



El Grito

A JOURNAL OF CONTEMPORARY MEXICAN-AMERICAN THOUGHT

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COVER DESIGN BY RENE YANEZ

Editorial

An issue of grave importance has been placed before Mexican-Americans. The issue is the use of law enforcement agencies as a weapon against Mexican-Americans rather than an instrument of defense.

In May, the Los Angeles Police Department arrested thirteen Chicanos on a charge of "conspiracy to disturb the peace"; their alleged crime — the organizing of a walkout and boycott of schools throughout East Los Angeles.

These Mexican-Americans and the thousands of students who went on strike, had on numerous occasions tried to make the necessary changes that the schools on the Eastside so dreadfully need. Their pleas fell on uninterested ears, compelling them to take a more dramatic course.

In addition to the Los Angeles arrests, the police seized the membership lists of the United Mexican-American Students (UMAS) and looted the offices of *La Raza*, a Mexican-American newspaper, seizing photographs, subscription lists, files, and a bank deposit containing checks totaling almost one thousand dollars.

The courts followed the police initiative by setting bail at the outrageous figure of \$12,000 each. Protests from the Mexican-American community resulted in a lowering of the bail to \$250. This attempt to intimidate the community cannot be measured, but one wonders how many people will hesitate attending meetings for the purpose of organizing, whether it be to uplift education, control rents, or investigate hiring practices, if such actions might culminate in an indictment for "conspiracy."

The implication of this conspiracy charge, a felony, is frightening. Are we to understand that organizing for effective social change is now a dangerous alternative? Is this justice?

The Mexican-Americans in Los Angeles who will go to trial will be testing this law. If found guilty, they will appeal to the higher courts. This will be a difficult and expensive route. They will need the full support of all who do not feel that the alternative to oppression is, or should be, jail.

We are seeing the growing misuse of legal institutions as a weapon and for mass intimidation. The Los Angeles Chicano com-

munity has been served notice that any militant steps taken by them will be met by swift, forceful action on the part of police and courts.

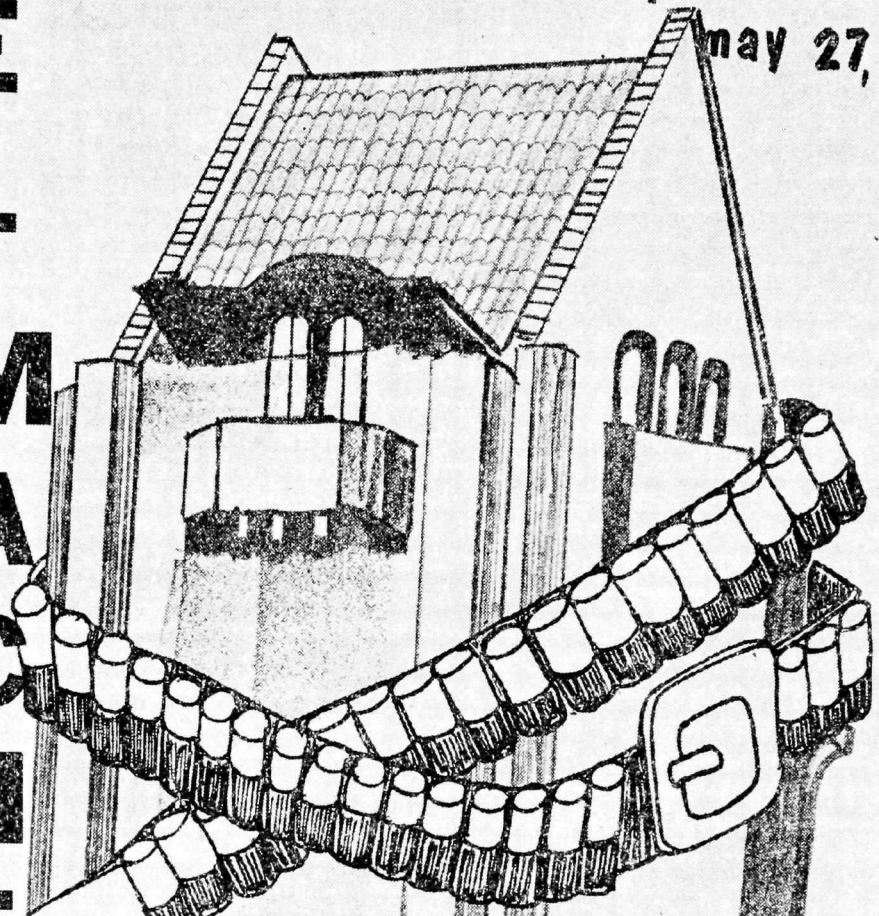
Extra-legal intimidation has no place in a *free* society. The force and tactics being used are representative of a police state philosophy. Last year in New Mexico, the National Guard and State Police were called to round up Reies Tijerina and eighteen *Alianzistas*. In Texas we see farm workers being beaten and harassed by the Texas Rangers. In San Jose, the riot squad was to be called if Chicano students proceeded with a planned peaceful demonstration at the San Jose State College commencement exercise (see Chicano Commencement in this issue). In Oakland, California, the Black Panthers are continually followed, harassed, and brutalized. The trend is the same everywhere. One only need witness the violence at various anti-war demonstrations. The readiness of police to use unnecessary force is matched by the willingness of public officials to permit such behavior to continue unabated. The results of this trend can only be catastrophic. In a recent survey taken by the National Opinion Research Center, it was discovered that forty per cent of the citizenry in this nation believes that permission should not be granted for demonstrations of *any* type. The liberties guaranteed by the first amendment are in jeopardy.

We must remind those who hold distorted beliefs about law and order, that the laws and courts of this country must be used to protect its citizens, not intimidate them. We must not let those who would use laws and institutions against us think that we will keep silent and inactive. If we are to solve the problems which confront us, then certainly we must have the same legal rights as all groups.

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special issue
May 27, 1966

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SAN JOSE STATE



Chicano Commencement

San Jose State College has been singled out from among all the colleges in the Southwest to focus on the failure of higher education for the CHICANO. Colleges throughout the Southwest and the nation are guilty of producing incompetent teachers, social workers, policemen, counselors, sociologists, political scientists, historians, journalists and other such products who are contributing to the destruction of the CHICANO in this nation. It is through these malfunctioning products of the colleges that the problems of the CHICANO minority are perpetuated.

BONDAGE

Colleges have failed in their responsibility to adequately prepare their so-called experts who have tremendous power and control over the lives of the CHICANO. This criminal failure of the colleges perpetuates the erosion of our barrios, of our culture, of our dignity and our spirit. It is through the products of these colleges that our RAZA is held in bondage.

The perpetuation of this most subtle and vicious form of bondage by colleges is symbolized every summer in the commencement ceremonies held throughout the nation. At this time, colleges release swarms of "missionaries" and maniacs to plunder our barrios. It is in this way that colleges are failing.

It is in this way that our every effort for decent housing, relevant education, proper health and medical care, decent and meaningful jobs, are stifled. All of our efforts in these areas are futile so long as the colleges continue to pour out thousands of "experts" who are programmed to perpetuate our problems rather than alleviate them. There can be no change in the condition of the CHICANO until there is a change in the orientation of this nation, and this change cannot come about until our system of higher education has been changed.

LIBERATION

The symbol of achievement and success of college products is a symbol of our bondage. The commencement ceremonies only magnify the scope of our problems by sanctioning the thousands who plunder our barrios. On June 14 CHICANOS arrived at San Jose

State College from throughout the state, there to hold their own commencement exercises – A CHICANO COMMENCEMENT. It was the beginning – the commencement – of CHICANO liberation from bondage.

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These comments appeared in a Special Issue of *El Machete*, a Chicano publication at San Jose State College, San Jose, California. During the graduation ceremonies, there was a mass walkout from the stadium, and the CHICANOS held their own COMMENCEMENT which included music and dancing. *Editor.*

The Mexican-American and the Church

CÉSAR E. CHAVEZ

The following article was prepared by Mr. Chavez during his 25-day "spiritual fast" and was presented to a meeting on "Mexican-Americans and the Church" at the Second Annual Mexican-American Conference in Sacramento, California on March 8-10, 1968.

The place to begin is with our own experience with the Church in the strike which has gone on for thirty-one months in Delano. For in Delano the Church has been involved with the poor in a unique way which should stand as a symbol to other communities. Of course, when we refer to the Church we should define the word a little. We mean the whole Church, the Church as an ecumenical body spread around the world, and not just its particular form in a parish in a local community. The Church we are talking about is a tremendously powerful institution in our society, and in the world. That Church is one form of the Presence of God on Earth, and so naturally it is powerful. It is powerful by definition. It is a powerful moral and spiritual force which cannot be ignored by any movement. Furthermore, it is an organization with tremendous wealth. Since the Church is to be servant to the poor, it is *our* fault if that wealth is not channeled to help the poor in our world.

In a small way we have been able, in the Delano strike, to work together with the Church in such a way as to bring some of its moral and economic power to bear on those who want to maintain the status quo, keeping farm workers in virtual enslavement. In brief, here is what happened in Delano.

Some years ago, when some of us were working with the Community Service Organization, we began to realize the powerful effect which the Church can have on the conscience of the opposition. In scattered instances, in San Jose, Sacramento, Oakland, Los Angeles and other places, priests would speak out loudly and clearly against specific instances of oppression, and in some cases, stand with the people who were being hurt. Furthermore, a small group of priests, Frs. McDonald, McCollough, Duggan and others, began

to pinpoint attention on the terrible situation of the farm workers in our state.

At about that same time, we began to run into the California Migrant Ministry in the camps and fields. They were about the only ones there, and a lot of us were very suspicious, since we were Catholics and they were Protestants. However, they had developed a very clear conception of the Church. It was called to serve, to be at the mercy of the poor, and not to try to use them. After a while this made a lot of sense to us, and we began to find ourselves working side by side with them. In fact, it forced us to raise the question why OUR Church was not doing the same. We would ask, "Why do the Protestants come out here and help the people, demand nothing, and give all their time to serving farm workers, while our own parish priests stay in their churches, where only a few people come, and usually feel uncomfortable?"

It was not until some of us moved to Delano and began working to build the National Farm Workers Association that we really saw how far removed from the people the parish Church was. In fact, we could not get any help at all from the priests of Delano. When the strike began, they told us we could not even use the Church's auditorium for the meetings. The farm workers' money helped build that auditorium! But the Protestants were there again, in the form of the California Migrant Ministry, and they began to help in little ways, here and there.

When the strike started in 1965, most of our "friends" forsook us for a while. They ran — or were just too busy to help. But the California Migrant Ministry held a meeting with its staff and decided that the strike was a matter of life or death for farm workers everywhere, and that even if it meant the end of the Migrant Ministry they would turn over their resources to the strikers. The political pressure on the Protestant Churches was tremendous and the Migrant Ministry lost a lot of money. But they stuck it out, and they began to point the way to the rest of the Church. In fact, when 30 of the strikers were arrested for shouting Huelga, 11 ministers went to jail with them. They were in Delano that day at the request of Chris Hartmire, director of the California Migrant Ministry.

Then the workers began to raise the question: "Why ministers? Why not priests? What does the Bishop say?" But the Bishop said nothing. But slowly the pressure of the people grew and grew, until finally we have in Delano a priest sent by the new Bishop, Timothy Manning, who is there to help minister to the needs of farm workers. His name is Father Mark Day and he is the Union's chaplain.

Finally, our own Catholic Church has decided to recognize that we have our own peculiar needs, just as the growers have theirs.

But outside of the local diocese, the pressure built up on growers to negotiate was tremendous. Though we were not allowed to have our own priest, the power of the ecumenical body of the Church was tremendous. The work of the Church, for example, in the Schenley, Di Giorgio, Perelli-Minetti strikes was fantastic. They applied pressure – and they mediated.

When poor people get involved in a long conflict, such as a strike, or a civil rights drive, and the pressure increases each day, there is a deep need for spiritual advice. Without it we see families crumble, leadership weaken, and hard workers grow tired. And in such a situation the spiritual advice must be given by a *friend*, not by the opposition. What sense does it make to go to Mass on Sunday and reach out for spiritual help, and instead get sermons about the wickedness of your cause? That only drives one to question and to despair. The growers in Delano have their spiritual problems . . . we do not deny that. They have every right to have priests and ministers who serve their needs. BUT WE HAVE DIFFERENT NEEDS, AND SO WE NEEDED A FRIENDLY SPIRITUAL GUIDE. And this is true in every community in this state where the poor face tremendous problems.

But the opposition raises a tremendous howl about this. They don't want us to have our spiritual advisors, friendly to our needs. Why is this? Why indeed except that THERE IS TREMENDOUS SPIRITUAL AND ECONOMIC POWER IN THE CHURCH. The rich know it, and for that reason they choose to keep it from the people.

The leadership of the Mexican-American Community must admit that we have fallen far short in our task of helping provide spiritual guidance for our people. We may say, "I don't feel any such need. I can get along." But that is a poor excuse for not helping provide such help for others. For we can also say, "I don't need any welfare help. I can take care of my own problems." But we are all willing to fight like hell for welfare aid for those who truly need it, who would starve without it. Likewise we may have gotten an education and not care about scholarship money for ourselves, or our children. But we would, we should, fight like hell to see to it that our state provides aid for any child needing it so that he can get the education he desires. LIKEWISE WE CAN SAY WE DON'T NEED THE CHURCH. THAT IS OUR BUSINESS. BUT THERE ARE HUNDREDS OF THOUSANDS OF OUR PEOPLE WHO DES-

PERATELY NEED SOME HELP FROM THAT POWERFUL INSTITUTION, THE CHURCH, AND WE ARE FOOLISH NOT TO HELP THEM GET IT.

For example, the Catholic Charities agencies of the Catholic Church has millions of dollars earmarked for the poor. But often the money is spent for food baskets for the needy instead of for effective action to eradicate the causes of poverty. The men and women who administer this money sincerely want to help their brothers. It should be our duty to help direct the attention to the basic needs of the Mexican-Americans in our society . . . needs which cannot be satisfied with baskets of food, but rather with effective organizing at the grass roots level.

Therefore, I am calling for Mexican-American groups to stop ignoring this source of power. It is not just our right to appeal to the Church to use its power effectively for the poor, it is our duty to do so. It should be as natural as appealing to government . . . and we do that often enough.

Furthermore, we should be prepared to come to the defense of that priest, rabbi, minister, or layman of the Church, who out of commitment to truth and justice gets into a tight place with his pastor or bishop. It behooves us to stand with that man and help him see his trial through. It is our duty to see to it that his rights of conscience are respected and that no bishop, pastor or other higher body takes that God-given, human right away.

Finally, in a nutshell, what do we want the Church to do? We don't ask for more cathedrals. We don't ask for bigger churches or fine gifts. We ask for its presence with us, beside us, as Christ among us. We ask the Church to *sacrifice with the people* for social change, for justice, and for love of brother. We don't ask for words. We ask for deeds. We don't ask for paternalism. We ask for servanthood.

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CÉSAR E. CHAVEZ, 41, is the Director of the United Farm Workers Organizing Committee, AFL-CIO. He was born in Yuma, Arizona to a migrant farm working family. As a consequence, he attended 36 different grammar schools throughout the Southwest. Mr. Chavez was active in the Community Service Organization (CSO) for eighteen years and has been successfully organizing farm workers in Delano, California since 1962. César Chavez is presently conducting a national boycott of California grapes.

El Méjico-Americano Y La Iglesia

CÉSAR E. CHAVEZ

La obra siguiente fué preparado por el Sr. Chavez durante su "ayuno espiritual" de 25 días, y fué presentado a la reunión del estudio sobre el Méjico-Americano y la Iglesia en la segunda conferencia anual méjico-americana, que se llevó a cabo en Sacramento, California, del 8 al 10 de Marzo de 1968.

El lugar del comienzo es nuestra propia experiencia con la iglesia en la huelga que se ha prolongado 31 meses en Delano, ya que en Delano la Iglesia se ha asociado con los pobres en una forma muy particular que debería representar un símbolo para otras comunidades.

Cuando nos referimos a la Iglesia, debemos, por supuesto, definir un poco la palabra. Nos referimos a la Iglesia en su totalidad, la Iglesia como un cuerpo ecuménico desparramado a lo largo del mundo, y no sólo su forma particular en una parroquia en una comunidad local. La Iglesia, sobre la cuál hablamos, es una institución tremendamente poderosa en nuestra sociedad y en el mundo. Esa Iglesia es una manifestación de la presencia de Dios en la tierra, y por eso, naturalmente, es poderosa. Es poderosa por definición. Es una poderosa fuerza moral y espiritual que no puede ser ignorada por ningún movimiento. Todavía más, se trata de una organización con enormes riquezas. Como la Iglesia debe servir a los pobres, es nuestra la culpa si esa riqueza no se canaliza de manera de ayudar a los pobres del mundo.

En la huelga de Delano, hemos sido capaces en modesta medida, de trabajar junto con la Iglesia de manera de hacer pesar parte de su poder económico y moral sobre aquellos que desean mantener la situación presente de los campesinos en estado de semi-esclavitud. En resumen, he aquí lo que ocurrió en Delano.

Hace algunos años, cuando algunos de nosotros trabajábamos con la Community Service Organization, empezamos a darnos

cuenta de la poderosa influencia que la Iglesia puede tener en la conciencia de la oposición. En ocasiones aisladas, en San José, Sacramento, Oakland, Los Angeles y otros lugares, hubo oportunidades en que sacerdotes hablaron fuerte y claramente en contra de ejemplos específicos de opresión y en algunos casos, se mantuvieron junto a la gente agraviada. Aun más, un pequeño grupo de sacerdotes, McDonald, McCullough, Duggan y otros, empezó a llamar la atención sobre la terrible situación de los campesinos en nuestro estado.

Más o menos al mismo tiempo, nosotros empezamos a abordar al Ministerio de Migrantes de California, en los campos y campamentos. Eran prácticamente los únicos que se encontraban allí, y muchos de nosotros estábamos muy recelosos, ya que nosotros éramos Católicos y ellos, Protestantes. Sin embargo, ellos habían desarrollado una concepción muy clara de la Iglesia. Ella estaba llamada a servir, a ponerse a disposición de los pobres, es decir, de nosotros; y nosotros empezamos a encontrarlos trabajando al lado de ellos. Nosotros preguntábamos “¿Por qué vienen aquí los Protestantes y ayudan a los pobres, no piden nada y dan todo su tiempo al servicio de los campesinos, mientras nuestros propios sacerdotes de parroquia permanecen en sus Iglesias, donde sólo vienen unas pocas personas y generalmente se sienten incómodos?”

Fué sólo cuando algunos de nosotros nos trasladamos a Delano y comenzamos a trabajar para construir la Asociación Nacional de Trabajadores Campesinos, que pudimos realmente constatar cuán apartada de la gente estaba realmente la Iglesia parroquial. En los hechos, no pudimos obtener ningún tipo ayuda de los sacerdotes de Delano.

Cuando empezó la huelga, nos dijeron que ni siquiera podríamos utilizar el auditorio de la Iglesia para las reuniones. El dinero de los campesinos había contribuido a la edificación del auditorio! Sin embargo, los Protestantes estaban allí nuevamente, en la forma de Ministerio de Migrantes de California, y comenzaron a ayudar, allí y acá, con pequeñas acciones.

Al iniciarse la huelga en 1965, la mayor parte de nuestros “amigos” nos abandonaron por un tiempo. Ellos se iban, o estaban simplemente demasiado atareados para poder ayudar. Más, el Ministerio de Migrantes de California celebró una reunión con su personal y concluyó que la huelga significaba una problema de vida o muerte para los campesinos en todas partes, y que ellos entregarían recursos

a los huelguistas aunque eso significara el fin del Ministerio de Migrantes. Hubo una tremenda presión de las Iglesias Protestantes y el Ministerio de Migrantes perdió una gran cantidad de dinero. Sin embargo, se mantuvieron y empezaron a mostrar el camino al resto de la Iglesia. En la práctica, cuando 30 de los huelguistas fueron arrestados por gritar Huelga, once ministros fueron a la cárcel con ellos. Ellos estaban en Delano ese día a petición de Chris Hartmire, director del Ministerio de Migrantes de California.

Entonces los trabajadores empezaron a plantar la pregunta: ¿Por qué ministros? ¿Por qué no sacerdotes? ¿Que dice el Obispo? Pero el Obispo no dijo nada. Sin embargo, la presión de la gente creció lentamente, hasta que finalmente tuvimos un sacerdote en Delano, enviado por el nuevo Obispo, Timothy Manning que está allí para ayudar a enfrentar las necesidades de los peones campesinos. Su nombre es Padre Mark Day y es el capellán de la Unión. Nuestra propia Iglesia Católica ha decidido al fin, que nosotros tenemos nuestras propias necesidades específicas, tal como los productores tienen las suyas.

Fuera de nuestra Diócesis local, la presión ejercida para hacer que los productores entraran en negociaciones fué muy grande. A pesar de que a nosotros no se nos permitió tener nuestro propio sacerdote, el poder del cuerpo ecuménico sobre la Iglesia fué enorme. El trabajo de la Iglesia fué fantástico, por ejemplo, en las huelgas de Schenley, Di Giorgio, y Perelli-Minetti.

Cuando la gente pobre se compromete en un conflicto prolongado como una huelga, o un movimiento en pro de derechos civiles, y la presión aumenta día a día, hay una profunda necesidad de consejo espiritual. Sin Ella, evmos tambalear a las familias, debilitarse el liderazgo y desarrollarse el desanimo en los trabajadores fuertes. En esa ocasión, el consejo espiritual debe de ser dado por un *amigo*, no por un miembro de la oposición. Así, ¿qué sentido tiene ir a la misa el domingo y buscar apoyo espiritual, y recibir en lugar sermones sobre el mal que hay en la causa de uno? Eso sólo lo conduce a uno a dudar y a la desesperación. Los productores de Delano tienen sus problemas espirituales, no lo negamos. Tienen todo el derecho a tener sacerdotes y ministros que atiendan sus necesidades. PERO NOSOTROS TENEMOS NECESIDADES DIFERENTES, Y POR LO TANTO NECESITAMOS UN GUIA ESPIRITUAL AMISTOSO. Esto era efectivo en todas las comunidades de este estado donde los pobres enfrentan graves problemas.

Sin embargo, la oposición plantea un tremendo griterío sobre ésto. No quieren que tengamos nuestros consejeros espirituales de actitud amistosa hacia nuestras necesidades. ¿Por qué es ésto así? Porque, en realidad, **HAY UN TREMENDO PODER ESPIRITUAL Y ECONOMICO EN IGLESIA.** Los ricos lo saben y por esa razón decidieron mantenerla separada del pueblo.

La dirección de la comunidad Méjico-Americana debe reconocer que nos hemos quedado atras en nuestra tarea de ayudar a dar guía espiritual a nuestro pueblo. Podemos decir "Yo no siento esa necesidad. Yo puedo desenvolverme solo." Pero esa es una mala excusa para no ayudar a dar esa ayuda a otros. Podríamos también decir "Yo no necesito ninguna ayuda de servicios de bienestar. Puedo resolver mis propios problemas." Sin embargo todos estamos dispuestos a luchar en todo lo que damos por la ayuda a aquellos que realmente la necesitan, a los que morirían de hambre sin ella. Del mismo modo, nosotros podremos haber obtenido educación y no interesarnos por dinero de becas para nosotros mismos, a nuestros niños, pero podríamos, deberíamos, luchar el máximo para asegurarnos que el estado otorgue ayuda a todo niño que la necesite de modo que pueda obtener la educación que desee. **DEL MISMO MODO PODEMOS DECIR QUE NOSOTROS NO NECESITAMOS A LA IGLESIA. ESO ES NUESTRO PROBLEMA. PERO HAY CIENTOS DE MILES DE NUESTRAS GENTES QUE NECESITAN DESESPERADAMENTE ALGUNA AYUDA DE ESA INSTITUCION PODEROSA, LA IGLESIA, Y SOMOS ESTUPIDOS SI NO LOS DEJAMOS OBTENERLA.**

Por ejemplo, las agencias de Caridad Católica de la Iglesia Católica tienen millones de dólares destinados a los pobres. Muy frecuentemente, sin embargo, ese dinero es gastado en canastos de comida para los necesitados, en lugar de acciones efectivas para la eliminación de la pobreza. Los hombres y las mujeres que administran este dinero desean sinceramente ayudar a sus hermanos. Deberá ser nuestro deber el ayudar a dirigir la atención hacia las necesidades básicas de los Méjico-Americanos en nuestra sociedad, necesidades que no pueden ser satisfechas con canastos de comida, sino más bien con organización efectiva al nivel básico.

Por lo tanto, estoy llamando a los grupos Méjico-Americanos a dejar de ignorar esta fuente de poder. No es sólo nuestro derecho de solicitar de la Iglesia que use su poder en forma efectiva para los pobres, es también nuestro deber el hacerlo. Deberá ser tan natural como acudir al gobierno, y eso la hacemos a menudo.

Más todavía, deberíamos estar preparados para acudir en defensa de aquel sacerdote, rabino, ministro o seglar de la Iglesia, que por compromisos con la verdad y la justicia entra en dificultades con su pastor u obispo. Nos corresponde apoyar a ese hombre y ayudarlo. Es nuestro deber vigilar que se respeten sus derechos de conciencia y que ningún obispo, pastor o cuerpo superior lo despoje de ese derecho dado por Dios.

Finalmente, en síntesis, ¿qué queremos que haga la Iglesia? No solicitamos más catedrales. No pedimos iglesias mas grandes o regalos apreciables. Deseamos su presencia con nosotros, al lado de nosotros, como Cristo entre nosotros. Le pedimos a la Iglesia *sacrificarse con el pueblo* por el cambio social, la justicia y el amor fraternal. No buscamos palabras. Pedimos hechos. No pedimos paternalismo. Pedimos una actitud de servicio.

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CÉSAR E. CHAVEZ, de 41 años de edad y director de la Asociación Nacional de Trabajadores Campesinos, AFL-CIO, fué nacido en Yuma, Arizona, de una familia migrante de trabajadores campesinos. Debido a esta movilización, tuvo que atender 36 colegios primarios del Sudoeste. El Sr. Chavez fué muy activo en el Community Service Organization (CSO) por 18 años y desde 1962 ha organizado a los trabajadores campesinos de Delano en California con mucho éxito. César Chavez está hoy en día conduciendo un boicoteo nacional de las uvas de California.

Police and Professionalization

WILLIAM A. VEGA

It seems certain that ours will be an urban population if current trends continue. Therefore, municipal police are destined to represent the future of law enforcement. The question remains, in which direction are the police going? This is a vital concern for interested citizens. From the perspective of the poor, this concern could have primacy over all others. Can they reasonably expect changes in police philosophies through professionalization?

The problems of criminality in the cities continues to worsen. Most authorities have noted that profound changes in police technology and policies must be forthcoming. If such changes are not accomplished through skill and effort, they will be accomplished through sheer weight of numbers. However, not everyone agrees on the changes to be made. It is clear that quality of personnel rates high on the priority list. More and more police departments are raising their educational standards. The President's Crime Commission recommended, in one of its Task Force reports, that ultimately, all police forces should strive for a minimum requirement of a baccalaureate degree. Higher degrees were actually recommended as prerequisites for promotion.

The stressing of higher education appears to be the first logical step in a society as complex as ours. Education is regarded as an almost magic-like formula for improving the individual and uplifting the community. The hoped-for effect of raising educational requirements is the consequent enhancement of recruit quality. Up to this time, police work has borne a deficiency of college men. Poor pay, poor working conditions, low prestige, etc., are all obstacles which have kept them away. Today a concerted effort is being made to reduce these barriers. Unfortunately, there are some barriers that are not so easily overcome.

College graduates may be repelled by the police environment because it is often authoritarian, anti-intellectual, and overly bureaucratic. Very often unquestioning obedience is equated with good police work, and creative and innovative criticism is rarely encouraged. The education of the college-trained officer makes him suspect among his fellow officers. The optimist looking to the future of law enforcement would do well to look at these structural limitations wherein the only safe posture is conformity.

The requirement of higher degrees for policemen has been shown to yield some beneficial results. College trained police are

less authoritarian than their non-college counterparts. However, it is difficult to predict how permanent these attitude changes will be, especially after prolonged exposure to the present police system.

It would be easier to gauge the benefits of college training in the professionalization scheme in terms of vocational-technical competence. Leading police experts, like O. W. Wilson and the late William Parker, defined professional competence as managerial efficiency based upon a body of expert knowledge. This definition represents the thrust of police opinion in this area. Such notions spring from the definition of the policeman as a craftsman whose ultimate rationality and efficiency will determine his worth as a worker. One critic was moved to comment that such beliefs are grounded in the implied hope that advancing technology will somehow resolve the police dilemma. This critic, as well as many others, fears that general acceptance of this point of view, and its application, would work to the detriment of due process of law.

In this light, can professionalization be considered as a change in police attitudes through education? Quite to the contrary, professionalization may operate to cement prevailing conservative bureaucratic philosophies to law enforcement on a level of rationality never before achieved within the police structure. There is no evidence that professionalization will move the police closer to the rule of law and the protection of individual rights, or toward a more sophisticated understanding of the problems to be solved. It has been noted that one side effect of such policies is the reduction of value the police place on public opinion. Consequently, it would appear that the ethic of professionalization assumes the impersonal rules of law enforcement are correct and appropriate regardless of what a hostile or indifferent citizenry may think. This is the philosophy of a police state.

This definition of professionalization is really nothing more than a proliferation and sophistication of the current police ideology. This implies a solidification of the aspects of law enforcement which are in the greatest need of change. Yet, it is difficult to see change as forthcoming. Even collegiate police science programs (the long-awaited source of enlightenment) are far from the emancipated ideal hoped for. Most police instruction on the college level is handled through the department of public administration, which only emphasizes the tenacity of the "rational bureaucratic tradition."

If the future of liberalism in law enforcement rests upon college police science programs, then its future looks bleak indeed. A brief glance through a typical catalogue of a California State College revealed the following course offerings for majors in police science:

Police Procedure
 Elementary Criminal Law
 Criminal Investigation
 Evidence
 Advanced Criminal Investigation
 Interrogation and Detection of Deception
 Administration of Justice
 Police Organization and Management
 Police Reports and Records
 Penal Codes
 Arrest, Search and Seizure
 Constitutional Law
 Public Administration
 Personnel Management

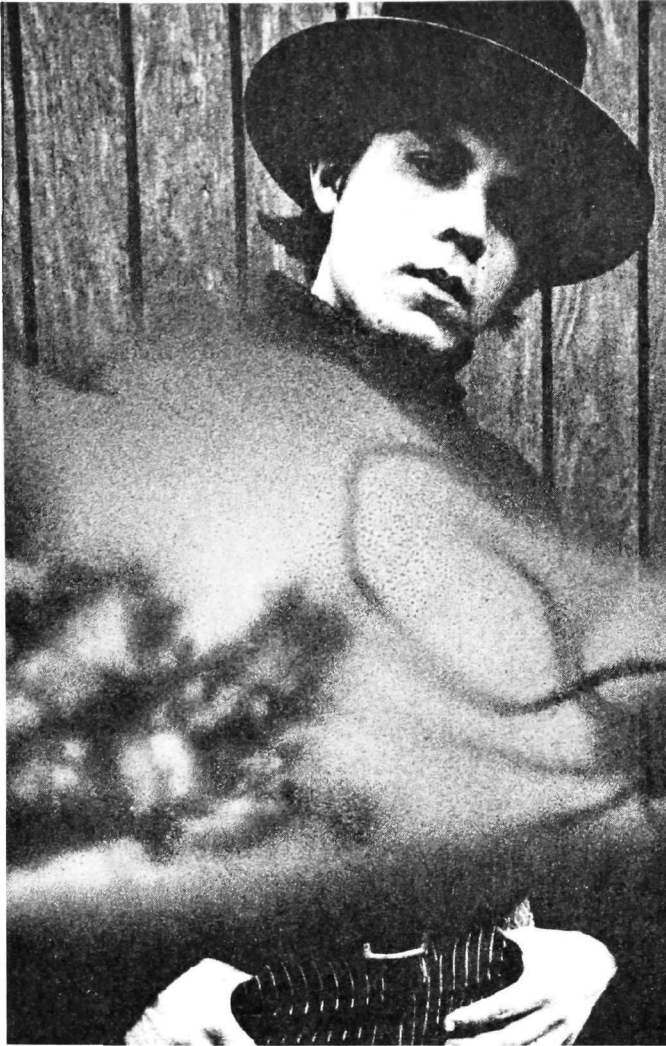
This list constitutes all the required courses for police science majors. None of the traditional liberal fields are represented in the course list. In fact, the police science major is never called upon to study and understand the basic social issues with which he will be confronted at every turn of his career.

One must conclude from this survey of acceptable preparatory courses that the expertise sought by law enforcement consists of the professional as a bureaucrat, almost as a machine calculating alternate courses of action by a stated program of rules, and technically able to carry out decisions irrespective of personal feelings. Little need is felt for course work in race relations, delinquency and criminology, or community relations techniques.

The "new" professionalization of law enforcement would seem to accentuate those aspects of police work which minority groups already consider unacceptable. The internal drive for conformity of thought and action, the stress on efficiency over legality, the further isolation of the police from other social spheres, all of these factors call into question the appropriateness of such expertise.

The police claim that no other model of operation is feasible. I will leave that decision to the reader. In any case, the upheavals in our cities cry out for new solutions. This is hardly the time for backward steps.

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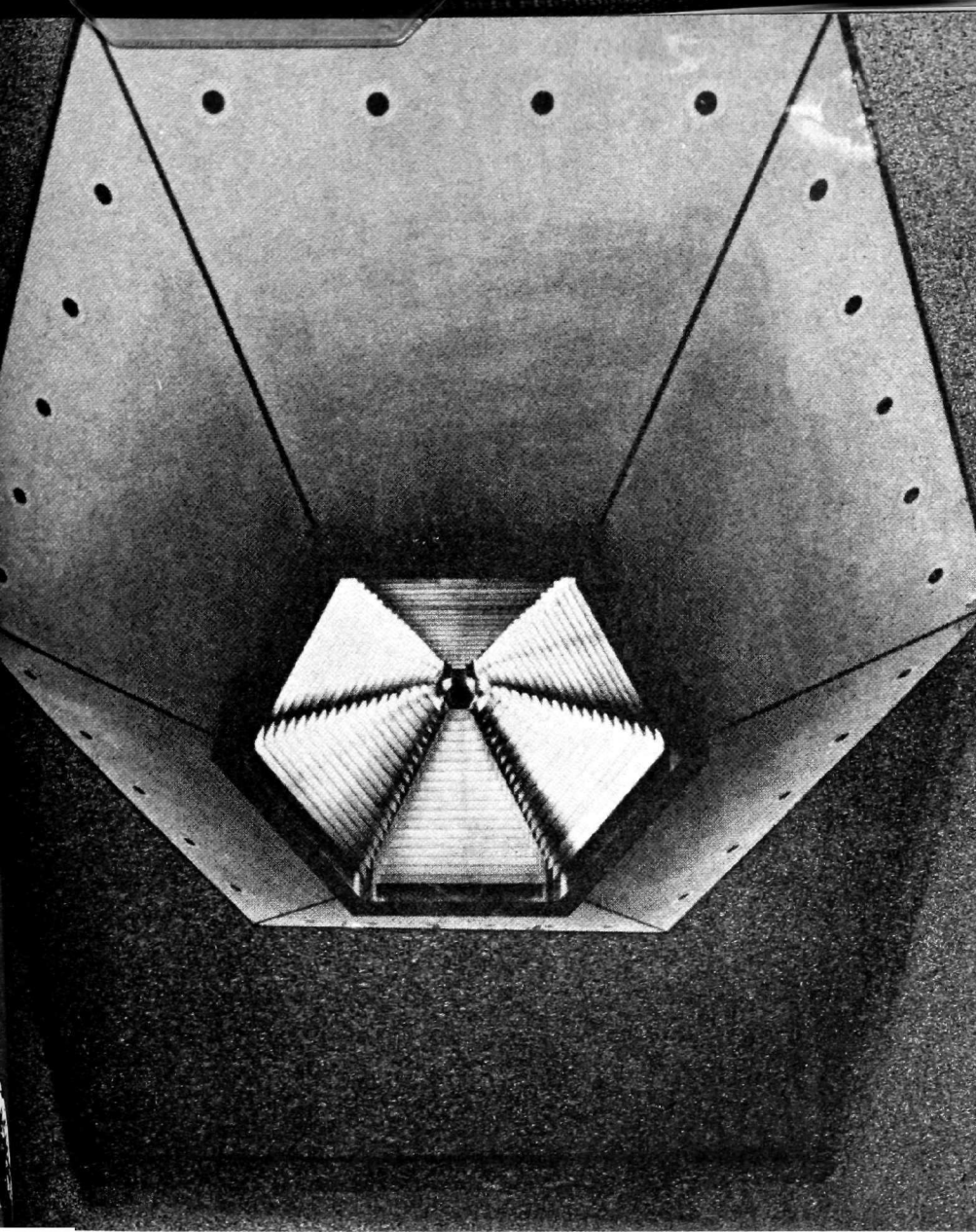


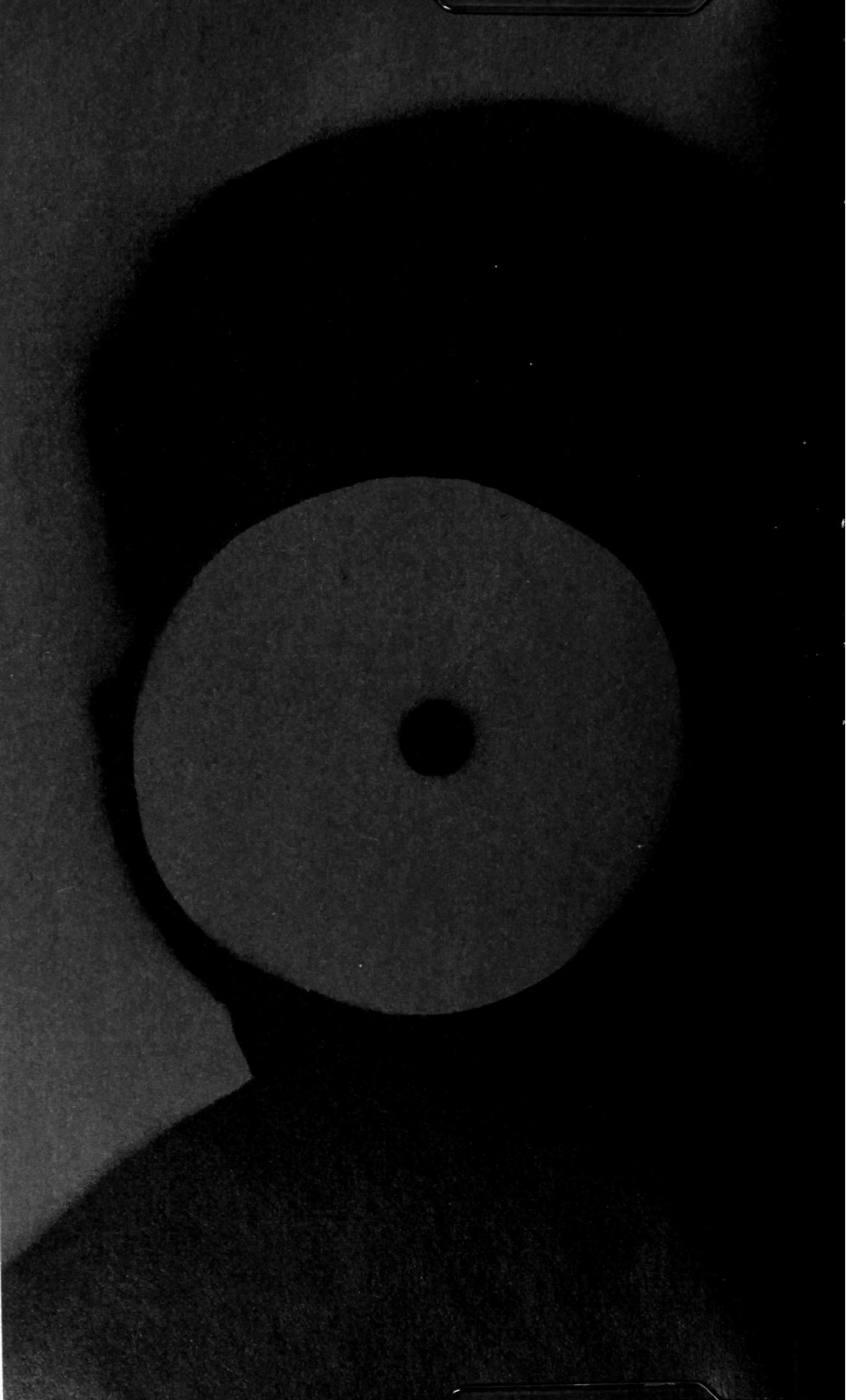
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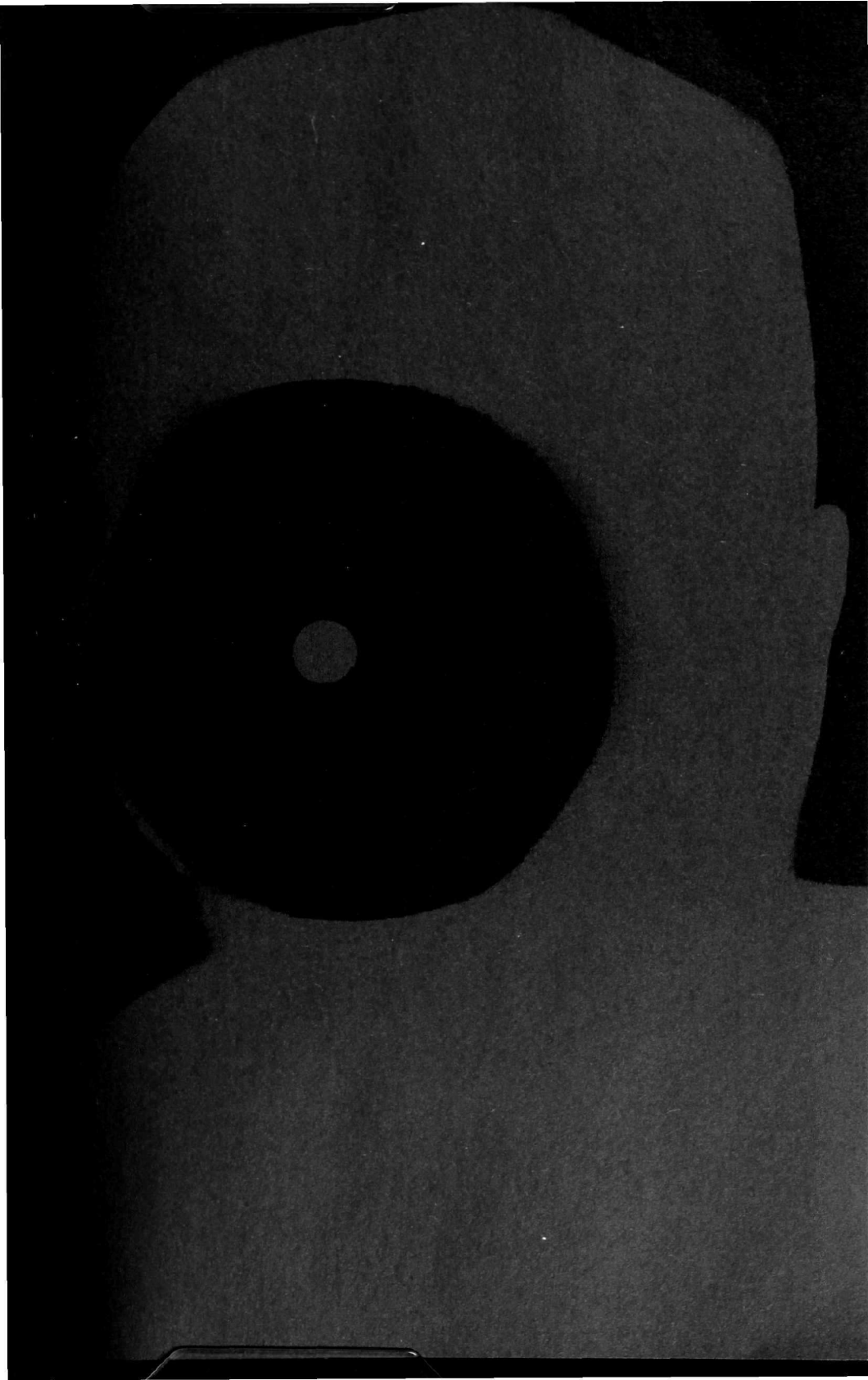
René Yañez

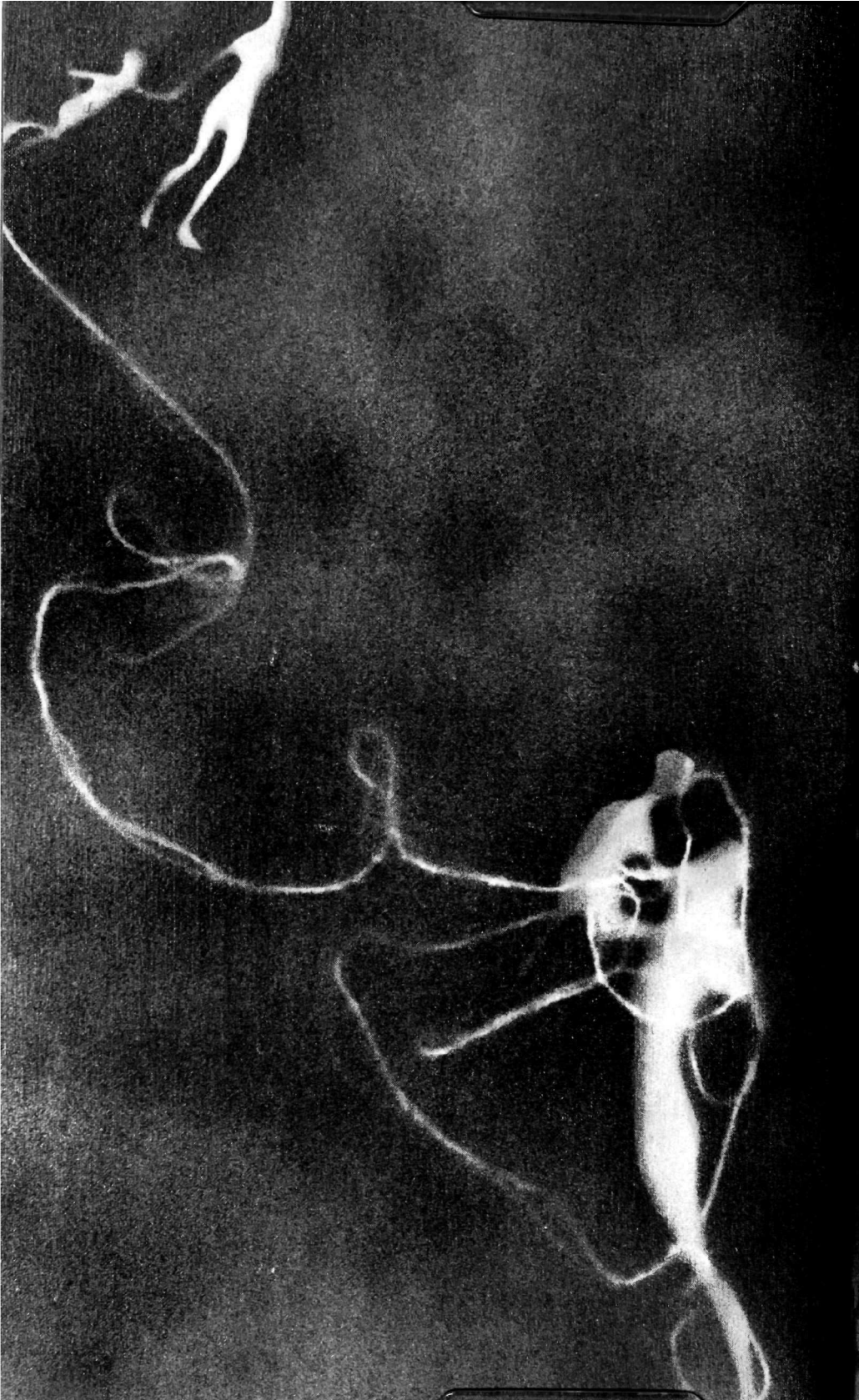
RENÉ YAÑEZ, 24, was born in Mexico and now resides in Oakland, California. Mr. Yañez has had showings in the San Francisco Bay Area. He is presently promoting the foundation of a Mexican-American Artists League.















The Mexican-Dixon Line

RIGHTS OF PASSAGE FOR ALIEN COMMUTER LABOR

PHILIP D. ORTEGO

In January and February the President's Select Commission on Immigration in the Western Hemisphere held a series of public hearings in various border cities of the American southwest, looking into the growing and perplexing problem of "green card" alien commuter labor along the U. S.-Mexican border.

The Commission was established in 1965 by Congress under PL 89-236, and is composed of fifteen members, five of which (including the chairman) are appointed by the President, five by the Senate, and five by the House of Representatives. The Presidential appointees include Richard M. Scammon, Chairman and former Director of the Bureau of the Census; Leo Cherne, Executive Director of the Research Institute of America; Stanley Ruttenberg, Assistant Secretary of Labor; Raymond F. Farrell, Commissioner of the Immigration and Naturalization Service; and Covey T. Oliver who last July replaced Lincoln Gordon, Assistant Secretary of State for Inter-American Affairs. The Senate members include Everett M. Dirksen of Illinois, James O. Eastland of Mississippi, Roman L. Hruska of Nebraska, and Edward M. Kennedy of Massachusetts. The House members are Emanuel Celler of New York, Michael A. Feighan and William M. McCluloch of Ohio, Arch A. Moore, Jr. of West Virginia, and Peter W. Rodino, Jr. of New Jersey.

Essentially, the purpose of the Commission was to study the interrelationship between present and future immigration to the U. S. in terms of economic, social, demographic, and technological factors and to study the adequacy of immigration laws from the standpoint of the impact of such laws on employment and working conditions in the U. S.

One of its members, Senator Edward M. Kennedy, had already proposed a change to the immigration law. In Senate Bill 2790, which he introduced on December 14, 1967, he recommended amending section 212 of the Immigration and Nationality Act by adding (subsection j) that the Department of Labor certify each alien commuter every six months, providing his continued employment does not adversely affect the wages and working conditions

of similarly employed American workers. Violations of regulations would be cause for revocation of the green card (Form S-151). According to Senator Kennedy, "The amendment is geared specifically to regulating more effectively the influx into the United States of nationals from Canada and Mexico under the so-called alien commuter system administered by the immigration and naturalization service." What makes the bill particularly significant is the reaction it has engendered along both sides of the 1600-mile U.S.-Mexican border. It is this reaction the Commission set out to study in its hearings at El Paso, San Diego, and Brownsville.

Ostensibly, a green-carder is a Mexican national who has obtained an immigrant visa on the strength of his intent to reside in the U. S. The green card (a misnomer now, for it is actually blue) is really a resident passport entitling the immigrant to live and work in the U. S. In effect, it becomes simply an alien identification card. However, the green card "system," which Senator Kennedy calls "a creature of administrative ingenuity," is one that permits the alien resident to live on the Mexican side of the border and to commute daily to his job on the American side. Thus, the green carder is not an immigrant in the true sense, since the definition of an immigrant is one who comes into a country for permanent residence. More often than not, however, the truth is that the green carder has no intention of living in the U. S. since his family lives on the other side of the border. What little he earns in the U. S. becomes a "fortune" for him in Mexican pesos. On the Mexican scale his standard of living increases considerably. So much so that he can afford to send his kids to American schools. In the meantime, his American blood brother, who is thus economically disadvantaged, is forced into the tenements of the ghettos in the depressed part of town.

The green card system is now almost half a century old, having become a custom "observed more in the breach." Yet it is a custom that seems to have worked no hardships in the Detroit area where green card Canadians cross back and forth daily. The difference though is that along the U. S.-Mexican border there is a high rate of unemployment. The national unadjusted figure is 1.9%, while the over-all Texas rate is 2.8%. In El Paso it is 4.4%, almost 2½ times the national figure. And most of the unemployed are Mexican-Americans with three strikes against them: linguistic, cultural, and psychological.

American and Mexican chambers of commerce see any disruption of the border status quo as calamitous. In its testimony before

the Commission, the El Paso Chamber of Commerce cranked out an impressive brochure supporting this contention. And in a letter read into the record by the President of the El Paso Chamber of Commerce, the President of the Juarez, Mexico, Chamber of Commerce stated that, "If such a proposal is enacted we predict dire consequences for the economy of El Paso and Juarez." This perspective is strengthened by the conviction that the economies of the twin border cities are inextricably tied together, and that "what affects one will so affect the other." In El Paso, at least, the spokesmen for the Catholic Church concur with this view.

Organized labor, on the other hand, rejecting the "twin-plant" concept, urged the Commission to recommend passage of the Kennedy bill on the grounds that restrictive legislation is necessary in order to improve the depressed socio-economic conditions along the American side of the border, and to protect the American worker from unfair labor practices precipitated by the presence of alien commuters. Senator Kennedy underscored this point in his introduction of the bill, saying, "There is no doubt that the commuter movement adversely affects the wages and working conditions of our own citizens and residents, especially those living in the cities and towns along the Mexican border."

The rallying cry of those who favor enactment of the Kennedy bill is that the unemployment problem is compounded further by the presence of the green card commuter who wittingly or unwittingly undermines the wage structure along the border. The Secretary of the El Paso Central Labor Union argues that the alien commuter has been exploited by American employers who only want to continue fattening "their own pocketbooks by hiring aliens at substandard wages" at the expense of Anglo, but principally, Mexican-American workers. The Texas AFL-CIO went on record with a resolution repudiating the green card system. And in a passionate address to the Commission, Henry Muñoz, Director of the Equal Opportunity Department of the Texas AFL-CIO, chastised Texas for being the "number one poverty stricken state in the U. S.," calling the U. S.-Mexican border "the Mexican-Dixon line." In his testimony before the Commission, Senator Ralph W. Yarborough (D. Texas) seconded this view, blaming Texas poverty on the failure of state leadership to enact a minimum wage law. Texas labor leaders urge enactment of a state minimum wage law as a partial solution to the problem. And in his testimony, David North, Executive Director of the Inter-Agency Committee on Mexican-American Affairs

excoriated the alien commuters who "drag down the entire wage structure along the border." The fact of the matter is that most Anglo and Mexican-American workers see the alien commuters as scabs or strikebreakers.

No one knows how many alien commuters there really are along the U. S.-Mexican border. Some of the less conservative estimates run as high as 400,000. What distresses U. S. Government and labor officials is that in some border areas "their number nearly equals the number of unemployed American workers." But the fly in the ointment is U. S. Government form S-186, a "local crossing" card issued to Mexican Nationals under less stringent regulations. For all intents and purposes the "local crossing" card is supposed to be a "shopper's card" permitting Mexican Nationals to shop on the U. S. side of the border. The card is valid for four years and entitles the bearer to cross into the U. S. for periods of 72 hours and restricts him to a travel radius of 150 miles. However, Mexican Nationals use the "local crossing" cards like work permits. Richard C. Haberstroh, District Director of Immigration, testified that 3,000 "shopper" cards are issued monthly from his El Paso office to Mexican Nationals. He estimated that in the El Paso-Juarez area alone there were about 75,000 local crossing cards outstanding.

The sad truth of the matter is as William P. Hughes, U. S. Consul General in Juarez, Mexico, pointed out in his testimony to the Commission: the green card system has become "a way of life." So much so that concerned Mexican-American leaders are worried that many Anglos have come to regard the Southwest as a sort of antebellum South with Mexicans fulfilling the domestic roles of cooks, servants, and nannies once played by Negroes, thus stereotyping Mexicans and Mexican-Americans just as the plantation system stereotyped American Negroes. This "way of life" is not only demoralizing but precarious.

The crux of the problem is that the alien commuter represents a serious malady with international complications whose consequences are manifold. There is no assurance that passage of the Kennedy amendment will alleviate the situation or that it will not in fact exacerbate the already growing resentment from the Mexican side of the border. The answers are still forthcoming. But the sagest comment at the hearings was made by former El Paso Judge Woodrow Bean when he said, "Prosperity requires prosperous working people."

It is true that changes in the immigration law may create some new problems, but most Mexican-Americans hope they are not insurmountable. On the other hand, if nothing is done to remedy the eroding border situation, the neglected Mexican-American workers may "take whatever action is necessary to see that their lawful rights are protected," as J. H. Vasquez, Representative of the Laborer's International Union of North America, stated.

The Commission was to be dissolved March 15 unless a one-year extension was granted; it was to issue a final report and to make recommendations to President Johnson and to Congress about the alien commuter problem. The life of the Commission was not extended, and each member will simply file an individual report to the Justice Department. It appears that the status quo along the U. S.-Mexico border will not be changed despite the evidence that the alien commuter seriously depresses wages along the border and that he adds to the social diminution of Mexican-Americans. Failure to face squarely the alien commuter problem now can only make the confrontation worse when it does occur. And it will occur, for the problem will not go away, anymore than the problems of the Negroes went away by refusing to see them for what they were.

The irony of social change is that when the chickens come home to roost they don't always come back as tenants. It's a shame that the lessons of Watts and of the recent rioting following the assassination of Dr. Martin Luther King, Jr., are so quickly forgotten and rhetorically glossed. But as Santayana put it, those who cannot learn from history are condemned to repeat it.

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PHILIP D. ORTEGO is a second generation Chicago-born Mexican-American. He has studied at the University of Pittsburgh, the University of Texas at El Paso, and the University of New Mexico where he is presently a doctoral candidate. He is a cultural linguist and teaches the English language and literature at New Mexico State. He has published in a variety of "little" and national magazines like the Nation, The New Republic, The Texas Observer, The Educational Forum, et al. He has received numerous awards for both fiction and poetry and at present is completing a novel of the Mexican Revolution of 1913 for Houghton Mifflin.

man's humanity

someone comes this way
a soul all bent and worn
his step is slow
his sight is dim
his head is bare
his cloak is thin
he's weary very weary as he stops to wipe his brow
he lifts his stick then puts his feet upon the path
the days grow long
the nights turn black
the road leads up then merges with the dark
at times the path becomes so steep
or falls so far into the shade
that he will surely lose his way

i must be in a dream
can this be one who long ago
when days were warm and bright
stood high upon a hill one day
and cried as I unto the sky:
life! send me what you will
i stand here straight and tall
let nights grow dark
and let storms blow
i will persist
i will endure
i will not falter on the way

in fascination do i watch him struggle on the path
i see a growing line of shadows
other souls upon the path
stretching out across the silent hills
an endless troop of pilgrims toiling joyless thru the night
suddenly in horror do i see the one who first did catch my sight
raise up his hand to smite his fellow men
and then in crimson rage turn round to strike him down
then fling themselves against each other in savagery and hate
a chilling wind begins to blow across the unreal scene
i see men fall then rise then fall to rise no more
how many broken men lie all around who should have lived this day

i stand aghast in utter disbelief
must they fight the perils of the path
and also fight their fellow men
saddened and bewildered i find my youth is gone
a part of me has died
what have i learned this night

the man i watched in wonderment
rises slowly to his knees
and seems to bend in prayer
i close my eyes to shut away his pain
but i cannot stop the cry that rises up
from deep within my soul:
no brother no
this cannot be
we must not let the hate and darkness
kill the love that feebly shines this day
come let me put my hand in yours
and lift you to your feet
you must not kill
you must not kill
you shall not fall along this road
and lie so still within the dust
come let us walk together on the way
we can never let the hope and warmth
men started long ago
and nurtured painfully thru all the ages past
be crushed and broken in this night
of man's inhumanity to man
how can we fail our last and only hope
the call within that lifts us from the sod.

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ALBERTO VILLAREAL, 41, was born in Port Arthur, Texas. He earned his B.A. and M.A. degrees from the University of Texas. He has also attended the University of Oklahoma, the University of Minnesota, and the National University in Mexico City. He is presently pursuing doctoral studies in the Foreign Language Education Center at the University of Texas and is employed with the Southwest Educational Development Laboratory in Austin as a Specialist in Bilingual Education.

Horror is the Name of the Game

AL MARTINEZ

At 3 a.m., the world is still. Only the far-off hum of the traffic can be heard, and occasionally the distant barking of a dog. I have turned down the sound of the television set, and I watch the soundless movement of figures on the screen as they rush through a grotesque dance. I am sad. I am horrified. I am taken with a greater fury than I have ever known.

In other times, I like the stillness of night. At 3 a.m., a man can think. He can sit there in the utter silence and consider the course of his life. Harsh sunlight may damn his dreams and challenge his notions, but the main substance of his thoughts, at least, remain intact.

But at this 3 a.m., there is no lucidity to my thoughts. I am torn by the sadness and the anger. The darkness within me is as deep and mystifying as the darkness outside my home. I watch the nightmare videotape replay again and again, and I see Robert Kennedy shot down again and again, and I sit there staring.

I don't know what to think, and I'm afraid of the silence.

I keep hearing the puzzled, persistent voice of the announcer. Senator Kennedy has been shot. He's been shot. And I keep hearing another voice from another time. President Kennedy has been shot. He's been shot.

I rise suddenly from my chair and I walk through the darkness of the house, stumbling against familiar objects, and I check on my children. I have a sense of foreboding. I am troubled by the presence of danger.

Violence is the nature of my era. Sadness is the name of the game.

Tomorrow, I know, I must answer to my children for what has happened in Los Angeles. They will ask why — a why that defies platitudes, that even transcends fact, that thunders on a moral-philosophical plane, that rages and burns and erupts.

And I will have to say I don't know, I just don't know.

At 3 a.m., I stand and consider this, looking down at my son, who is not yet four, and the grief I feel is a grief for him and for my daughters and for all of us.

It is a grief for the neon dreams of youth and grief for the dimming dreams of adulthood. It is a grief beyond grief.

I walk back to the soundless television set, and they are shooting Robert Kennedy again. I see the confusion and the horror and the anguish on the faces of the young people.

I want to scream my rage into the stillness, to smash the light from the screen and to destroy the box of violence that perpetuates the nightmare.

But the irony of my rage against rage empties me, and I slump back into my chair. I am still sitting there when the first light comes, when the day breaks then brightens, when an alarm clock sounds in another room, when my children awaken.

Now I, and my generation, will be called upon to answer to them for what has happened in Los Angeles. And we can't.

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AL MARTINEZ is a columnist for the Oakland Tribune in Oakland, California. HORROR . . . first appeared in the Tribune's June 6th edition, and is reprinted here with the author's permission.

The Sociology of Being

A Mexican-Russian

A Letter from England

In the solitude and quietude of England my heart feels no urgency to express the agonies that I have so long tried to forget. I move slowly, like some glacial formation that is reluctant to reach its destination. Even when, by some note of peculiarity, I become intent on writing, the creatures of my verbal creation stand falsely against an unreal background which lacks those subtleties that characterize the harshness, beauty, or terror of reality. The mind can create a universe unlike that which exists. If perchance I can achieve the creation of a world so totally unlike that which has been thought that Mexican-Americans inhabit, then I have achieved a momentous thing.

You see, before social science became quite the vogue, people like Turgenev, Chekov, Aksakov, and scores of other Russian authors wrote of the miseries that shower into man's life — agonies and miseries that resulted from the conditions of man and not from man himself. When Kazan's father became drunk on vodka and beat his wife and prevented Kazan from obtaining a proper education, the reasons given for his actions were clearly economic and not cultural. Kazan's father worked from early morning until quite late into the night, and the frustrations and anger which he could not vent against the system were vented against those nearest and often dearest to him. When Chekov's father made him work in the shattering coldness of their family store before and after school, making Chekov lose years in school, the reasons given for his actions were not cultural but economic—economic reasons which Chekov's father could neither change nor which Chekov could escape. But the human mind is a complex creation that can sort and distort that which pleases it and that which displeases it; that which maintains its equilibrium and that which disturbs its senses. And in a society that has created a problem, the responsibility for the problem is frequently placed on the problem itself rather than the cause. To

place the cause of the problem on society would be self-indicting and that, we all know, is antithetical to human survival.

As Mexican-Americans we are the symptom of America's disease. Too simple, you say? Perhaps. But simplicity is the tool of truth (and fools). As the symptom we have been accused, as we all know too well, of being the generators of all our problems. And many of us have come to believe this falsity. At the moment that you are reading this letter, you know that thousands of children are searching within themselves for the reasons and causes of their despair, while it laughingly lies from without. Prolific writers such as Oscar Lewis have gone to great lengths to "document" the "culture of poverty." This is a grandiloquent term that has always puzzled me, since he has managed to use a cultural and economic term within the same sentence, with one explaining the other and one causing the other. Quite clever, I must admit. The pen is a wondrous and devastating instrument, and Lewis has used it effectively. Can you imagine Oscar Lewis writing about the "culture of poverty" in regards to the lives of Chekov and Gorki?

Except for distance and language, the Mexican-American is very much like the Russian peasant — a serf that can little affect the course of his life — a life that is always on the verge of being rent by the simple necessities of existence. Russians drink vodka to blur the effects of their lives; Mexican-Americans drink beer, wine or whiskey. The former cannot beat the state, and the latter cannot beat their Anglo boss. Mexican-Americans keep their children home from school in order to gain a little bit more money for the family; Russian peasants do the same. Hey, let's drink a vodka to that! We are now Russian. "So what?" you may say, "We're now Russian peasants instead of Mexican-Americans. How does that change matters since we're still in the same distressing situation." Yes, quite, we're still in the same distressing situation, but the first step out of the situation has been taken. The fault for our situation is now no longer cultural because we are now Russians. So all that academic muck goes out the window. And now the fault for our situation is economic, financial, physical or whatever, but not cultural and therefore not ours. "Yes, great," you may say again, so what have we gained? You and I know it, "but nobody in their right minds will believe that we are now Russians instead of Mexican-Americans." We're utterly mad, people will say. The task, of course, is to convince people that we are not Russians, but very similar to them. And

this is the role of a novel. If I write slowly and tediously, it is because this is what I am attempting to achieve.

My novel, I hope, will be the expression of a classic Russian mind describing the atrocities which life can deal to man. The theme is really very simple. It concerns a family that is methodically destroyed by the pressures of existing in a state (America) that is programmed to do everything possible to destroy a deviant family (Mexican-American). The difficulty in writing such a novel is the necessity to learn how to use words as a surgeon uses a scalpel. The verbal incisions must be clean and sharp and the operation vividly and tragically told. This is a task, I fear, for which I am not yet capable, and perhaps this is where I must confess to myself that which I have known for so long — my writing is also hampered by the futility which I feel when I see my words on paper. I never really knew how much one can lose in transferring what one feels to a cold piece of paper through an equally cold machine.

Nick C. Vaca

1968

Nottingham, England

Justice and the Mexican-American

ARMANDO MORALES

(Presented at the Cabinet Committee Hearings on Mexican-American Affairs at El Paso, Texas, October 26-28, 1967. The following is a part of the original presentation. Editor)

The application of justice to people communicates to them their value and worth to society. If they are valued by society, they and their rights granted by the Constitution, will be protected. If they are not valued by society, less emphasis by all legal and law enforcement institutions, will be placed on protecting their rights. Let me be more specific. For example, on Thursday, October 19, 1967, in California, Federal District Court Judge Alfonso J. Zirpoli issued a restraining order to police based on the U. S. Code that bars anyone from depriving persons of civil rights guaranteed by the Constitution. This order protects newsmen from police brutality. It only took two days for newsmen to receive this federal protection, but Mexican-Americans in California have been trying to receive this protection since 1910, when they were viewed as the most degraded ethnic group in the state. Once again we come to you for help. Inequality in the administration of justice and physical abuse of Mexican-Americans by law enforcement must stop! We cannot have a double standard of justice. In the interests of our people and our nation, let's work together toward that goal.

Four major problem areas pertaining to law enforcement and the administration of justice will be outlined. Recommendations for solving some of these problems are also submitted.

The Inclusion of Police Malpractice Cases in Existing O.E.O. Funded Neighborhood Law Offices:

Of 1,328 complaints of police brutality received by the United States Department of Justice during the period of January 1, 1958, to June 30, 1960, ten were known to be from Spanish-speaking persons. One would have to conclude that either Spanish-speaking people in the United States were not victims of police misconduct or, if they were, they were not reporting the incidents. The McCone Commission Report revealed that there were 412 complaints of

police misconduct filed by citizens against the Los Angeles Police Department in the City of Los Angeles in 1964. Forty-two of the complaints were sustained, usually leading to reprimands and suspensions. It is not known how many complainants were Spanish-speaking. The Community Services Organization and the Council of Mexican Affairs in Los Angeles investigated a total of approximately sixty cases in the 1950's and '60's—the majority being Mexican-Americans.

Police practices have been the subject of serious debate, some legal action and formal protests by Mexican-American groups in three Riverside County cities in California earlier this year. In February, 1967, there was the fatal shooting of a fleeing Mexican-American Riverside youth by a local officer. In Blythe, California, the Mexican-American Political Association complained of four instances of police brutality. This resulted in what a U. S. Justice Department spokesman described as a “very preliminary” check of the Department by two FBI agents. In Corona, California, the death of a sixteen-year-old Mexican-American youth while in police custody greatly angered the Mexican-American community. In May, 1967, a Mexican-American teen-age boy was killed by a Sheriff's Deputy, and, in a different incident the same month, a Los Angeles Police Department officer killed another Mexican-American teen-age boy. The American Civil Liberties Union Police Complaint Center in East Los Angeles reportedly has been accepting approximately ten complaints a month for alleged police misconduct against Mexican-Americans. The projected yearly average will be 120 complaint cases in East Los Angeles alone.

There is a very serious gap of legal service being denied the poverty population of Mexican-Americans in California. In the vast majority of alleged police misconduct cases, the Mexican-American victims did not have funds to hire an attorney. The Legal Aid Society tends to assume a position that it is difficult to obtain lawyers to donate their services due to the great amount of time spent for case preparation, and secondly, the possible risk of reputation for handling this type of case. Neighborhood Legal Aid attorneys are barred from handling felony and other more serious criminal cases. The American Civil Liberties Union seems to be “swamped with cases” and tends to limit its intake to very specialized types of cases that raise important points of law.

A substantial portion of the cases handled to date by the neighborhood law offices in the greater Los Angeles area are domestic

relations matters involving routine legal procedures. For example, in the East Los Angeles and Whittier Health District areas of Los Angeles, the percentage of domestic relations cases to the total cases handled varied from 50 to 70 per cent.

The police malpractice cases, as most malpractice matters, is a specialized and technical matter involving to a large degree Constitutional and Criminal Law, as well as Administrative Law and Procedure. It calls for not only knowledge in these fields but actual criminal trial experience. Preparation of malpractice cases calls for a trained investigator with complementary personnel.

Recommendations:

It is recommended that the present O.E.O. policy not allowing the handling of police malpractice cases for O.E.O. funded neighborhood law offices, be terminated.

It is recommended that the O.E.O. funded law offices include investigation of police malpractice complaints.

It is further recommended that additional budget be provided for these offices, specifically for trained investigators, along with the necessary complementary personnel to carry out these investigations.

It is recommended that the O.E.O. policy of restricting total damages in cases to \$400.00 be eliminated in police malpractice cases.

It is recommended that attorney salaries be competitive with the local district attorney and public defender, to attract well-qualified, Spanish-speaking attorneys.

And it is further recommended that a federally funded "Public Attorney" position be established in O.E.O. neighborhood law offices to assist Mexican-Americans having grievances pertaining to complex private and public bureaucratic problems, procedures, regulations and practices.

The Absence of Federal Involvement and Prosecution of Law Enforcement Officers Found Guilty of Assaulting Mexican-Americans in California:

The principal federal criminal statute with relevance to police misconduct is Section 242 of Title 18 which prohibits the deprivation "under the color of any law . . . of any rights, privileges or immunities secured or protected by the Constitution or laws of the United States . . . on account of such inhabitant being an alien or by reason of his color or race."

In 1961, the Civil Rights Commission found this statute largely ineffective and criticized the forcefulness with which it had been enforced. In 1965, it found that enforcement had improved somewhat due to the addition of personnel to the Civil Rights Division of the Department of Justice. Seventy-three cases had been brought in two years, an increase of 75 per cent. In April, 1966, the President asked Congress to authorize an additional 100 FBI agents and supporting personnel to deal with this kind of crime and Congress did so.

In 1961 and again in 1965, the Civil Rights Commission recommended that Section 242 be clarified by specifically making it a crime to perform, maliciously under color of law, certain prescribed acts including the following:

Subjecting any person to physical injury for an unlawful purpose.

Subjecting any person to unnecessary force during the course of an arrest or while the person is being held in custody.

Subjecting any person to violence or unlawful restraint in the course of eliciting a confession to a crime or any other information.

There have been numerous incidents of law enforcement officials physically assaulting Mexican-American citizens without provocation. Local prosecuting agencies have been very reluctant to become involved. The Mexican-American community has sought federal intervention in these matters with poor results. We do not seem to get follow-up reports on the cases that are referred to the FBI or the Department of Justice. We can only conclude that nothing is being done about these cases.

It is felt that the very possibility of federal prosecution would tend to reduce the incidents of more obvious forms of police malpractice. It is also reasonable to suppose that the possibility of federal investigation and prosecution would cause local authorities to take malpractice complaints more seriously. Our country cannot afford to have a double standard of justice when it comes to these cases. The strength of our nation is founded on law and we must uphold it for all people.

Mexican-Americans continue to be victims of police misconduct. At the East Los Angeles Police Complaint Center, recently, out of thirty cases processed by law enforcement agencies, only one case was sustained. This involved the beating of a naked, handcuffed Mexican-American in jail. The Officer was charged with two counts:

Count I, assaulting a prisoner, and Count II, that he failed to obtain proper medical attention for the prisoner. The officer was found guilty of Count II. He received a fifteen-day suspension from employment. There are many more cases like this. As long as these injustices continue to happen to poor, legally unsophisticated, powerless Mexican-Americans, there will continue to be minimal trust in law enforcement agencies and the American legal system.

In the interest of justice for the Mexican-American, our California Police-Community Relations Committee respectfully submits the following recommendations:

That the Civil Rights Section of the Criminal Division of the United States Department of Justice and the Federal Bureau of Investigation investigate carefully all alleged police malpractice complaints concerning Mexican-Americans.

That these agencies within fifteen days report back to the community the current status of the investigations.

That these agencies *report* their findings to interested parties.

That these agencies initiate federal prosecution of those peace officers so charged under Section 242, Title 18, of the U. S. Code; and under Federal Civil Statute 42.

The Undermining of U. S. Supreme Court Rulings Affecting Mexican-Americans as designed through F. B. I. Seminars

In the Miranda decision, the U. S. Supreme Court ruled that a suspect must be advised of his right to counsel and to remain silent when being placed under arrest. The intention and spirit of the law is to protect those people who cannot afford an attorney to insure that their rights under the Constitution will be protected.

However, it has been the policy recently of the Federal Bureau of Investigation to officially conduct seminars with law enforcement officials from thirteen western states: Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming. Most of these states have the highest concentration of Spanish-speaking populations. During the seminars, the police are instructed as to how they can manipulate and get around the Miranda decision. The F. B. I. advises, "Don't arrest a suspect, just send him an invitation by telephone or letter, to drop down to the station for a chat. If the suspect shows up, he is there on his own volition and can leave any time. And Miranda, as the lower courts have been interpreting it so far, doesn't apply."

We oppose these procedures for the following reasons:

Such instructions by a federal agency undermine law and

order, thereby setting a poor precedent for other law enforcement agencies to follow.

Such procedures do not necessarily insure respect for law and order, faith and trust in that agency by Mexican-Americans.

Such manipulative instructions can have a negative impact on the attitude of Mexican-Americans toward law enforcement as they might be further subjected to more refined, subtle techniques of police harassment and questioning, thereby leading to even more strained relationships between law enforcement and Mexican-Americans.

The Need for an O.E.O./H.E.W. Funded California Mexican-American Law Enforcement Advisory Group:

The President's Commission on Law Enforcement and Administration of Justice 1967 report on "The Police," clearly demonstrated the need for communication between law enforcement and ethnic minority communities. The study found that "all current programs surveyed have failed to reach the very segments which are in conflict with police or other grassroots people." The problem is even more severe in California as it pertains to the Mexican-American, primarily due to a language and cultural barrier between the disadvantaged Mexican-American and law enforcement.

Although some police departments have sincerely attempted to establish some communication with Mexican-American communities, their results have been somewhat limited due to: (1) lack of professional manpower to carry out these programs, (2) inability to speak Spanish, (3) lack of cultural understanding, and (4) law enforcement internal pressures against becoming involved in police-community programs.

An O.E.O. funded California Mexican-American Law Enforcement Advisory Group could stimulate, and help to begin to bridge the gap between law enforcement and the Mexican-American community. Specific details as to personnel, budget, administration, etc., will not be discussed at this time; rather, the general concept will be discussed. Such an organization could have a central administration with field representatives assigned to different areas in the state with Mexican-American populations of at least 35,000 people. Some of these areas could be San Diego County, Riverside County, Los Angeles County, Santa Clara County, Kern County, Tulare County, Santa Barbara County, Alameda County, etc. The field representatives having college degrees, would be recruited from, and assigned to these communities. Assistant field representative positions would not require college education.

The field representatives would have as their primary goal the improvement of communication and relationships between law enforcement and Mexican-American communities through various approaches and programs. Some of these programs would involve:

Law enforcement human relations training regarding Mexican-American culture, group feelings and attitudes.

Education of the community regarding law and arrest procedures to keep misunderstanding and conflict at a minimum.

Help stimulate on-going periodic police Mexican-American community workshops and conferences.

Assist in the development of local advisory groups to law enforcement.

Assist communities and police in averting overt conflict during tense, crisis situations.

Help stimulate local community leadership to work on these problems.

Assist and encourage recruitment of Mexican-Americans in law enforcement.

Assist in the creation of Spanish language programs for non-Spanish speaking officers working in Mexican-American communities.

Assist community people with grievances toward police in following the appropriate channels and procedures for complaint.

Assist law enforcement in community education as to crime rates, trends, patterns, etc., and how communities might help their police.

Undoubtedly, there are many other functions that such a group could perform. Specific programs would naturally evolve from the local communities based on need. Such a program as the "California Mexican-American Law Enforcement Advisory Group" could be funded on a "demonstration project" basis for an initial two-year period. A research component could be built into the program to study its effectiveness.

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If *EL GRITO* is truly to function as a forum for contemporary Mexican-American thought, it must have the active participation of its Mexican-American readers. We invite contributions in both written and graphic form—academic papers, book reviews, short stories, poetry, satire, drawings, photographs, and cartoons. Relevance of topic and quality of work are the only editorial standards.

To insure return, manuscripts and materials must be accompanied by a self-addressed, stamped envelope. Address all contributions to:

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