The bishops blanched at the thought of a national Hispanic protest against the Catholic Church and relented. USCC leadership allowed the division to continue relatively unmolested.

Three years later, under pressure from Sedillo and PADRES (Padres asociados para derechos religiosos, educativos, y sociales), the Division of the Spanish Speaking became the Secretariat of Hispanic Affairs, a well-funded and well-staffed national office within the USCC. The Secretariat of Hispanic Affairs focused its energies on expanding opportunities for Spanish speaking Catholics within the Catholic Church and on lobbying on their behalf on Capitol Hill. Sedillo co-organized and attended the August 1977 Encuentro that first brought the *Hanigan* case to the USCC’s attention. It was thanks to his determination that the USCC joined the national movement to bring the Hanigans to justice.⁵⁶

⁵⁴ “Local Civil Rights Leader Wins 2013 MLK Servant Leadership Award,” November 26, 2012, Arizona State University, <http://asunow.asu.edu>.

⁵⁵ The organizations first formed the National Committee of Concern and in November 1977 named themselves the National Coalition on the Hanigan Case. Hanigan Case Chronology, Box 77, Folder 1, RG 6, MALDEF Records; La Raza National Law Students Association to Friends, June 15, 1977, Box 39, Folder 1, Reveles Papers; Margo Cowan to Bates Butler, October 9, 1977, Box 39, Folder 1, Reveles Papers; John Conroy to Esther Estrada, ca August 28, 1978, Box 77, Folder 1, RG 6, MALDEF Records.

⁵⁶ Joan Faraone, “The Evolution of the Secretariat of Hispanic Affairs of NCCB/USCCB and its Contribution to Catechesis for Hispanic/Latinos in the United States,” (Catholic University of America, 2009), 111; Moises Sandoval, *On the Move: A History of the Hispanic Church in the United States* (New York: Orbis Press, 1990), 88.

In October 1977, shortly after Antonio Bustamante began the campaign for a national coalition, he asked Sedillo to join as the Coalition's co-chairman. Sedillo's membership on the Coalition cloaked the organization in moral certitude. In the same way that the Bishops' Committee for the Spanish Speaking had shielded farmworkers' unionization efforts from accusations of communism during the 1950s, so too did the USCC protect the National Coalition on the *Hanigan* Case from accusations of defending criminal aliens. Speaking on behalf of the USCC, Sedillo issued press releases denouncing the Justice Department's spineless refusal to address violence against Mexican immigrants. "The senseless, cowardly torturing of three undocumented Mexican farm workers by Anglo ranchers in Douglas, Arizona is one of the nation's worst examples of brutality against Hispanics and serves as a glaring testimonial to the Justice Department's suspect unwillingness to prosecute violators of our people's civil rights," Sedillo said.⁵⁷

Securing Federal Action in the *Hanigan* Case

Although the Justice Department seemed at first unwilling to budge, other federal agencies acknowledged the widespread problem of violence against undocumented immigrants. One INS Commissioner, Lionel Castillo, allegedly told Coalition representatives on numerous occasions that he was "extremely concerned about violent measures taken against those who enter the country without authorization."⁵⁸ Moreover, Castillo, Coalition members, and other supportive allies all acknowledged that such instances of brutality went generally underreported due to limited follow through by the Justice Department and fear of reprisal against those who reported their experiences. In March 1976, for instance, Border Patrol Agent William Dale Manypenny shot an unarmed immigrant named Elfego Mendoza. The local district attorney contacted the Department of Justice, concerned that Mendoza's civil rights had been violated. The Attorney General declined to bring charges against Manypenny. In Louisiana, one farmer confessed to chaining his undocumented farm hands to cages in "an attempt to extract slave labor." The farmer served three months in jail, while the victims in the case spent more than six months in detention while awaiting deportation. These episodes demonstrated the law's limited protection of undocumented immigrants.⁵⁹

Securing a verdict against the ranchers, the Coalition believed, would be the first step in granting undocumented immigrants quasi-legal standing. Such a verdict would, at the very least, recognize that undocumented immigrants did indeed have civil and human rights and that those rights could in fact be violated. The Coalition saw such an outcome as a bandaid solution to the larger problem of bringing the undocumented population, whose numbers ranged anywhere between 4 and 12 million people, out of the shadows. The next step would require convincing Congress to draft a new immigration law offering undocumented immigrants a path to residency.

Prosecuting the Hanigans for crimes against undocumented immigrants would prove to be a Herculean task. Bustamante later explained "None of us expected to get [the Hanigans]

⁵⁷ National IMAGE, Inc., "Press Release: Hispanic Leader Demands Justice in Hanigan Torture Case," June 8, 1978, Box 76, Folder 1, RG 6, MALDEF Records.

⁵⁸ National Coalition on the Hanigan Case, "Report to the United States Commission on Civil Rights Regarding the Torturing of Mexicans The Hanigan Case," (June 1, 1978) 3, Hanigan Brothers Case, 1977-1979, Subject Files, Baca Papers, MSS 0649.

⁵⁹ Hector Campoy "Statement before the Select Commission on Immigration and Refugee Policy, Phoenix, Arizona, February 4, 1980," Box 7, Folder 35, Bustamante Papers.

prosecuted – that was impossible. The law was against us and the political will was against us. But we kept hearing César [Chávez]’ voice saying ‘nothing is impossible.’” Inspired by his earlier work with Chávez, Bustamante infused the Coalition’s board with optimism. The board agree it would not stop “hasta la victoria” or in this case, until the Justice Department took the case.⁶⁰

The Coalition did more than simply write letters. It used its member organizations’ local and national networks to keep the *Hanigan* case alive in the local and national media. It also used these connections to raise funds. By early 1978, the Coalition could count among its membership more than 30 member organizations nationwide, including all the leading national Hispanic organizations. Legal clinics at Antioch School of Law and Georgetown joined MALDEF in offering legal research services and envisioned expanding the Coalition’s services to a one-stop advocacy and immigration law clinic.

In early 1978, the Coalition’s executive board began meeting at USCC headquarters in Washington, DC to develop a plan of action. The board would continue to communicate the Coalition’s actions to its member organizations. Member organizations would distribute regular updates to their own local affiliates and encourage individual members to ask religious and political representatives to speak out against the Justice Department’s stubborn refusal to open an investigation. In the meantime, Bustamante, the board’s secretary, and its co-chairman, Sedillo and Raul Yzaguirre, met with members of Congress and the Justice Department. They also attempted to raise the *Hanigan* case’s profile by seeking an audience before the US Commission on Civil Rights.

In June 1978, the Coalition submitted a 45-page report on the *Hanigan* case to the US Commission on Civil Rights. The Coalition described undocumented immigrants as “economic refugees” in need of civil rights protections from civilians, police, and immigration authorities.⁶¹ MALDEF provided the Coalition with its own report of state-sponsored violence against the Mexican descent population. Over a period of three years, MALDEF documented some eighty cases of police brutality against Mexican Americans and Mexican immigrants. Attorneys with MALDEF had requested intervention by the Department of Justice on numerous occasions with only limited success. They referred to the widespread instances of police brutality as evidence of a “near total collapse of the state” and a failure of “prosecutorial and judicial authorities in protecting the civil, constitutional and human rights of citizens of Mexican descent.” According to the Coalition, “the undocumented refugee [was] perhaps even more savagely repressed, for such persons undergo the assaults of not only the police and private citizens, but of the Immigration and Naturalization Service’s Border Patrol as well.”⁶² The *Hanigan* case, they argued, was only the latest instance in a deeper history of racial violence. As Mexican American leaders told the Civil Rights Commission, “justice delayed” led to “justice denied.”⁶³ Even as the Coalition broadened its tactics it remained committed to the end goals of convincing the Department of Justice to take up the case and eventually seeking a legislative solution to bring undocumented immigrants out of the shadows.

⁶⁰ “Local Civil Rights Leader Wins 2013 MLK Servant Leadership Award,” November 26, 2012, Arizona State University, <http://asunow.asu.edu>.

⁶¹ National Coalition on the Hanigan Case, “Report to the United States Commission on Civil Rights Regarding the Torturing of Mexicans The Hanigan Case,” (June 1, 1978) 1, Hanigan Brothers Case, 1977-1979, Subject Files, Baca Papers, MSS 0649.

⁶² *Ibid.*, 1-2.

⁶³ *Ibid.*, 13.

At first, the US Attorney General's office stuck to its hard line of nonintervention. Department of Justice representatives insisted that the federal government lacked the jurisdiction to retry the Hanigans. Under immense public pressure, however, the Justice Department arranged a meeting between the Coalition's board members and newly appointed Deputy Assistant Attorney General in the Civil Right Division, John Huerta. The Coalition hoped that Huerta would be an important ally, especially given his background as a Chicano rights activist in California.⁶⁴

That hope was soon dashed. Huerta initially told the Coalition that the Civil Rights Division was "very anxious to bring an action" in the case. He promised to work closely with Coalition attorneys and agreed that the Justice Department would purchase trial transcripts from the initial case to aid in the investigation. In the days following his meeting with coalition leaders, Huerta denied to reporters that the Justice Department was eager to prosecute the Hanigans. Days later, the department reneged on its promise to pay for the nearly \$3,000 trial transcripts and stood by passively as the Coalition made its next move.⁶⁵

Coalition members were determined to continue working to bring the Hanigans to justice with or without the Attorney General's help. The Coalition took a two-pronged approach. MALDEF and the Antioch School of Law embarked on an ambitious, year-long research project that uncovered five federal civil rights, immigration, and interstate commerce laws that the Hanigans had broken.⁶⁶ The Attorney General eventually used the Coalition's research to bring charges against the Hanigans. In the meantime, Sedillo and other executive board members of the decided to turn up the heat by filing a lawsuit against the Justice Department.

In November 1978, the National Council of La Raza, the USCC's Secretariat for Hispanic Affairs, and a handful of other Coalition' board members, filed suit against the Department of Justice, charging that it had failed to "adequately explore various theories of law which might be used to gain Federal jurisdiction in the *Hanigan* case." The lawsuit lacked much in the way of legal standing, but its petitioners never believed they would win the case. Instead, they aimed to generate public support for their cause. The lawsuit against the Justice Department evidenced a coordinated, national effort by leading Mexican American and Catholic civil rights groups to challenge the federal government's failure to protect the rights of undocumented Mexican

⁶⁴ Born in Oregon in 1943 to a Mexican American father and German American mother, Huerta graduated from the University of California, Berkeley's School of Law in 1968. He worked briefly with the California Rural Legal Assistance and several other War on Poverty funded initiatives before eventually working as a law professor. A fellowship in the Harvard Law and Humanities Program brought Huerta to the Carter administration's attention right around the time of the initial Hanigan verdict in the fall of 1977.

Burton Wechsler to John Huerta, November 30, 1977; National Ad Hoc Coalition on the Hanigan Case to Friends of Justice, December 12, 1977, Box 39, Folder 1, Reveles Papers; Oral History Interview with John E. Huerta, Session 1, March 7, 1990, 8, 42, 45, 50, California State Archives State Government Oral History Program *Oral History Interview with John E. Huerta*.

⁶⁵ National Coalition on the Hanigan Case, "Report to the United States Commission on Civil Rights Regarding the Torturing of Mexicans The Hanigan Case," (June 1, 1978) 37, Hanigan Brothers Case, 1977-1979, Subject Files, Baca Papers, MSS 0649.

⁶⁶ Sister Cornia Padilla, OP to Vilma Martínez, February 16, 1978; Eduardo Pena Jr. to Vilma Martínez, February 16, 1978; A. Michael Romo to Vilma Martínez, February 14, 1978; Paul Sedillo Jr. and Raul Yzaguirre to Friends and Members, August 3, 1978; J. Manuel Sánchez to Mike Baller, nd., re: Hanigan Case; Box 77, Folder 1, RG 6, MALDEF Records.

immigrants. Although the suit was dismissed, the Attorney General did agree to authorize a grand jury investigation.⁶⁷

Attorney General Benjamin Civiletti's initial agreement to authorize a grand jury investigation did little to reassure the Coalition. The Justice Department only agreed to review the *Hanigan* case after the Coalition's legal team conducted a lengthy research project that clearly outlined multiple federal laws that the Hanigans had broken.⁶⁸ Indeed, Civiletti's well-known interference in grand jury investigations of police brutality against Mexican Americans caused many to worry that the Attorney General would prevent the Hanigan grand jury from conducting a thorough investigation. These fears seemed even more well-founded when Civiletti instructed the grand jury to investigate only possible civil rights and interstate commerce violations and not to probe for violation of immigration laws. Both Civiletti and the Coalition understood the case had the potential to set a precedent in protecting the civil rights of non-citizens in the United States.⁶⁹

Civiletti faced a great deal of opposition from Mexican American groups during his confirmation hearings in 1978. Organizations such as MALDEF pointed to Civiletti's record of squashing police brutality cases which featured Mexicans and Mexican Americans as victims as evidence of his unsuitability for the position of Attorney General.⁷⁰ Their concerns seemed even more well-founded when the Justice Department rejected the *Hanigan* case in its initial investigations. Drew Days, III, an assistant attorney general, believed that the federal government had more than enough evidence to prosecute the Hanigans for violating federal civil rights laws. Civiletti, however, insisted that he lack sufficient grounds to do so. In a strange twist, he opted to prosecute the Hanigans for violating the Hobbs Act, a federal statute that prohibited the interference of interstate or foreign commerce.⁷¹

Civiletti's decision denied the three farmworkers' personhood and effectively reduced what happened to Ruelas, García, and Herrera to theft of a commodity (labor).⁷² For the National Coalition on the *Hanigan* Case, Civiletti's refusal to seek an indictment against the Hanigans for violating civil rights and immigration statutes seemed at odds with President Jimmy Carter's professed support of human rights. In truth, the Attorney General's hands were tied. The role of

⁶⁷ Roseanne/Claudia to Al Perez, November 30, 1978; Pablo Sedillo Jr. to Members of the National Coalition on the Hanigan Case, May 8, 1979, Box 77, Folder 1, RG 6, MALDEF Records; Philip Wilens to Drew Days, III, Attention John Huerta, January 8, 1979, Box 3, Folder 29, Bustamante Papers.

⁶⁸ Update from the National Coalition on the Hanigan Case, November 16, 1978, Box 77, Folder 1, RG 6, MALDEF Records.

⁶⁹ Bob Duke, "Genocide War on Chicanos Alleged," *El Paso Herald-Post*, February 9, 1978, Box 39, Folder 1, Reveles Papers; Antonio Bustamante to "Friends," October 1, 1979, Box 77, Folder 1, RG 6, MALDEF Records.

⁷⁰ United States Senate Committee on the Judiciary, "Confirmation Hearings, Statement of Benjamin Civiletti," Friday, July 27, 1979, Box 1, Folder 9, Bustamante Papers; United States Senate Committee on the Judiciary, "Hearing on the Nomination of Benjamin R. Civiletti for the Position of United States Attorney General, Statement of Panel consisting of: Mr. Rafael Arreoloa, Counsel, Legal Aid Society of San Diego, Chula Vista, California; Ms. Angela Cabrera, National President, National Conference of Puerto Rican Women, Washington, DC; Mr. Al Perez, Associate Counsel, Mexican-American Legal Defense and Educational Fund, Washington, DC; Mr. Ruben Sandoval, League of United Latin American Citizens, San Antonio, Texas; Mr. Pablo Sedillo Jr., League of United Latin American Citizens, San Antonio, Texas, July 26, 1979," Box 1, Folder 10, Bustamante Papers.

⁷¹ Drew Days, III to John Huerta, January 31, 1979; Drew Days to Michael Hawkins, June 22, 1979; John Huerta memorandum on the Hanigan Case, December 14, 1978, Box 3, Folder 29, Bustamante Papers.

⁷² Charles Babcock, "2 Arizona Ranchers Indicted, US Charges They Beat, Robbed Three Mexicans," *Washington Post*, October 17, 1979, Box 77, Folder 1, RG 6, MALDEF Records; Cadava, *Standing on Common Ground*, 197.

the Justice Department, Civiletti reminded his associates, was to “uphold the law,” not legislate it. Unless Congress was willing to pass a law granting undocumented immigrants legal rights, there was little the Attorney General could do.⁷³

Behind the closed doors of the Justice Department, things were less cut and dry. In determining whether the Hanigan brothers had violated any federal laws, the DOJ’s Civil Rights Office turned to a statute in US criminal law that outlined federally protected activities, (18 U.S.C. §245), which among many things, included “applying for or enjoying employment thereof, by any private employer.”⁷⁴ The law also included the conditions under which one could be prosecuted for preventing another person from participating in these activities, particularly if they were denied access because of their “race, color, religion, or national origin.” DOJ attorneys had to determine whether the statute was broad enough to include undocumented immigrants. The Coalition argued that it was.

In the end, the DOJ decided not to prosecute the Hanigans under 18 U.S.C. § 245. The decision came after extensive research by DOJ attorneys. Had the DOJ successfully prosecuted the Hanigans under 18 U.S.C. § 245, it would have established an important legal precedence, namely that undocumented immigrants’ civil rights were protected by federal law. Days and others, however, did not believe they could secure an indictment against the Hanigans. The problem, DOJ attorneys argued, was that by entering the US through an unauthorized port, the farmworkers were acting outside the color of the law at the time they were attempting to “apply for or enjoy employment.” Thus, the DOJ reasoned, the farmworkers were not necessarily entitled to protection under 18 U.S.C. § 245.

Knowing that they lacked strong legal footing, the Coalition appealed to religious leaders’ moral authority as a way of pushing the federal government to establish a set of legally recognized rights for undocumented immigrants. The Coalition urged religious groups across the country to take a stand on the *Hanigan* case as part of its effort to generate national support for protecting undocumented immigrants’ rights. Religious groups responded by sending statements and resolutions to the Department of Justice, demanding that it open an investigation. For example, PADRES (the Chicano priests organization that had pressured the bishops into developing more leadership positions for Mexican Americans within the US Church), approved a resolution calling for justice at its national meeting saying, “Although it has irresponsibly forced the people to do the government’s job, the Justice Department has commendably withheld its final decision on prosecuting the Hanigans in federal court until Nov. 16, when it will consider the Coalition’s points.”⁷⁵ Pablo Sedillo called the DOJ’s decision to rely on the work of MALDEF and other groups before agreeing to take on the case, “abusive and irresponsible.” He continued, “It is tragic that in a democracy we must mount a national effort to ‘fight’ for rights as basic as freedom from beatings, torture and murder.”⁷⁶

⁷³ Pablo Sedillo Jr. to President James Earl Carter, October 15, 1979, Box 77, Folder 1, RG 6, MALDEF Records.

⁷⁴ Drew S. Days, III to Michael Hawkins, June 22, 1979, Box 3, Folder 29, Bustamante Papers; “Exhibit and Memorandum in Re: Civil Complaint in the United States District Court for the District of Columbia, *National Council of La Raza, et. al., Plaintiffs, vs. Griffin B. Bell, Attorney General of the United States, et. al., Defendants*, 54, Box 3, Folder 31, Bustamante Papers.

⁷⁵ Orlan Love to Vilma Martínez, November 6, 1978; Orlan Love to Drew Days, November 6, 1978; Catholics for Christian Political Action, Statement, October 2, 1978; National Coalition on the Hanigan Case, Meeting Minutes, August 8, 1978, all in Box 77, Folder 1, RG 6, MALDEF Records.

⁷⁶ J. Manuel Sánchez to Michael Herbolich, July 14, 1978; Pablo Sedillo Jr. and Raul Yzaguirre to Friends, November 1, 1978, Box 77, Folder 1, RG 6, MALDEF Records.

In July 1979, the Coalition achieved what Bustamante had once called “impossible.” Civiletti and other DOJ representatives met with Coalition members and other civil rights leaders for a third time. This time, Civiletti said that he wanted “a full and open review and discussion” of the community’s concerns. He continued by noting that the Justice Department had “no higher duty” than “providing effective civil rights to Mexican Americans and others who are being deprived.” Civiletti ended the meeting by promising to establish a Hispanic advisory committee to the Justice Department. The Coalition responded to Civiletti’s promise with skepticism and suggested that if the Attorney General was genuine about his promise to address civil rights concerns, he might begin with “indictments and aggressive prosecutions” in the Hanigan and other high profile cases. Civiletti responded by promising to seek an indictment against the Hanigans.⁷⁷

Whether or not Civiletti genuinely intended to pursue high profile police brutality cases, he could not ignore the *Hanigan* case, because of its unique role in US-Mexico relations. The CIA informed Carter early in his term that Mexico would “continue to be highly concerned over the problem of undocumented aliens, and this issue – depending on US congressional action – may bring an end to the honeymoon that has existed in bilateral relations since the change in presidents.” The Hanigan incident acted as an irritant in bilateral relations. It had raised Mexican ire immediately after it occurred and continued to do so in the following years. *El Pais* and other Mexican newspapers ran regular updates of the case and publically speculated as to why the US failed to apply President Carter’s promise to protect “basic human rights” to Mexican immigrants.⁷⁸

When the National Coalition on the *Hanigan* Case and other organizations learned that Mexican President José López Portillo would meet with Carter in September 1979, they asked the White House for a brief meeting. The White House turned down their request. López Portillo, however, surprised both the White House and Hispanic leaders when he agreed to meet with a group in New York ahead of his visit with Carter. The meeting was attended by representatives from nearly all the organizations on the Coalition’s executive board. Representatives of MALDEF, the National Council for La Raza, and other organizations, expressed a great deal of concern about the treatment of Mexican immigrants in the United States. During the meeting, representatives raised the *Hanigan* case and other incidents of brutality towards Mexicans and Mexican Americans. When López Portillo met with Carter the following day, he cited the case as one of the primary reasons he hesitated to revive a temporary labor exchange program with the US.⁷⁹

The meeting with López Portillo represented a high point for the Coalition. During a press conference following the meeting between Coalition leaders and the Justice Department, the Coalition presented a short film produced by CBS, documenting the farmworkers’ injuries.

⁷⁷ Notes of Meeting Between Benjamin Civiletti, Attorney General Designate and Hispanic Leaders, Department of Justice, July 26, 1979; National Coalition on the Hanigan Case, News Release: “Hispanics Demand Justice in Human Rights Case,” July 13, 1979, Box 77, Folder 1, RG 6, MALDEF Records; Drew Days, III to Michael Hawkins, June 22, 1979, folder 29, box 3, Bustamante Papers. See Box 3, Folder 29, Bustamante Papers for discussion of the Department of Justice’s deliberation over the case.

⁷⁸ “Mexico Under José López Portillo: Problems and Prospects for US –Mexican Relations: National Intelligence Estimate (Memorandum to Holders), NIE 81-1-76, available online: https://www.cia.gov/library/readingroom/docs/DOC_0000233629.pdf.

⁷⁹ National Coalition on the Hanigan Case, Press Release: Mexicans Tortured in US Civil Rights Leaders Demand Justice,” November 13, 1978, Box 77, Folder 1, RG 6, MALDEF Records; Cadava, *Standing on Common Ground*, 195; Marlise Simons, “Chicanos Get Mexican President’s Ear,” *The Washington Post*, September 26, 1979.

Musicians performed a corrido recorded by Pedro Flores (a well-known Mexican singer) and dedicated to the Hanigan victims, demonstrating that the case was alive and well in Mexico's popular imagination.⁸⁰

In the weeks following the meeting, however, the Coalition began to succumb to internal conflict. Tensions developed in late September 1979, over Antioch Law Student Antonio Bustamante's leadership within the organization. Those tensions came to a head a few weeks later, when MALDEF withdrew from the National Coalition on the *Hanigan* Case. Vilma Martínez, MALDEF's national president, maintained that the Coalition's leadership had made the decision to dissolve and focus on the broader problems of police brutality against all Hispanics, regardless of citizenship status, once the Justice Department agreed to take the case. Bustamante refuted such charges and insisted that the Coalition had no intentions of dissolving, nor had it ever. MALDEF's reasons for leaving, Bustamante claimed, were clearly based on a "desire to abandon the Hanigan struggle."⁸¹ Other members of the coalition accused Martínez of abandoning the "important fight against racism." One young lawyer went so far as to declare associating with MALDEF "an unfortunate liability, especially in the community."⁸² Martínez regarded such accusations as slanderous and warned Bustamante to tread lightly.

In October 1979, MALDEF officially left the Coalition, and ordered its name stricken from all subsequent records affiliated with the Coalition. MALDEF's reasons for leaving the Coalition are not entirely clear, but may have also been tied to what the organization viewed as a pattern of reckless decision making on Bustamante's part. Martínez' and Bustamante's personalities and tactics clashed spectacularly. A correspondence of fireworks ensued after Martínez accused Bustamante of using MALDEF's name without permission. Bustamante hotly denied these accusations, but likely acted in bad faith. The Coalition's correspondence continued to list MALDEF as a member organization for months after MALDEF left the Coalition.⁸³

MALDEF was not alone. The executive board's two other original members, the National Council of La Raza, and the United States Catholic Conference's Secretariat for Hispanic Affairs also resigned, ostensibly "to focus attention on additional brutality cases involving Latino victims," but practically to avoid potential fallout from Bustamante's actions. Pablo Sedillo's resignation came after Bustamante sent a series of letters to President Carter and Attorney General Civiletti, all bearing Sedillo's name, and none of which he had actually signed or approved. Because Sedillo officially represented the entire US Bishops' conference in the Hanigan matter, Bustamante had effectively written these letters under the name of the US Catholic Church. Bustamante's misuse of Sedillo's signature led the bishops to demand Sedillo's official resignation from the Coalition. If Sedillo wanted to continue in an unofficial capacity, USCC leadership said, then he was welcome to do so. The Secretariat of Hispanic Affairs' name, however, would have to be stricken from the Coalition's letterhead and the Coalition would have to find a new mailing address separate from that of the USCC. Moreover, the bishops asked Sedillo to transfer management of the Coalition's finances back to Bustamante or another

⁸⁰ National Coalition on the Hanigan Case, Press Release: "Mexicans Tortured in US Civil Rights Leaders Demand Justice," November 13, 1978, Box 77, Folder 1, RG 6, MALDEF Records; Cadava, *Standing on Common Ground*, 195; Marlise Simons, "Chicanos Get Mexican President's Ear," *The Washington Post*, September 26, 1979.

⁸¹ Al Perez to Rudy Sánchez, March 10, 1980; Rudy Sánchez to Executive Committee, February 1, 1980; Mike Baller to Vilma S. Martínez, April 18, 1980; Hector Campoy to Vilma Martínez, April 10, 1980, Box 77, Folder 1, RG 6, MALDEF Records.

⁸² Antonio Bustamante to Vilma Martínez, March 29, 1980, Box 77, Folder 1, RG 6, MALDEF Records.

⁸³ Vilma Martínez to Rudy Sánchez, March 20, 1980; Antonio Bustamante to Vilma Martínez, March 29, 1980, Box 77, Folder 1, RG 6, MALDEF Records.

Coalition board member. Sedillo's assistant director, Father Frank Ponce, could continue to serve as an executive board member and several USCC affiliate organizations could also continue their membership with the Coalition.⁸⁴

Bustamante expressed genuine remorse shortly after the incident. "I deeply apologize for having signed your name without your knowledge or authorization," Bustamante told Sedillo. "You expressed your strong disapproval of my action when I showed you the letter... It is something I had no right to do," he confessed. Unfortunately, it was at least the second time that Bustamante had affixed Sedillo's signature without permission. One year prior, Bustamante signed the names of both Sedillo and the Coalition's other co-chairman to a letter address to Arizona Governor Bruce Babbitt. At the time Sedillo admonished Bustamante and warned him not to repeat the incident. The second time, the Catholic bishops and Sedillo were unwilling to overlook Bustamante's forgery.⁸⁵

The same week that Bustamante's actions came to light, the Justice Department secured a grand jury indictment against the Hanigans. That same week, too, Bustamante entered the Coalition into a public campaign to file a complaint with the Arizona Bar against the Hanigans' lawyers for defamation. The Hanigans' attorneys had gone so far as to accuse Hispanic organizations of being "predisposed to lawlessness" and putting the Hanigans through a "trial by ordeal."⁸⁶ Local newspapers picked up the story and ran numerous stories debating the ethics of a federal trial against the Hanigans. Those in favor of lodging a complaint with the Bar Association hoped to neutralize potential jury members against anti-Hispanic sentiment.

In a final attempt to protect the Hanigans, a group of Arizona ranchers and local friends established the Enlightened Nationals United for Freedom (ENUF), which provided a defense fund for the Hanigans. The Hanigans and their supporters used ENUF to flood the media with unsubstantiated claims of undocumented immigrants committing acts of rape, theft, and other crimes against Arizonans. Bustamante and other Coalition members believed that ENUF had "accused virtually all undocumented aliens of being burglars, rapists and welfare cheats." Such anti-alien sentiment reinforced the notion that the Hanigans' violent and racially motivated crimes were merely an example of justified, frontier vigilantism. ENUF's efforts heightened the tensions throughout southern Arizona, creating an atmosphere of what the Coalition called "anti-alien hysteria" and "Klan-like hostility." To combat this discursive form of racial violence, Bustamante called for the Coalition to join local organizations in filing a bar complaint against the Hanigan lawyers.⁸⁷

While the Coalition weighed a complaint against the Hanigan lawyers, the Justice Department continued its progress towards trial. Bustamante and others grew frustrated with what they saw as the Justice Department's slow progress. The Justice Department's slow pace was "an alarming commentary" from an "insensitive government," Bustamante held. "To allow

⁸⁴ Al Perez to Paul Sedillo, Raul Yzaguirre, and Tony Bustamante, October 22, 1979; Salvador Herrera and Manuel Romero to National Coalition on the Hanigan Case Member Organizations, April 7, 1980, Box 77, Folder 1, RG 6, MALDEF Records.

⁸⁵ Antonio Bustamante to Pablo Sedillo Jr., October 22, 1979; Pablo Sedillo Jr. to President James Earl Carter, October 15, 1979; Raul Yzaguirre and Pablo Sedillo Jr. to Benjamin Civiletti, October 22, 1979, all in Box 2, Folder 21, Bustamante Papers.

⁸⁶ Civiletti - Hispanic Leaders Meeting, July 26, 1979, Box 77, Folder 1, RG 6, MALDEF Records. Salvador Herrera and Manuel Romero to National Coalition on the Hanigan Case Member Organizations; Rodolfo Sánchez to Executive Committee, "Suggested Draft of Memo RE: Defamation of Hispanics by Arizona Attorneys," February 1, 1980, Box 77, Folder 1, RG 6, MALDEF Records.

⁸⁷ Rudy Sánchez to Executive Committee, February 1, 1980, Box 77, Folder 1, RG 6, MALDEF Records.

such premeditated violence...to continue unabated and unpunished,” the Coalition warned, “is to set the pattern for an officially condoned genocide.”⁸⁸

More than four years after they were kidnapped and tortured, Ruelas, García, and Huerta found themselves facing the Hanigan brothers yet again, this time in a federal courtroom. The trial lasted for several weeks. In the end, the jury remained hopelessly deadlocked 8 to 4 in favor of conviction. The federal government refused to drop the case. By then, Mexican American civil rights organizations had mounted enough pressure that dropping the case would have proved a public relations nightmare. Believing that the Hanigans’ defense attorneys had effectively poisoned any potential jury pool in Tucson, they successfully requested a change of venue to Phoenix. In February 1981, both Hanigans faced trial for a third time. This time, Pat Hanigan’s former wife testified that in the weeks before the incident, Pat and Tom had gone “wetback hunting” “out of anger” after Pat’s home had been burglarized. Her testimony proved convincing enough to convince jurors of Pat’s guilt. The jury in the third case acquitted Tom Hanigan, but found his brother guilty and sentenced him to three years in prison.⁸⁹

In 1981, shortly after he was acquitted for a final time, Tom Hanigan was arrested and charged with illegally bringing 574 pounds of marijuana into the United States. The threat of drug dealers, it turned out, was much closer to home than Hanigan’s neighbors and defenders had imagined. In the years following the case, two of the three farmworkers remained in Hermosillo. The other was arrested for illegally trying to reenter the United States. Pat Hanigan remained free on bond as he appealed his sentence. He spent his time running the family ranch and working as a rodeo rider until he was finally forced to serve his sentence in May 1983. Thomas took over the family’s Dairy Queen franchise. Neither publicly acknowledged any guilt for their role in the kidnap and torture of García, Ruelas, and Herrera.⁹⁰

Securing Rights Through the Courts and Immigration Reform

Many Mexican American leaders viewed the results of the *Hanigan* case with a mix of elation and dismay. By all accounts, securing federal prosecution of the Hanigans was a monumental victory. Yet it remained unclear what, if any, effect the case’s outcome would have on the treatment of undocumented immigrants. The National Coalition on the *Hanigan* Case achieved partial success with Patrick Hanigan’s conviction. But that sense of success was tempered by the fact that he had received such a light sentence. More importantly, however, the Coalition mobilized a national movement in favor of immigration reform that recognized and protected immigrant rights. The movement signified the coming together of Mexican American organizations and the Catholic Church on behalf of Mexican immigrants.⁹¹ The Coalition did fall

⁸⁸ Salvador Herrera and Manuel Romero, “Statement on Upcoming Hanigan Trial,” News Release, June 25, 1980, Box 2, Folder 4, Bustamante Papers; Salvador Herrera and Manuel Romero to Friends of the National Coalition on the Hanigan Case, April 7, 1980; “Hispanics Wanted on Hannigan [sic] Case,” *San Antonio Express*, June 27, 1979, Box 77, Folder 1, RG 6, MALDEF Records.

⁸⁹ Frank Baller to File, Hanigan Case, January 7, 1981; “Arizonan Convicted in Beating of Aliens: Second Jury Frees His Brother on Federal Charges in Attack on 3 Mexican Farm Workers,” *New York Times*, February 23, 1981, Box 77, Folder 1, RG 6, MALDEF Records.

⁹⁰ “Around the Nation; Acquitted Rancher is Held on Drug Charge in Arizona,” *New York Times*, April 16, 1981; Charles Strum, “Follow-up on the News; The Hanigan Case,” *New York Times*, March 7, 1982.

⁹¹ Immigration Conference, Mexican American Cultural Center, San Antonio, Texas, November 25-26, 1974, Box 8, Folder 17, PADRES Collection.

apart, but its advocacy bridged a divide within the Mexican descent community and signified greater autonomy over Catholic resources. Organizations such as the USCC and MALDEF continued to fight for immigrant rights long after they left the Coalition.

The Coalition's effort to bring the Hanigans to justice unfolded against a larger backdrop of contested ideas about immigration reform. Organizations such as those represented by the Coalition called for a humanitarian approach to reforming US immigration laws. They called for a new law that would protect the civil rights (due process, legal representation, and protection from state sponsored violence) of immigrants regardless of citizenship status. They also

By the time Patrick Hanigan was forced to serve his three year sentence in 1983, several other cases concerning immigrant rights had made their way to the US Supreme Court. Two of these cases, *Cecilia Espinoza and Rudolfo Espinoza v. Farah Manufacturing Company, Inc.* and *Plyler v. Doe* demonstrate the ways in which immigrants used the court system to defend or obtain civil rights. In *Espinoza*, documented immigrants attempted to use Title VII of the Civil Rights Act of 1964 to defend documented immigrants against employment discrimination based on citizenship status. In *Plyler*, undocumented immigrants argued that denying public K-12 education to undocumented children violated the Fourteenth Amendment's Equal Protection Clause.

On July 19, 1969, Cecilia Espinoza, a married mother of three, applied for a job at a local clothing manufacturing plant in San Antonio. The local hiring manager at Farah Manufacturing refused to consider her application because of her citizenship status. Although she was a legal resident of the United States, Espinoza was not a US citizen. Espinoza alleged that Farah's "refusal to consider her for employment was a violation of Section 703(a)" of the Civil Rights Act of 1964, which prohibited "employer discrimination on the basis of 'national origin.'"⁹² The local Equal Employment Opportunities Commission office (EEOC) agreed with Espinoza. They ordered the company to consider Espinoza's application. When the company refused to do so, Espinoza filed suit.

The fifth circuit court of appeals reversed the lower court's ruling. Espinoza appealed the decision and the Supreme Court agreed to hear the case in 1972. The question before the Court was whether or not alienage represented a protected class under Title VII. In other words, could private employers deny employment to potential employees on the basis of their immigration status? Was denial of employment based on alienage discrimination based on national origin? Justice Thurgood Marshall, the former head of the National Association for the Advancement of Colored People's Legal Defense Fund who had argued *Brown v. Board* in 1954, delivered the majority opinion in 1973, siding with Farah Garments.⁹³ The case brought into sharp relief the question of who should benefit from civil rights legislation, a question that remained unresolved even amongst Mexican Americans. Until Espinoza challenged the Farah policy, no Mexican American political organization had challenged Farah's hiring policy. If nothing else, the case and Marshall's opinion, demonstrated that moments of interracial and ethnic cohesion were few and far between, and that such moments were rarely driven by an urge to promote ethnic solidarity, but rather in pursuit of a larger goal impacting marginalized persons across ethnic and racial lines. Moreover, the uneven response of Mexican American political organizations to the issue of employment discrimination based on alienage calls into question the level of ethnic

⁹² *Cecilia Espinoza and Rudolfo Espinoza v. Farah Manufacturing Company, Inc., in the United States Court of Appeals for the Fifth Circuit*, No. 71-3364, Box 730, Folder 8, RG 5, MALDEF Records.

⁹³ Carlos R. Soltero, *Latinos and American Law: Landmark Supreme Court Cases* (University of Texas Press, 2006), 98.

solidarity between citizens and non-citizens during a period in which social movements defined their goals on the basis of promoting such ties.

Of the leading Mexican American political organizations, only MALDEF filed an amicus brief in support of Espinoza. MALDEF's attorneys made the issue clear. "Farah," the attorneys argued, "like the Fifth Circuit [court of appeals], makes the too quick identification of ethnic discrimination with national origin discrimination. What must be remembered, however, is that national origin discrimination has never been a phenomenon distributed evenly over an entire ethnic group." MALDEF's brief indicated a more complex understanding of the intersection between race and citizenship status, as well as the ways in which discrimination based on citizenship status or national origin could constitute racial discrimination. The racialization of people of Mexican descent, in other words, was one based at least in part, on their citizenship or residency status in the United States. Like MALDEF, the EEOC disagreed with Farah and the fifth circuit court, arguing that discrimination on the basis of citizenship "has the effect of discriminating on the basis of national origin."⁹⁴

Early on, the justices appeared split over the *Espinoza* case. Both sides seemed to fully appreciate that if Espinoza's claims were upheld and Farah was found to have violated Title VII, then the law would be expanded to include citizenship status, not just national origin, as a category protected from employment discrimination.⁹⁵ In an 8-1 decision, the court ruled against Espinoza. Even as the court denied Espinoza's appeal, it noted that "there may indeed be situations where an employer professes to deny employment on the basis of citizenship when in fact there is an intent to discriminate on the basis of national origin." The court clearly recognized that discrimination based on citizenship and national origin often went hand-in-hand. Its ruling, however, limited Title VII as a means of legal redress for immigrants.⁹⁶

The *Espinoza* decision demonstrated the limits of civil rights legislation as it applied to documented immigrants. In his opinion, Marshall noted that "aliens are protected from illegal discrimination under the Act, but nothing in the Act makes it illegal to discriminate on the basis of citizenship or alienage."⁹⁷ The bishops' conference sided with MALDEF and Espinoza – claiming the court had committed a great travesty in its ruling against Espinoza. The bishops would later point to the *Espinoza* decision and others as evidence of the need for immigration reform. Without immigration reform, Mexican immigrants lacked equal protection under the law – regardless of their residency status.

⁹⁴ Conference sheet, Case No. 72-671-CFX, *Espinoza v. Farah Mfg. Co.*, Supreme Court Cases, October Term, 1973, Lewis F. Powell Jr. Papers, 1921-1998, Ms 001, Lewis F. Powell, Jr. Archives, Washington and Lee University, Lexington, VA, (hereafter, Powell Papers); Memorandum of the EEOC as amicus, Box 174, Folder 8, Harry A. Blackmun Papers, Manuscript Division, Library of Congress, Washington, DC, (hereafter, Blackmun Papers).

⁹⁵ Lewis Powell Jr. to Thurgood Marshall, October 31, 1973 and enclosed concurrence, Box 671, Folder 72, Thurgood Marshall Papers, Manuscript Division, Library of Congress, Washington, DC, (hereafter, Marshall Papers); Warren Berger to Thurgood Marshall, October 31, 1973, Box 270, Folder 6, Byron R. White Papers, Manuscript Division, Library of Congress, Washington, DC, (hereafter, White Papers), Conference notes on *Espinoza v. Farah*, October 12, 1973, Box 1642, Folder: 72-671 *Espinoza V. Farah Man. Co.*, Memos and Vote of Court, William Douglas Papers, Manuscript Division, Library of Congress, Washington, DC, (hereafter, Douglas Papers); Dyer Bell, Cert to CA5 and attached notes, December 17, 1972, Box 1642, Folder: 72-671 *Espinoza V. Farah Man. Co.*, Memos and Vote of Court, Douglas Papers; Votes and miscellaneous notes; "Marshall's Proposed Opinion," October 29, 1973; Blackmun's notes, all in Box 174, Folder 8, Blackmun Papers.

⁹⁶ Lewis Powell Jr., "Opinion in *No. 72-671 Espinoza v. Farah Mfg., Col, Inc.*," October 10, 1973, Supreme Court Cases, October Term, 1973, Powell Papers.

⁹⁷ Thurgood Marshall, as quoted in Soltero, *Latinos and American Law*, 101.

Even though documented Mexican immigrants received a significant setback with the *Espinoza* decision, undocumented immigrants scored a victory in 1982, when the Supreme Court ruled that undocumented children were entitled to the same public K-12 educational opportunities as their peers. At the heart of the *Plyler* case was the question of whether the Equal Protection Clause applied to undocumented immigrants. In 1975, Texas changed its educational code to allow school districts to charge the families of undocumented children tuition. Tyler ISD implemented a policy charging \$1,000 tuition per undocumented child. J and R Doe joined several other parents of undocumented students and sued superintendent James Plyler. The parents Texas tried to argue that pressures providing services for undocumented immigrants caused a strain on the state's fiscal health. These pressures, the state argued, justified the unequal treatment of undocumented children. The cases work its way through the lower courts before the Supreme Court agreed to hear it in 1981⁹⁸

In 1982, the Supreme Court issued a 5-4 ruling, which held that denying undocumented children K-12 public education opportunities violated the Equal Protection Clause, which held that that the state could not “deny to any person within its jurisdiction the equal protection of the laws.” Moreover, as Justice Brennan argued when he delivered the majority opinion, “whatever his status under the immigration laws, an alien is a ‘person’ in any ordinary sense of the term.” The *Plyler* case represented a significant victory for immigrant rights. Not only did undocumented children secure the right to public education, the court clearly established that immigrants were entitled to protection under the Fourteenth Amendment. In that way, the Supreme Court's ruling clearly established what DOJ attorneys had struggled to assert in the *Hanigan* case, namely that immigrants could not be denied legal protections simply because of their status.⁹⁹

The *Hanigan*, *Espinoza*, and *Plyler* cases were just three of the many cases that demonstrated Mexican immigrants' use of the court system to pursue greater inclusion during the 1970s and early 1980s. Immigrants also used the courts to challenge the INS interrogation techniques and the right of private businesses to allow the INS to interview employees without advanced notice.¹⁰⁰ Even as the battle continued in the courtroom it also played out on Capitol Hill. Immigration rights activists sought legislative reform in order to make undocumented immigrants more legible to the state and to protect them from the exploitation and violence.

Meanwhile, groups such as ENUF called for greater border security. They cited media reports such as INS Commissioner General Leonard Chapman's “Illegal Aliens: Time to Call a Halt!” as evidence that the time had come to adopt a more militaristic border regime.¹⁰¹ Moreover, a trend of Gallup polls and Times/NBC polls helped manufacture public panic by reporting that Americans overwhelmingly believed the US lacked sufficient means to control the border. Incidents such as the *Hanigan* case heightened public perception of an immigration crisis. Despite overwhelming evidence to the contrary, many Americans believed that the county's southwestern border faced an uncontrolled invasion. Headlines such as “22,000 Illegal

⁹⁸ *Plyler v. Doe* (No. 80-1838), June 15, 1982 (<https://www.law.cornell.edu/supremecourt/text/457/202>); Soltero, *Latinos and American Law*, 119.

⁹⁹ *Plyler v. Doe* (No. 80-1838), June 15, 1982 (<https://www.law.cornell.edu/supremecourt/text/457/202>)

¹⁰⁰ *Arturo Vallejo, et al., v. Joseph Sureck, District Director, Immigration and Naturalization Service, CV 78-1912-WMB*, December 8, 1978, Box 44, Folder 21, Maricopa County Organizing Project Records, MSS-353, Arizona State University Libraries: Chicano Research Collection.

¹⁰¹ Leonard Chapman, “Illegal Aliens: Time to Call a Halt!,” *Reader's Digest*, October 1976, 188-192.

Aliens Caught,” “Trouble on the Border Patrol,” and “Organized Crime Linked to Alien Smuggling,” further raised the hysteria.¹⁰²

Congress responded to public pressure for immigration reform in 1978 by creating the Select Commission on Immigration and Refugee Policy (SCIRP). It charged the commission with reporting its findings in 1981. SCIRP was the first congressionally appointed immigration commission since the Dillingham Commission in 1909. SCIRP strove to reform US immigration policy in the wake of the Hart-Cellar Act of 1965, which had removed the racialized immigration quotas of the 1920s. In their place, the Hart-Cellar Act implemented a preferential visa system and a family reunification program, as well as a new quota system that created an annual immigrant quota of 170,000 per country. For the first time, countries in the Western Hemisphere were included in the annual cap. Immigrants applying for visas on the basis of family reunification, however, were exempt from such limits. One unintended consequence of the 1965 immigration law was a dramatic increase in the number of immigrants from Central and South America and South and East Asia. The phasing out of the Bracero Program in the 1960s combined with a recession in the 1970s also contributed to the explosive growth of undocumented immigrants seeking work in the United States.¹⁰³ Unlike presidential commissions on immigration during the Eisenhower and Johnson administrations, which had sought to somehow soften immigration restrictions, Congress intended SCIRP’s findings to aid in reducing the flow of immigrants.

Fifty-four years after Congress passed a law aimed at restricting Catholic and Jewish immigrants, President Carter appointed a Catholic priest, Father Theodore Hesburgh, to oversee the commission. Hesburgh was no stranger to service on presidential commissions. Prior to his SCIRP appointment, he spent 15 years as a commissioner and sometimes chairman of the US Commission on Civil Rights. Hesburgh’s position symbolically placed the Catholic Church at the forefront of immigration policy, giving it an even larger stake in the debates over immigration reform. Hesburgh’s appointment coincided with the USCC’s own struggle to come to terms with the sanctuary movement and liberation theology, two issues that threatened to rip the conference apart.¹⁰⁴

These two issues created an internal war within the US Catholic Church. More conservative factions within the Church, (clergy and laity alike), condemned the sanctuary movement as extralegal and liberation theology as outside the bounds of Catholicism. Other groups within the Church, comprised mostly of nuns, priests, lay members, and Hispanic bishops, declared certain parishes “sanctuary” parishes, and urged the US Church to embrace a more expansive humanitarian policy. They denounced US involvement in Central American civil wars, particularly in El Salvador, Honduras, Nicaragua, and Guatemala. They indicted the Carter and Reagan administrations for aiding in the creation of a humanitarian crisis by funding military coups in the region.

The sanctuary movement was an inter-religious and political movement that declared certain churches safe-havens or sanctuaries for refugees fleeing civil war conflict in Central America in the late 1970s and early 1980s. The movement served as a protest to US involvement

¹⁰² “22,000 Illegal Aliens Caught,” *New York Times*, February 16, 1977; “Organized Crime Linked to Alien Smuggling,” *New York Times*, September 15, 1976; “Trouble on the Border Patrol,” *New York Times*, May 27, 1973.

¹⁰³ Mae Ngai, *Impossible Subjects*, 261-264.

¹⁰⁴ SCIRP commission members included 4 public persons, chosen by Carter, 4 US Senators (2 Democrats and 2 Republicans from the Senate Judiciary Committee), 4 congressmen (2 from each party), Secretary of State Cyrus Vance, Secretary of Labor Ray Marshall, Secretary of Health and Human Services Patricia Roberts Harris, and Attorney General Benjamin Civiletti. Hesburgh, *God, Country, Notre Dame*, 257.

in Central America and the Reagan administration's refusal to grant refugee and asylum status to many Central Americans. Sanctuary congregations refused to cooperate with federal authorities in the apprehension and detention of sanctuary seekers. The movement was inspired in part by liberation theology, a theological movement that swept Latin America in the late 1960s. Liberation theology called for liberation from economic, social, institutional, and political oppression. Those who advocated reform through expansion of the Church's refugee policy held significant sway within the USCC, as evidenced by conference's adoption of El Seguendo Enceuntro's statement about the *Hanigan* case into its Statement on Human Rights. These reformers, however, faced a wall of neo-conservative Catholics determined to reclaim the Church from what they saw as the dangers of identity politics and the misdirection of the Church in the post-Vatican II era.¹⁰⁵

Hesburgh's membership on SCIRP created a potential compromise solution for both the federal government and the USCC. He was well-known in political and religious circles as a defender of civil rights. During his 15 years as a commissioner for the US Commission on Civil Rights, Hesburgh established himself as a confidant to civil rights leaders and presidents alike. As president of Notre Dame University, Hesburgh fought to secure greater intellectual freedom for Catholic educators. Yet for all his progressive virtues, Hesburgh was also a strong supporter of immigration restriction.

Some, though certainly not all, members of the USCC looked to Hesburgh as the Catholic Church's advisor on the matter of immigration reform. Others, such as Pablo Sedillo Jr. and George Higgins, agreed with Hesburgh on the matter amnesty for undocumented immigrants, but broke sharply with Hesburgh on the matter of immigration restriction. Indeed, many bishops, priests, and members of the Catholic laity, particularly those in regions of the country home to large numbers of Latin and South American asylum seekers, called for a more elastic immigration policy. In 1975, for instance, Higgins and Sedillo testified on behalf of the USCC before the House Subcommittee on Immigration, Citizenship, and International Law, in support of an amnesty program for undocumented immigrants, calling US immigration laws "discriminatory" and unfair to immigrants.¹⁰⁶

Sedillo and others also conflicted with Hesburgh over the latter's depiction of Mexican immigrants as a threat to American labor. Many of SCIRP's most conservative recommendations

¹⁰⁵ Liberation theology and the sanctuary movement have been discussed at length elsewhere. For a sampling of representative scholarship, see: Gustavo Gutiérrez, *A Theology of Liberation*; Mary Jo Weaver (editor), *What's Left?: Liberal American Catholics*; Michael Novak, *The Catholic Ethic and the Spirit of Capitalism*; Michael Novak, *Will it Liberate: Questions about Liberation Theology*; Stacey Floyd-Thomas and Anthony Pinn, eds., *Liberation Theologies in the United States* (NYU Press, 2010); Paul Harvey, Mar Peter-Raoul, Linda, Rennie Forcey, and Robert Frederick Hunter Jr., (eds.), *Yearning to Breathe Free: Liberation Theologies in the United States* (Maryknoll, NY: Orbis Books, 1990); Paul Harvey, *Bounds of Their Habitation: Race and Religion in American History* (Rowman & Littlefield Publishers, 2016); Hilary Cunningham, *God and Caesar at the Rio Grande: Sanctuary and the Politics of Religion* (University of Minnesota Press, 1995); Randy Lippert and Sean Rehaag, (eds.), *Sanctuary Practices in International Perspectives: Migration, Citizenship, and Social Movements* (Routledge, 2013); María Cristina García, *Seeking Refuge: Central American Migration to Mexico, the United States, and Canada* (University of California Press, 2006); Susan Bibler Coutin, *The Culture of Protest: Religious Activism and the US Sanctuary Movement* (Boulder: Westview Press, 1993).

¹⁰⁶ George Higgins, "Testimony on HR 982 by Rev. Msgr. George G. Higgins, Secretary for Research, United States Catholic Conference, Before the Subcommittee on Immigration, Citizenship, and International Law, US House of Representatives, March 13, 1975," Subject Files, Baca Papers, MSS 0649; William M. Brodhead to Trinidad Sanchez, August 14, 1979, Box 8, Folder 16, PADRES Collection.

came from Hesburgh, including his personal suggestion that all aliens be monitored using a special identification card.

During SCIRP's investigatory hearings, the Hanigans' chief supporters, who had organized as the Enlightened Nationals United for Freedom, or "ENUF," pleaded with the commission to recommend a more restrictive immigration policy to Congress. ENUF representatives' testimony reflected widely held beliefs regarding undocumented immigrants. The unregulated flow of immigrants, they argued, had led to an increase in violent crime, including sexual violence, that could be largely attributed to undocumented immigrants. They accused the Justice Department of unfairly persecuting the Hanigan family and recommended that INS and the Border Patrol "be allotted enough resources to greatly strengthen our border protection" to avoid such miscarriages of justice.¹⁰⁷ As part of SCIRP's efforts to present a human face of undocumented immigrants to Congress, the commission invited Bustamante and other Coalition members to testify before the commission.¹⁰⁸

SCIRP became one of the most influential bodies in the passage of the Immigration Reform and Control Act (IRCA) of 1986. Commission members suggested that Congress continue many of the 1965 law's sweeping changes, but that it strengthen its presence along the US-Mexico border. Like the Hart-Cellar Act of 1965, IRCA technically fell under the category of a reform law, but it could not have been more different than its predecessor.

The 1986 law reflected contested and changing notions of reform. While in 1965 "reform" found legal meaning in loosened immigration restrictions, reform in 1986 came to mean increasing such restrictions. An increased security presence, SCIRP argued, would likely reduce the number of undocumented immigrants entering the country. The commission's final recommendation, namely, that Congress create a broad-scale amnesty program for longtime undocumented residents of the US, represented a compromise between the commission's conservative and progressive factions.¹⁰⁹

By 1981, SCIRP had recommended to Congress key policy changes. Within a year of SCIRP's final report, IRCA's earliest versions surfaced from Senate and House judiciary committees.¹¹⁰ The bill received bipartisan sponsorship from Romano Mazzoli, a democratic representative from Kentucky and Alan Simpson, a Republican senator from Wyoming. The changing of the political guard in 1981 delayed Congress from considering sweeping immigration changes. Early versions of the Simpson-Mazzoli bill bore a strong imprint of SCIRP's recommendations. A pattern of protest and defeat, however, quickly followed in the bill's wake.

Civil rights advocates, agribusiness, and the US Chamber of Commerce all protested the immigration bill. Civil rights advocates warned that if enacted, the bill would lead to widespread patterns of discrimination against job applicants whom employers identified as immigrants, while growers predicted a widespread labor shortage. For its part, the US Chamber of Commerce and the business interests it represented believed that the burden of onboarding new employees would delay commerce and send the economy back into a recession. For years, the bill was

¹⁰⁷ Hearing Before the Select Commission on Immigration and Refugee Policy, Phoenix, Arizona, February 4, 1980, 4, Box 7, Folder 35, Bustamante Papers.

¹⁰⁸ Lawrence Fuchs to Antonio Bustamante, January 24, 1980, Box 2, Folder 15, Bustamante Papers.

¹⁰⁹ Roger Daniels, *Guarding the Golden Door; American Immigration Policy and Immigrants Since 1882* (New York: McMillian Publishing, 2001), 221.

¹¹⁰ Joseph Nevins, *Operation Gatekeeper: The Rise of the "Illegal Alien" and the Making of the U.S.-Mexico Boundary* (New York: Routledge Press, 2002), 67.

allowed to die before the end of each Congressional session only to be resurrected at the beginning of the next.

IRCA had no stronger champion than Hesburgh, who campaigned hard for the bill's passage. Like many of his labor-liberal colleagues, Hesburgh believed a more restrictive immigration policy would protect the economic interests of those already residing in the US (both citizens and non-citizens) by reducing employer access to cheap, immigrant labor. The argument was a well-worn and ill-supported one, first used to curb Chinese immigration in the 1880s. His use of a tired stereotype of immigrants-as-job thieves created tension between many of the USCC's more conservative elements and its recently appointed Hispanic leaders.

Hesburgh preached the fear of unemployment from his pulpit of the *New York Times*. In an op-ed to the *Times* in early 1980, he predicted, that the US would create some 30 million new jobs over the next 15 years. "Can we afford to set aside more than 20 percent of them for foreign works?" Hesburgh asked. "No. It would be a disservice to our own poor and unfortunate," he admonished. In 1986, US employment stood at 4%. Nevertheless, Hesburgh's stereotype gained traction as stagflation tightened its stranglehold on the US economy from 1975 to 1983.¹¹¹

For its part, the USCC broke with Hesburgh over his most conservative recommendations. In 1986, the USCC's Committee on Migration published a pastoral letter that urged all Americans to support immigration reform. "It is against the common good and unacceptable to have a double society, one visible with rights and one invisible without rights — a voiceless underground of undocumented persons,"¹¹² the bishops wrote. The bishops' statement stands on record as one of the strongest calls for a pathway to documented status for the millions of undocumented persons.

The call came on the heels of the bishops' condemnation of the Reagan administration's decentralization of many keynote social welfare programs. The bishops worried that the dismantling of welfare programs, most notably the cash aid to families program, would worsen the growing economic gap. They released a pastoral letter that historian Daniel T. Rogers later called the most striking voice in "debate on poverty and welfare" in the late-twentieth century. Writing, "all people have a right to participate in the economic life of society," the bishops called for greater economic opportunities for citizens and noncitizens residing in the United States. "Basic justice," they continued, "demands that people are assured a minimum level of participation in the economy. It is wrong for a person or a group to be excluded unfairly or to be unable to participate or contribute to the economy." The two pastoral letters linked immigration reform and economic justice as two steps on the same path towards greater social equity. IRCA, the bishops hoped, would mark the beginning of that journey.

For nearly six years, the Simpson-Mazzoli bill continued to blossom and wither without falling from the legislative vine onto the President's desk. The law that landed on Reagan's desk on November 6, 1986 bore the scars of nearly a decade worth of compromise and Congressional battle. With a sweep of his pen, Reagan signed the bill into law, creating a legally enshrined bureaucratic process that offered undocumented immigrants a pathway to documented status.

IRCA attempted to achieve what its sponsors called a "three-legged stool": increased border security to prevent future unsanctioned entries; a pathway to documented residency status for long-term undocumented residents; and sanctions for employers who knowingly hired unauthorized workers. The law was precedent setting in both its attempt to restrict immigration and protect the civil rights of legal residents. It created two restrictive provisions: one that

¹¹¹ Theodore Hesburgh, "Enough Delay on Immigration," *New York Times*, March 20, 1986.

¹¹² Bishops' Committee on Migration, "Together a New People," (1986), 10.

sanctioned “employers from knowingly hiring, recruiting, or referring for a fee aliens not authorized to work in the United States,” and another that “increased enforcement at US borders.” It also addressed the *Espinoza* decision, by making the denial of employment to qualified resident aliens illegal in most instances. Most importantly for the USCC and its umbrella organizations, Congress authorized Qualified Designated Entities (primarily churches, unions, and community organizations) to act as a channel between the INS and amnesty applicants.¹¹³

QDEs such as the USCC’s Catholic Social Services led public outreach and education initiatives, screened eligible candidates, aided in the application process, provided legal representation and referrals, and regularly coordinated with INS representatives.¹¹⁴ In the end, nearly one-fifth of amnesty applicants filed for amnesty through organizations such as Catholic Social Services, and more than half of all applicants received some type of assistance from these same organizations. Not everyone hailed the new law as a victory, however.

Groups such as MALDEF and the National Council for La Raza warned that the new law would increase racial profiling against prospective workers who “appeared” foreign, a conclusion that bore the test of time. In 2014, nearly 30 years after the law’s passage, the General Accounting Office, a nonpartisan Congressional office, reported that the law’s “employer sanctions had resulted in a ‘widespread pattern’ of discrimination against ‘foreign-appearing’ or ‘foreign sounding’ workers,” a problem that continues to plague many Americans.¹¹⁵

The *Hanigan* case and the advocacy that continued in its shadow solidified an enduring link between the US bishops’ conference, Mexican immigrants, and the US federal government. As late as 2017, the bishops’ conference continues to be the nation’s largest recipient of federal funds to aid Mexican immigrants. Its subsidiary agencies continue to play a key role as shepherds to citizenship.¹¹⁶

¹¹³ Titles I-III, Public Law 99-603, November 6, 1986, 99th Congress; Arizona Farmworkers Union, Summary of Recommendations and Concerns Regarding the Immigration Reform and Control Act of 1986, December 18, 1986, Box 42, Folder 14, Rose Marie and Joe Eddie Lopez Papers, MSS 130, Arizona State University Libraries: Chicano Research Collection.

¹¹⁴ *Catholic Social Services, Inc., et al. v. Edwin Meese, III, Attorney General of the United States of America*, Civil no. S-86-1343-LKK, February 24, 1987, Box 248, Folder 5, Record Group 5, California Rural Legal Assistance, Special Collections and University Archives, Stanford University Libraries; Proposed Model for Participation by Voluntary Agencies in Legalization Program, Box 122, Folder 14, Theodore Martin Hesburgh Papers (PHS), University of Notre Dame Archives (UNDA), Notre Dame, IN 46556.

¹¹⁵ Muzaffar Chishti and Charles Kamasaki, “IRCA in Retrospect: Guideposts for Today’s Immigration Reform,” *Migration Policy Institute Issue Brief*, no. 9, January 2014, 4.

¹¹⁶ *Ibid.*, 10.

Conclusion: A New Era of Exclusion: The United States Conference of Catholic Bishops and the Politics of Immigration

The fight for greater access to Catholic resources has continued into the twenty-first century. In November 2016, the United States Conference of Catholic Bishops (USCCB) elected its first Mexican American vice president, Los Angeles Archbishop José H. Gómez. Born in Monterrey, Mexico in 1951 to a Mexican American mother and Mexican father, Gómez spent his early childhood between the US and Mexico. Before Pope Saint John Paul II appointed him as an auxiliary bishop in Denver, Gómez served parishes in Mexico and south Texas. He became Archbishop of San Antonio in 2001 and Coadjutor Archbishop (essentially archbishop-elect) of Los Angeles in 2010. After Jorge Mario Bergoglio became Pope Francis in 2013, the USCCB eagerly awaited Gómez' elevation to cardinal. When the opportunity arrived in 2016, Francis chose not to name Gómez as a cardinal. Many members of the USCCB expressed their disappointment and Gómez' election as USCCB vice president became a way to recognize the prelate's contributions to the US Catholic Church. Moreover, the election of an archbishop from a region with a large immigrant population reflects the conference's growing commitment to immigrants and refugees. In 2019, Gómez will likely succeed Cardinal Daniel DiNardo and become the first Mexican American president of the USCCB – a succession nearly a century in the making.¹

An extraordinarily mild-mannered man (Gómez is a former CPA), the archbishop released a scathing critique of President Donald Trump in February 2017, saying “I do not like the harsh tone, the sense of indifference and cruelty that seems to be coming out of this new administration in Washington.”² Gómez' leadership has witnessed an upsurge in the militancy of the USCCB's resistance to Trump's immigration politics and other forms of racial exclusion. In February 2017, for instance, New Mexico's bishops called Trump' proposed use of the National Guard to round up immigrants “a declaration of some form of war.”³ Parishes with large immigrant populations around the nation have declared their churches “sanctuary churches.” These calls are somewhat reminiscent of the sanctuary movement in the 1980s that led many religious leaders to house undocumented immigrants fleeing conflict in Central America.

The sense of déjà-vu invoked by Catholic resistance to a repressive immigration regime is no accident. Consider, for instance, the case of Catalino Guerrero, an authorized US resident and devout Catholic. In February 2017, Guerrero received a summons to appear at a Newark office of Immigration and Customs Enforcement (ICE). He had no police record. He unintentionally violated an immigration law when Immigration Services issued work permits based on an application for political asylum that was filed by an individual in 1992 who was not licensed to practice law. Such scams were common in the 1990s and victimized untold numbers of immigrants. Technically, Guerrero was never eligible for asylum. The asylum claim finally

¹ Dennis Coday, “US bishops' conference elects first Hispanic vice-president,” *The National Catholic Reporter* (November 15, 2016), <https://www.ncronline.org/news/people/us-bishops-conference-elects-first-hispanic-vice-president>; Norma Montenegro Flynn, “Cardinal DiNardo Elected USCCB President of US Bishops, Archbishop Gómez Elected Vice President,” USCCB News Release, (November 15, 2016), <http://www.usccb.org/news/2016/16-152.cfm>.

² Brian Roewe, “In powerful speech, San Diego bishop challenges organizers to disrupt, rebuild,” *The National Catholic Reporter* (February 19, 2017), <https://www.ncronline.org/news/justice/powerful-speech-san-diego-bishop-challenges-organizers-disrupt-rebuild>.

³ Associated Press, “New Mexico Bishops: Trump Immigration Draft Act of 'War,’” *Cruix: Taking the Catholic Pulse*, February 19, 2017.

failed in 2010, nearly thirty years after he first applied. Shortly thereafter, Guerrero received a deportation order. ICE ordered him to report for deportation four times in the years since. He reported three times during the Obama administration before receiving an order of supervision that required him to keep his record clean and report to ICE once a year. In February 2017, ICE erroneously accused him of failing to report for his annual check-in. Agents ordered him to report for deportation the following month. Newark Cardinal Joseph Tobin and New Jersey Senator Robert Mendoza rallied to Guerrero's defense. ICE told him to report again for deportation in May 2017, after which time he will likely be deported.⁴ Experiences such as Guerrero's are deeply woven into the social fabric and history of both the US Catholic Church and the US body politic.

In the early decades of the twentieth century, the Church's leadership worked alongside the state in ways that ran counter to Mexicans' and Mexican Americans' interests, primarily with the purpose of restricting Mexican immigration. At the end of the New Deal era, the bishops' conference slowly began to realign itself with Mexican American leadership interests. The federal government, the US Catholic hierarchy, and Mexican American leaders pursued a common goal of preserving hemispheric solidarity by securing employment rights and greater economic equity for people of Mexican descent. During the 1950s, the bishops' conference became firmly entrenched as a mediator between the federal government and the Mexican descent population. By the mid-1960s, Mexican American leaders had begun to challenge Catholic mediation between themselves and the national state. They staged protests across the US Southwest, demanding a Catholic hierarchy that better reflected the rapidly growing Mexican descent community. By the early 1970s, Mexican Americans had begun to remake the racial composition of the bishops' conference. They laid claim to Catholic resources long held by the euro-American hierarchy. Catholic agencies led and staffed by Mexican Americans joined civil rights organizations in the 1970s. Having earlier pushed to align civil rights with human rights, they now pushed to align civil rights with immigrant rights and human rights by calling for the creation of immigration legislation that included a path to documented status for undocumented immigrants and civil rights protections for resident aliens.

The emergence of a new era of exclusion reveals a spectral imprint of racial violence that remains locked from the memory of many Americans, but that nevertheless continues to scar American society.⁵ As this study has demonstrated, the politics of exclusion and Catholic-driven resistance are rooted in a longer history. Throughout much of the twentieth and twenty-first centuries, the US Catholic Church has played an important role as an intermediary between people of Mexican descent and the state. Catholic leaders – sometimes of Mexican descent and sometimes not – have leveraged their roles as religious leaders to resist state policies and practices that target Mexican immigrants and Mexican Americans. Catholic resistance is particularly effective because of the enormous political clout the Church wields.

It was the so-called “browning of the Church,” that partially enabled it to gain political legitimacy in the US. During the twentieth century, many of the Catholic Church's most successful overtures to the federal government were in some way or another related to its work with the Mexican descent population. Moreover, the “latinization” of the US made the Catholic

⁴ Julia Preston, “Trump: The New Deportation Threat,” *The New York Review of Books* (May 25, 2017 Issue), <http://www.nybooks.com/articles/2017/05/25/trump-the-new-deportation-threat/>.

⁵ Historian Natalia Molina refers to the unconscious deployment of racialized historical narratives as “racial scripts.” See Natalia Molina, *How Race Is Made in America: Immigration, Citizenship, and the Historical Power of Racial Scripts* (Berkeley: University of California Press, 2014).

Church the single largest religious organization in the country, giving it immense political influence. Within roughly 50 years, the US Catholic bishops' conference emerged as one of the most powerful lobbying bodies in the nation, as well as a key ally in the fight to expand civil and human rights to Mexicans and Mexican Americans. This change was remarkably rapid and deeply contested. *Claiming the Cross* is about how and why the change within the US Catholic Church happened.

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