



DOCUMENTS

“Did the *Mendez* case end segregation in California?”

DOCUMENT A Introduction for Teachers

Source: Modified excerpt from the lesson plan “*Mendez v. Westminster: A Civil Rights Curriculum for Primary and Secondary School Teachers.*” Created by the Center for Language Minority Education and Research at Cal State Long Beach, 2009

In the fall of 1944, three students of Mexican heritage—Gonzalo, Sylvia and Geronimo Mendez—at-tempted to enroll at the 17th Street School in Westminster, California [40 minutes south of Los Angeles]. The Mendez family had just moved to the predominantly Anglo neighborhood (to lease a farm from a Japanese family displaced by wartime internment) and assumed their children would attend the nearby school. The Mendez children, with their dark complexion and Spanish surname, were told to register at the Hoover School, the town’s “Mexican school,” a few blocks away. The Hoover School was a small frame building at the end of an electric-wired cow pasture, while the 17th Street School was a large facility with lush green lawns and big playing fields. Ironically, the cousins of the Mendez children, also of Mexican descent but with a lighter skin color and the French lastname “Vidaurri,” were allowed to enroll at the 17th Street School. Historians estimate that 80% - 90% of the school districts in Southern California during the forties enrolled Mexicans and Mexican Americans in segregated schools. The Mendez fam-ily, working with allies both within and outside the Mexican-American community, filed a class action lawsuit on behalf of 5,000 schoolchildren in the districts of Westminster, Garden Grove, El Modena, and Santa Ana. After nearly one year spent compiling research, and two hearings (one on appeal), the *Mendez* case finally ended legal (de jure) segregation in Southern California schools. Orange County Superior Court Judge Frederick P. Aguirre has described the *Mendez* case as having “a ripple affect across the Southwest and [being] the precursor [thing that comes before another of the same kind] to *Brown v. Board of Education.*” For these reasons, *Mendez* is more than just a regional story or Mexican-American story, and it should play an important role in our larger discussion of civil rights.

DOCUMENT B Excerpt from *The Color of America Has Changed*

Source: Mark Brilliant is a professor and a historian at U.C. Berkeley. He published his book *The Color of America Has Changed: How Racial Diversity Shaped Civil Rights Reform in California, 1941-1978* in 2010.

At the start of the trial, both sides [the Mendez attorney and school district attorney] agreed that Mexi-can Americans were “white.” California’s school segregation law did not approve the separation of white

students from other white students... Arguing that Mexican Americans are white was a strategic move... Describing them as “white” allowed the Mendez attorney to present the judge with the option to rule against the school districts without having to rule against California’s segregation statutes... At the end of the trial, the judge decided that California law [said ‘Indian, Chinese, Japanese, and Mongolian’ children could be segregated]. Students of Mexican descent were not included on the list, so the Mendez children could not be segregated. The court decided against Mexican American segregation, but it did not end the state’s school segregation laws...

DOCUMENT C Mendez Case Appeal Court Decision

Source: Excerpt from the *Mendez v. Westminster* U.S. Court of Appeals Decision written by Judge Stephens and delivered on April 14, 1947.

“State law permits segregation only confined to Indians and certain Asiatics. [school districts have the power to exclude children of filthy or vicious habits, and to establish separate schools for Indian Chinese, Japanese or Mongolian children.] California law does not include the segregation of school children because of their Mexican blood... By enforcing the segregation of school children of Mexican descent against their will and contrary to the laws of California, [the school districts] have violated the federal law.”