



In 1945, Mexican parents tried to enroll their children into the Main Street Elementary School located in the Westminster School District, Orange County, California. Main Street School was an Anglo school not an integrated school. The children were turned away from the school and sent to Hoover School, a "Mexican" elementary school. One such family was the Mendezes. As the Mendez parents, Gonzalo and Felicitas, attempted to enroll their children at the Main Street School their children were refused admission because they were Mexican.

Led by the Mendezes, the parents of the Mexican American children, united against segregation in their school district and community. Filing a class action lawsuit on behalf of 5,000 families, the Mexican parents disputed against four school districts, including Westminster and Santa Ana, in the Los Angeles federal court for segregating their children. The case became known as the *Mendez v. Westminster School District*. The Mendez's counsel, David Marcus, a Los Angeles attorney was sought and funded by the League of United Latin American Citizens (LULAC). Marcus argued in court for desegregation of California's schools "on the grounds that perpetuation of school admissions on the basis of race or nationality violated the Fifth and Fourteenth Amendments of the National Constitution." In response, the defendants argued that Mexican children were unfit and incapable to attend the "Anglo" school.

The defense claimed that the Mexican American children possessed contagious diseases, had poor moral habits, were inferior in their personal hygiene, spoke only Spanish and lacked English speaking skills. Thus, the children are unqualified to attend Anglo schools and facilities. Despite much opposition from the Anglo Orange County community and school districts, in 1946, federal judge Paul J. McCormick ruled in favor of Mendezes and the plaintiffs. McCormick found that "the segregation of Mexican Americans in public schools was a violation of the state law" and unconstitutional under the Fourteenth Amendment because of the denial of due process and equal protection.³ Thus, McCormick struck down systematic segregation in public schools in California.

Shortly after Judge McCormick's ruling, in April of 1947 the defense sought to appeal the decision claiming the federal court did not have the authority in this matter. Simultaneously, the plaintiffs bulked up on their representation for the Court of Appeals proceeding. With financial support from LULAC and continued legal representation from Marcus, the plaintiffs counsel included support from several multiracial organizations, such as, the National Association for the Advancement of Colored People, American Jewish Congress, American Civil Liberties Union, and the Japanese American Citizens League. Interestingly,

NAACP Attorney Thurgood Marshall honed his skills in the *Mendez* case as he would later pursue desegregation for African Americans in the *Brown v. the Board of Education* (1954) in seven years.

Successfully, the legal dream team of the Mendezes defeated the defense as the Court of Appeals supported Judge McCormick's earlier decision which claimed the segregation of Mexican American children violated the Fourteenth Amendment. McCormick's decision ushered in the end of segregation and a new bill, entitled "The Anderson Bill." The Bill passed the California Assembly and the Senate and was signed into law by California Governor Earl Warren in June of 1947. By September of 1947, Mexican American children were able to attend integrated schools in Orange County. The *Mendez v. Westminster School District* case broke down legalized segregation and illuminated conditions of systematic racism and discrimination which was prevalent not only in California but the rest of the country.

1 "'Before 'Brown v. The Board of Education.'" *Claudio Sanchez*. Natl. Public Radio. 22 Mar. 2004. 30 Aug. 2007, <http://www.npr.org/templates/story/story.php?storyId=1784243>.

2. "A History of Mexican American Schools in California." Historic Sites. 17 Nov. 2004. 30 Aug. 2007, http://www.nps.gov/history/history/online_books/5views/5views5h99.htm

3 Ruiz, Vicki. "We Tell Our Children They are Americans." *The Brown Quarterly*. 6:3 (2004) 30 Aug. 2007, <http://brownboard.org/brwnqurt/06-3>.

Felicitas and Gonzalo Mendez photo source:http://www.chicano.ucla.edu/center/events/052104_mendez.html

School children photo source: <http://www.npr.org/templates/story/story.php?Id=1784243>

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