

7-23-2009

García v. The City of Taft - The Struggle for Representation

Joseph J. Garcia

Follow this and additional works at: https://digitalrepository.unm.edu/ias_chipotle



Part of the [Library and Information Science Commons](#)

Recommended Citation

Garcia, Joseph J.. "García v. The City of Taft - The Struggle for Representation." (2009). https://digitalrepository.unm.edu/ias_chipotle/3

This Working Paper is brought to you for free and open access by the Inter-American Studies at UNM Digital Repository. It has been accepted for inclusion in Chicano, Hispano, Latino Library Program by an authorized administrator of UNM Digital Repository. For more information, please contact disc@unm.edu.

**García v. The City of Taft - The Struggle for
Representation**

**Joseph J. García
Dual Masters Graduate
Community & Regional Planning and Latin American Studies
PhD Student Latin American Studies
University of New Mexico**

I. Introduction

People of the United States of Mexican origin have had a unique history in the U.S. that has been profoundly affected by the wars for independence and revolutions fought in the U.S. and Mexico.¹ Known by multiple names such as Chicano, Tejano, Mexicano, Latino and Hispanic, for the purpose of this paper Mexican American will be referred to as those persons who reside in Texas of Mexicano ancestry. Mexican Americans in Texas have had a long indigenous and Spanish history. They have served in multiple wars and revolutions throughout the centuries. After the conquest of Texas and the Southwest by the U.S., Mexican Americans in Texas became second-class citizens after the Texas Revolution and the Mexican-American War.² This relegated people who had lived in the area of Texas for centuries to a status of lower class leaving little employment, educational and political opportunities.

Into the 20th century, the U.S. entered the world stage and took part in conflicts that would draft people from various ethnic backgrounds to serve in wars around the world. By involving people of different ethnic backgrounds, the U.S. legitimized their role as citizens and through its new foreign policy was now responsible to support and promote the rights in the U.S. Constitution to all its citizens.³

Returning from the various wars so propagandized to support the freedom and liberty of the U.S., soldiers of various ethnic backgrounds (mostly Black and Latino) began to see the hypocrisy that existed back home. To add insult to injury, returning veterans were subject to racism based on the color of their skin and ostracized from public places and opportunities.⁴ After having sacrificed their lives and devoted years to the so-called preservation of U.S. liberty (hegemony)⁵, these brave individuals had to return to a society that did not accept them. This gave rise to an anger that became militant political activism, which the U.S. has experienced since the end of World War I. This activism gained strength and militancy after World War II and continues today.⁶

The strongest mobilization and activism occurred in the 1960's, when various groups gained a stronger voice due to the civil rights movement that resulted from the Vietnam War and its anti-war movements. In Texas, fueled by the civil rights movement and tired by the lack of progress, Mexican Americans began to organize locally. A slow process that was interrupted and, in some places, halted by the counterintelligence programs (COINTELPRO)⁷ of the U.S. Government, a paranoid

¹ Pachon, H.P. and Moore, J. W. "Mexican Americans", *Annals of the American Academy of Political and Social Science*, Volume 454, pp.111-124, p. 113.

² *Ibid.*, p. 113.

³ Gutiérrez, J.A. (1998) *The Making of a Chicano Militant: Lessons from Cristal*, University of Wisconsin Press. Madison, Wisconsin, p. 40.

⁴ Pachon and Moore, p. 113.

⁵ Hegemony is the [dominance](#) of one group over other groups, with or without the [threat of force](#), to the extent that, for instance, the [dominant](#) party can dictate the terms of [trade](#) to its advantage; more broadly, [cultural](#) perspectives become skewed to favor the dominant group.

⁶ Pachon and Moore, p. 114.

⁷ COINTELPRO a 1956-1971 Federal Bureau of Investigation (FBI) program to neutralize domestic political dissidents usually in the anti-war, civil rights and other movements deemed to be fronts for communist activity.

anti-communist, anti-human reaction to people finding their voice and expressing their angst against an oppressive white supremacist system.⁸

In Texas, the last half of the 20th Century saw major political activism and mobilization that came out of the civil rights and anti-war movements. Men and women who had served in the U.S. armed forces and gained an education began to mobilize their communities which had historically not taken an active role in political participation and representation.⁹ After a generation of being relegated to the barrios and suffering the lash of oppression at the hands of hypocrites, Mexican Americans in Texas began challenging the establishment and winning. This was due in part to the rule of law taking hold in the United States that would not allow Euro-Americans to get away with what had been tolerated in the past.¹⁰

Rural Texas in the 1980's became the last bastion of voter intimidation and racial gerrymandering. I was born into this marginalized, segregated society in south Texas, until I was able to move away and get an education. As a child, I felt a sense of inferiority, and Taft, a farming community of about four thousand people, located 20 miles northwest of Corpus Christi, I heard the stories of violent oppression and manipulation that is a daily part of life in Texas. My parents, (Maria and Miguel García), spoke often about the lack of opportunities and the discrimination that kept them from being employed. My father, who suffered through some of the toughest fighting in the Vietnam War, felt the strongest impact. He believed that he was fighting for freedom and liberty. From an early age, I remember his anger and frustration at a system and society that kept him from realizing his dreams. Suffering from the multitude of factors, "for most adult Mexican Americans born into Texas and in other parts of the Southwest, the experience of discrimination is not an academic concept; rather, it forms an integral part of their life experience".¹¹ My father had to deal with the trauma of growing up in an economically depressed home where physical and mental violence was the norm. Added to this was the trauma and post-traumatic stress disorder that he medicated with alcohol and drugs, further limiting his ability to function in a society rife with the racial stigmatism being a Mexican American in South Texas. After years of dealing with these issues, without support from state and local governments, he was able to overcome this with the help of my mother.

As the years passed, my father began to think about the legacy he would leave his sons and about how to shape the future we would have. After living abroad and returning to Taft in 1975, my parents witnessed life outside the U.S. and the difference in the way people in Europe and the Midwest treated each other. Returning to South Texas, they brought back a different understanding about life and opportunities outside the South. My parents, in their early thirties felt that they had few opportunities and had to work to support a family. Their way of gaining an education was to take part in the community and become an example for their sons. In our small but close-knit Mexican Barrio, where life revolves around the church, my family was able to find support. Through our family connections within the

⁸ Moses, G. "Narcowars vs. Civil Rights: Something Terribly wrong here", Counterpunch online magazine, April 5, 2005 edition.

⁹ Pachon and Moore, p. 122-23.

¹⁰ Gutiérrez, p.100.

¹¹ Pachon and Moore, p. 113.

church, my parents began to organize and work on political campaigns for state and national candidates that represented their interests.

The Mexican American community and culture revolves around church and family. According to Wood “Political organizations rarely build their political culture from scratch; typically, they draw on the prior cultural experience of those involved”.¹² Our Mexican Barrio had its own “political culture” based on a strong cultural identity and history of injustice.¹³ This was naturally the place to begin organizing without the intimidation or intrusion of the Anglo dominated society.¹⁴ This was a time of militant activism, especially in Texas, where a surge in Mexican American participation was growing. Candidates being elected to state and national offices helped to promote activity at the local level. Through his efforts in helping elect a Mexican American Texas State Senator, my father learned how to mobilize our community.¹⁵

Understanding the need to lift this marginalized and blighted community, through the help of my mother, relatives and friends, a small group was formed with the purpose of creating more participation for representation in the decision making process. By studying the make up of the cities’ populations and the various elected positions, they decided that due to the nature of the election process and the opportunity to bring about sweeping change in the community, school board elections would be the first place to start. This would be the beginning of major change in this small community that would end up in a federal court disputing the legality of an election system. My parents were strongly influenced by changes in other Texas communities that “resulted from vote-dilution litigation and initiated by minority plaintiffs or from Justice Department intervention under Section 5 of the 1965 Voting Rights Act as Amended”.¹⁶

My parents were profoundly influenced by the movements occurring throughout the United States in the last half of the 20th Century. Given the strength to organize and with the help of various organizations they successfully mounted a campaign to become a part of the decision-making processes.¹⁷ During the 1980’s, with little resources they were able to establish a precedent in Taft that would change the make up of the school board from one that was dominated by Anglo interests to one that reflected the ethnic make up of the community. With this victory, they gained the confidence and strength to pursue a more challenging arena: addressing the lack of representation at the city council level.¹⁸

The impact of this small local movement had its greatest impact handed down by federal court ensuring the rule of law and support of the Civil Rights Movement. This ensured the ability of ethnic minorities to take part in U.S. politics. By seeking justice through the U.S. system, my parents were able to become part of a social movement that empowered them to act. Their role in this history is of importance

¹² Wood, R. L. (2002) Faith in Action: Religion, Race, and Democratic Organizing in America, The University of Chicago Press, Chicago, Ill. p. 154.

¹³ Wood, p. 154-55.

¹⁴ Gutiérrez, p. 42.

¹⁵ Ibid., p. 215.

¹⁶ Davidson, C. and Korbel, G. (1981) “At-Large Elections and Minority-Group Representation: A Re-Examination of Historical and Contemporary Evidence”, the Journal of Politics, Vol. 43, pp. 982-1005, p. 998.

¹⁷ Pachon and Moore, p. 122.

¹⁸ Ibid., p. 111.

because it improved the quality of participation and affected the quality of education and resource allocation to a population that has historically been denied these opportunities.¹⁹ In the process they influenced a generation of people from Taft, particularly inspiring their two sons to get an education and take part in decision making processes in the U.S. and Latin America.

The very nature of our liberal capitalist system should be evaluated, based on how it promotes an unfair distribution of resources, and overwhelmingly imparts great wealth on those with power, privilege and opportunities.²⁰ A reassessment of the U.S. needs to be done in order to get to the heart of the major social problems that minorities face. However, as history has proven, it will be those who suffer the most who will be pushed to act and rectify the situation eventually. My challenge to the people of power and privilege is that they owe it to their future generations to begin investing in electoral reform while at the same time investing in immigrant and minority communities. To make no effort is a grave mistake that will bring about major if not violent social change.

II: Research Method

The case for this paper is based on *García v. Taft*, which was heard in the United States District Court for the Southern District of Texas, Corpus Christi Division, Civil Action NO. C-84-230, in 1985. The final decision was made in 1989. The case addresses a gerrymandered, at-large election system in the City of Taft, which was used to keep African-American and Mexican-American residents from taking part in city elections. The gerrymandered city boundaries did not include a large portion of the city inhabited by the Mexican-American voting block. To this day, a large part of this voting block is still not considered part of the city.

Using this case, I will describe the events as I remember them from my experiences attending meetings and being involved in this action through my parents' efforts to include me in the events. Newspaper stories written about these events, court documents and a literature review that examines Mexican-American history in Texas, political mobilization, racial gerrymandering, and the at-large election process will provide an understanding about this action.

This is a unique opportunity to reflect on a very influential time in my life by researching my communities' history. Moreover, the movements and actions that influenced the work that my parents were able to accomplish played an important part in their success. In the process of telling this story, I hope to address issues relevant to ethnic minorities in the U.S. that persist to this day. This is an opportunity to understand the role that participation and representation play in shaping land use, community growth and resource allocation decisions. Through this study, it is also my intention to give proof through this case by its implications that these issues are of great importance to the U.S.²¹ But as Mexican Americans are ignored and given little legitimacy, they become compounded and the sleeping giant that the Mexican

¹⁹ Omi, M. and Winant, H. (1994) *Racial Formation in the United States From 1960's to the 1990's*, Routledge, New York, N.Y., p. 56.

²⁰ Navarro, A. (1998) *The Cristal Experiment*, University of Wisconsin Press, Madison, Wisconsin, p. 358.

²¹ Omi and Winant, p. 159.

American population represents is currently, knocking at the door politely waiting to get in. Unless major efforts on the part of Anglo power interests do not wake up, they will be woken up to the reality that they did nothing to help their fellow citizens and will be left behind.²² History describes, nothing has been done on the part of this powerful population, and once again, as my parents and countless other movements for civil rights have proven, efforts are made by people who are in need.²³

II. *García v. Taft*

As described by the court the Taft case was, identified as a discriminatory election system; “The Court concludes that the further use of the current at-large system for the election of Mayor and Alderman of the City of Taft, Texas should be prohibited. The Court finds that the effect of the current at-large method of election dilutes the voting strength of minority voters and has a discriminatory effect on the right to vote in contravention of section two of the Voting Rights Act”.²⁴ Since the 1965 Voting Rights Act, little had changed in providing opportunities for greater representation. In cities similar to Taft in the South and Southwest with populations, at least 5,000, most council members were elected through at-large elections and less than 1 percent was Black, Native American, Asian, or Latino.²⁵ Some assert this is primarily due to voter apathy, but this would be too simplistic and the use of at-large elections is a prime example of manipulating election systems.²⁶ This was the case in Taft and was also due to the electoral history in Texas.

The Mexican barrio in Taft originated from the creation of a company town that supported the Taft Ranch. This barrio, which was originally segregated south of the railroad tracks, began as a “labor camp” for Mexican Americans and Mexican immigrants.²⁷ The town was divided into three parts; to the South, the Mexican Barrio with the bulk of the population, to the North, the traditionally Anglo part of town where schools, churches, parks, banks all commerce occurs, and to the West a small mixed African American and Mexican American barrio. The Mexican American and African American population made up the laborers for this ranch and for future farms and ranches once the Taft Ranch was dissolved and sold off to Anglo’s only.²⁸

Minorities in Taft are second class citizens who continue to go to segregated schools and are not able to be a part of the majority society. Until 1980 the schools of Taft were segregated and at the time “Most disturbingly, more Mexican American students are attending segregated schools in 1980 than in 1970”.²⁹ In contrast to the Anglo part of town, minorities did not have proper city services such as sewage, curbs (drainage systems), and street maintenance. To add insult to injury, city resources

²² Pachon and Moore, p. 124.

²³ Ibid., p. 123.

²⁴ United States District Court Southern District of Texas Document: *García vs. City of Taft*. Final decision March 6, 1989. p. 1

²⁵ Davidson and Korbel, p. 982.

²⁶ Ibid., p. 983.

²⁷ Pachon and Moore, p. 116.

²⁸ Handbook of Texas online, s.w. “Coleman-Fulton Pasture Company”.

<http://www.tsha.utexas.edu/handbook/online/articles/print/CC/aq2.html> (April, 18, 2005)

²⁹ Pachon and Moore, p. 121.

and Mexican American tax revenues were used to supply city resources and labor to maintain an Anglo only swimming pool. This served as a major symbol of overt segregation promoting the superiority of Anglos whereby Mexican American children with little access to parks, would have to sit by and watch Anglo children who enjoy parks, libraries and schools on their side of town. This was due in part, to the little to no representation on the school board or city council. Fully in line with the history of South Texas this was an order that was maintained by systematic oppression through brute force and intimidation.³⁰ According to Dr. Robert Brischetto, Taft between 1938 and 1984, 74 percent of Anglo candidates had been elected in comparison to 17 percent of minority candidates.³¹ This testimony was instrumental in describing the successful use of the gerrymandered at-large election system to manipulate elections. According to Rush “claims of racial vote dilution and gerrymandering are straightforward and easy to access because the victims—members of racial or ethnic groups—are identified readily” this leads those in power to recognize that “Successful gerrymandering depends on two things: first the consistency—or at least predictability—of voters’ behavior and second, the mapmaker’s ability to, based on this predictability, to organize voters into districts with certain and correspondingly predictable partisan profiles” this is the case of many ethnic enclaves around the country.³²

My mother’s parents moved to Taft in the 1930’s, as many Mexican American families moved to different parts of South Texas for employment in agriculture the only work they could find. Forced to settle into the Mexican barrio, they worked as laborers for the exclusively Anglo ranchers and farmers and throughout the year followed harvests around the country. In 1975, my family returned to South Texas after spending a few years living abroad. My parent’s time away from Texas had exposed them to other cultures that accepted and respected them. Furthermore, my father, as Vietnam Veteran who had suffered through the toughest fighting during the 1968 Tet offensive, Battle of Hue, spoke multiple languages and was a well-trained soldier. In comparison to other families in our new neighborhood, my parents completed high school, thus securing them good working class jobs. According to Pachon and Moore “the median number of school years completed by Mexican Americans is 9.8”, my parents were unique in their ability to at least get a high school education that afforded them better employment.³³

My family began to establish itself in Taft through my mothers’ family and the Mexican Catholic Church. My father began a business and sought support from the Taft Chamber of Commerce to take advantage of their resources. To his disappointment he was ignored and offered no recognition, nor assistance. As a Veteran who had survived two wounds and countless battles, he felt dejected and most of all disrespected. This anger and the fact that he was not from Taft inspired him to change this situation. He began to research the city and its power structure. My mother at the time was working for the Taft Independent School District and had access to information about school administration and politics. Through my mother’s

³⁰ Navarro, p. 19.

³¹ Padilla, G. “Researcher testifies Taft voting polarized” Corpus Christi Caller-Times, Wednesday, March 20, 1985.

³² Rush, M. E. (1994) “Gerrymandering: Out of the Political Thicket and Into the Quagmire”, Political Science and Politics, Vol. 27, No. 4, pp. 682-685, pp. 682-683.

³³ Pachon and Moore, p. 120.

knowledge of the community and my parent's collective experience and understanding of life in South Texas, they were able to deconstruct the power dynamics in this community.

My brother and I were in school at this time and after a few years my parents, primarily my father, established roots and recognition in Taft. Through our church attendance my father as an outsider to Taft became well known through his community work and church projects. This led to his also working with the Texas Democratic Party to help elect Mexican American candidates for local, state and national office. Through these efforts that involved the whole family, my father would become well known in the South Texas area. He gained an interest in running for public office, and saw that running for the local school board was a great place to begin. Gutiérrez describes in his book that "whites continue to control policy, personnel, curriculum, program and environment for the ethnic majority student population, which is Mexican American. The educational system in Texas as in all other states has been designed to benefit only Anglo students and no one else".³⁴

Studying the politics of Taft, and specifically school board politics, my father became aware that few, if any, minorities had ever served on the school board. Granted, this was an at-large election system and Mexican Americans made up the majority in population of the area of Taft.³⁵ From this knowledge my father realized that beyond his own political aspirations he would have to organize a concerted effort to get other Mexican American candidates to run. Thus, through the efforts to organize him and three other candidates, a campaign to create more representation was started.³⁶ These also included a massive effort to get Mexican Americans to register to vote and actually go out and vote. Going door to door, we canvassed the entire South side of Taft to increase turnout. By organizing a front of four candidates for four vacant positions, we increased the possibility of election. By involving more people to run, my father's strategy was to get the Mexican American community motivated and mobilized.³⁷ The result was that all four Mexican American candidates were elected and changed in one election what had been previously an Anglo dominated school board to one that was now controlled and represented the interest of the majority Mexican American population.³⁸

With this stunning victory, my parents now focused on city politics and the complicated, gerrymandered at-large system that was in place to ensure that Anglo candidates were elected and controlled the city elections. After studying the history of these elections and consulting people who worked for the city and elections board, my parents realized there was a manipulation of the system that insured the success of Anglo candidates in Taft. This was true primarily because a large part of the Mexican American barrio was not considered part of the city of Taft. According to Gutierrez,

In at-large elections of the time, the same Anglo electoral majority won all positions up for election, election after election, partisan or nonpartisan" and was "tantamount to a dictatorship" that "as a majority vote is 50 percent plus one

³⁴ Gutiérrez, p. 123.

³⁵ Garcia v. Taft, p. 1.

³⁶ Taft Tribune, 03/27/85, "Nine seeking four school slots".

³⁷ Gutiérrez, p. 167.

³⁸ Taft Tribune, 04/10/85, "Segovia, Acosta, Adame, García Elected to School Board Posts".

additional vote, the losing side could win as much as 49.9 percent of the vote and still remain unrepresented” as in the case of Taft also gerrymandered.³⁹

The majority of the Mexican American area had been kept outside of boundaries to keep the at large system dominated by the Anglo power structure. Also, it remained this way by intimidating residents of this area that their property taxes would increase. It is true that an increase in taxes would happen but the amount would not affect residents as Anglos exaggerated. With the fear of intimidation and higher taxes, Mexican Americans themselves kept this area from becoming a part of the city in some ways similar to how the old poll tax kept people from voting.⁴⁰ It is interesting to note that the residents of this area did get some services from the city and one of the elementary schools is located in this area and is drawn by itself as residing within city limits.

After gaining an understanding of this complicated situation, my parents realized that it would be necessary to organize. They formed the Concerned Citizens of Taft for the purpose of organizing a movement that would challenge the election system at the time by studying alternatives to the gerrymandered at-large system. The Concerned Citizens, totaling about 200 people, began consulting and gained the support of the American G.I. Forum, League of United Latin American Citizens (L.U.L.A.C.) and the National Association for the Advancement of Colored People (NAACP) with offices in Corpus Christi.⁴¹ They also consulted with Political Science professor Dr. Fredrick A. Cervantes at the Corpus Christi State University to try to gain a better understanding of the political situation in Taft and Texas to address these challenges.⁴²

Through these efforts, the Concerned Citizens encountered the Mexican American Legal Defense and Education Fund (MALDEF), which had a history of supporting actions against this type of manipulation. In fact, there is a historical precedent in Texas with MALDEF winning similar court cases. The most famous of these occurred in the 1970's in Crystal City, Texas and is also recognized as part of the Chicano movement and formation of the Raza Unida Party of the 1970's. La Raza Unida Party organized Mexican Americans in South Texas for political activity.⁴³ This movement began the political and academic careers of José Angel Gutiérrez who is from South Texas and currently a professor of Political Science at the University of Texas at Arlington.⁴⁴

Dr. Gutierrez went on to work for MALDEF and his work in Crystal City, Texas influenced and assisted the changes that took place in many parts of Texas and the United States. These changes are in due part to the tireless work that U.S. Representative Barbara Jordan was able to do by extending Section 5 of the 1965 Voting Rights Act to Texas and Mexican American in 1975.⁴⁵ It is interesting to note

³⁹ Gutiérrez, p. 121.

⁴⁰ Ibid., p. 39.

⁴¹ Anderson, M. "Taft resident battles for rights of minorities" Corpus Christi Caller-Times, Thursday May, 17, 1984.

⁴² Padilla, G. "Campaigns out in Taft, people say" Corpus Christi Caller-Times, Thursday, March 21, 1985.

⁴³ Navarro, p. 68.

⁴⁴ Gutiérrez author page.

⁴⁵ Ibid. p. 121.

that MALDEF was and is funded by grants from various foundations, primarily the Ford Foundation (imagine that).⁴⁶

MALDEF became interested in the situation in Taft and met with my parents. Learning about the situation and conducting research on their own, MALDEF worked with the Concerned Citizens to draw up an alternative plan that would change the at-large election system to one that created wards where only candidates who live in these wards could run for office. The Mayoral position would still remain at large. The Concerned Citizens drew up an alternative plan that was presented to the city council on three separate occasions and was rejected at each of these general meetings. The Concerned Citizens organized and requested meetings with the all-Anglo city council and had approached the council with the best of intentions in promoting greater representation for minorities in Taft. With an attitude of good will and a desire to work with the council, they rejected the offers for the creation of a ward system that would provide opportunities for equal representation.

At the final city council meeting, where my father, who represented the Concerned Citizens, recommended that the city takes under consideration this modification of the election system. He implored that the council be realistic and understand that change is a part of life and that change would be happening in Taft. Through consultation with MALDEF he also made the council aware of the extended 1965 Voting Rights Act. According to Gutiérrez:

Passage of the Voting Rights Act, through its extension to cover Texas requires single member districts for the elected officials, but has not really improved the numbers of Chicano elected officials on these bodies. There are two main reasons: many governmental entities have refused to change to single member districts and wait to be sued for compliance with the federal mandate; running for office is still a rich person's prerogative.⁴⁷

I remember being at this meeting in full view of the table that faced us of Anglo men with considerable wealth and power, in comparison to the audience. With their look of superiority, my father's last comments described how the Concerned Citizens had gained the representation of MALDEF attorneys and through their free legal support would be taking the city of Taft to federal court at a great expense to the city. The mayor responded to my father that he was confident as the rest of the council that the Concerned Citizens were mistaken that it was not in their power to change the electoral system.⁴⁸

Looking back on that time, I can hardly blame these men for their attitudes and reactions to my father's presentation of the facts and future legal action. It is not hard to understand the psyche of these men who have lived very privileged lives and been given everything they ever wanted. Some of these men are from very wealthy families with land throughout the state. Their view was one based on history and ethnicity that looks down upon anyone who is different from them. This was a major miscalculation on their part and a lack of respect and knowledge of the trends and

⁴⁶ Navarro, p. 65.

⁴⁷ Gutiérrez, p. 124.

⁴⁸ Anderson, M. "Taft resident battles for rights of minorities" Corpus Christi Caller-Times, Thursday May, 17, 1984.

social movements occurring in the U.S.⁴⁹ Their hubris blinded them to the inevitable outcome. They were used to getting their way by any means, as had been done throughout the state for generations, especially in the 1960's when Mexican Americans began to assert themselves.⁵⁰ Publicly, the Mayor and City Council's attitude was that minorities in the city had a history of apathy and "not taken part in the election process to the fullest extent".⁵¹

Through the help of MALDEF, the Concerned Citizens filed a motion challenging the at-large election system of Taft in the federal court in Corpus Christi, Texas.⁵² The case *García vs. The City of Taft* went to the federal district court in 1985. Both sides presented their case and as my father had anticipated, the city was found to be in violation of the Voting Rights Act of 1965 that had been modified in 1968 to enlarge the meaning of the "right to vote".⁵³ The Supreme Court stated that

The right to vote can be affected by a dilution of voting power as well as by an absolute prohibition on casting a ballot. Voters who are members of a racial minority might well be in one district, but in a decided minority in the county as a whole. This type of change could therefore nullify their ability to elect the candidate of their choice just as would prohibit some of them from voting.⁵⁴

This ruling was made to include areas outside the South, where African American voters were mostly affected and finding that gerrymandering and at-large elections were being used to dilute minority votes and deny opportunities for representation.⁵⁵ The case was heard in federal court in Corpus Christi, Texas where witnesses and the plaintiffs presented evidence of the historical discrimination and lack of political representation for minorities in Taft. Based on the Voting Rights Act and the overwhelming evidence four years later on March 6, 1989 a decision was made in favor of the plaintiffs that ordered the adoption of an interim plan and setting May special election in Taft.⁵⁶

This came as a major shock to the community and especially to the mayor and city council at the time. The overwhelming evidence of gerrymandering and the use of at-large elections to dilute and keep minorities from taking part in the decision making process provided the proof. Unfortunately, my father was not able to live to see the outcome of his efforts. The final decision was given in 1989 and my father died in 1985 of Leukemia at age 40.

The city was forced to pay the attorneys fees for MALDEF and was instructed by the court to:

Remedy the deficiencies found by the Court to exist in the current method of electing the Mayor and Alderman, the new plan requires that four Aldermen be elected two from each of the two wards, by a plurality of the vote from their

⁴⁹ Pachon and Moore, p. 124.

⁵⁰ Navarro, p. 43.

⁵¹ Anderson, M. "Lawsuit hits Taft for election ways", Corpus Christi Caller-Times, Sunday October 18, 1984.

⁵² Turner, A. "Federal Lawsuit filed as political fight boils over in Taft", San Antonio Light, Saturday January 26, 1985.

⁵³ Chavez, L. (1992) "Hispanics, Affirmative Action, and Voting" *The Annals of the American Academy Political and Social Science*, Volume 523, pp. 75-87, p. 76.

⁵⁴ Chavez, p. 77.

⁵⁵ Davidson and Korbil, p. 984.

⁵⁶ *Garcia v. Taft*, p. 1.

respective wards as shown in Exhibit A of this Order. Alderman elected from the wards must reside in their respective wards.⁵⁷

Today freedom and liberty are the buzzwords of an Anglo dominated political system that supposedly promotes democracy worldwide but not in the U.S.⁵⁸ My parents and the Concerned Citizens were not lauded for their work to improve the democratic process but scorned for their gall to challenge the status quo. So, not fully understanding the situation there was no major backlash from the Anglo community about the actions of the Concerned Citizens. My speculation is that my fathers' service as a reconnaissance marine in Vietnam may have kept us from feeling any pressure or reaction. There was an effort by people to approach my father using people who were Anglo but had relations with him to convince him to drop the case. But, as my father saw that these were messengers for the rich and powerful who my father knew, but no one from the city council would stoop so low as to meet individually with my father or the Concerned Citizens.

Taft is now divided into wards that include and provide opportunities for Mexican Americans to be elected to the city council. The Mayor position remained an at large contest and to this day there has never been a Mexican American Mayor in a town where the majority of the population is Mexican American and minorities combined make more than 50 percent of the population due in part to the continued gerrymandering.

The outcome of this case is similar to many that occurred throughout the country in the later part of the 20th Century and led to significant improvements in election systems and opportunities for greater representation by minorities.⁵⁹ These were small victories on the part of marginalized people to help make the U.S. the kind of representative country that fosters participation rather than inhibits it. A study conducted at the height of a federal and civil rights movement effort in Texas found that the change from at-large systems to wards during the 1970's brought about an increase in representation by minority candidates. This change improved African American participation from 6 to 17 percent, for Mexican Americans from 5 to 12 percent this immediately after the change to wards and the 1965 Voting Rights decision.⁶⁰

Taft has not since seen the kind of political activity and mobilization that my parents were able to muster. Since my father's death in 1985, and 1989 court decision, Mexican Americans have a stronger voice and representation at the school board and city council. This effort has fostered more participation and representation, thereby beginning control of a corrupt Anglo system of patronage and limiting corruption in the management of city resources including federal funding.

⁵⁷ Ibid., p. 1-2.

⁵⁸ Navarro, p. 353.

⁵⁹ Davidson and Korbel, p. 1003.

⁶⁰ Ibid., p. 1001.

VI. Analysis

This case is an example of the many actions that were taken after the Voting Rights Act of 1965 was extended. I have taken the opportunity to set this legal action in context with the historical events taking place at the time and those that had a strong influence on the decisions made by each of the parties discussed. Using similar events in Texas, I am able to make the connection to the similarity in struggles and the outcome of events to understand the various institutions and organizations that took part in defining the way that participation and representation take place in Texas and many other communities.

The research corroborates the reason for both the defendants and plaintiffs actions. There has been a long history of racism and oppression that have limited economic, social, and educational opportunities. It is important to understand that gerrymandering is, “redistricting for partisan ends by dividing concentrations of voters to prevent their coalescing into a majority in a district that their electoral strength is diluted because the extra vote could have been used to help elect a sympathetic candidate elsewhere”.⁶¹

At-large elections are defined as systems instituted in local politics where no geographic divisions have been made that define areas as wards or districts that will be represented by one candidate. According to Davidson and Korbel, “the at-large system was in place in the South and Southwest when Blacks and Mexican Americans of those regions began their political resurgence in the 1940’s; and where it was not yet in effect, city fathers often inaugurated it to deal with the new threat”.⁶²

Gerrymandering and at-large elections have evolved as a way for partisan groups, especially in the South and Southwest, to disenfranchise ethnic groups when these groups began to mobilize.⁶³ Unable to continue outright voter intimidation through violence and the use of other methods such as white primary, poll tax, and others, the powerful have resorted to these less overt and violent efforts to disenfranchise the mass rather than individual voters.⁶⁴

The dilemmas surrounding the issue are complicated. Each of the articles and books cited in this paper provide different viewpoints about gerrymandering and at-large elections related to participation and representation. In the spirit of objectivity, I will present the various dilemmas related to the issue of gerrymandering, and at-large elections, viewpoints from conservative to the left have weighed in on this issue and we currently are dealing with this based on the success of the Republican Party in Texas and the U.S. A political success that has created a backlash by conservative Republicans to, as they call it, redistrict congressional and legislative districts. But, to others this is seen as gerrymandering through dilution of ethnic minorities and the Democratic Party by the redrawing of districts to create a Republican control of the country especially Texas.⁶⁵

⁶¹ Rush, p. 682.

⁶² Davidson and Korbel, p. 991.

⁶³ Omi and Winant, p. 56

⁶⁴ Ibid., p. 990.

⁶⁵ Reding, A. “Beyond gerrymandering and Texas poses: U.S. electoral reform”, Christian Science Monitor 05/29/05 <http://worldpolicy.org/globalrights/democracy/2003-0529-CSM-gerrymandering.html>

In “Hispanics, Affirmative Action, and Voting”, Chavez, a conservative, states that the gains made by minorities, especially Mexican Americans, who, without proving any substantial racial bias through ending at-large elections. Hispanics have themselves used gerrymandering to make short-term gains that will ultimately lead to long-term loss and the alienation of middle class Mexican Americans. To Chavez, this is a policy of continuous failure, as she asserts, “Hispanics must continue to fail. If Hispanics move beyond the confines of inner-city barrios and into middle-class suburbs, as they are already doing, will federal courts persist in creating gerrymandered districts”.⁶⁶ Here she describes the growing class difference between middle class Mexican Americans and puts together other Latino populations to describe class differentiation.

This is important to understand because she describes the growing Mexican American/Latino middle class as not living in and from traditional barrios and reflecting the middle class suburban life. Chavez makes the point that according to her, the short term goals of districting create a reversal that “instead of encouraging those at the bottom to climb higher, it pulls down those who have already risen. There will be no winners if Hispanics accept this strategy”.⁶⁷ Chavez is correct that non-citizen immigrants that cannot vote and that middle class Mexican Americans are moving to the suburbs and are identifying more with mainstream America are now populating traditional Mexican American barrios.⁶⁸

Gutierrez and Navarro, both instrumental members of the Chicano Movement, especially Gutierrez, in ending gerrymandered, at-large elections for the creation of districts or wards focus on the gains that they made. These victories have set a historical precedent, seen by the increase in numbers in the last two decades of the 20th Century “Mexicanos made substantial progress in electoral representation. Today, Texas has more Mexicano local elected officials than any other state”.⁶⁹ Without this effort, there would be no gains and the status quo would remain leaving Mexican Americans unable to exert their rights through grassroots mobilization based on Civil Right victories.⁷⁰

As complicated as the population that makes up Mexican Americans and the growing division of class over the last 30 years are the topics of gerrymandering and at-large elections. As Chavez has pointed out, with changes in the location of “Hispanics”, as she prefers, so have the dynamics of who represents who and how gerrymandering and at-large elections have been instrumental in having a strong impact on U.S. politics.

The questions that Rush brings about are, what is representation and who defines it? Rush describes how the whole issue of gerrymandering has been changed based on the 1993 Shaw v. Reno case in North Carolina’s congressional districting. In essence, this decision further complicated representation by the way it “effectively obstructed Justice Department efforts to enhance minority representation”.⁷¹ This

⁶⁶ Chavez, p. 87.

⁶⁷ Ibid., p. 87.

⁶⁸ Bonilla, Silva E. (2003) Racism without racists: color-blind racism and the persistence of racial inequality in the United States. Rowan and Littlefield, Lanham, Md. p. 104.

⁶⁹ Navarro, p. 352.

⁷⁰ Ibid., p. 373.

⁷¹ Rush, p. 684.

decision works contrary to the extension of the Voting Rights Act and how Supreme Court Justices from different positions defined representation in two ways “first was the question of what lengths a state may go to enhance minority representational opportunities by affirmatively gerrymandering district lines, the other issue concerns the right of any and all individuals to participate in a fair electoral process”.⁷² This decision made it possible for any voter of any race to challenge redistricting that is influenced by racial factors.⁷³ This has led the way to many interpretations of districting and has perpetrated the use of gerrymandering on all sides of the political stage.

To complicate this further, Davidson and Korbel believe that at-large elections, as opposed to Chavez’s research, were a method of disenfranchising minority voters. This has led to creative ways of manipulating representation by the powerful working to change this and that “the mere presence of minority officials does not insure minority group’s representation”.⁷⁴ In agreement with Navarro and Gutierrez, Davidson and Korbel describe that this has been the pattern especially in Texas where “dominant white groups tend to co-opt “safe” minority candidates by including them on a ticket or slate which guarantees their election citywide”.⁷⁵ The most frustrating part of this is that history continues to prove that the advantage remains on the side of the powerful. Strides may be made and change implemented but new and creative means to usurp people’s ability to decide their representation continues.

V. Outcomes

The work that my parents initiated was possible based on the efforts made by the Civil Rights movement of the 1960’s. This movement nationally provided the confidence for people to not be afraid of retribution and push forward and endure whatever danger might exist. The reason for studying these efforts is an opportunity to conduct research related to the mobilization that was done during the time before and during my parents were active in local politics. This is a an opportunity to shed light on this and utilize a literature review to establish the events that were occurring in Texas and learn about the history of the location and the reason why organizations like MALDEF and others were available to assist in this effort.

I also set out to learn more about events that have had a strong impact on my life and served as an example for the way I wish to devote my life’s work. An opportunity to relive the events I was a part of, that little did I know at the time would train me for the work I would take part in as a Peace Corps volunteer in South America and later study Community and Regional Planning at UNM. I truly believe this to be a wonderful and unique experience that led me to other experiences related to social activism.

From this experience, I learned the importance of an education and the need to be active and aware of the decisions that affect me. I remember handing out voter registration cards and going door to door with my parents. I also remember attending

⁷² Ibid., p. 685

⁷³ Omi and Winant, p. 91.

⁷⁴ Davidson and Korbel, p. 1004

⁷⁵ Ibid., p. 1004.

meetings where people discussed the issues facing minorities in South Texas and through combined efforts with different organizations were able to develop useful and lasting solutions and relationships.

Through the literature review, I have learned about the Supreme Court decision in 1965 and subsequent Congressional actions that affected the federal district court decisions. In Taft the decision was delayed due to the reluctance of Judge Hayden Head Jr., who sat on the case for four years before deciding in favor of the plaintiffs and bringing about electoral reform to the community. It is also important to note that from the literature review, I have learned the origins of the Chicano Movement in Texas and its principal leaders. The lives they lived and the efforts they made empowered my parents and me. Theirs was a dangerous and noble pursuit that has remained largely ignored in the history of the U.S. even among so-called progressives.⁷⁶

This story is telling us that hope is alive in the world. People of little resources and education can find ways to get help and empower themselves. Though the U.S. claims to be an example of democratic ideals, there is, and needs to be, a constant struggle for people to be vigilant and active. It is the challenge for working class people who do not have the time or money to devote to participate as the rich do, but must. Minorities have slowly made strides to include themselves in the decision making processes of this country.

This research paper shows how the action taken by my parents had a precedent. Without the sacrifice and effort from these other activists, they would not have been successful. The country has gone through a period where it ruthlessly gained power over different territories and this power corrupted the ideals of what this country is supposed to be. The U.S is a complicated society and there are no simple answers or remedies to the various issues and challenges it faces. Nevertheless, it is evident that there are groups that will not divest themselves of power at any cost. They are sadly mistaken and if they are not able to be dynamic or make opportunities for others, time is certainly not on their side. The Latino population of the U.S. is now the largest minority and it is only a matter of time before we begin exerting our numbers and overcome power, privilege and money.

V. Recommendations

In the case, *García vs. City of Taft*, the use of at-large elections was found to be discriminatory in its use. In the description of Taft as a geographical location, the use of gerrymandering as in many parts of the country remains the problem. Taft to this day remains a gerrymandered city that does not include the entire Mexican American population in the electoral process. Gerrymandering is both used to exclude people from the system or, find ways to disempower them. On the U.S. political stage, it remains discriminatory, and continues to worsen at all levels and, most noticeably, at the national level. This will not change unless major electoral reform is initiated. Once again, this begs the question, in who's best interest is it to start this change?

Mexican American and Latino populations are increasing in number and power throughout the country. These groups have been an important part of the U.S. for

⁷⁶ Gutierrez, p. 14.

more than 100 years and will continue to grow. Decision makers have largely ignored or not respected the impact that this population has had or will have now and in the future.⁷⁷ The growing xenophobia on the part of Anglos throughout the country, but specifically along the border region, has legislated the removal of programs to support Mexican immigrants. These have been the wrong kind of reactions that instead of admitting this population is an integral part of the U.S. and its economy have taken a doomed path of racism once again.⁷⁸

Recent events in Texas exemplify this xenophobia. Democratic representatives of all colors in the State Senate and House of Representatives were forced in 2003 to take drastic measures in a futile effort to stop conservative Anglo Republicans from redistricting the state, undoing what the Democrats had done in years past. The problem here is that each party dominated by Anglos is after its own interests. They fail to understand the serious implications that continuing to use gerrymandering as a tool to disenfranchise not only minorities but also everyone in the U.S.⁷⁹ The remedy might be a proportional representative system that gets rid of district boundaries and empowers minorities. The larger problem is that the U.S. continues to be a duopoly with Democrats and Republicans dictating participation and representation.

Further research needs to be conducted to understand the complexities of the various ethnic groups, their voting patterns, and their feelings about politics in general. From this, the following question will arise, why are people not taking part in electoral politics? Why does the U.S. use democracy, freedom, and liberty at the international level to promote its control of world politics, while at the same time doing nothing here domestically to empower its own people to take an active role in the nation's decision making process.

⁷⁷ Navarro, p. 376.

⁷⁸ Ibid., p. 375.

⁷⁹ Reding, 05/29/03.

Bibliography:

1. Anderson, M. "Taft resident battles for rights of minorities" Corpus Christi Caller-Times, Thursday May, 17, 1984.
2. Anderson, M. "Lawsuit hits Taft for election ways", Corpus Christi Caller-Times, Sunday October 18, 1984.
3. Bonilla, Silva E. (2003) Racism without racists: color-blind racism and the persistence of racial inequality in the United States, Rowan and Littlefield, Lanham, Md.
4. Castro-Sanders, J. Mexican American Legal Defense and Educational Fund letter to the Plaintiffs in García vs. City of Taft, March 6, 1989
5. Chavez, L. (1992) "Hispanics, Affirmative Action, and Voting" The Annals of the American Academy Political and Social Science, Volume 523, pp. 75-87.
6. Davidson, C. and Korbel, G. (1981) "At-Large Elections and Minority-Group Representation: A Re-Examination of Historical and Contemporary Evidence", the Journal of Politics, Vol. 43, pp. 982-1005.
7. Gutiérrez, J.A. (1998) The Making of a Chicano Militant: Lessons from Cristal, University of Wisconsin Press. Madison, Wisconsin.
8. Moses, G. "Narcowars vs. Civil Rights: Something Terribly wrong here", Counterpunch online magazine, April 5, 2005 edition.
9. Navarro, A. (1998) The Cristal Experiment, University of Wisconsin Press, Madison, Wisconsin.
10. Omi, M. and Winant, H. (1994) Racial Formation in the United States From 1960's to the 1990's, Routledge, New York, N.Y.
11. Pachon, H.P. and Moore, J. W. "Mexican Americans", Annals of the American Academy of Political and Social Science, Volume 454, pp.111-124.
12. Padilla, G. "Campaigns out in Taft, people say", Corpus Christi Caller-Times, Thursday, March 21, 1985.
13. Padilla G. "Taft residents file suit to postpone April 6 elections" Corpus Christi Caller-Times, Thursday, March 7, 1985.
14. Padilla, G. "Researcher testifies Taft voting polarized" Corpus Christi Caller-Times, Wednesday, March 20, 1985.
15. Padilla, G. "Campaigns out in Taft, people say" Corpus Christi Caller-Times, Thursday, March 21, 1985.
16. Rush, M. E. (1994) "Gerrymandering: Out of the Political Thicket and Into the Quagmire", Political Science and Politics, Vol. 27, No. 4, pp. 682-685.
17. Turner, A. "Federal Lawsuit filed as political fight boils over in Taft", San Antonio Light, Saturday January 26, 1985.
18. United States District Court Southern District of Texas document: García v. Taft, final decision March 6, 1989.
19. Taft Tribune, 03/27/85, "Nine seeking four school slots"
20. Taft Tribune, 04/10/85, "Segovia, Acosta, Adame, García Elected to School Board Posts"
21. Wood, R. L. (2002) Faith in Action: Religion, Race, and Democratic Organizing in America, the University of Chicago Press, Chicago, Ill.

Online resource:

Handbook of Texas online, s.w. “Coleman-Fulton Pasture Company,”
<http://www.tsha.utexas.edu/handbook/online/articles/print/CC/aq2.html> (April, 18,
2005)

Reding, A. “Beyond gerrymandering and Texas posses: U.S. electoral reform”,
Christian Science Monitor 05/29/05

<http://worldpolicy.org/globalrights/democracy/2003-0529-CSM-gerrymandering.html>

Sanders, B. R. “Heroic Texas Democrats have Earned Our Gratitude”, Fort Worth
Star-Telegram, through Commondreams.org online 05/14/03

<http://www.commondreams.org/cgi-bin/print.cgi?file=/views03/0514-08.htm>

Hegemony definition:

<http://en.wikipedia.org/wiki/Hegemony>

COINTELPRO definition:

<http://www.icdc.com/~paulwolf/cointelpro/cointel.htm>