



## Mendez v. Westminster: School Desegregation and Mexican-American Rights (Landmark Law Cases & American Society)

By Philippa Strum

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While *Brown v. Board of Education* remains much more famous, *Mendez v. Westminster School District* (1947) was actually the first case in which segregation in education was successfully challenged in federal court. Finally giving Mendez its due, Philippa Strum provides a concise and compelling account of its legal issues and legacy, while retaining its essential human face: that of Mexican Americans unwilling to accept second-class citizenship. 1945 Gonzalo and Felicitas Mendez, California farmers, sent their children off to the local school, only to be told that the youngsters would have to attend a separate facility reserved for Mexican Americans. In response the Mendezes and other aggrieved parents from nearby school districts went to federal court to challenge the segregation. Uniquely, they did not claim racial discrimination, since Mexicans were legally considered white, but rather discrimination based on ancestry and supposed "language deficiency" that denied their children their Fourteenth Amendment rights to equal protection under the law.

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Strum tells how, thanks to attorney David Marcus's carefully crafted arguments, federal district court judge Paul McCormick came to support the plaintiffs on the grounds that the social, psychological, and pedagogical costs of segregated education were damaging to Mexican-American children. The school districts claimed that federal courts had no jurisdiction over education, but the Ninth Circuit upheld McCormick's decision, ruling that the schools' actions violated California law. The appeal to the Ninth Circuit was supported by amicus briefs from leading civil liberties organizations, including the NAACP, which a few

years later would adapt the arguments of Mendez in representing the plaintiffs in Brown.

Strum effectively weaves together narrative and analysis with personality portraits to create a highly readable and accessible story, allowing us to hear the voices of all the protagonists. She also presents the issues evenhandedly, effectively balancing her presentation of arguments by both the plaintiffs and the schools that sought to continue the segregation of Mexican-American students.

Ultimately, Mendez highlights how Mexican Americans took the lead to secure their civil rights and demonstrates how organization, courage, and persistence in the Mexican-American communities could overcome the racism of the school boards. Their inspiring example is particularly timely given the current controversies over immigration and the growing national interest in Latino life.

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#### Review

*"Mendez v. Westminster* plays an underappreciated role in the struggle for civil rights in the United States. Strum brings the people and debates of the case vividly to life, particularly the dedication of the Latino parents at the center of the case who fought for equal education for their children in public schools. . . . Reminds us of the key part that Latinos have played, together with African-Americans, in the continuing battles for civil rights for all Americans in the United States."—**Michael Jones-Correa**, author of *Between Two Nations: The Political Predicament of Latinos in New York City* and coauthor of *Making It Home: Latino Lives in America*

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#### About the Author

Philippa Strum is Resident Senior Scholar at the Woodrow Wilson International Center and author of *Women in the Barracks: The VMI Case and Equal Rights* and *When the Nazis Came to Skokie: Freedom for the Speech We Hate*, among others.

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