Educational Inequality: Race, Schools and Urban Development in Phoenix; 1968-1982

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Candidate Declaration

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1. I have not been enrolled for another award of the University, or other academic or professional organisation, whilst undertaking my research degree.
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Abstract

This thesis argues that to understand why bilingual education did not achieve its aims, the program must be analysed within an urban history context of residential and school segregation in Phoenix. When passed by Congress in 1968, the Bilingual Education Act (BEA) was considered the signature civil rights achievement for Latinos of that era. Ten years later, bilingual education was increasingly considered ineffectual and failed to effect a meaningful change in the attainment gap between Latinos and their Anglo classmates, as was the main objective of the BEA 1968.

By focusing upon Phoenix, Arizona between 1968 and 1982, this thesis argues that bilingual education and the place of Mexican Americans in the southwest was fundamentally contested in ways that historians have not fully captured in previous works. This thesis contributes to knowledge by showing that unlike in other Sunbelt locations, in Arizona bilingual education was opposed by conservative politicians throughout this period and its survival remained uncertain. Although hopes for accessing the opportunities granted by Great Society legislation were curtailed by this opposition, it was a series of urban development, school site selection and school desegregation policies which undermined the effectiveness of Phoenix schools in ways that bilingual education could not remedy. These policies created an unequal metropolitan landscape that was reflected in the increasingly racially imbalanced enrolments in Phoenix schools. Ultimately, they caused the closure of inner-city high schools and, by 1982, the creation of a thirty square mile radius without a school.

This narrative of underlying discrimination against Mexican Americans also contributes to knowledge by challenging the contemporary marketing of Phoenix as a modern, racially tolerant city. In many cases, Mexican Americans were subject to many of the same prejudiced practices that African Americans were subject to in other Sunbelt cities. Yet, some Mexican American public figures were able to escape the worst excesses of racism. This thesis, therefore, examines the complex environment in which Mexican American racial identities evolved during this period, as the community attempted to navigate the challenges of race-

making state practices and the opportunities that the introduction of bilingual education brought with it.

Contents

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Introduction

It is often said that Arizona has become ground zero in contemporary battles over immigration, nationhood and citizenship.[1] An increase in the Latino population, who constituted 31 per cent of the state's inhabitants by 2014, has made Latinos so prominent as to provoke continual speculation about a possible change to the state's political orientation in presidential elections.[2] This is juxtaposed against recent hostilities in the state's politics over immigration and control of the border, one flashpoint being Arizona's Support Our Law Enforcement and Safe Neighbourhoods Act of 2010, otherwise known as SB 1070. Amongst the Act's provision was a requirement that police check the immigration status of people they reasonably believe to have entered the country illegally.[3] Critics of the Act, including President Obama, argued that it enabled large scale racial profiling of Latinos in Arizona, regardless of immigration or citizenship status, and encouraged abuses of police powers.[4] Another flashpoint occurred in 2012. Tom Horne, Arizona Superintendent of Public Instruction intervened to eliminate a Mexican American Studies program in Tucson Unified High School District, an action that, according to the U.S. District Court Judge who heard subsequent litigation, was 'motived by racial animus'.[5] These perceptions of Arizona were solidified in 2017 by President Donald J. Trump's decision to hold a political rally in Phoenix to escape intense criticism of his response to the murder a woman in Charlottesville, Virginia, by a far right extremist.[6]

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[1] A recent selection includes: 'Can Donald Trump Win? These Battleground Regions Will Decide', *New York Times*, 29/05/2016'; 'Is This the Year Arizona Turns Blue?', *The Atlantic*, 28/09/2016; 'The Myth of the Latino Vote', *The Atlantic*, 01/09/2012; 'Can Latinos Swing Arizona?', *The New Yorker*, 01/08/2016; 'Raging Arizona', *The New Yorker*, 28/05/2012.

[2] 'U.S. Latino Population Growth and Dispersion Has Slowed Since Onset of the Great Recession', Pew Research Center, accessed: http://www.pewhispanic.org/2016/09/08/4-ranking-the-latino-population-in-the-states/;

[3] Of the Bill's four provisions, the Court struck down three because they infringed upon the federal government's responsibility for immigration policy. The controversial 'show me your papers' element, which required police to arrest and detain anyone who they believe has committed a crime and who they think is in the country illegally, until their immigration status could be verified, was upheld. *Arizona v. United States*, 567 U.S. 387 (2012).

[4] 'On the Campaign Trail, Obama and Romney React to the Justices Decision', *New York Times*, 25/06/2012.

[5] *Gonzalez v. Douglas*, 410 U.S. 623 (2017); 'How One Law Banning Ethnic Studies Led to Its Rise', *The Atlantic*, 19/07/2015.

[6] 'At Rally, Trump Blames Media for Country's Deepening Divisions', *New York Times*, 22/08/2017.

Some scholars have interpreted the above events, amongst others, as evidence that the U.S. is in a state of national 'White Backlash' against Latinos.[7] These analyses typically trace a coarsening of the climate for Latinos to the resurgence of anti-immigrant political campaigns in the early 1990s. The election of Sheriff Joe Arpaio as Sheriff of Maricopa county - the county in which Phoenix is located and, which, according to the 2010 Census, had a population of 3,800,000 - initiated a hard line approach to law enforcement that was often disproportionately targeted at Latinos. Arpaio was first elected in 1992.[8] Two years later, Pete Wilson won a Gubernatorial Election in California with a campaign that contained virulently anti-immigrant themes. A Ballot Initiative that year restricted undocumented people from accessing public services. These events underscored the perennially contested place of Latinos in the U.S. Since the nineteenth century, Latinos have been subject to discriminatory practices that questioned their citizenship, limited their voting rights and access to public services, and confined them to deprived neighbourhoods. In the chapters that follow, this dissertation will show a jagged trajectory of progress for Latinos, in which moments of advancement were often preceded and followed by reversals. These trends suggest that the backlash thesis has events in the incorrect order. Moments of progress, such as the federal Bilingual Education Act of 1968, were rare exceptions in contrast to an ongoing history of marginalization as a result of state action.

Whilst media attention was consumed by skirmishes over immigration enforcement in Arizona, a little noticed report by researchers at Arizona State University highlighted the continued achievement gap between Latinos and white pupils in the state's schools. The report noted that 69 per cent of Latinos graduated from high school in 2009 after completing four years of study. The corresponding number for white students was 83 per cent. Between 2000 and 2011, Latino students had scored approximately 50 points lower in the SAT mean scores compared with their white counterparts.[9] The underachievement of Latino children

[7] Marissa Abrajano and Zoltan L. Hajnal, *White Backlash: Immigration, Race, and American Politics* (Princeton, NJ: Princeton University Press, 2015).
[8] United States Census, (2010), QuickFacts Maricopa County, accessed: https://www.census.gov/quickfacts/fact/table/maricopacountyarizona/PST045217

[9] Bill Hart and C.J. Eisenbarth Hager, 'Dropped? Latino Education and Arizona's Economic Future', *Arizona State University Morrison Institute for Public Policy* (Apr., 2012), pp. 1-38. Accessed: https://morrisoninstitute.asu.edu/sites/default/files/content/products/Dropped_2012.pdf p. 24-25.

had concerned politicians and policymakers during the 1960s, eventually prompting action. Members of the U.S. Congress introduced legislation that would enable school districts to fund bilingual education programs, the preferred pedagogical method for reducing disparities between Latinos and Anglos. State politicians in Arizona introduced a local version of the Bill, widening the opportunities for schools to introduce bilingual education programs. The failure to eradicate the Latino education gap was based upon a myriad of factors, not least the eventual outlawing by plebiscite in 2000 of bilingual education in Arizonan schools. Whilst recognising the difficulties of pursuing educational equality and the limitations of bilingual education as a pedagogical method, this thesis will argue that the desired effects of the Bilingual Education Act were not realised because many Mexican Americans in Arizona were not able to access new opportunities granted under the legislation.

The central contribution of this dissertation is to analyse the issue of Latino educational achievement within the full context of its surrounding urban environment. In particular, this thesis demonstrates the effects of municipal development policies that have previously been considered separately, upon the pursuit of educational equality in Phoenix. As a result, although bilingual education programs were surprisingly resilient at a federal level - surviving beyond the initial Great Society period and expanded under more conservative administrations - they were unable to remedy the unequal standing of Latinos and Anglos in the classroom. This was because of the deeply entrenched levels of metropolitan inequality in Phoenix caused by decades of discriminatory urban development policies. Yet, at a time when historic injustices were being addressed through legislation, court orders, and remedial measures, policymakers in Phoenix introduced a series of policies that remade inequality in the post-Civil Rights era. These interventions included policies that governed where new housing could be built, the selection of sites for new schools, and school finance regulations. Alongside these, education officials refused to take action to reduce levels of segregation in Phoenix's schools. The combined effect was to fuse white, middle class economic interests with racial discrimination against non-whites, to prioritize suburban neighbourhoods over inner city areas, and to subordinate the demands of non-whites for school desegregation measures to the feelings of Anglo parents.

There are, however, scholars who have presented alternative theories to explain why bilingual education did not reduce educational inequality. One such scholar is Jennifer Hochschild, who highlights the importance of class in explaining why education failed to equalise opportunities for students from different racial backgrounds. By this argument, 'sustained and serious disagreements over educational policy' could not be resolved due to the 'fundamental paradox' inherent within the American Dream which pitted the interests of the privileged few against the collective good of all students.[10] Whilst in theory this ideology promoted the right of everyone to pursue success, in reality, those who succeeded tended to belong to the middle and upper classes. It was these students whose parents could afford houses in areas with better schools or could use their resources to improve the schools in their neighbourhood. These advantages provided the recipients with a head start, whilst 'other children [fell] behind through no fault of their own.' According to Hochschild, this disparity made it difficult to equalize opportunities across generations as some were committed to using their wealth or power to secure the individual success of their children. If ever there was a choice between the individual success of their offspring or wider community improvement, parents often chose their own children. More than any other factor, the ability of affluent Americans to utilise the benefits of class to secure further advantages for their children represented 'almost insurmountable barriers' which explain the limited effectiveness of efforts to achieve educational equality.[11]

The impact of class can also be seen in other urban changes in this era. For example, Hochschild suggests that issues with the integration of new immigrant groups into contemporary U.S. society could have stemmed from a lack of opportunities to progress socially. As immigrants struggled to accumulate wealth and status, they became increasing less able, or willing, to assimilate with a city's way of life. [12] Others have argued class as a factor drove the increased stratification of Phoenix; this resulted from its post-war business elite crafting a new political economy prioritising high-skilled manufacturing over service

[10] Jennifer Hochschild, *The American Dream and the Public Schools* (Oxford: Oxford University Press, 2003), p. 2.
[11] Ibid.
[12] Jennifer Hochschild, *Facing up to the American Dream: Race, Class, and the Soul of the Nation* (Princeton, NJ: Princeton University Press, 1995), p. 233 – 236.

industries, which may have attracted low skilled immigrant labour.[13] Further, in many of the debates around housing development and school finance, there is evidence that affluent residents in suburban Phoenix sought to protect the advantages of their community at the expense of a more equal distribution of wealth and opportunity across the city. Yet, class alone, or as the primary explanation, cannot account for the wide-ranging and systematic manner in which opportunities for Mexican Americans who lived in urban Phoenix were circumscribed by the use of municipal and state power in the period this thesis encompasses. Nor does class fully capture the manner in which the geography of the city had become imbued with racial associations by the mid-1970s. Therefore, by situating bilingual education within a broader metropolitan history spanning multiple areas of public policy, this study highlights the social costs of development, education and school administration policies within Phoenix. As a result, this thesis argues that race was central to the remaking of inequality within the city after 1968.

Bilingual Education

When the federal Bilingual Education Act was signed into law by President Lyndon Baines Johnson, it was uncontroversial and had attracted significant bipartisan support. Kenzo Sung asked how bilingual education obtained the support of both Johnson and his successor Richard Nixon, particularly 'during an era most often remembered for highly politicized divides over both federal education and civil rights policies?'[14] He argued that the answer lay in Derick Bell's theory of issue convergence. The late 1960s was a time when policymakers of both political parties and Latino activists coalesced around the issue of reducing rates of poverty amongst Latinos. Bilingual education was not, at that time, imbued with conflicts over race and culture, which enabled 'policymakers and Latino activists [to focus] . . . on the economic struggles of Latinos who were moving into cities and, unable to find jobs, falling into poverty.'[15] Others such as Ruben Donato, Guadalupe San Miguel Jr., and Maritza De La

[13] Elizabeth Tandy Shermer, *Sunbelt Capitalism: Phoenix and the Transformation of American Politics* (Philadelphia, PA: University of Pennsylvania Press, 2013) p. 1 – 17.
[14] Kenzo K. Sung, '"Accentuate the Positive Eliminate the Negative": Hegemonic Interest Convergence, Racialization of Latino Poverty, and the 1968 Bilingual Education Act', *Peabody Journal of Education*, Vol. 92, No. 3 (Jun., 2017), pp. 302-321. p. 303.
[15] Ibid., p. 308.

Trinidad, have emphasised the importance of Latino activists who organised within the southwest and caught the attention of legislators who wanted to seem responsive to social movements.[16] Others have questioned the influence of Latino activists as an explanation for the passage of bilingual education legislation. Gareth Davies argued that the main reason for President Nixon's support was an opportunistic calculation about the electoral potential of adding Latinos to the Republican coalition in the southwest. John D. Skrentny made a similar argument, highlighting a letter that Sen. Barry Goldwater (R-AZ) sent to President Nixon in January 1969 to urge that the President appear responsive to Latino concerns because their votes were available to the GOP.[17]

Once the policy was established, it was surprisingly resilient, enduring throughout the Nixon Presidency and expanded by Congress in 1974. Davies argued that bilingual education's survival and subsequent expansion was in large part a result of 'bureaucratic entrepreneurship' at the Office for Civil Rights. Director Stanley J. Pottinger's 1970 memo to school districts with more than 5 per cent national origin minority group students was an example of this concept in action. Pottinger issued new regulations to combat 'common practices which have the effect of denying equality of educational opportunity to Spanish – surnamed pupils'. The memo was issued to over a thousand school districts responsible for the education of 3.7 million children. It stipulated that affirmative steps must be taken to rectify language deficiencies if they are prohibiting national origin-minority group children from effective participation in classes. The provisions of the memo were upheld by the U.S. Supreme court in the landmark *Lau v. Nichols* case of 1974, which affirmed the rights of language minorities to access bilingual instruction programs. Davies argued that the memo showed that 'the administrators at OCR were setting the pace for the judges, rather than

[16] Ruben Donato, *The Other Struggle for Equal Schools: Mexican Americans During the Civil Rights Era* (New York City, NY: State University of New York Press, 1997); Guadalupe San Miguel Jr., *Contested Policy: The Rise and Fall of Federal Bilingual Education in the United States, 1960-2001* (Denton, TX: University of North Texas Press, 2004); Maritza De La Trinidad, 'Mexican Americans and the Push for Culturally Relevant Education: The Bilinugal Education Movement in Tucson, 1958-1969', *History of Education*, Vol. 44, No. 3, pp.316-338; Maritza De La Trinidad, Collective Outrage: Mexican American Activism and the Quest for Educational Equality and Reform, 1950-1990. PhD Dissertation (The University of Arizona, 2013).

[17] Gareth Davies, *See Government Grow: Education Politics from Johnson to Reagan* (Lawrence, KS: The University Press of Kansas, 2007); Gareth Davies, 'The Great Society after Johnson: The Case of Bilingual Education', *The Journal of American History*, Vol. 88, No.2. pp.1405-1429; John D. Skrentny, *The Minority Rights Revolution (*Cambridge, MA: The Belknap Press of Harvard University, 2002) p. 1.

responding to their rulings (as the Johnson administration had responded to desegregation guidelines)'. [18]

Much less is known about the implementation of bilingual education at a local level, and its fate into the 1970s. Natalia Mehlman Petrzela argued that bilingual education had bipartisan support in California. Conservative figures such as the Superintendent of Public Instruction, Max Rafferty, and Governor Ronald Reagan were enthusiastic about the program and oversaw its introduction.[19] Conversely, Mark Brilliant has argued that Reagan supported bilingual education because the program required concentrations of language minority students and, therefore, its potential to circumvent desegregation measures.[20] However, Petrzela found that support for bilingual education dissipated as it became associated with radical politics following the Mexican American school protests in Los Angeles. Opposition to the program solidified during the mid-to-late 1970s as critics of the programs questioned its educational effectiveness and criticised it as an example of big government frivolity. Petrzela indicates that the experience 'on the ground' in California was mixed. Bilingual education engendered fierce opposition, which she argued was an important factor in the success of the Proposition 13 tax limitation referendum. Evidence that the program was improving the educational performance of Latinos was also inconclusive. Yet, she argued, '[t]his opposition notwithstanding, Latino children in 1970s California clearly benefitted from an energetic and evolving policy framework', much of which was the product of organic innovation by local educators.[21] On the other hand, Ruben Donato's study of the implementation of bilingual education in California, stressed how white parents organised grassroots resistance to the bilingual education classes, which they considered to be a threat to their children.[22]

[18] Gareth Davies, 'The Great Society after Johnson: The Case of Bilingual Education', *The Journal of American History*, Vol. 88, No. 4 (Mar., 2002), pp.1405-1429, p. 1420-1421.
[19] Natalia Mehlman Petrzela, *Classroom Wars: Language, Sex, and the Making of Modern Political Culture* (New York, NY: Oxford University Press, 2015).
[20] Mark Brilliant, *The Color of America Has Changed: How Racial Diversity Shaped Civil Rights Reform in California, 1941-1978* (Oxford: Oxford University Press, 2010).
[21] Natalia Mehlman Petrzela, *Classroom Wars*, p. 78.
[22] In his study, Donato anonymised his data and source material, referring to the location as 'Brownfield', a fictional place. Individual actors are also not referred to by name, limiting the book's use for connecting the experiences of different school jurisdictions' trying to implement bilingual education. Ruben Donato, *The Other Struggle for Equal Schools: Mexican Americans During the Civil Rights Era* (Albany, NY: State University of New York Press, 1997).

The question of whether bilingual education was an effective method for reducing the attainment gap between Latinos and Anglos has been also been taken up by other scholars such as Jennifer Hochschild. In particular, she questions whether the program's pedagogical method of teaching students in separate classrooms based upon language ability was 'educationally best for students'.[23] Ultimately, she concludes that separating students on these grounds created barriers between them, reduced classroom diversity and stymied opportunities for mutual learning experiences. This type of schooling 'also too easily turns into second-class education for some, as it did in the case of racial segregation'.[24] The second chapter of this thesis will build upon these interpretations and expand the historiography of bilingual education by chronicling the policy history of bilingual education at the state and local level. It will show that although new rights to language education were granted by the federal government, students in Arizona relied upon strong state funded bilingual provision to access classes. Ultimately, what was a fiercely contested political and policy conflict in the late 1960s became well established in the educational infrastructure of the state.

Although seemingly a pedagogical intervention of limited scope, the introduction of bilingual education ignited wide ranging debates about the position of Mexican Americans in U.S. society. These encompassed not only the importance of bilingual instruction to educational attainment, but also issues such as cultural pride, Spanish language use, and the opportunity to obtain more visible political positions. Some public figures celebrated the introduction of bilingual education, and the corresponding removal of English-Only laws, because it represented a fundamental change to a polity that had circumscribed the lives of Mexican Americans. Other supportive interventions focussed on the merits of bilingual education as a pedagogical tool for improving educational performance. These Mexican American public figures praised it as an overdue program for reducing poverty amongst Latinos.

Yet, as the first two chapters demonstrate, these opinions were not universally held. The events, speeches, articles and letters through which this discourse took place reveal there were differing views, and often significant divisions, amongst Mexican Americans to a far

[23] Ibid., p. 2; p.135.
[24] Jennifer Hochschild, *The American Dream*, p. 135.

greater extent than previously recognized. These events exposed divisions about the efficacy of bilingual education as a strategy for achieving progress on economic and civil rights. Despite previous perceptions of unity amongst Mexican Americans, the experience in Phoenix demonstrates that many were sceptical of bilingual education, and an emerging Chicano politics, arguing instead that civil rights progress would only be attained by assimilating more fully into American society, rather than through what they considered to be separatist methods. Dissenting opinions were not confined to the margins of debate or Mexican American communities. In Arizona, they were expressed most notably by Eugene Marin, a member of the Republican Governor's administration and arguably the most powerful Mexican American in the state at that time.

Despite initial enthusiasm that the program would reduce the disparity between Mexican American and Anglo students, by the early 1970s, some who had previously supported the policy began to highlight its flaws. Mexican American critics were disappointed that the policy had not met their expectations as a remedy for the attainment gap. Others cited arguments similar to those made by Marin about bilingual education placing students at odds with mainstream U.S. society. Yet supporters remained, with some even advocating for the introduction of a wider and more radical, bilingual-bicultural method. Collectively, these debates complicate our understanding of Mexican American politics in this period, indicating that old arguments about assimilationism versus Chicano politics remained, as well as newer ones about the methods of achieving educational equality.

Whilst this dissertation highlights the negotiation of identity by Mexican Americans in the late 1960s and 1970s, it mainly focuses on the extent of the state's power to circumscribe and racialize Mexican Americans through municipal political decisions. A prominent method for interpreting conflicts over Spanish language use and the representation of Mexican cultures is Renato Rosaldo's and William Flores's formulation of 'Cultural Citizenship'. They defined the concept as demands by Mexican Americans for the rights of full citizenship whilst maintaining a cultural difference from the Anglo mainstream. In particular:

'The right to be different (in terms of race, ethnicity, or native language) with respect to the norms of the dominant national community, without compromising one's right to belong, in

the sense of participating in the nation-state's democratic processes. The enduring exclusions of the color line often deny full citizenship to Latinos and other people of color. From the point of view of subordinate communities, cultural citizenship offers the possibility of legitimizing demands made in the struggle to enfranchise themselves. These demands can range from legal, political and economic issues to matters of human dignity, well-being, and respect.'[25]

Yet, as Aihwa Ong argued, Rosaldo's formulation of cultural citizenship 'gives the erroneous impression that cultural citizenship can be unilaterally constructed and that immigrant or minority groups can escape the cultural inscription of state power and other forms of regulation that define the modalities of belonging.' Ong stated that greater emphasis needed to be placed on the subject-making capacities of the nation state and civil society, in contrast to Rosaldo's over-reliance on self-making processes of constructing cultural citizenship.[26] Eric V. Meeks applied Flores's and Rosaldo's formulation in his study of minority groups in Arizona, with some effort to reconcile Ong's criticisms. Meeks highlighted some instances of the state's subject-making powers in Arizona, as well as the methods of resistance Mexicans and Indians developed in response. He argued that Indians and Mexicans were 'border citizens' both because of their positions at the margins of the polity and because they were redefining what it meant to be a member of the U.S. nation state in the borderland. Meeks charts a general trajectory of racial identities being fluid at the start of the 20th century but calcifying over the course of the century.[27] Whilst this thesis is broadly in agreement with that trajectory, the sections that discuss urban development, school finance and school construction apply these theories to new policy areas. As a result, these chapters add detail to the theories of Flores, Ong and Meeks by showing the depth of the subject making power of the state, even at a municipal level, and that the consequence of many municipal policies was to define Latinos as a racialized non-white Other.

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[25] Renato Rosaldo and William V. Flores, 'Identity, Conflict and Evolving Latino Communities: Cultural Citizenship in San Jose, California,' IN: *Latino Cultural Citizenship: Claiming Identity, Space, and Rights*, ed. William V. Flores and Rina Benmayor (Boston, MA: Beacon Press, 1997) p. 57.

[26] Ong addresses her criticisms to an earlier article by Renato Rosaldo but one in which she makes the same argument. Aihwa Ong, 'Cultural Citizenship as Subject-Making: Immigrant Negotiate Racial and Cultural Boundaries in the United States', *Current Anthropology*, Vol. 37, No. 5 (Dec., 1996), pp. 737-762. p. 737-738; Renato Rosaldo, 'Cultural Citizenship in San Jose, California', *PoLar: Political and Legal Anthropology Review*, Vol. 17, No.2 (1994), pp. 57-63.

[27] Eric V. Meeks, *Border Citizens: The Making of Indians, Mexicans, and Anglos in Arizona* (Austin, TX: The University of Texas Press, 2007) p. 1-12.

Phoenix

The postwar history of Phoenix was a microcosm of several important trends that transformed national politics and society in the U.S. These included exponential population and residential growth, which enabled the city to be a popular destination for people relocating from the urban north and Midwest to the Sunbelt southwest. This was accompanied by the pursuit of a new model of political economy that prioritised high tech and high wage industries over a traditional manufacturing base. These trends were evident in other Sunbelt metropolitan centres such as Charlotte and Atlanta, where historians have also chronicled extensive discrimination against African Americans. Phoenix is distinctive because it provides an opportunity to examine these trends but in a location with a large Mexican American population, in addition to a small number of African American inhabitants. Examining these trends will enable this thesis to make distinctive contributions not only, as indicated above, to the historiography of education policy but also those of Sunbelt metropolitan development, and Mexican American racial formation.

In the early years of the twentieth century, Phoenix was a small railroad town, with an economy composed mainly of agriculture, mining and tourism. By the 1930s, Phoenix had become the second largest city in the southwest but it was in the post-war years that the city became a major metropolitan centre of national significance. In 1940, Phoenix had a population of 65,000 residents, by 1960, it had reached 440,000 and by 1980 it had reached 780,000.[28] In the two decades following World War II, Phoenix's economy was transformed into a major centre for defence industries, modern electronics, and research and development. The city's boosters were able to persuade corporations such as Motorola and Sperry Rand to open plants. Historian Elizabeth Shermer has shown that it was these boosters, or 'grasstops' as she called them, who made the city's growth possible. They were a cohort of local businessmen who were hostile to the expansion of the state under the New Deal and interested in attracting new industry to Phoenix, diversifying the local economy beyond an agricultural and mining base. This generation of businessmen, lawyers, financial services

[28] Elizabeth Tandy Shermer, *Sunbelt Capitalism,* p. 1; Bradford Luckingham, *Phoenix: The History of a Southwestern Metropolis* (Tucson, AZ: University of Arizona Press, 1989) p. 195.

workers, and media men organised through the Phoenix Chamber of Commerce to challenge the burgeoning New Deal state in Arizona.

Perhaps the most significant means through which 'grasstops' exerted their influence upon Phoenix was via the Charter Government Committee (CGC). The Committee was created in response to the maladministration, corruption and factionalism of Democratic Party leaders in Phoenix City Council. In response, CGC selected a slate of candidates for the 1949 municipal elections in Phoenix and dissolved thereafter. Their reforms included the introduction of an at-large voting system that elected the Mayor and the Council based on citywide returns. The new voting system reduced the power of non-white residents in pockets of the city who could, under a district system, elect a candidate to represent their interests. The CGC was resurrected approximately three months before each election to Phoenix City Council for the next twenty years. They chose candidates from professional occupations to enact an ostensibly non-partisan agenda of the city's best interests rather than pursue partisan favour or advantage. CGC-backed candidates were mostly white males who resided in the north Phoenix suburbs. The CGC was the dominant force in Phoenix politics between 1949 and the early 1970s; none of the candidates it endorsed were defeated. Several influential politicians such as Barry Goldwater migrated from the CGC to leading roles in the Arizonan GOP and national Republican Party politics. As Phoenix was the state capital, it also served as the centre of state Republican politics. Under the direction of these men, the city expanded by 170 square miles, which meant that by 1960, two thirds of the county's population lived within Phoenix's jurisdiction, up from one third in 1940. Similar to other municipalities, the city's expansion was achieved through an aggressive annexation policy of incorporating surrounding areas.[29]

CGC politicians and other private sector boosters worked hard to market Phoenix as a modern city that was distinctive to other Sunbelt metropolitan centres. This perception was reflected in one contemporary account that remarked that 'Phoenix proclaims itself, with the glare of

[29] Philip VanderMeer, *Desert Visions and the Making of Phoenix: 1860 -2009* (Albuquerque, NM: University of New Mexico Press, 2010); Bradford Luckingham, *Phoenix*, Elizabeth Tandy Shermer, *Sunbelt Capitalism*.

chrome and glass, new and contemporary.'[30] Similarly, Elizabeth Shermer wrote that Phoenix boosters comprising 'retailers, bankers, lawyers, and newsmen began a concerted effort to transform Phoenix into a modern metropolis'.[31] This model of modernity was based entirely upon technological and economic progress, without an accompanying social or racial liberalism that Richard Florida later observed in ascendant metropolises.[32] State and Municipal leaders remained committed to pro-business policies of low rates of taxation, limited regulation and reducing the power of organized labour, while expressing limited interest in the Great Society's racial justice agenda.

By the 1960s, CGC candidates retained a firm grip on the institutions of political power in Phoenix and the ideology established by grasstops in the 1940s remained pre-eminent. As Shermer argued, a central element in the ascendancy of Barry Goldwater and Phoenix grasstops was opposition to the expansion of the state under the New Deal. This politics was more complex than a simple, anti-statist rejection of government spending. Instead, they held a more nuanced view of the state as a facilitator of a business-friendly environment to attract private sector investment. Their view of the role of state was further complicated by its expansion in size despite the rhetoric commitments to the contrary by grasstops.[33]

By the late 1960s and early 1970s, these views appear to have hardened. Accompanying the rejection of the Great Society racial justice agenda, was a deeper anti-statist opposition to the use of government funds for social programs aimed at the poor and racial minorities. Later chapters of this thesis show that, by the 1970s, opposition to government social programs became deeply ingrained and created barriers for social reform. Initially, this anti-statism was evident in the hostility towards bilingual education exhibited by conservative politicians who opposed its introduction, sought to narrow its scope and later lobbied for its curtailment. Yet,

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[30] Michael Barone and Grant, Ujifusa, *The Almanac of American Politics 1982: The President, the Senators, the Governors: Their Records and Election Results, Their States and Districts* (Barone & Company, Washington, D.C., 1981). p. 30.

[31] Shermer's work is concerned primarily with political economy and makes limited mention of the racial politics of the CGC. Elizabeth Tandy Shermer, 'Origins of the Conservative Ascendancy: Barry Goldwater's Early Senate Career and the De-legitimization of Organized Labor', *The Journal of American History*, (Dec., 2008), Vol. 95 (3), pp.678-709. p. 686.

[32] Richard Florida, *The Rise of the Creative Class . . . and how it's transforming work, leisure, community, & everyday life* (New York, NY: Basic Books, 1st Ed., 2002).

[33] Shermer, *Sunbelt Capitalism*, p. 1 – 17, 93.

anti-statism was also a barrier to reform in other policy areas, such as urban development, school finance and school construction. The effect was to narrow the contours of debate without consideration of alternative policy proposals that may have reduced, rather than remade, metropolitan inequality in the decade after 1968.

This thesis argues that the main Great Society program targeted at Latinos, bilingual education, was contested by Republicans in Arizona, a contrast from other states in the southwest, where GOP politicians were more accommodating. Several historians have considered the relationship between Republicans in Arizona and local Mexican Americans. Michaela Ann Larkin in particular argued that GOP politicians sought the support of local Mexican American voters by displaying posters written in Spanish and adopting election platforms that were most attentive to Mexican American concerns.[34] It is, however, important to distinguish between electioneering and the policies pursued by Republican politicians in Phoenix. This study examines the consequences of policies pursued by Republican politicians and their effects over the course of a decade to avoid the often misleading focus on election cycles occurring every four years. As a result, the following chapters challenge Larkin's notion that the Arizonan GOP was hospitable to Mexican Americans, instead showing that the state remained politically conservative on racial issues. These chapters will also argue that Republican politicians consistently enacted policies that aimed to maintain the advantages of Anglo inhabitants at the expense of Mexican Americans. These trends were particularly true in housing and urban development policy, as later chapters will show.

Between 1950 and the early 1960s, several trends reshaped the landscape of metropolitan Phoenix. Housing stock was remade entirely as 67,000 homes, encompassing 85 per cent of new housing construction, were built in outlying areas.[35] Nicholas Di Taranto stated that 31,000 homes were built in North Phoenix, backed by Federal Housing Association (FHA) loans, agreed on terms that excluded African Americans and Mexican Americans. These trends also altered the distribution of the population: fully 80 per cent of the city's residents

[34] Michaela Anne Larkin, 'Southwestern Strategy: Mexican Americans and Republican Politics in the Arizona Borderlands', pp. 66-86, In: Elizabeth Tandy Shermer eds., *Barry Goldwater and the Remaking of the American Political Landscape* (Tucson, AZ: The University of Arizona Press, 2013).
[35] Andrew Needham, *Power Lines: Phoenix and the Making of the Modern Southwest* (Princeton, NJ: Princeton University Press, 2014). p. 85.

lived north of Van Buren St., the line of demarcation between north Phoenix and the inner city. During the same period, the density of neighbourhoods in Phoenix decreased from 6,000 to 2,000 people per square mile, precipitating the hollowing out of the inner city.[36] However, by the late 1960s, the CGC's power had begun to wane and the forces that had propelled the CGC to unbridled success were dissipating. For example, as the city's population expanded to 581,000 in 1970, the at-large voting system became untenable. Divergent interest groups demanded different priorities from the Council and increasingly visible minority rights groups challenged the ability of elite political actors to impose their will on non-white groups whilst remaining unresponsive to their demands.[37]

Despite analyzing the growth of the city and the political forces that enabled it, historians have yet to fully capture the social costs of Phoenix's development model. Andrew Needham highlighted the environmental costs of the city's need for cheap electricity to power air conditioning units, without which Phoenix would have been an altogether less appealing location for prospective residents. The growth of metropolitan Phoenix required inordinate quantities of coal reserves and coal plants on the Navajo Reservation, north of the city. Power plants and distribution lines disrupted the reservation, mining techniques polluted the lands and Navajos lived in poverty, all in the service of consumers in Phoenix.[38] Although Pete Dimas examined how the decision to expand Phoenix Sky Harbor Airport effected residents of the Golden Gate Barrio in south Phoenix, he did not capture the range of ways planning decisions adversely impacted Mexican Americans.[39]

Both African Americans and Mexican Americans were excluded from new housing developments in north Phoenix; borrowing for home improvements was restricted by the assumptions of private sector lenders who refused to grant loans to inner city applicants. Yet,

[36] Nicholas Di Taranto, 'Phoenix and the Fight over the Papgo-Inner Loop: Race, Class, and the Making of a Suburban Metropolis, 1969-1979.' *Journal of Urban History*, OnlineFirst, (Jun., 2017), pp. 1-19, p. 1-3; VanderMeer, Desert Visions, p174-179; Amy Bridges, *Morning Glories: Municipal Reform in the Southwest* (Princeton, NJ: Princeton University Press, 1997), p. 154-155.

[37] Philip VanderMeer, *Desert Visions,* p. 125 – 135; Amy Bridges, *Morning Glories,* p. 171, 178; Elizabeth Tandy Shermer, *Sunbelt Capitalism*, p. 71-116.

[38] Andrew Needham, *Power Lines : Phoenix and the Making of the Modern Southwest* (Princeton, NJ: Princeton University Press, 2014).

[39] Pete R. Dimas, *Progress and a Mexican American Community's Struggle for Existence: Phoenix's Golden Gate Barrio* (New York, NY: Peter Lang, 1999).

boosters in Phoenix often contrasted the city with other metropolitan centres in the North and Midwest such as Chicago or Detroit. Unlike these regions, Phoenix was not beholden to a patronage based political machine or political commitments to working class neighbourhoods with heavy industries. Phoenix boosters marketed themselves, and sought to attract new corporate investment, on the basis that it was a modern Sunbelt centre. Shermer argued that boosters 'never publicly declared themselves against investment that relied on an immigrant, low-skill, or low-wage labor pool'. Instead they designed their model of political economy to appeal to Anglo suburban families who shared the elite's predilections. 'This kind of industrial recruitment also protected their reputation for moderate civil rights policies, even in a city with well-defined color lines.'[40]

How did this fit with regional patterns? One set of observers of U.S. politics remarked at the time that 'Phoenix is one of those instant cities that lie in what Kevin Phillips calls the Sun Belt.'[41] Recent works in the field of metropolitan, and political history have expanded our understanding of the Sunbelt and its significance to U.S. political trends in the post-war era. Elizabeth Shermer argued that several metropolitan areas across the south and southwest exhibited similar characteristics, justifying their categorization as a single Sunbelt region.

'The Sunbelt was at one time a distinct region, which included those southern and southwestern metropolises that transcended their region's old commodity-based economies and traditional power structures. Such cities included Atlanta, Austin, Charlotte, Dallas-Fort Worth, Denver, Houston, Las Vegas, Los Angeles, Memphis, Miami, Phoenix, Raleigh-Durham, Reston, San Diego and San Jose.'[42]

Historians have, however, disputed the analytical utility of the concept of a Sunbelt for understanding the transformation of U.S. politics in the post-war years. The title of a recent review asked *Is There a Sunbelt After All? And Should We Care?* [43] The idea of a 'Sun Belt

[40] Elizabeth Tandy Shermer, *Sunbelt Capitalism*, p. 4
[41] Michael Barone, Grant Ujifusa and Douglas Matthews, *The Almanac of American Politics: The Senators, the Representatives – their records, states and districts, 1974* (Gambit: Boston, 1972), p. 29.
[42] Elizabeth Tandy Shermer, *Sunbelt Capitalism*, p. 10.
[43] Rachel Guberman, 'Is There a Sunbelt After All? And Should We Care?' [Review of Sunbelt Rising: The Politics of Space, Place, and Region by Michelle Nickerson and Darren Dochuk eds; Sunbelt Capitalism: Phoenix and

Phenomenon' was introduced into the popular and scholarly lexicon by Kevin Phillips in his 1969 book *The Emerging Republican Majority*. Phillips had worked on Richard Nixon's 1968 presidential campaign and following Nixon's victory he analysed what the results meant for the future of American politics. Phillips argued that a realignment was underway that would end the electoral potency of the New Deal Order, replacing it with a coalition of the white middle-classes who had moved from the Northeast and Midwest to live in the suburbs of the 'Florida-California Sun Country.' This pattern of migration would create 'a new conservative political era in the South, Southwest and Heartland.'[44] Drawn to the warm climate, low cost of living, employment opportunities in high tech industry and commerce, a significant number of the American middle class relocated to the south and southwest, a geographic region that Phillips defined as 'best exemplified by California, Arizona, Florida, and Texas'.[45]

In recent years, scholars have resurrected the idea of a Sunbelt to explain the emergence of a new model of political economy, which reshaped modern U.S. politics and society.[46] Others, however, have disagreed. For example, Andrew Highsmith argued that '[i]n reality, though, neither the Rust Belt nor the Sunbelt has ever been a coherent geographic region.'[47] This dissertation accepts that the Sunbelt has limitations as an analytical concept. Despite the differences between individual metropolitan regions, there was a governing ethos and attributes that marked cities of the south and southwest as distinctive from those in the urban north. On the question of race, the differences between the Sunbelt and other areas are less clear. Despite the marketing of several cities as being free of racial tension - in the case of

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the Transformation of American Politics by Elizabeth Tandy Shermer; Desert Visions and the Making of Phoenix by Philip VanderMeer], *Journal of Urban History*, Vol. 41, No. 6, (Nov., 2015) pp. 1166-1174.

[44] Kevin Phillips, *The Emerging Republican Majority* (New Rochelle, NY: Arlington House, 1969) p. 436-438.

[45] Ibid. p. 438.

[46] A volume edited by Michelle Nickerson and Darren Dochuk refocused attention on the Sunbelt. Matthew Lassiter also used the concept to challenge conventional wisdom about the nature of the Southern Strategy, arguing the southward migration of northern Republicans to Sunbelt suburbs was the decisive element in the south's transformation into a Republican stronghold. Michelle Nickerson and Darren Dochuk, eds., *Sunbelt Rising: The Politics of Space, Place, and Region* (Philadelphia, PA: University of Pennsylvania Press, 2011); Matthew Lassiter, *The Silent Majority: Suburban Politics in the Sunbelt South* (Princeton, NJ: Princeton University Press, 2006);

[47] Andrew Highsmith, *Demolition Means Progress: Flint, Michigan, and the Fate of the American Metropolis* (Chicago, IL: University of Chicago Press, 2015), p. 15.

Atlanta, as Kevin Kruse has shown, this was based upon the phrase 'the City Too Busy to Hate' - racial segregation was prevalent throughout the U.S.[48]

There is an absence in the Sunbelt literature, and metropolitan history more broadly, of studies that examine the experiences of Mexican Americans. Apart from a small number of exceptions, Sunbelt histories have focused upon segregation, desegregation and resistance, defined by a division between a white majority and African American minority.[49] Recent works that have placed Phoenix in a Sunbelt regional context have largely overlooked the relationship between the city's model of political economy and the city's largest racial minority group, Mexican Americans. Yet, perhaps the economic dynamism of Phoenix and the perception that it was a modern place because it developed an economic model based on hi tech industries, masked the social and racial inequalities in the city. Despite a voluminous Sunbelt literature, there has been little historical consideration of Mexican American experiences and how municipal administrations in the Sunbelt governed metropolises with a significant Mexican American population.

The position of Mexican Americans in the southwest had been fluid and uncertain since the Treaty of Guadalupe Hidalgo in 1848. Under the terms of the Treaty, anyone living in the ceded or annexed territory could remain a Mexican citizen or become an American citizen after a year. Laura Gomez argued that the collective naturalization of Mexicans meant that they were legally defined as white citizens.[50] Yet, Mexicans and Mexican Americans were socially constructed as a non-white race and subject to discriminatory practises. In his study of Mexican Americans, African Americans, and poor whites in the central Texas cotton industry, Neil Foley demonstrated the ambiguity of Mexican Americans' racial status, and the

[48] Tom Sugrue and Andrew Highsmith have shown that Detroit and Flint respectively, both in Michigan, had levels of segregation caused by similar state action to that of Sunbelt metropolises. Kruse, *White Flight: Atlanta and the Making of Modern Conservatism* (Princeton, NJ: Princeton University Press, 2005), p. 3; Thomas Sugrue, *Origins of the Urban Crisis: Race and Inequality in Postwar Detroit* (Princeton, NJ: Princeton University Press, 1998); Highsmith, *Demolition Means Progress*.

[49] Ruben Donato and Guadalupe San Miguel Jr.'s volumes, although not explicitly engaging with the Sunbelt synthesis, examine desegregation involving Mexican Americans and Anglos in the southwest. Ruben Donato, *The Other Struggle*; Guadalupe San Miguel Jr., *Brown, Not White: School Integration and the Chicano Movement in Houston* (Houston, TX: University of Houston Press, 2001).

[50] Laura E. Gomez, *Manifest Destinies: The Making of the Mexican American Race* (New York, NY: NYU Press, 2008) p. 83-85.

racial formation processes that shaped it. Mexican Americans, he argued, 'walked the color line'. A large number were recruited to work in the agricultural sector but were viewed by Anglos in Texas as being non-white and not able assimilate into mainstream society. Over time, Foley observed that many Mexican Americans were situated in a middle ground, not considered white enough to be equal with Anglos but spared the worst abuses of the Jim Crow south.[51] Being classified as legally white, whilst simultaneously being subject to processes of racialized exclusion, has complicated historical perceptions of Mexican Americans' lived experiences. Whether Mexican Americans were subject to de jure or de facto segregation is unclear, something that the experience of Phoenix typifies. For example, in 1909, the school board introduced a policy of educating African Americans at a separate, segregated, institution. The policy was upheld by the Arizona State Supreme Court in 1912; in their ruling the court cited the prevailing 'separate but equal' standard of the time. Eastlake and Ninth Avenue elementary schools served all African American enrolments. Arizona law stipulated that once a high school had more than 25 students of 'African descent', a district could vote to establish a separate school for them to attend. Phoenix decided to introduce segregated high schooling, beginning with an annex on the campus of PUHS in 1925, and then a separate institution, George Washington Carver School, from 1926. These conditions persisted until 1953, when the Arizona Supreme Court ordered schools to desegregate.[52] Mexican Americans were often educated in separate classrooms and sometimes separate buildings during this period, although this was based more upon informal methods than established legal doctrine. Bradford Luckingham has shown that Mexican Americans in Phoenix were also segregated in theatres, swimming pools and restaurants. Local lending institutions refused to grant loans to Mexican Americans, whilst '[f]ederal policies and loans also failed to encourage decent single-family housing development in poor neighborhoods; the government preferred to invest in new suburban house construction.'[53] As a result, many Mexican Americans lacked the mobility to relocate to other areas of Phoenix. In 1970, there were 81,239 Mexican Americans in the Phoenix metropolitan area, although many were

[51] Neil Foley, *The White Scourge: Mexicans, Blacks, and Poor Whites in Texas Cotton Culture* (Berkeley, CA: University of California Press, 1998) p. 13, 212-213.
[52] Phillip VanderMeer, *Desert Visions*, p. 64; Bradford Luckingham, *Phoenix*, p. 98;
[53] Bradford Luckingham, *Minorities in Phoenix: A Profile of Mexican American, Chinese American, and African American Communities, 1860-1992* (Tucson, AZ: The University of Arizona Press, 1994) p. 48-51.

agricultural workers residing in the open spaces at the city's periphery.[54] The majority of Mexican Americans who lived within the urban core, resided in some of the city's most deprived neighbourhoods with the highest rates of poverty. Inner city and south Phoenix areas were often chosen as sites for heavy and polluting industries by political and business elites who wished to keep suburban areas free of unseemly environmental practises. This led one group of scholars to argue that '[s]ocio-spatial discrimination against Latinos was more pronounced in Phoenix than other Southwestern cities in the region that originated as Spanish colonial and Mexican settlements.'[55]

In the 1970s, politicians in Phoenix blamed continued residential segregation and disparities between Mexican Americans and Anglos on de facto segregation. However, recent works by historians have questioned whether de facto segregation emanated from the natural functions of private housing markets and whether a meaningful distinction can be made between events in the south from events elsewhere. The notion of de facto segregation originated in discourse during the civil rights era to distinguish between segregation in the south, considered to be de jure, and that of other regions, considered de facto. Education officials in Phoenix, similar to their counterparts in the north, utilised this defence, arguing segregation was derived from individual actions in private markets such as housing. This was in comparison to de jure segregation, which was formally enshrined in law. A distinction between two types of segregation was reinforced by the U.S. Congress in the Civil Rights Act of 1964. The Act stated that 'desegregation shall not mean the assignment of students to public schools in order to overcome racial imbalance.'[56] The Supreme Court supported this premise in the 1970 case of *Swann v. Charlotte-Mecklenberg County*. Matthew Lassiter argued that the emergence of a

'race-neutral defense of segregated neighborhood schools, in combination with the political backlash against the open-housing movement, exposed the hard truth that a national

[54] Ibid., p. 65.

[55] Bob, Bolin, Sara, Grineski, and Timothy, Collins, 'The Geography of Despair: Environmental Racism and the Making of South Phoenix, Arizona, USA', Human Ecology Review, Vol. 12, No. 2, (2005), pp. 156-168. p. 161.

[56] Civil Rights Act of 1964, Pub.L. 88-352, 78 Stat. 241 (1964).

consensus for substantial racial integration had never existed, beyond the difficult enough struggle to intervene against the worst excesses of Jim Crow in the South.[57]'

This powerful national mythology that de facto segregation was an unavoidable consequence of free markets, enabled education officials and policymakers in Phoenix to avoid meaningful action to reduce racial inequality in the city.

One starting point for this thesis is Lassiter's critique of de facto segregation. A rich scholarship has since taken up Lassiter's call to deconstruct the de facto / de jure framework, which he argued was a social and political construct that did little to identify the state action that shaped private markets.[58] Historians have identified a myriad of intentional public policies that segregated neighbourhoods, whilst restricting non-whites ability to access housing in suburbs throughout the U.S. Similar to metropolitan areas throughout the U.S., the Federal Housing Administration (FHA) subsidised housing construction in Phoenix. Their regulations caused segregated neighbourhoods to proliferate by prioritizing the construction of single-family dwellings in suburban areas, as opposed to funding renovations or the construction of multi-unit properties, more likely to be found in urban areas. The FHA lending manual discouraged the underwriting of loans for properties in integrated areas on the basis that racially mixed neighbourhoods were a threat to property valuations. [59] In *American Babylon*, Robert Self argued that historians should analyse urban and suburban areas together, and the ways they shaped each other, as part of a metropolitan framework. Other historians have followed, highlighting that patterns of relocation considered to be white flight were often motivated as much by pull factors offered by the suburbs as much as push factors

[57] Matthew Lassiter, 'De Jure/De Facto Segregation: The Long Shadow of a National Myth,' IN: *The Myth of Southern Exceptionalism*, ed. Matthew Lassiter and Joseph Crespino (New York, NY: Oxford University Press, 2010) p. 37-38.
[58] Ibid., p. 28.
[59] Key works on segregation and suburbanization: Kenneth Jackson, *Crabgrass Frontier: The Suburbanization of the United States* (New York, NY: Oxford University Press, 1985); Arnold Hirsch, *Making the Second Ghetto: Race and Housing in Chicago, 1940-1960* (Chicago, IL: University of Chicago Press, 1998); Thomas Sugrue, *The Origins of the Urban Crisis: Race and Inequality in Postwar Detroit* (Princeton, NJ,: Princeton University Press, 1998); David Freund, *Colored Property: State Policy and White Racial Politics in Suburban America* (Chicago, IL: University of Chicago Press, 2010); Kevin Kruse and Thomas Sugrue, eds., *The New Suburban History* (Chicago, IL: University of Chicago Press, 2006)

away from urban areas.[60] Yet, until recently, this literature largely overlooked the role of schools in metropolitan development, which ensured the persistence of several inaccurate understandings about the relationships between schools, housing and segregation. Ansley Erickson argued that although the notion of de facto segregation in housing has been dispelled by scholars, it remained influential in how scholars understood the causes of segregation. Erickson argued that this obscured the relationship between schools, housing, and segregation. As a result, scholars have failed to understand the importance of issues such as school site selection and the drawing of attendance boundaries to deepen both neighbourhood and school segregation.[61]

Several recent works have begun to integrate schooling into metropolitan histories, demonstrating as Andrew Highsmith argued, that 'segregation in the modern United States has virtually always proceeded from some combination of statutory and legal requirements, the discriminatory administration or implementation of public policies and programs, and popular forces.'[62] In her book, *Making the Unequal Metropolis*, Erickson demonstrated that discussions about school desegregation remedies focused upon appeasing white interests. She concluded that 'local school and municipal officials alongside federal officials and judges repeatedly made choices about desegregation that privileged suburban, usually white schools and communities and undermined urban, usually black schools and communities.'[63]

In combination, the scholars mentioned above have created a sophisticated body of literature that has vastly expanded historical understandings of metropolitan areas, the processes of segregation that made these places unequal, and contests over desegregation efforts.

[60] Robert Self, *American Babylon: Race and the Struggle for Postwar Oakland* (Princeton, NJ: Princeton University Press, 2003); Kevin Kruse, *White Flight: Atlanta and the Making of Modern Atlanta* (Princeton, NJ: Princeton University Press, 2005); Matthew Lassiter, *The Silent Majority: Suburban Politics in the Sunbelt South* (Princeton, NJ: Princeton University Press, 2006); Becky Nicolaides, *My Blue Heaven: Life and Politics in the Working Class Suburbs of Los Angeles, 1920-1965* (Chicago, IL: Chicago University Press, 2002).
[61] Ansley Erickson, 'Building Inequality: The Spatial Organization of Schooling in Nashville, Tennessee, after Brown', *Journal of Urban History*, Vol. 38, No.2 (Mar., 2012) pp.247-270. p. 247-249.
[62] Andrew Highsmith*, Demolition Means Progress: Flint, Michigan, and the Fate of the American Metropolis* (Chicago, IL: University of Chicago Press, 2015) p. 8; Another important work to situate schooling within metropolitan history is Emily Straus, *The Death of the Suburban Dream: Race and Schools in Compton, California* (Philadelphia, PA: University of Pennsylvania, 2014).
[63] Ansley Erickson, *Making the Unequal Metropolis: School Desegregation and Its Limits* (Chicago, IL: The University of Chicago Press, 2016) p. 1-19.

However, scholars have typically examined locations where discrimination has been perpetuated by a dominant white population upon an African American minority. There is no extensive study that has applied these methods and insights to a population centre containing a high number of Mexican American inhabitants. Although several studies of Mexican Americans published in the early 1990s can be categorised as urban histories, they mostly explore the early twentieth century.[64] Yet, these studies are bereft of the new methods such as Ansley Erickson's identification of the importance of schools to local economic and political interests. These are important innovations for the study of education in metropolitan regions, and applying these methods to Phoenix will provide a more sophisticated understanding of the lived experience of Mexican Americans in the city. This study also demonstrates how the methods that circumscribed the lives of African Americans in places such as Detroit, Oakland, Atlanta, Charlotte, and Miami, amongst others, were utilised in Phoenix, despite efforts to market the city as being distinct from the south and urban north. The experience of Phoenix in the 1970s also brings greater clarity to the idea of Mexican Americans as a racial group situated in between African Americans and whites. Mexican Americans were, to adapt a term from Aihwa Ong, subjected to browning processes that distinguished them as a non-white group, separate from the Anglo suburban middle class and elite.[65]

Methods

This thesis utilises different historical methods to understand the politics of education, urban history and the racial formation of Mexican Americans in Phoenix during the 1970s. All of the following chapters deploy, at least in part, methods conventionally associated with political and policy history to understand the development of bilingual education. These are most prevalent in the first two chapters but as the first chapter also discusses internal Mexican

[64] Two key texts include: George, J. Sanchez, *Becoming Mexican American: Ethnicity, Culture, and Identity in Chicano Los Angeles: 1900 – 1945* (Oxford: Oxford University Press, 1993); Zaragosa Vargas, *Proletarians of the North: A History of Mexican Industrial Workers in Detroit and the Midwest, 1917-1933* (Berkeley, CA: University of California Press, 1999). A more recent example is Lilia Fernandez's study, which examines the effects of Mexican and Puerto Rican migration upon postwar Chicago. Lilia Fernandez, *Brown in the Windy City: Mexicans and Puerto Ricans in Postwar Chicago* (Chicago, IL: University of Chicago Press, 2012).
[65] Aihwa Ong, 'Cultural Citizenship as Subject Making: Immigrant Negotiate Racial and Cultural Boundaries in the United States', *Current Anthropology*, Vol. 37, No. 5 (Dec., 1996), pp. 737-762.

American political thought it draws from methods developed in the fields of racial and ethnic history. One of the main arguments that this thesis makes is that studies with a singular focus upon bilingual education have not captured the range of forces that influenced Mexican American educational attainment and, therefore, deliver an incomplete assessment of the policy. The third chapter of this study introduces methods from urban history to highlight how metropolitan development in Phoenix was orchestrated through a combination of state action in Phoenix City Council and non-state actors such as real estate brokers. In combination, they shaped the composition of neighbourhoods and in turn the composition of school enrolments. Urban history methods are expanded in chapter four, to include a discussion of school site selection. Similar studies of a particular metropolitan region have focussed upon the actions and policies of a single institution of state power. This is often a municipal body such as a City Council, sometimes with analyses of how it interacted with the institutions of the surrounding county. This study differs from the model used by scholars of metropolitan histories. Instead, it adopts a holistic approach that simultaneously examines multiple institutions that shaped the lives and experiences of Mexican Americans. Moving between decisions made at federal, state, and local levels enables a comprehensive understanding of how a policy initiative such as bilingual education was both enhanced and undermined by different institutions of state power.

The first chapter begins by focusing upon the actions of the federal government, whose imprint upon this study is apparent in two ways: firstly, through its enactment of a federal Bilingual Education Act; secondly, through guidelines it published about where schools should be constructed, which were highly influential upon municipal decisions about the location of new schools. Although these actions were years apart, and by different branches of the federal government, both were catalysts for change in state and local institutions. As a result, this thesis then examines the role of the state government of Arizona and the Arizona Legislature, both of which were critical elements in the introduction of bilingual education programs to more than just a handful of students in Arizonan public schools. Within Arizona, there is a diffuse structure of governance with multiple bodies responsible for the different elements of public policy that this study examines. For example, decisions about the resources available for schools to implement language instruction were taken by state level authorities; spending appropriations by the Arizona Legislature and administration decisions

by the Arizona Department of Education. Under the Arizona Constitution, the Governor has little executive authority, meaning that its occupant was required to rule through consensus or the bully pulpit. In the case of bilingual education, both Governors Williams and Castro could only express an opinion on the policy because they had no power to unilaterally introduce the program in Arizonan schools. The implementation of bilingual education was also influenced by a number of state and local education bodies. This study also examines the importance of the State Superintendent of Public Instruction and the State Board of Education to the implementation of bilingual education. To fully understand other decisions that shaped the lives and educational performance of Mexican Americans, this study examined decisions made by municipal level institutions such as Phoenix City Council and Phoenix Union High School District (PUHSD). The Council's decisions had a significant impact upon where housing was developed and where schools were constructed. The PUHSD Board made decisions that curtailed the influence of educational remedies that could have equalized the effects of discriminatory neighbourhood construction policies. On occasion, this study also examines the actions of individual school boards, especially PUHS. To fully understand the effects of bilingual education, its limits, and the continued attainment gap between Mexican Americans and Anglos, different layers of government must be integrated into a single study in this way.

Source material

Examining different institutions presented significant evidentiary challenges. The state of Arizona has weak laws governing the collection and archiving of government documents. This means that the official archives in the state capitol are less than comprehensive and records of the Arizona Legislature are extremely limited. Although there are significant records from Phoenix City Council up until 1965, information on the period that followed is partial. In order to understand the forces that shaped the city's politics between 1968-1980, required a piecing together of records held across different archival collections. The chapters that follow are based on archival materials from the Arizona State Archives, multiple archives at Arizona State University, and the Arizona Historical Society. As a result of limited information about the internal deliberative processes of Phoenix City Council, this thesis can rely only on the Council's eventual decisions and its publications. This makes motive difficult to discern and means that the chapter that focuses extensively on Council urban development policy draws

conclusions from the nature of the Council from the content of its decisions. Analyses of the PUHSD and The State Board of Education are based upon materials drawn from the papers of Governor Jack Williams in the Arizona State Archives and the unprocessed collection of Carolyn Warner papers at Arizona State University. Although these materials provide an incomplete account of the PUHSD Board, they do provide an important insight into the decisions of a highly influential institution at a time when decisions about educational remedies were made. Where necessary, this thesis has used newspaper accounts to fill the gaps left by incomplete archival records. Often PUHSD decisions were taken at public meetings or arguments about its future were made as part of public discourse, meaning that there are substantial records of public remarks by key figures. In particular, chapter 5, which considers the PUHSD board's approach to the policy questions of busing and open enrolment, makes significant use of newspaper sources from the Arizona Republic.

A theme of every chapter in this thesis is to highlight the depth of discrimination against Mexican Americans and its prevalence as a force in Phoenix politics. It is, however, important to define the type of racial discrimination that the following chapters chronicle. There is little evidence of political figures or policymakers expressing overtly prejudicial statements. Although there were some instances of public officials and newspaper editorials expressing the kind of racial panic about a changing of American demographics or culture, it was not a common component of the city's political discourse. Instead, this thesis argues that public policy, and the private real estate practices they shaped, prioritized Anglo interests and sought to maintain the advantages they had accrued over previous generations. Yet, it was no less insidious than the visceral racism which has attracted much scholarly attention.[66]

As a result, this thesis is not focused upon correcting mistaken historical interpretations but connecting previously the separate historiographies of bilingual education, urban development and school segregation, to show their relevance to each other. Scholars in these

[66] Dan T. Carter, *The Politics of Rage: George Wallace, the Origins of the New Conservatism, and the Transformation of American Politics* (New York, 1995); Dan T. Carter, *From George Wallace to Newt Gingrich: Race in the Conservative Counterrevolution, 1963-1994* (Baton Rouge, LA: Louisiana State University Press, 1996); Thomas B. Edsall and Mary D. Edsall, *Chain Reaction: The Impact of Race, Rights, and taxes on American Politics* (New York, NY: W.W. Norton, 1991); Jonathan Rieder, *Canarsie: The Jews and Italians of Brooklyn against Liberalism* (Cambridge, MA: Harvard University Press, 1985); Ronald Formisano, *Boston against Busing: Race, Class, and Ethnicity in the 1960s and 1970s* (Chapel Hill, NC: University of North Carolina Press, 1994).

fields, many of them cited in subsequent paragraphs discussing historiographical interpretations, have produced seminal works that this thesis does not seek to dispute. It aims instead to take the historiographies of education, urban development and race, particularly as it relates to Mexican American racial formation, in new directions by considering source materials in a particular political and geographic context that scholars have not previously examined in extensive detail.

Terminology

With regard to terminology, I follow Natalia Mehlman Petrzela's formulation of using 'white' interchangeably with 'Anglo', which has a regionally specific meaning in the southwest. I mainly use 'Mexican American', but sometimes intersperse with 'Latino', as Latinos in Arizona were almost entirely of Mexican origin. 'Spanish-surnamed', 'Spanish-speaking', and 'Spanish American' are used only when contemporaneous actors used them. 'Chicano' was a self-conscious political identity and I use it only when historical actors did so to refer to themselves. The term 'Hispanic' was created by U.S. Census. I use it sparingly and only when individuals did so themselves. I am sympathetic to recent efforts to adopt the term 'Latinx' or 'Latin@', as a means of challenging the gendered nature of the Spanish language. However, I do not use them in this dissertation. Instead, I adhere to the terms 'Mexican American' and 'Latino', to ensure both clarity and continuity with the historical subjects examined in my work.[67] Where a distinction between Mexican Americans and other racial groups is not possible or the subject matter is relevant to both, I use 'non-white'.

Structure of the thesis

This dissertation will proceed as follows. Chapter one examines the debates amongst Mexican Americans in Arizona about bilingual education ignited by federal legislation and protests at PUHS. The chapter shows that these debates became wider ranging than discussions about the pedagogical benefits of teaching Mexican American students in Spanish. For some,

[67] Natalia Mehlman Petrzela, *Classroom Wars,* p. 224-225; Kenzo K. Sung, '"Accentuate the Positive; Eliminate the Negative", p. 303.

bilingual education became a method of resisting and overturning over a century of Anglo domination that circumscribed the use of a language native to the area. The precursor to bilingual education was a strict English Only policy that prohibited the use of Spanish in public schools. This chapter argues that debates over the use of Spanish in schools should be understood not simply as an early skirmish in the burgeoning culture wars, but within a lineage of 'racial nationalism' that disciplined those constructed as non-white citizens until they were deemed worthy of inclusion into the polity. Its removal was, therefore, more significant than previously thought. Yet, Mexican Americans in Arizona were not a monolithic group of uniform opinion. Prominent individuals such as Eugene Marin challenged an emergent Chicano politics, complicating historical understandings of Mexican American politics and identities during the 1960s and 1970s.

Chapter Two examines the policy history of bilingual education in Arizona, beginning with its passage and continuing through the first ten years of its implementation. It shows that new rights and opportunities granted under the federal Bilingual Education Act were difficult to access for all but a small number of Mexican Americans in Phoenix. The main consequence of the Act was to end the State Legislature's inertia on the matter and pass state legislation that would enable thousands of Mexican American students to obtain language education. Unlike in California or in the U.S. Congress, there was limited bipartisan support for the program. It was contested throughout its drafting, and its survival beyond its first two years was uncertain. Governor Jack Williams and Superintendent of Public Instruction, Weldon Sofstall, both Republicans, delivered warm words about the program but little meaningful action in the face of a worsening Mexican American education attainment gap. Their decision to demur on expanding the program or introducing any other policies to remedy inequalities in education challenges the notion that the Arizona GOP took the Mexican American political agenda seriously during this period. Yet, the program became entrenched in the state education bureaucracy and expanded throughout the 1970s, by the decade's end serving over 20,000 Mexican American students in the state.

Scholars have argued that the federal Bilingual Education Act obtained bipartisan support in the U.S. Congress because of 'issue convergence' between liberal and conservative politicians on the challenge of reducing rates of poverty amongst Latinos. The experience of Arizona

questions the extent to which there was a convergence and how long it lasted. However, subsequent chapters of this thesis explore the barriers to reducing rates of poverty amongst Latinos in Phoenix, the ways that systemic inequality was created, and how interventions by the organs of municipal government remade that inequality during the early 1970s. Chapter three begins by explaining Phoenix City Council's urban development policy during the late 1960s and 1970s. It demonstrates that the end of the 1960s and early 1970s was a period of uncertainty in which Phoenix politicians and policymakers sought to retain the way of life the city had cultivated since the 1940s. They did so through a number of planning documents that indicated the Phoenix City Council Planning Department's preferences for development between 1970 and 1990. Despite clear evidence of substandard housing, high rates of poverty, and poor educational attainment in the inner city and south Phoenix areas, the Council continued to prioritise development in outlying areas of the city. Scholars have documented the wave of suburbanization during the 1940s and 1950s that reshaped urban areas across the U.S. Phoenix conformed to these patterns. But the remaking of inequality in the 1970s challenges the perception that these trends were limited to that period and highlights how policymakers were committed to preserving the Anglo advantages accrued over generations. In the post-war years, the City Council had been able to pursue its model of political economy and urban development by preventing interest groups or electoral coalitions from challenging the dominance of a business and political elite. This chapter argues that by the mid-1970s the consensus within the city about the benefits of growth and the ability of elite political figures to contain dissenting opinion had waned. Over subsequent years, members of the City Council struggled to negotiate the opposing forces of Anglo homeowner populism and minority rights groups who became increasingly vocal.

The development of the urban landscape created the general context for schooling, entrenching non-white populations in deprived neighbourhoods and reducing the revenue raising opportunities for inner city schools. Chapter Four examines two issues that had a significant impact on educational inequality in Phoenix; how schools were financed and where they were built. Schools in Arizona were funded in the most part through levies on local property owners in a school district. This model created significant disparities between districts, but this chapter argues it was the threat of Anglo homeowner populism that motivated the Arizona State Legislature to act. Debates about proposed reforms to school

finance focused on the need to reduce tax burdens on residents in suburban neighbourhoods, not the longstanding complaints of educators that the existing school finance regime caused urban schools to be at a significant disadvantage to those in outlying areas. The reforms that the Legislature eventually passed increased the role of the state government in the funding of local education, reversing longstanding doctrines about the importance of limited state intervention in education. The second half of the chapter demonstrates the instrumental role of the municipal government in decisions about where to build schools in Phoenix. Drawing upon earlier federal guidelines that prioritised the building of new schools in suburban settings, planners in Phoenix expressed preferences for future school construction to occur away from the inner city. These decisions were made in spite of evidence of overcrowding in south Phoenix and the inner city, in addition to schools in these areas being some of the oldest in PUHSD, often in a state of disrepair. This chapter shows that the experience of Phoenix aligns with Ansley Erickson's findings in Nashville, Tennessee. It concurs with her argument that the issue of school construction demonstrates how municipal government figures were influential in causing families to relocate away from the inner city, not simply responding to trends in the private housing markets. The result was to undermine inner city and south Phoenix schools, causing a funding and racial integration crisis by the end of the 1970s.

Chapter five considers debates in Phoenix about possible remedies to alleviate the increasing concentration of non-whites in inner city schools, in contrast to the overwhelmingly white north Phoenix suburbs. The chapter will demonstrate that education officials were forced to consider methods to reduce the concentration of non-white students in PUHS, North High and East High. PUHSD officials refused to countenance the use of busing to achieve racial balance. Instead, they introduced a policy of open enrolment, which removed a previous requirement that students attend the high school closest to where they lived. Open enrolment was initially supported by parents of non-white students at PUHS on the basis that it would provide the option to attend a superior school. Their support was contingent upon PUHSD funding the cost of transportation. Yet, when PUHSD announced the introduction of the policy they refused to transport of students who wished to change their enrolment. The result was to accelerate the movement of white students away from inner city schools, creating greater imbalances in the distribution of PUHSD's non-white population across its schools. This was apparent within two years of the policy's introduction but PUHSD refused

to amend open enrolment, again prioritising the demands of Anglo parents over those of non-white residents. The result of these decisions was a school closure crisis in which PUHSD officials were forced to shut inner city schools to address an ever increasing budget deficit. Ultimately, it was only the intervention of a federal court judge that ended the open enrolment program, as part of a package of reforms that included the closures of PUHS and East High. This incident, in combination with the issues discussed in preceding chapters, shows that bilingual education failed as a remedial measure to improve the educational attainment of Mexican Americans. This thesis argues that it failed because it was hampered by concurrent policies concerning urban development, school construction and finance, and a decision to pursue open enrolment over other desegregation measures such as busing.

Chapter One

Internal Mexican American Debates

In September 1969 Mexican Americans in Phoenix arranged a series of demonstrations to protest about the conditions at PUHS. Students of PUHS at that time, the largest high school in Phoenix's only high school district, were likely to be non-white or poor, often both. Fully half of the enrolment was Mexican American which meant that, in combination with African Americans, the minority enrolment of the school was almost 88 per cent of students. The school's attendance boundaries encompassed the mainly deprived South Phoenix neighbourhoods. This created challenges for the school administration. The Principal of PUHS, Robert Dye, believed that more than 50 per cent of the enrolment was from families living below the poverty line.[68] The deprivation of local neighbourhoods was such that many of the students attending PUHS struggled even to meet the costs of attending school. Such was the financial need that PUHS had been soliciting private contributions to a student welfare program, which by 1969, had received $12,000 in donations. The program provided student aid grants for bus tickets, lunch money and the cost of books. Robert Dye estimated that approximately 200 students needed lunch and/or transportation money. To serve the needs of students drawn from poverty-stricken neighbourhoods, PUHS required $30,000 in donations.[69] According to several different metrics, the education outcomes for Mexican American students were inferior to their white peers. The number of Mexican American children who entered the first grade but did not graduate from high school was estimated to be at least 50 per cent. Less than one per cent of Mexican American children beginning the first grade would go on to obtain a college degree.[70] At the time of the 1960 census, the typical Mexican American above the age of 25 had completed 7.1 years of schooling. Mexican Americans between the ages of 14 and 24 had typically completed 9.1 years of schooling. This was similar to the number obtained by African Americans (9.0 years), but both trailed Anglos who completed 12.1 school years on average. The Arizona Department of Education was also concerned about the problem of 'mental drop-outs', a categorization that applied to

[68] Peter B., Mann, 'Race for Reason: Chicanos was more action', *Arizona Republic*, 14/10/1969.
[69] 'Principal says student aid needed', *Arizona Repub*lic, 16/10/1969.
[70] 'Mexican American Educational Needs: A Report for the State Superintendent of Public Instruction', (Phoenix, 1970), Arizona State University Library, Government Documents. Np.

approximately one fifth of Mexican American children. These were students who 'attend school physically' but 'they have not achieved nor are they presently achieving a quality of education that will in all likelihood significantly improve their socio-economic condition.'[71]

This was a local manifestation of a far more general challenge. Recognising that challenge, the liberal Democrat Senator Ralph Yarlborough (D-TX) introduced the federal Bilingual Education Act of 1968 as a solution to Mexican American under-attainment in schools. The effects of the Act were, however, somewhat underwhelming, as Congress appropriated a relatively small amount of funds to the program - $7.5 million initially, which rose to $75 million within four years. Yet, as Historian Natalia Mehlman Petrzela has argued, it contained important symbolic meaning as the first federal commitment to language minorities in the U.S.[72] Whilst U.S. Senators debated the provisions of the Bilingual Education Act, Mexican Americans in Arizona considered the measure and its possible impact upon their standing within the state's politics and society. The debates raised four main arguments. The first was that bilingual education was one element in a larger strategy of enhancing bilingualism in general as a means of encouraging greater cultural and historical pride amongst Mexican Americans. Some proponents of this argument believed that bilingual instruction represented an important challenge to the state's long history of restricting Spanish use as a means of control and ensuring the dominance of English. Some of the contributors from Arizona to a study of the condition of Mexican Americans in the Southwest believed it was important for Mexican Americans to pursue the truly bilingual-bicultural society that had been curtailed by colonial conquest. This chapter argues that English Only should be considered as more than a narrow pedagogical technique. It was, instead, an instrument of a racial state that circumscribed the lives of language minorities similar to other regulations that structured labour markets, voting rights, and immigration laws. In turn, Mexican Americans in Arizona who made the above arguments demonstrated that education policy, in contrast to David Gutierrez's findings in southern California, was the formative element in shaping Mexican

[71] Ibid.

[72] Natalia Mehlman Petrzela, 'Before the Federal Bilingual Education Act: Legislation and Lived Experience in California, *Peabody Journal of Education*, (Oct., 2010), vol. 85 (4), pp. 406-424, p. 406-407; Davies, *See Government Grow*, p. 141-143; San Miguel Jr., *The Rise and Fall of Bilingual Education*, p. 28.

American identities and defining internal debates. [73] A second group made an argument most closely associated with the intentions of those who drafted the Bilingual Education Act: an instrumentalist argument that focused on the need to teach Mexican American students in Spanish to improve rates of educational attainment and enhance their career prospects.

Thirdly, the public discourse in Arizona surrounding bilingual education and minority rights included interventions from vocal detractors. One point of contention was between Mexican Americans who believed in a more accommodationist approach to racial progress, and Chicano activists who rejected the status quo, which they argued was based upon Anglo cultural hegemony. One prominent figure who advocated in favour of a more accommodationist approach was Eugene Marin. He rose from a teaching post in the Phoenix Elementary School District, which he held for 16 years to being appointed Director of the Office of Economic Opportunity in Arizona. His role in the state government made him arguably the most influential Mexican American in Arizona at that time. In 1972, Eugene Marin went on to serve as the state chairman of the Mexican American Committee to Re-elect the President, stepping down only after being appointed to a role at Arizona State University that precluded political campaigning.[74] Yet, the internal debates amongst Mexican Americans following the walkout at PUHS complicates some of the long-standing historical arguments that have defined this field for decades. One example was the perception that the Chicano activism of the 1960s and 1970s was a radical juncture from an earlier Mexican American politics of assimilation to Anglo culture and society.[75] Just as historians have since found that the rupture caused by Chicano political activism was not as dramatic as has been assumed and the previous generation were not as accommodating as scholars had previously characterized them, the survival of accommodationist thought blurs the notion of a generational divide.[76]

[73] An important revision of the idea that the supposedly Mexican American generation were categorically assimilationist is David G. Gutierrez, *Walls and Mirrors: Mexican Americans, Mexican Immigrants, and the politics of Ethnicity* (Berkeley, CA: University of California Press, 1995); Another scholar to challenge this notion was Mario T. Garcia, *Mexican Americans: Leadership, Ideology, and Identity, 1930-1960* (New Haven, CT: Yale University Press, 1989).

[74] 'Mexican-American group for Nixon gets chairman', *Arizona Republic*, 14/09/1972.

[75] Carlos Jr. Munoz, *Youth, Identity, Power: The Chicano Movement* (London: Verso, 1989).

[76] Gutierrez's *Walls and Mirrors*, is a prominent example. He argued that national discourse about immigration divided Mexican Americans in southern California, causing perennial uncertainty about ethnic identity. He also

To observe Mexican Americans in Phoenix and the emergence of political activism by self-proclaimed Chicanos, is to see that debates about what it meant to be a Mexican American were far from settled.[77] Several historians have analysed the causes of the 1969 protests and chronicled the events of the walkout.[78] Collectively, these scholars have highlighted the protests as a seminal moment for Chicanos in Phoenix, which consolidated the local Chicano movement. Yet, there is another element to these events that has not been fully examined. After the walkout by students at PUHS, internal conflicts about Mexican American identity were made public when Eugene Marin wrote a series of articles in the *Arizona Republic* ruminating on the topic. The effect was to force these topics to the forefront of discourse about Mexican American racial identity and politics. Marin was a member of the Vesta Club, an exclusive group of college graduates within Phoenix. The restrictive entry criteria for membership of the Vesta Club and their emphasis upon standards of behaviour suggests that social class mixed with a generational divide, in which older Mexican Americans advocated a more conservative racial politics than younger Chicanos, to distinguish Vesta from other Mexican Americans. Although the two groups had different politics and believed in different strategies, they both sought to improve the condition of Mexican Americans in Phoenix. Responses to Marin's articles highlighted that though these questions may have been re-ignited by the protests at PUHS and broader Chicano activism, they were still topics of uncertainty for ordinary Mexican Americans. Some wrote to Marin in response to his *Arizona Republic* articles about the dilemmas they faced in defining themselves, others expressed ambivalence. Together, they indicate that any neat categorization along generational lines of

argued that immigration policy was the most important factor that shaped the broad range of ethnic identities developed by Mexican Americans in the first half of the twentieth century.

[77] Another debate between scholars was the extent to which Mexican American identities were fluid or static entities during the twentieth century. An example of the former argument is: Zaragosa Vargas, *Proletarians of the North: A History of Mexican Industrial Workers in Detroit and the Midwest, 1917-1933* (Berkeley, CA: University of California Press, 1999); the latter: George, J. Sanchez, *Becoming Mexican American: Ethnicity, Culture, and Identity in Chicano Los Angeles: 1900 – 1945* (Oxford: Oxford University Press, 1993).

[78] Darius V. Echeverria, *Aztlan Arizona: Mexican American Educational Empowerment, 1968-1978.* (Tucson, AZ: The University of Arizona Press, 2014);
Eric V. Meeks, *Border Citizens: The Making of Indians, Mexicans, and Anglos in Arizona* (Austin, TX: University of Texas Press, 2007); Matthew C. Whitaker, *Race Work: The Rise of Civil Rights in the Urban West*. (Lincoln, NE: University of Nebraska Press, 2005); Bradford Luckingham, *Minorities in Phoenix: A Profile of Mexican American , Chinese American, and African American Communities, 1860 - 1992* (Tucson, AZ: The University of Arizona Press, 1994).

questions about what it meant to be a Mexican American is complicated by the experiences of Mexican Americans in Phoenix.

The fourth element in Mexican American public discourse during this period was a positional politics in which minority spokespersons seek public roles and status by creating agendas accentuating minority perspectives. Several of the organisers of the protests at PUHS and Mexican American activism in Phoenix subsequently sought elected office to school boards, the Arizona Legislature and the U.S. Congress. Yet both vocal organisers at PUHS, in south Phoenix, and those who sought elected office articulated a minority politics that was distinctive from other Chicano groups in the southwest. In Phoenix, Mexican American and Chicano activists challenged the Anglo status quo but they did so in a manner that was shorn of the Marxist-Leninist ideology that was central to Chicano activism in Los Angeles.[79]

Collectively, these arguments present an altogether more complex account of both internal Mexican American and Arizonan politics. It was one in which both liberals and conservatives sought to make sense of the new rights granted by the U.S. Congress. Yet, Mexican Americans and Chicanos involved in the protests at PUHS had to negotiate a contradiction that they were seemingly unaware of. Chicanos defined their politics as non-assimilationist, rejecting the Americanization programs that they believed previous generations had been more willing to accommodate. Instead, they sought to promote Mexican American cultural pride, and achieve greater public representations of their histories. Yet, they sought to achieve this through the institution of the schoolhouse, which nation states throughout the world had utilized as a tool of cultural integration since the early nineteenth century.

This chapter begins with an overview of the context surrounding the PUHS protests in 1969 and 1970. From there it explains the long history of restrictions upon the use of Spanish in Arizona before explaining, sequentially, the four points of debates listed above.

[79] Ernesto Chavez, *"¡Mi Raza Primero¡": Nationalism, Identity, and Insurgency in the Chicano Movement in Los Angeles, 1966-1978* (Berkeley, CA: University of California Press, 2002).

Phoenix Union High School

The conditions at PUHS worried education officials, who had observed other U.S. cities descend into racial strife and civil unrest throughout the 1960s. Officials were concerned that Phoenix might ignite in the event of a sufficiently powerful spark. As a result, leading members of the PUHSD Board urged other members to consider introducing reforms to improve educational opportunities for minority students and thereby forestall possible discord. When PUHS opened for the new school year in the fall of 1967, Superintendent of PUHSD, Howard Seymour, explained the pressing need for action to alleviate poverty and educational underachievement. He had been unsettled by rioting throughout the summer of 1967 in urban settings such as Newark and Detroit. Similar disturbances in south Phoenix had resulted in over 200 arrests.[80] He declared that 'It is time for action . . . Words are no longer acceptable. Groups of people throughout the nation's cities are restless, many are unemployed, many underemployed.' Seymour also connected urban civil disorder to educational underachievement amongst minority students. 'The conditions of unemployment, restricted housing and inappropriate education constitute the seedbed for violence, unrest, and active resistance.' Concerned about a possible escalation without action, he noted that Phoenix, 'although possibly better off than some cities throughout the nation, is equally vulnerable.' [81]

In August and September 1969, when a series of racial incidents occurred on the campus of PUHS, causing Mexican American students to organise protests, PUHSD leaders feared that the incidents could be a catalyst for widespread disorder. Mexican American parents arranged a march through the State Capitol for 15 September to protest the school's response, which the organisers felt had been lacklustre. The protests were organized by *Chicanos Por La Causa* (CPLC), a group of local Mexican American activists committed to achieving progress for Mexican Americans through grassroots activism. The PUHS incidents provided the group with a much-needed opportunity to publicise their demands, which included more than narrow requests related to the recent unrest. At the protest, CPLC presented a list of nine grievances. The first two demands, campus security and a better representation of Chicanos within the

[80] Bradford Luckingham*, Phoenix,* p. 178.
[81] Peter B. Mann, 'Race for Reason: Chicanos want more action', *Arizona Republic*, 14/10/1969.

school security staff, were a response to the acute crisis on the campus. Subsequent demands were fundamental objections to the schooling of Mexican Americans at PUHS. These included introducing a curriculum which better reflected Mexican and Mexican American history and culture; the hiring of more counsellors and teachers of Mexican descent; and the implementation of a more comprehensive bilingual education program.[82] The protests subsided after the PUHSD board issued a statement that re-affirmed their commitment to the education of minority students. Yet, CPLC's support of the student walkout made their relationship with PUHSD tense; in the initial months after there was little reconciliation but the protests were successful in as much as they forced those issues to be reconsidered. For example, once the pressure had dissipated, one consequence of the protests was the willingness of PUHSD officials to consult the leaders of the protests about minority student affairs. To attempt to resolve problems that had been on-going at the school for months, Dr. Richard Seymour, Chair of the PUHSD board, agreed to meet with parents in the winter of 1969. [83] However, this did little to affect long term improvements at the school.

History of Spanish restrictions

Almost exactly a year later in September 1970, Chicanos at PUHS walked out of classes once again and began a boycott of the school that would last for 23 days. Students and parents involved in the protest expressed their exasperation at having their requests for meaningful, remedial measures to address the underachievement of Mexican American students persistently overlooked.[84] The second walkout occurred during a turbulent time in Arizonan politics, as the Arizona Legislature was debating the introduction of state-funded bilingual instruction. The proposed measures would expand the availability of bilingual education in Arizonan schools, enhancing the accessibility of the program far beyond the handful of bilingual instruction programs funded by the federal government. Taken at face value, it may

[82] Patricia Adank, 'Chicano Activism in Maricopa County: Two incidents in Retrospect', [ASU Paper], unpublished manuscript, MM CHSM – 2, Chicano Research Collection;
[83] Peter B. Mann, 'Chicanos Walk Out on PUHS' *Arizona Republic*, 03/10/1969; Peter B. Mann, 'PUHS Tensions Lessening; Chicanos Hopes Lifting', *Arizona Republic,* 13/10/1969; Adank, 'Chicano Activism in Maricopa County'; Chicanos Por La Causa, Board Meeting, 12/10/1969, Rose Marie and Joe Eddie Lopez Papers, Box 9, Folder 11; Chicanos Por La Causa Board of Directors, Minutes, 01/11/1969, Rose Marie and Joe Eddie Lopez Papers, Box 9, Folder 11.
[84] Darius Echeverria, *Aztlan Arizona*, p. 42-54; Eric Meeks*, Border Citizens*, p. 194-199.

thus seem odd for Mexican Americans to organise a walkout at PUHS when one of their civil rights demands was in the process of being enacted. One explanation for the continued political conflict over bilingual education has been to categorize the issue as an early skirmish in the burgeoning culture wars.[85] Yet the experiences of Mexican Americans in Arizona is not wholly consistent with this interpretation. Instead, these demands are best understood as part of a wider, more deep-rooted contest over Spanish language use which encompassed not only a contest over culture, representation, and identity, but also one of power, citizenship and nationalism. When the PUHS protests are examined in a longer historical context they appear instead as a one element in a broader dissatisfaction amongst Mexican Americans about racial injustice, often orchestrated through the state's restrictions upon the use of Spanish. In turn, this context suggests that the English Only laws that were in effect prior to 1968 are better understood as a tool of social control, devised as part of a white supremacist racial state. Mexican American demands for the introduction of bilingual education appear not only as a tool for improving educational attainment and reducing poverty, but also as an attempt to curtail the discriminatory practices of the state that had restricted the use of Spanish for generations.

The use of Spanish in the classroom had been regulated since the opening of the first school in Phoenix in 1880.[86] Language restrictions were later codified into the State Constitution of 1912. One passage stated that 'Provisions shall be made by law for the establishment and maintenance of a system of public schools which shall be open to all the children of the State and . . . said schools shall always be conducted in English.'[87] This provision, similar to those introduced in other southwestern states, established a legal framework for the pedagogical instruction of language minorities known as English-only. The enforcement of English-only education meant that it was impermissible to instruct students with limited English proficiency in their native tongue, which meant that generations of language minority students had been educated in environments they found incomprehensible. In Arizona, the effect was to enforce English as the dominant language, impose silence upon the Mexican American child, regulate who was permitted to speak and what they were allowed to speak

[85] Natalia Mehlman Petrzela, *Classroom Wars*, p. 3 – 101.
[86] Bradford Luckingham, *Minorities in Phoenix*, p. 21-22.
[87] Arizona Constitution, Article XX, § 7.

of. The testimony of one Mexican American teacher indicates that violence continued to be used to enforce this policy in classrooms until at least 1962.[88]

Yet English-only education was just one language based measure implemented by Arizonan politicians to Americanize Mexicans and Mexican Americans. Language-based restrictions controlled access to employment, public services, citizenship and voting rights; another declaration in the Arizona Constitution stated that English was the official language of the state. Collectively, these measures acted as a mechanism of colonial conquest, denied the state's history of multilingualism, and told Mexican Americans that they lived their lives in a land of Anglos. Alongside overt restrictions, Arizona politicians also used the regulatory functions of the state to obstruct access to full citizenship. For example, in 1913, the state legislature enacted a measure that made passing an English literacy test a requirement of registering to vote and required eligible citizens 'to read the Constitution of the United States in English in such a manner as to show he is neither prompted nor reciting from memory.'[89] Since 1921, Arizona Statute had required the state government to provide citizenship classes to assist with a naturalization test.[90] By 1968 the Immigration and Naturalization Services reported that of the 50,000 aliens living in Arizona, 35,000 had been born in Mexico.[91] The test could only be taken in English and the State government did not offer any classes to assist applicants without proficient English language skills.[92]

That Arizona was one of only three states, by the late 1960s, which did not provide citizenship classes for the non-naturalized highlights the extent of the state's commitment to obstructing the full participation of Mexican Americans in the polity. At this time, Arizona was also one of only eight states to attach alienage restrictions upon social welfare provisions and the state's fifteen-year residency requirement for welfare was the harshest eligibility criterion in the country.[93] Collectively, these methods demonstrate the sustained history of state

[88] David Fitzpatrick, 'Bilingual Program a Success', *Arizona Republic*, 13/03/1972.
[89] Bradford Luckingham, *Minorities in Phoenix,* p. 49.
[90] 'Injustices in the Education of Mexican-American Children in Arizona and Recommendations for Change', 18/05/1971, Papers of Governor John R. Williams, RG1 SG20, Box 560, Folder 1.
[91] The Report and Findings of the Arizona Statewide Consultation on Mexican-American Concerns, 13/01/1968, Chicano Research Collection, ME CHI 338. p. 25.
[92] Ibid.
[93] Cybelle Fox, 'Unauthorized Welfare: The Origins of Immigrant Status Restrictions in American Social Policy', *Journal of American History*, (Mar., 2016), pp. 1051-1074. p. 1051-1053.

orchestrated marginalization of Mexicans and Mexican Americans in Arizona. All are state level examples of the racial nationalism that historian Gary Gerstle has argued was a distinctive feature of early twentieth century immigration laws and U.S. state-craft. Restrictions upon lives of immigrants were devised during a time when the introduction of a fixed land border, immigration quotas and the strengthening of deportation procedures established racialized patterns of exclusion. In particular,

'These initiatives, in combination, amounted to an extraordinary effort to reshape the nation in ways that would exclude the unwanted, reform those regarded as social and political degenerates, and punish those who continued to engage in un-American behavior.'[94]

Situating bilingual education within this historical lineage, rather than solely as an element in the culture wars, clarifies the importance of the program to Mexican American politics and its role in the Arizonan polity. One example shows how these questions of nationhood, migration, and education often fused. A letter written by Governor Jack Williams in 1967 highlights how Arizona's regulations were designed to deter Mexicans from settling in the state. A Canadian citizen wrote to him to request an explanation for his unsuccessful application to teach in a public school. The Governor noted in response that the 'statute limiting teachers or other public employees to United States citizens has been on the books for many years.' But, he explained, 'this law originated because of the influx from our neighbour to the south, inasmuch as the standard of living in Mexico is below that of Arizona and was done to protect U.S. citizens.'[95]

An apparatus of racial exclusion that was constructed whilst Arizona was a territory and consolidated in the early years of statehood endured through generations of Arizonan politics. Constant throughout the changes in personnel was a commitment to using the instruments of state power to maintain a white supremacist ideology that limited the autonomy and opportunities of non-white citizens. Arizona's adoption of language-based

[94] Gary Gerstle, *American Crucible: Race and Nation in the Twentieth Century* (Princeton, NJ: Princeton University Press, 2001). p. 91.
[95] Jack Williams to James Hazzard, *Letter*, 14/04/1967, Governor John R. Williams Papers, RG1, Box 429, Folder 2.

criteria for civic participation and access to public institutions, in conjunction with English-only education, encouraged Mexicans and Mexican Americans to dismiss or disguise aspects of cultural difference and created penalties for non-assimilation. Together, the effect of these policies was to demarcate Anglos from Latinos, who were defined as a distinctive non-white racial Other. Although both could be U.S. citizens from birth, the heritage of a Mexican American child was cast as racially inferior and their relatives depicted as a racialized threat to their Anglo classmates.[96] Yet, even as the U.S. Congress was expanding the rights of language minorities, these laws and regulations remained in place. They created a context and background for the debates elucidated in subsequent sections. Mexican Americans had contested these practises in varying forms for decades but, by the late 1960s, local activists believed that the moment for them to make tangible progress on longstanding civil rights goals had arrived.

Identity arguments

As federal and state politicians deliberated on the extension of new rights to language minorities, prominent Mexican Americans discussed their meaning and debated a new civil rights agenda. This internal discourse amongst Mexican Americans revolved around arguments about the importance of bilingual education and its centrality to a broader minority rights platform. One argument in favour of bilingual education focused on its importance as part of a broader minority rights platform that sought a larger role for Spanish in society. An example of this view was evident in the work of the Council on Spanish-American Work (COSAW); a pan-south west group whose contributors investigated the conditions Mexican Americans experienced in education, housing and employment. In January 1968, after holding public meetings with Mexican Americans in Arizona, COSAW produced two reports documenting the discrimination faced by residents of Mexican heritage. The contributors to COSAW argued that the main political priority for Mexican Americans was 'State constitutional revision to overcome Anglo and English language bias'

[96] 'Injustices in the Education of Mexican-American Children in Arizona and Recommendations for Change'; 'The Report and Findings of the Arizona Statewide Consultation on Mexican-American Concerns', 13/01/1968. Chicano Research Collection, ME CHI 338. p. 25; Natalia Mehlman Petrzela has written about a similar effect in California. Natalia Mehlman Petrzela, *Classroom Wars,* p. 3-6.

thereby improving educational opportunities and overturning the exclusionary language practices of the state. With regards to education, 'repeal of state law prohibiting bilingual instruction' was identified as the highest priority. [97]

The contributors to COSAW's reports argued that efforts to overcome the supremacy of the English language should not be restricted to education policy. Members of the consultation argued that Mexican Americans also needed to challenge the deeper level of exclusion surrounding the restriction of Spanish language use by the State government. At public meetings, Mexican Americans argued that the government had acted as the facilitator of subtler forms of discrimination. The establishment of the English language supremacy by the State Constitution and the restriction of Spanish use in the public domain cast it as the language of the Other. Yet more than this, such policies meant that even those who accepted English as the most practical language of the state, and possessed proficiency in English, still suffered discrimination. One Mexican American businessman told COSAW how he had been forced to seek additional language tuition because his 'Spanish intonation and articulation' identified him as an outsider. This, he believed, had limited his opportunity for promotion despite having a master's degree in business administration.[98]

At a time when Mexican Americans had been recognised as a distinctive minority group, the findings of COSAW's report, and the records of their public events, indicated a consensus amongst Mexican Americans about the importance of bilingual education alongside broader language policy reform. The authors of the final report believed that a cultural awakening amongst Mexican Americans was an essential first step to mobilise Mexican Americans in pursuit of their goals. They believed this could be achieved by promoting a better understanding of the history and culture of Mexican Americans amongst all Arizonans, particularly regarding the acceptance of bilingualism. There was also an indication that some were hesitant to express a more strident identity; the contributors frequently alluded to their perception that Mexican heritage was considered burdensome by some Mexican Americans.

[97] Although the reports are not comprehensive and capture only the opinions of local Mexicans and Mexican Americans who were primarily involved in civic or political organisations, they provide an interesting sampling of contemporary local Mexican American opinion. 'The Report and Findings of the Arizona Statewide Consultation on Mexican-American Concerns'. p. 25 – 28.
[98] Ibid., p. 25.

As a result, the 'improved self-image of Mexican-Americans, lifting up cultural heritage to discover better self-cultural identity' was identified as a co-dependent part of improving the community's condition.[99]

Others disputed the idea that a cultural awakening amongst Mexican Americans was a recent development. Dr Jorge Lera-Braud, Chairman of COSAW's Strategy Committee, spoke about the activities of La Raza Unida and suggested that recent Mexican American activism had deeper historical roots and was not simply ignited by the recent Civil Rights revolution. He rejected suggestions of a recent 'awakening of the Mexican American', instead arguing that the 'first manifestations' of recent activism 'began with the period following the Second World War'.[100] A gradual shift towards more confrontational racial politics was depicted as the result of multiple factors: the uncertain place of Mexican Americans within the country's racial hierarchy, the condition of housing available to Mexican Americans, the quality of the schools their children attended, the rate of dropouts from high schools and the employment opportunities, which were at least as poor as those African Americans experienced. Despite this, he argued that the availability of federal funding was limited because spending was prioritized on Great Society programs that focused upon African Americans. All of these factors, combined with the inordinate burden that Mexican Americans had been asked to bear in the Second World War, the Korean War, and the Vietnam War, meant that Mexican Americans were no longer prepared to accept substandard living conditions.[101]

In his speech, Lera-Braud criticized Mexican Americans who obscured their racial identity or opposed a more racially conscious Mexican American politics, in the process securing their affluent lifestyles whilst a significant proportion of Mexican Americans in Arizona, especially in south Phoenix neighbourhoods, lived in dilapidated housing. He argued that '[f]or some their new status proved an irresistible temptation to over-identify with the Anglo way of life, to the distress of thoughtful Mexican-Americans and Anglos alike.' Other members of Mexican American communities had fought for the advancement 'of their ethnic brethren.'

[99] Idem.
[100] The Report and Findings of the Second Arizona Statewide Consultation on Mexican-American Concerns Sponsored by the Council on Spanish-American Work, 30/10/1968. Chicano Research Collection, ME CHI 339. p. 4
[101] Ibid.

He dismissed the argument that Mexican Americans could attach themselves to the coattails of a small number of people who had achieved leadership positions in Arizona. Individuals who achieved upward mobility into professional occupations 'had not really arrived as long as the vast majority of their blood kin remained behind.'[102] Lera-Braud also interpreted being Mexican American as an inherently racial, rather than ethnic, classification, 'I will always be identified . . . as being part of that unfit minority called the Mexican-Americans.' For him, being Mexican American was not a characteristic that could be enhanced or diminished according to an individual's desire to assimilate.[103] These arguments for a larger political agenda that highlighted the importance of Spanish language use and racial pride to Mexican American socioeconomic advancement was just one part of internal discourse underway at the end of the 1960s. Yet, those who emphasised the connection of restrictions upon Spanish use to broader arguments to the state's history of racial marginalization were just one part of these debates. Others argued that bilingual education was an important civil rights objective, albeit for narrower reasons.

Instrumentalist arguments

Mexican Americans in Phoenix also made arguments in support of bilingual education as a pedagogical method which could improve Mexican American education performance and, in turn, opportunities in the labour market. Chicanos and Mexican Americans in Phoenix echoed arguments made by prominent U.S. Senators such as Ralph Yarlborough as they attempted to pass the Bilingual Education Act. He opened hearing on the topic in 1967 by warning of the 'profound shock' that Mexican American children experience when they are 'made to know in no uncertain terms that he may speak no Spanish at school. He must speak English, a language which he scarcely knows'. Yarlborough argued that the 'failure of our schools to educate Spanish-speaking students is reflected in the comparative dropout rates.'[104] Senator Paul Fannin of Arizona was equally supportive of federal bilingual education legislation,

[102] Ibid.
[103] Ibid.
[104] Ralph Yarlborough, 'Testimony, Hearings Before the Special Subcommittee on Bilingual Education of the Committee on Labor and Public Welfare'. United States Senate. 90th Congress, 1st Session. 18/05/1967. p. 1

without which the country risked a failure to utilize 'the great reservoir of untapped talent that lies dormant among children of Mexican and Spanish descent.'[105]

After receiving testimonies from Mexican Americans in Arizona, COSAW recognised the importance of bilingual education in their final reports. The use of Spanish in the classroom, and the adoption of bilingual pedagogical techniques, was the report contributor's desired method to improve the educational attainment of Mexican American students.[106] It was, however, the protesters at PUHS and the emerging Chicano movement that made instrumentalist arguments most vocally. Concerns of the Mexican American educational outcomes were one of the main grievances that caused Mexican American students to begin a protest at PUHS at the beginning of the 1969 school year. Although a small bilingual education program, funded by federal money, had been introduced earlier that year, it was insufficient to meet either the needs of students at the school or to quell their frustrations with the education system. Trouble started when a series of assaults culminated in a violent confrontation between African American and Mexican American students, which required the intervention of the police. Three days later, on 15 September 1969, an estimated 300 Chicano parents and students protested at PUHS. They were frustrated at the school's failure to make progress on longstanding requests to address Mexican American educational needs and for additional security measures at the school following the recent disturbances. Several months before the protests, Chicanos had confronted the PUHS leadership about the quality of education programs at the school. Chicanos sought assurances that 'the steering committee is supportive of a special emphasis program for dealing with minority problems for students'.[107] Alongside this, leaders of the protests hoped that it would give Mexican Americans greater visibility as a minority group and help their efforts to obtain improved opportunities in education, housing and employment.[108]

[105] Paul Fannin, 'Testimony, Hearings Before the Special Subcommittee on Bilingual Education of the Committee on Labor and Public Welfare'. United States Senate. 90th Congress, 1st Session. 18/05/1967. p. 14-16

[106] Ibid.

[107] 'To the Phoenix Union School Board, in care of Trevor Brown', Rose M. and Joe E. Lopez Papers, Box 8, Folder 4. p. 1.

[108] Peter B. Mann, 'Race to reason: Chicano protest part of improved status plan', *Arizona Republic*, 12/10/1969.

For some of the Mexican Americans involved in organising the walkout, it was a way to register their dissatisfaction with the PUHSD administration and the quality of education it provided. The organiser of the protests, Joe Eddie Lopez, indicated the primary motivation for parents was the 'ineffectiveness' of the teaching methods at PUHS and 'the basic failure of the education system'.[109] Martha Castaneda, a young adult employed in a pastoral role at PUHS known as a monitor, expressed exasperation at the failure of educational officials to make progress on Mexican American concerns. 'It's the same old hassle, year after year', she said, 'We present a list of demands, we all go and talk and nothing happens.'[110] Castaneda believed that these problems were rooted in racial politics, speaking of a 'white administration that says "Conform to our ways, speak English not Spanish, adjust to our culture and you'll come out the doors just like us."'[111] Castaneda's remarks show that some opinions amongst Mexican Americans blurred the distinction between instrumentalist arguments and those that emphasised over-turning restrictions on Spanish use as a means of redressing the long standing histories of marginalizing non-whites. There was also support for the protests amongst Mexican American teachers. The Arizona Association of Mexican-American Educators (AMAE) voted to support the boycott, ultimately arranging up to 100 teachers to teach in an alternative educational setting organised by the protest leaders. The president of the AMAE publicly stated that the organization 'seriously questioned the integrity' of PUHS officials' efforts to address the complaints made by parents during the previous fall.[112]

After the PUHS walk out, the leadership of CPLC continued to advocate for fundamental changes to the education system in Phoenix schools. However, when they could not achieve their objectives within the PUHSD structure, they sought local solutions to the deficiencies in the education Mexican American children received. Many of these initiatives focused on grassroots projects, outside recognized public institutions. One example was the barrio youth project, a non-profit charitable organization established in south Phoenix, during the autumn

[109] Joe Eddie Lopez quoted in: Albert J. Sitter, 'Half absent as Chicanos boycott PUHS', *Arizona Republic*, 13/10/1970.
[110] Martha Castaneda, quoted in: '"I just don't see any other way," monitor at PUHS says of boycott', *Arizona Republic*, 16/10/1970.
[111] Ibid.
[112] 'Mexican-American teachers vote support of PUHS boycott', Arizona Republic, 11/10/1970; Pete Bulgarin quoted in 'Mexican-American teachers vote support of PUHS boycott'.

of 1969. Participation was not exclusive to CPLC members but Joe Eddie Lopez, and others associated with Chicanos Por La Causa, were heavily involved in its creation. Lopez believed that Chicanos were 'politically powerless', concluding that the solution was to enable more Mexican Americans to obtain college level education.[113] The purpose of the Barrio Youth Project was to address some of these problems. The founders defined its two main objectives as: to 'develop and implement creative and educational programs for and by "barrio youth"; and to 'engage in research, inquiry, and investigation of the problems that confront and which particularly affect the "barrio" youth.'[114] The founders were compelled to start the project because of dissatisfaction with the education provided within mainstream schooling. Instead, they hoped that the Project would be an avenue for Mexican Americans in south Phoenix to express the educational, cultural and artistic passions that were stifled in PUHSD classrooms.

The leaders of the Project also planned a program that would be targeted at students aged 16 and 17 who they believed had been failed by the education system. One proposal for the new project included a clear explanation of how the leaders of the Barrio Youth Project, and therefore CPLC, interpreted the educational system and the accompanying institutions of power that shaped the lives of south Phoenix residents. Substantial numbers of Mexican American students, they argued, were being dismissed as lazy, lacking motivation, or mentally inhibited. Often these explanations for the attainment gap between Mexican Americans and whites portrayed Mexican American children as handicapped by the deficient cultural practices that they had inherited in the home. These explanations were being used to absolve education authorities in the City of Phoenix of 'the inability of the school to accommodate youngsters that don't fit the anticipated model the school expects from every students.' As they saw it, the population of Phoenix had changed and now included a growing population that had different needs from previous generations of students. The failure of educational officials to adapt their pedagogical methods to meet the increased number of Mexican American students in Phoenix schools had been the main cause of the difference in

[113] John H. Vesey, 'Make It Yesterday – Not Manana', Arizona Republic, 27/08/1970, Rose Marie and Joe Eddie Lopez Papers, Box 3, Folder 4.
[114] 'Articles of Incorporation of Barrio Youth Project', State of Arizona Corporation Commission, 22/04/1970, Rose Marie and Joe Eddie Lopez Papers, Box 3, Folder 13.

educational performance.[115] Leaders of the Barrio Youth Project argued that the PUHSD Board believed in the notion that Mexican Americans clacked the inherent determination required for academic success. Beliefs in racial tropes and racial inferiority, Project leaders argued, clouded public policy and dissuaded PUSHD board members from making serious interventions to improve the level of educational performance amongst Mexican American students.[116] It was for these educational reasons that many Mexican Americans argued that bilingual education should be introduced. By the end of the 1960s, it was a pedagogical method that its advocates believed could alleviate decades of underperformance in education. Its absence from mainstream schooling had caused some leaders of the PUHS protests to establish external bilingual programs through community projects. Yet, others argued that the generation of Mexican Americans who rose to prominence at this time should distinguish themselves even more clearly from previous generations.

Inter-generational arguments

Another strand of opinion, brought to the surface by the 1969 protests at PUHS, challenged Chicano radicalism and argued instead that Mexican Americans should pursue an accommodationist approach to racial progress that accepted English language hegemony. These debates demonstrate that Mexican Americans in Phoenix were not a monolithic group and that arguments made by Chicanos that Mexican Americans should adopt a strident identity-based politics were not without challenge. This view was represented by a group called the Vesta Club. Established in 1953, Vesta membership was restricted to Spanish-speaking people who had completed a four-year College degree and had not been involved in radical political activities. The organisation emphasised its public displays of patriotism by initiating new members with a ceremony which included taking the pledge of allegiance to the U.S. flag. Although these actions differentiated Vesta's politics and strategy from other Mexican American groups, its aims were often similar. Their motto 'Progress through education' typified the Club's objectives, which it supported through a scholarship

[115] Barrio Youth Project, 'Project Alternative: A Goal of the Barrio Youth Project', undated, Rose Marie and Joe Eddie Lopez Papers, Box 3, Folder 13, p. 1.
[116] *Chicanos Por La Causa Annual Report, 1978*, Chicanos Por La Causa Inc., Papers, #91-534, Box 5, p. 3

program.[117] At an annual ceremony, the Vesta Club made awards for a $8000 scholarship fund to local high school students. Recipients could use the award to fund college level study at an institution within Arizona. The annual award ceremonies included prominent local dignitaries such as the Mayor of Phoenix and the Governor of the State. The ceremonies also included a guest speaker; indeed, on one occasion, the Mayor of a neighbouring Mexican City was invited to address the Club.[118]

Similar to other Mexican American groups, Vesta believed that education was an important tool for influencing lives beyond the confines of the classroom. For example, they also sought 'to raise the standards of home life, and to bring into closer relationship the home and schools to the end that parents and teachers may cooperate more intelligently in the training of the student, and to develop by education of the general public, such united efforts as will secure all of these objectives.'[119] Vesta's exclusive membership criteria and operational methods restricted its activities to social and cultural elites within Phoenix. For example, the Club organized a series of English language talks by local university lecturers addressing themes in Mexican American culture and history. The talks took place on university campuses or local libraries and complemented a series of books that the Club published on similar topics.[120] Members of the club included locally significant individuals such as Grace Gil Olivierez, a Mexican American radio producer. Another prominent member was Eugene Marin.

In 1954, Marin was one of 35 Mexican Americans who founded the Vesta Club and served as the organization's first president.[121] Upon becoming president he explained that Vesta had been founded 'to attempt an individual effort of self-improvement.'[122] This individualist philosophy placed the Vesta Club in ideological conflict with other Mexican American

[117] Vesta Club Leaflet, 1960, Eugene Acosta Marin Papers, Box 6, Folder 4.
[118] *Talks Highlight Culture, History of Mexicans*, Eugene Acosta Marin Papers, Box 6, Folder 4.
[119] Sonora Governor to visit city, *Arizona Republic*, undated news clipping, Eugene Marin Papers, Box 7, Folder 1.
[120] Vesta Club, *The American Southwest: A Bi-Cultural Borderland*. Leaflet. undated. Eugene Acosta Marin Papers, Box 6, Folder 5.
[121] Eugene Marin, Oral Testimony, 18/10/1976, *Phoenix History Project*, Arizona Historical Society. P15-24; Charles Rayburn, 'Education Solves All Problems, Ex-Official of OEO Says', *Phoenix Gazette,* 03/03/1972; Eugene Acosta Marin Papers, Box 25, Folder 4.
[122] Eugene Marin, Statement for the Record, Hearings Before the U.S. Commission on Civil Rights, Phoenix, p. 94.

community and civil rights groups. The Club argued that progress for Mexican Americans was best achieved through the promotion of individual role models. Their strategy to overcome the unequal standing of Mexican Americans was to 'change the image, in the public eye, of the Spanish-speaking citizen.'[123] Vesta publications promoted success stories concerning Mexican Americans in reputable professions or private enterprise in response to news reports of Mexican American involvement in criminality or bad behaviour. Alongside this, Marin noted that 13 $800 scholarships had been awarded to Mexican American students who demonstrated academic excellence. The Vesta Club focused its initiatives and scholarships on improving the social mobility of a small number of individual Mexican American students, who they hoped would establish successful careers in white collar industries. While contributors to COSAW argued that Mexican Americans needed to develop a distinctive Mexican American identity, Eugene Marin avoided references to race and instead argued that '[e]ducation, therefore, of one kind or another, is the most urgent need. But it must be universal - that is, among all segments of society.'[124] Vesta Club members also argued that Mexican Americans were being held back by their public image which portrayed them as less than respectable. Vesta believed that if enough Mexican Americans with the requisite talent could enter professions such as law or medicine, then the negative public image associated with crime and poverty could be balanced, if not revised. Vesta's activities suggest that class was influential in the divergence of intra-group opinion on political priorities. The middle-class college graduates involved in Vesta prioritized supporting a handful of children with the potential to attend college and to create a new generation of Mexican American elites rather than tackling the wider inequalities that other groups sought to address.[125]

The political flashpoint of the PUHS protests brought differences between Vesta and emerging Chicano politics to the surface. After the first walkout in 1969, Eugene Marin, at that point an important figure in the Governor's administration, wrote a series of articles in the *Arizona Republic* about the protests. Marin, one of the most influential Mexican Americans in Arizona, was the State Director of the Arizona Economic Opportunity Office (AEOO); a position created after complaints that Mexican Americans were marginalized in

[123] Ibid., p. 95.
[124] Ibid.
[125] Eugene Marin, Oral Testimony, 18/10/1976, *Phoenix History Project*, Arizona Historical Society. p. 15-24

public policy decisions. Its purpose was to establish communication between government institutions and Mexican American communities in the state and as Director, Marin was a member of the Governor's office with responsibility for Mexican American affairs. One of Marin's key responsibilities was 'to assist that [sic] the Governor is sensitive to the problems and issues confronting and involving the bi-cultural, bi-lingual members of our state.'[126] Marin believed his job was primarily 'an advocacy role in [sic] behalf of the needy, the disadvantaged, and the minorities'. He reported directly to the Governor, which meant that he was 'the direct link between the people and the Governor.'[127]

In his articles Marin reflected on the progress Mexican Americans had made since the early twentieth century and criticised emerging Chicano groups that he considered to be too radical. His articles stimulated debate in the local press that demonstrated how Mexican Americans were negotiating racial politics and identity during a period of flux. In total, he published five articles, on successive days, which addressed the current state of Mexican American opportunities in education, housing, and employment. The articles, entitled 'A Challenge for Phoenix', represented a dissenting opinion in response to the emergence of Chicano political radicalism. Marin argued that Chicano activism at PUHS and broader south Phoenix disorder had created a combustible racial climate through 'law of the jungle' tactics.[128] Collectively, 'A Challenge for Phoenix' demonstrated the nuances of opinion about politics and assimilation within Mexican American communities in Phoenix. Marin's articles distinguished him from many other Mexican Americans, and the civic organisations which represented them, on the central question of what it meant to be a minority resident of the city. The articles, alongside his earlier public statements and activities with the Vesta Club, highlight that in a moment of Chicano ascendancy, when their activities at PUHS were covered extensively in the local press, the notion of a homogenous Mexican American racial politics or singular collective experience was misleading.

[126] Governor's Office on Mexican-American Affairs (job description) of Director, Eugene Acosta Marin Papers, Box 13, Folder 8
[127] Eugene Marin to Jack Williams, *Letter*, 26/01/1972, Eugene Acosta Marin Papers, Box 14, Folder 15.
[128] Eugene Acosta Marin, 'A Challenge For Phoenix - I'. *Arizona Republic*. 08/12/1969. Eugene Acosta Marin Papers, Box 26, Folder 12.

Marin was especially critical of the emergent Chicano activism in Phoenix. He dismissed their politics as impulsive and ill-thought through, especially what he considered to be their '"sudden discovery" of problems in education.'[129] He disagreed with Chicano demands for institutional change, instead urging patience for the U.S. education system that 'is the time honored "mother of all professions". He also considered CPLC to be a collection of agitators who knew only 'how to raise cain – from the streets.'[130] Yet, Marin also issued grudging praise for the walkout and Chicano activism. In particular, he noted that the ability of PUHS protesters to highlight the substandard educational experience of minorities was 'commendable' but, again, he argued that the methods of local Chicanos 'made a "jungle" out of Phoenix Union High School.'[131]

Marin argued that there was a generational divide between older, more traditional conceptions of Mexican American politics and identity, and newer interpretations embodied by mostly younger, Chicano activists. Marin believed it was incumbent on older Mexican Americans to challenge the Chicanos who organised at PUHS. The objectives of Chicanos, he argued, would create 'a self-imposed apartheid … not in keeping with the ideals of our Republic.' To countenance this, Mexican Americans must 'accept being fully participating Americans in the country they have chosen to live in'.[132] Marin maintained that younger Mexican Americans were undermining the good work of the previous generation which had secured economic and social progress in Phoenix by striving 'toward the Americanization processes which led eventually to full acceptance or assimilation.'[133] Marin's objections to the political ideology and actions of CPLC represented a fundamentally different opinion about the merits of assimilation and what it meant to be a Mexican American.

Marin rejected the new language of self-conscious political denotations and the strategy of trying to achieve social progress by situating Mexican Americans as a distinctive racial group with claims for redress in the Civil Rights revolution. 'They have made us into a new "race" of

[129] Eugene Acosta Marin, 'A Challenge For Phoenix - II'. *Arizona Republic*. 09/12/1969. Eugene Acosta Marin Papers, Box 26, Folder 12.
[130] Ibid.
[131] Ibid.
[132] Ibid.
[133] Eugene Acosta Marin, 'A Challenge For Phoenix - I'. *Arizona Republic*. 08/12/1969. Eugene Acosta Marin Papers, Box 26, Folder 12.

people – the "brown race"' Marin argued. 'They also branded us a "culturally disadvantaged" minority and, categorically, a "poor" people.' Even to call oneself a Chicano was 'a new self-denigrating appellation . . . which is found neither in the Mexican nor the Spanish language.'[134] Instead, he invoked the American story of self-reliance. Earlier generations of Mexican Americans had, in his telling, achieved social advancement through hard work and toil. Admittance to schools had been an important political priority for this generation, who he believed, would consider the act of boycotting school incomprehensible. This, he stated, was 'why that generation, feeling that the Spanish speaking community is at the threshold of advancement, finds it difficult to go along with all the new terminology: "Brown face," "Brown race," "Chicanos," "poor minority," "culturally disadvantaged groups," etc.'[135]

For Marin, it was wrong 'to blame the laws and the "system" for . . . the "horrible" situation they claim we are in'; instead, the causes of continued deprivation and the attainment gap in education were that Mexican American children did not appreciate education and lacked exposure to the 'necessary parental or home environment which almost dictates a necessary and a thirst for schooling and learning. This is still the most significant deficiency of Mexican Americans.'[136] Yet his argument was not without nuance as, on other occasions, he indicated external factors, over which Mexican Americans had little control, also influenced their educational opportunities. For example, the flight of white residents since the increase of suburban development during the 1950s, and the dismantling of segregated schooling, meant that Mexican Americans had 'lost the social intercourse with Anglo students.'[137] These trends created a 'web of the ghetto, the school authorities who either don't want to or don't know how to implement solutions, and the conflict between an up-to-now passive home environment and the militant groups that are demanding action.'[138] Despite acknowledging that some influences over lives of Mexican Americans were beyond their control, Marin still believed that social progress was best achieved without the intervention of the state or through explicit appeals as a distinctive minority group.

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[134] Ibid.
[135] Ibid.
[136] Ibid.
[137] Eugene Acosta Marin, 'A Challenge for Phoenix – III', *Arizona Republic*, 10/12/1969, Eugene Acosta Marin Papers, Box 26, Folder 12.
[138] Eugene Acosta Marin, 'A Challenge for Phoenix - IV'. *Arizona Republic*, 11/12/1969. Eugene Acosta Marin Papers, Box 26, Folder 12.

The PUHS protests raised questions about the relationship between patriotism and citizenship to Mexican American protests. Addressing this, Marin questioned the depth of support for Chicano politics, suggesting that Americanization programs were more popular than public representations. Mexican Americans, he argued, 'are not chucking out their Americanization or assimilation plans, as the militants blatantly profess to be doing.' Mexican Americans 'look with favour for the opportunity to associate with their Anglo peers.' This was in contrast to students under the direction of 'the "Chicano" leaders'. For Marin, the rejection of Americanization and the questioning of assimilation strategies was contradictory, since Chicano political demands for entry into mainstream society and improved opportunities for their children could not be reconciled 'with being full patriotic Americans.'[139] Marin also encouraged families living 'in the Phoenix Union High School ghetto area should "sell the barrio" and move out. All the tears and emotions and all the "foreign flagwaving" will not return that land to the residential status which it once enjoyed.'[140] Chicano demands for Spanish language instruction and the continued use of Spanish in private settings and recognition of Mexican American culture were dismissed as not only counterproductive but corrosive. Marin suggested 'a wholesale exodus' to other areas of Phoenix.[141]

Marin's argument connected English language use to a racially exclusive notion of citizenship. It categorized opposition to English-only as an act of disloyalty to the nation state, simultaneously depicting Spanish use as incompatible with membership of an American national community. The suggestion that Chicano political activism was incompatible with American values was the subject of multiple letters written in response to 'A Challenge for Phoenix'. Nash Armijo and Romolo Griego, Jr., writing in their capacity as League of United Latin American Citizens (LULAC) representatives challenged these themes, 'Mexican-Americans are hurt deeply by Marin's statements that they, by speaking out for their rights, are being un-American and unpatriotic.'[142] A further objection to Marin's suggestion that

[139] Ibid.
[140] Eugene Acosta Marin, 'A Challenge for Phoenix - V'. *Arizona Republic*. 12/12/1969, Eugene Acosta Marin Papers, Box 26, Folder 12.
[141] Ibid.
[142] Nash Armijo and Romolo Griego Jr., 'Marin Not Speaker for all Mexican-Americans', 03/01/1970, *Arizona Republic*, Eugene Acosta Marin Papers, Box 26, Folder 12.

activism at PUHS was unpatriotic came from Ricardo Lucero, a self-described Chicano. He asked 'Is there no alternative to America? You cannot stay and help improve the many faults, you must leave it, if you don't love it.'[143] In a longer edition of his letter published in another newspaper he argued that 'to classify yourself as Mexican-American was to Mr. Marin – unpatriotic.'[144] Another angry response to Marin's articles argued that:

'Marin is in no way considered a spokesman or leader of the Mexican American community and his articles condemning the new Chicano leadership are simply a jealous and vindictive attempt to disparage the efforts of those young and dedicated Chicanos who have demonstrated an ability and aggressiveness in leading that was sadly lacking in the so-called "leaders" of Marin's generation.'[145]

For the writer, a Chicano was someone 'who has great pride in being what he is', in contrast to, 'phony "Spanish" Americans' who, he suggested, were less committed to the maintenance of cultural heritage.

As an influential Mexican American in the State administration and the State Director of the AEOO, Marin demonstrated that officials in the political institutions of the State had little interest in pursuing reforms that would address the factors which confined Mexican Americans to the most deprived neighbourhoods and their children to the worst schools in the city. He believed that this argument was being made by Mexican Americans who 'remained out of the mainstream, of their own choosing, but many are now beginning to think it has been a clever scheme by the dominant society to keep them down and out.'[146] Marin's interventions consistently identified Mexican American cultural values as the primary cause of educational underperformance. They had avoided 'a realistic self-confrontation' of their situation and not made 'the necessary moves to accomplish their goals.'[147] Yet, for all his

[143] Ricardo M. Lucero, 'Chicano Challenges Views Set Forth by Eugene Marin', *Arizona Republic*, 22/12/1969, Eugene Acosta Marin Papers, Box 26, Folder 12.
[144] Ricardo M. Lucero 'Marin: From Innocuous to Obnoxious' *Voice of the City*, 18/12/1969, Eugene Acosta Marin Papers, Box 26, Folder 12.
[145] Edward Diaz, '" Chicano Explained"', 24/12/1969, *Arizona Republic*, Eugene Acosta Marin Papers, Box 25, Folder 3
[146] Ibid.
[147] Ibid.

harsh rhetoric, Marin's policy solutions were largely similar to those proposed by other Mexican Americans, if narrower in scope. For example, to improve Mexican American attainment at PUHS, Marin proposed more minority representation on school boards, the implementation of bilingual education but only in elementary schools, and most controversially, the conversion of PUHS to a school offering only vocational subjects. 'There is little doubt' he argued 'that Phoenix Union has become a "ghetto school."'[148] As it stood, he considered the institution beyond saving; in need of dramatic measures to improve educational standards in the way he suggested.

It is difficult to discern how many Mexican Americans shared Marin's interpretations. Some responses to the Editor of the *Arizona Republic* questioned his credentials as a community spokesperson. Members of local chapters of LULAC wrote a letter challenging the arguments made by Marin, describing 'A Challenge for Phoenix' as 'myopic' and questioned whether Marin was qualified to speak for Mexican American communities in Phoenix. Marin 'has no following in the Mexican-American community' their letter stated, and as the State Director of AEOO 'he has delivered nothing toward helping solve the problems of Mexican-Americans.'[149] Other responses highlighted the complicated racial history of Mexican-heritage Arizonans as a means of rejecting Americanization programs. In his articles, Marin stressed the importance of these programs as a facilitator of social mobility for an earlier generation and noted his concern about the future direction of Mexican American communities in Phoenix based on his belief that Chicanos were rejecting this approach. Yet Santo Bernasconi, a member of Tempe Elementary District No. 3 School Board, challenged this idea. Those who identified themselves as Chicanos, he explained, contained Yaqui Indians who do not consider themselves to be Mexican Americans. Bernasconi argued that Americanization was in fact a process of 'Anglization [sic] of all minority groups' and 'there is no need to "Americanize" those who were here long before the Anglo.'[150]

[148] Eugene Acosta Marin, 'A Challenge For Phoenix - V', *Arizona Republic*, 12/12/1969, Eugene Acosta Marin Papers, Box 26, Folder 12.
[149] Nash Armijo and Romolo Griego Jr., 'Marin Not Speaker for all Mexican-Americans'. *Arizona Republic*, 03/01/1970, Eugene Acosta Marin Papers, Box 26, Folder 12.
[150] Santo N. Bernasconi, 'Marin – Shortsighted' *Voice of the City*, 18/12/1969, Eugene Acosta Marin Papers, Box 26, Folder 12.

Another response to Marin's argument highlighted the conflict which many Mexican Americans felt about the connections between racial politics and national identity. Joe Rodriguez, a convener of a local community arts project, wrote of the complexities these issues raised for many Mexican Americans. His ancestors had been pioneers in the southwest and northern Mexico during the territorial era. Rodriguez had fought in the Pacific conflict of the Second World War as member of the U.S. Army. Yet, he argued that if Marin thought his military service 'is what will make me as American as anybody then you and I are certainly badly mistaken'; rather 'Heritage is what tells me what I am and who I am.' [151] Rodriguez explained that he shared Marin's distaste for the emergent radical politics of the Chicano movement, but he rejected suggestions that Mexican Americans should assimilate to the American mainstream to achieve social and economic progress:

'I went through the "Mexican or American" conflict of youth myself . . . I have come to the conclusion that being anything is not a matter of speaking English, saluting the flag, denouncing your people or bending over backwards to prove to my gringo friends that I am American. It is a matter of fact that many very American Americans are truly un-American as hell.'[152]

Marin's politics, and the responses to his interventions, highlight the complexity of Mexican American political opinions. Whilst the late 1960s saw Chicano activists achieve visibility as a minority rights advocacy group, that should not obscure the differing opinions about civil rights and the best strategy for achieving progress. Marin offered an alternative, conservative strand of opinion. In the Chicano era, a conservative Mexican American was arguably the most influential racial minority member in the state, serving in a Republican governor's administration. But for other Mexican Americans, the protests at PUHS provided a platform from which to organise electoral campaigns aimed at obtaining elected office and advancing minority rights. It was these debates that formed the basis of the fourth main argument around the politics of bilingual education and Spanish use.

[151] Joe Rodriguez to Eugene Marin, *Letter*, 09/12/1969, Eugene Acosta Marin Papers, Box 14, Folder 14.
[152] Ibid.

Positional arguments

The fourth element in these debates amongst Mexican Americans was over the notion that they should pursue a distinctive minority rights politics in which leading figures sought public office as a means of enhancing the voice and visibility of minority issues. This took two forms: one in which Mexican Americans attempted to win elected office via the ballot box; a second example was the efforts of Phoenix based Mexican Americans to obtain influence in regional advocacy organizations. An early iteration of the idea that Mexican Americans needed to ensure that their minority concerns obtained greater significance amongst policymakers was articulated as part of COSAW's public meetings. The keynote speaker at a COSAW event to launch the report on Mexican Americans and racial discrimination re-iterated this point. Polo M. Rivera argued that Mexican Americans were losing out because a racial hierarchy shaped the design and allocation of federal funds. The War on Poverty 'are biased towards Negroes.' He also argued that 'the apparent emphasis of the war on poverty to cater to and pacify the Negro' was hindering the participation of Mexican Americans in programs intended to alleviate poverty.[153] Rivera cited the example of federal funding for kindergarten programs, which did not include provisions for the use of bilingual methods or the hiring of bilingual staff. Rivera re-iterated that overcoming the 'English language bias' of federal War on Poverty programs was important for Mexican Americans in Arizona.[154] Whilst Mexican Americans involved in COSAW could agree on the problems that Mexican Americans faced, they had difficulty agreeing on the methods to achieve social progress. Mexican Americans had been subject to over a century of uncertain racial classification; sometimes considered white, on other occasions as a non-white racial Other. Rivera urged those assembled to adopt a more distinct identity. He believed that if Mexican Americans were to obtain a fair appropriation of public funds to support beneficial policy programs, they must become a more visible minority group based upon their linguistic difference to other demographic groups.[155]

Conflict between Mexican Americans and African Americans, within a context of competing against one another for resources, was not simply a rhetorical construction by Rivera or

[153] 'The Report and Findings of the Arizona Statewide Consultation on Mexican-American Concerns', p. 6.
[154] Ibid.
[155] Ibid., p. 6-7.

others. The initial PUHS walkouts in 1969 were triggered by disorder between Mexican Americans and African Americans but similar examples of violence and discord in south Phoenix imitated what occurred at PUHS. In January 1970, ten African American minors between the ages of 13 and 17 were detained on charges of burglary and 'malicious mischief' after an attempt to 'run the Chicanos out of the (Matthew Henson housing) project.' The incident was, according to Roy Yanez, director of the Phoenix Housing Authority, the body responsible for public housing, proof that public housing tenants 'don't want to integrate'. [156] However, in the immediate aftermath of the incident a Chicano activist group, Valle del Sol, and the Phoenix Black Coalition sought reconciliation by announcing that they would work jointly to improve the living conditions of the housing project.[157] Although grassroots organizations were able to co-operate, in electoral politics Mexican Americans and African Americans in Phoenix were placed in direct competition for representation. This was the result of decades of unequal development policies which caused the concentration of non-whites in a small number of central and south Phoenix neighbourhoods covered by a single Arizona legislature district. In the 1972 Democratic Party primary to select candidates for the Arizona Legislature elections, a Mexican American candidate, Alfredo Gutierrez, challenged the long serving incumbent in the 23rd district, State Senator Cloves Campbell, who was the first African American to be elected to the Arizona Senate. He was seeking a fourth term in the State Senate and he had previously served two terms in the Arizona House of Representatives. The Legislative District also contained two House seats, both of which were held by African American incumbents, that were being contested by Mexican American candidates. Despite Campbell's support of bilingual education, he was defeated by Gutierrez, demonstrating both the increased electoral potency of Mexican Americans as a constituency and the importance of obtaining elected roles to their political priorities. [158]

The decision of prominent Chicanos to seek public office made CPLC distinctive in the South west. Following the PUHS protests in 1969, this took the form of trying to influence the direction of public policy through the PUHSD education system. This marked the Phoenix

[156] 'Negro youths held in raid on housing project family', *Arizona Republic,* 22/01/1970,
[157] 'Mothers vigilante group at housing project', *Arizona Republic,* 24/01/1970,
[158] Bernie Wynn, 'Blacks and Chicanos in vote showdown', *Arizona Republic*, 19/06/1972; 'Voter neglect claimed in south Phoenix', *Arizona Republic*, 22/06/1972.

incarnation of the Chicano movement from others in the southwest that were influenced by radical ideology and direct action protest methods. Ostensibly, the 1969 protests enabled Mexican Americans to make progress on their political and educational objectives. After the conclusion of the protests, some publicly visible members of the Chicano movement secured access to important local politicians and gave them a voice in Phoenix political affairs. One example was an invitation to Chicano leaders such as Joe Eddie Lopez, to meet with the Mayor of Phoenix, Milton Graham, on 23 October 1969. During the meeting they raised their list of nine demands related to necessary changes required at PUHS and felt subsequently that they received a 'positive' response from Graham, including a commitment to meet the School Board members for discussions regarding the demands.[159] Six days later, on 29 October 1969, Chicano parents also met with Howard Seymour, Superintendent of PUHSD, and agreed the implementation of a program for minority teachers to be trained as counsellors. Initially, 'six chicano and black' teachers from across the PUHS district would receive the in-service training currently provided in the district. The purpose of the program was to address the concerns of Mexican American parents about the number of staff from minority backgrounds.

At a public meeting on 11 December 1969, school officials, including Mr Seymour, announced plans to recruit more teachers from minority backgrounds. Although Seymour argued that the percentage of minority staff had already increased to nine percent, he conceded 'we've got to do better'.[160] District officials declared that they would address the lack of minority staff through a targeted recruitment drive aimed at colleges with a high Mexican American enrolment in Colorado, New Mexico and Texas. Yet, however much this meeting represented progress, many of the structural issues that undermined the city's education system remained. At the same 11 December meeting, the leadership of PUHS also announced that the number of enrolled students had fallen from 2,900 to 2,680. This meant that 55 percent of students at the school were Mexican Americans, 30 percent were reported as being African American and 7 percent Anglos. The remainder were recorded as Asian, Indian or

[159] 'Phoenix Union Progress Report', undated, Rose M. and Joe E. Lopez Papers, Box 8, Folder 4.
[160] 'PUHS seeks more minority teachers', *Arizona Republic*, 12/12/1969, Eugene Acosta Marin Papers, Box 25, Folder 3.

unclassified.[161] Students who remained at PUHS attended a school that was increasingly concentrated with racial minorities and able to access few resources to educate them.

The activities of CPLC were enough to eventually force the concerns of Mexican American students onto the PUHSD Board's agenda. Members of the group were invited to deliver two sessions on Mexican American history and culture. Both would be delivered to an audience of district principals, administrators and members of the PUHSD board. The decision was taken over the objections of Trevor Browne, President of the Board, who argued that CPLC had an unacceptably political orientation. Other members of the board disagreed and voted to invite CPLC to host the sessions.[162] Despite these objections, CPLC delivered the program in April 1970. It included a theatre performance from the Barrio Youth Project about Mexican American identity and the uncertain place that Mexican Americans felt in Anglo-American society. This was a theme discussed at length by many of the scheduled speakers. Much of the program re-iterated the failure of the school system to provide a curriculum that contained adequate amounts of Mexican American history and culture. The current configuration of the curriculum left students with an incomplete sense of their identity and poor self-regard in a society that was dominated by Anglo-Americans. Ane Amaya, a lecturer at Arizona State University, told the PUHSD officials in attendance that 'The Chicano is different . . . because of a culture in which he belongs to two worlds.' He spoke also of the tensions caused by being a hyphenated American, especially for students attending a school system that provides little 'institutional dignity' for their heritage.[163] Perhaps Mexican Americans would have secured the opportunity to make these arguments directly to the leadership of PUHSD over time. But their invitations to address PUHSD officials in the autumn of 1969 was hastened as a direct consequence of the protests in the weeks before. Yet, the effects of these meetings were somewhat mixed.

The sessions appeared to restore some of the good will between Mexican Americans and the PUHSD board that had been depleted by the walkout. Superintendent Howard Seymour spoke of how both sides had been misunderstanding one another but the awareness sessions

[161] Ibid.
[162] 'Board votes Chicanos in in meetings', *Arizona Republic*, 16/01/1970.
[163] 'Chicano's Problems are Cited', *Arizona Republic,* 22/04/1970.

enabled them to find common ground and establish a relationship for making progress on Mexican American affairs in future. The Mexican American and Chicano representatives who delivered the sessions were able to secure the agreement of the PUHSD board on a number of their objectives, most notably, an increase in the number of Mexican American teachers employed by the district. This objective was advanced by creating a pathway for Mexican Americans without the necessary qualifications to be employed as teachers to work first as 'teacher aide[s]' whilst they complete a teaching degree. Yet Mexican Americans were also frustrated by the PUHSD board's lack of enthusiasm for more Mexican and Mexican American studies to be included in the school curriculum. The district director of general education argued that any demands by Mexican Americans had to be balanced against those of other groups within a multi-racial district. He believed that to acquiesce to these demands would cause African Americans, Caucasians, and other groups to demand a course of their own.[164]

Any hopes that the newly obtained access for Chicano leaders could be utilized to advance Mexican American civil rights objectives and defuse tension in Phoenix dissipated within months. When further flashpoints occurred on the campus of PUHS, Chicanos organized another boycott of the school, beginning in September 1970. As before, the trigger for the walkout was conflict between Mexican American and African American students. Several instances of violence both on and off the school grounds led parents to conclude that promises made about security during the previous winter had not and would not be honoured. The principal, Robert Dye, indicated that as many as 50 per cent of the school's 2,700 students were absent on the first day of the protest.[165] Large-scale non-attendance persisted throughout the week, with as many as 1,100 students recorded absent on Thursday.[166] The protests were costly for PUHS. The state government provided $4.81 in funding per pupil, per day of attendance in the first six months of the school year. This meant that the boycott cost PUHS up to $6,000 per day, which equated to approximately 42 per cent of their daily budget.[167]

[164] 'PUHS, Chicanos get together', *Arizona Republic*, 29/04/1970.
[165] Albert J. Sitter, 'Half Absent as Chicanos boycott PUHS', *Arizona Republic*, 13/10/1970.
[166] This remained significantly higher than the conventional absenteeism rate of approximately 250 students per day. 'Protest school opens amid confusion', *Arizona Republic*, 16/10/1970.
[167] Connie Cobb, 'Chicanos reject plea to end PUHS boycott', *Arizona Republic*, 21/10/1970; Chloe Koenan, 'Boycott spreads, Is costly for PUHS', *Arizona Republic*, 14/10/1970.

Unhappy with their progress, Chicano parents and students organising protests at PUHS requested a meeting with the State Superintendent of Public Instruction. Recent changes in personnel meant that CPLC and Mexican American parents faced a less receptive leader of the state's education system than the year before. After the death of the previous incumbent, Sarah Folsom, Weldon P. Sofstall had been appointed by the Governor to complete the remainder of her term, which was due to end in 1970. Before Sofstall's appointment, a recruitment committee of state board of education officials evaluated the candidates based on their merits as an educational administrator and their experience as a practitioner. Once their recommendations had been submitted, the chairman of the committee wrote a private letter to the Governor to 'record a few "off the record" comments.'[168] He believed it important for the Governor to consider the political implications of the appointment. The new Superintendent would be in post for 18 months before the next election and teachers were an important electoral constituency in state politics. The Republican Party in Arizona, he argued, had failed 'to enlist the active support of enrolled Republicans who are in the teaching profession and to take a policy position which would influence the "swing" votes among teachers who are enrolled as Democrats.'[169] This situation was rooted in multiple factors. One was the ambivalence of state Republicans towards public education, evident in the absence of any education policy proposals from the Republican leadership that controlled the Legislature. The situation was compounded by the hostile public statements of Republican politicians about education reform. This made the appointment of the foremost educational official in the state an important political issue for the Governor.

The letter then evaluated the merits of the candidates under consideration for the post. His view of Sofstall's candidacy was unequivocal: 'Any attempt to put Wendell [sic] Sofstall in this position would be a disaster!'[170] Sofstall, he argued, was a polarizing figure who evoked either vociferous criticism or support. He also advised that this appointment could create internal divisions and party management problems. But these concerns were trivial compared to the response he would elicit from elementary and secondary teachers and education groups who

[168] Unknown to Jack Williams, Letter, 28/06/1969, Governor John R. Williams Papers, RG1 SG20, Box 604.
[169] Ibid.
[170] Ibid.

would interpret this appointment as 'a direct rebuff' to their agenda. He concluded by noting that 'it is fairly evident that voters among minorities are definitely opposed to his appointment.'[171] On 24 June, Williams wrote to his chief political aide Charles Krimminger about the vacancy, in which he indicated that influential GOP figures were lobbying the Governor. 'Softsall is having quite a campaign waged in his behalf', he noted.[172] This followed an 18 June letter from Howard Seymour in his capacity as President of the State Board of Education. He expressed his preference for a consensus candidate who 'will command the respect of educators, legislators, and citizens throughout the state.'[173] This was 'the first time in the history of the state [that] the Governor has the opportunity to express his concern and support for quality education in our elementary and secondary schools'. He implored the Governor to fully utilize the historical opportunity to 'enhance both the reputation and the future of education in Arizona.'[174] Despite receiving cautionary advice from the recruitment panel and other education officials, Governor Jack Williams continued to support Sofstall, even though his appointment would likely be interpreted as a sign of the administration's disregard for the concerns of non-whites.

Sofstall's appointment caused particular consternation amongst Mexican Americans and soon after the relationship between him and local Mexican Americans deteriorated further. In November 1969, Sofstall gave an alarmist speech that warned of the dangers of failing to confront anti-Vietnam War protests. 'Rioting and Guerrilla warfare in the United States are symptoms of a serious illness in our country which will be fatal unless Americans take drastic action to reverse the current trends in education.'[175] Later sections of the speech made his unwillingness to engage with Chicanos explicit. Sofstall expressed hostility to government intervention, which he argued 'has almost destroyed the free market.' He then singled out 'the La Raza advocates amongst Spanish-Americans [who] are developing into militant racists and purveyors of hate who are destroying the United States as the great "Melting Pot" of the

[171] Ibid
[172] Jack Williams to Charles Krimminger, Memo, 24/06/1969, Governor John R. Williams Papers, RG1 SG20, Box 604, Folder 12.
[173] Howard Seymour to Jack Williams, Letter, 18/06/1969. Governor John R. Williams Papers, RG1 SG20, Box 604, Folder 12.
[174] Ibid.
[175] Weldon Sofstall, 'From Adolsesence to Barbarism', speech, 11/11/1969, Governor John R. Williams Papers, RG1 SG20, Box 495, Folder 14.

world and "One Nation Under God."[176] Chicanos' fears were confirmed when Rocky Manes, an appointee of Softsall's, re-iterated these sentiments. Members of CPLC concluded that they were now unlikely to obtain a fair hearing from the Superintendent's office. Manes was responsible for appointing people to a state committee that was responsible for investigating the education issues concerning Mexican American students. Manes's presence deepened the distrust between CPLC members and educational officials, creating the perception that he would ensure that Chicanos were not represented on the committee.[177]

Sofstall continued to be an antagonistic presence as the Superintendent of Instruction. A few months later he denounced CPLC as a 'communistic' organization and had refused to meet Mexican American parents with children at the school. Sofstall believed that 'he could not do anything for this group and therefore did not see any need for a meeting.'[178] He did, however, agree to meet with Father Frank Yodi of the Immaculate Heart Church in south Phoenix. Yodi was an important community organiser and the church was the centre of gravity for much of the Chicano organizing in south Phoenix. At the meeting, Sofstall once more refused to discuss the political demands of local Mexican Americans; instead, he told Yodi he believed he had been duped 'by a group which was very subversive and communistic in its actions and thinking.'[179] The hostility of state officials, even to engaging in dialogue with Chicanos, highlights the difficulties of the political climate in Arizona and the limits of their strategy. On occasions when Chicanos secured meetings, little definitive progress was agreed.

Although Chicanos in Phoenix were distinctive to other movements, leading members sought to connect local activism in Phoenix to a wider network of Chicano activism in the Southwest. One speaker told the 2 March 1969 meeting about the formation of a Unity Council in San Antonio and discussed its activities. This established a trend in which members used meetings to share knowledge about other Chicano activist groups and considered their methods. Others saw CPLC as an outlier in the regional Chicano movement. Phil Montez, a member of the U.S. Commission on Civil Rights regional office in Los Angeles, remarked upon the lack of

[176] Ibid.
[177] Chicanos Por La Causa Board of Directors, Minutes, 01/11/1969, Rose Marie and Joe Eddie Lopez Papers, Box 9, Folder 11.
[178] 'Concerned Students', *Arizona Republic*, 21/10/1970.
[179] Ibid.

racial consciousness in the state. He told a CPLC meeting on 23 March 1969 that 'there was a lack of awareness throughout the southwest among Chicanos and this was especially so in Arizona.' He suggested that he could identify sources of financial support for a conference on CPLC's activism regarding 'the grape boycott, Phoenix Union High School and other pressing issues to the Chicano community.'[180]

At a meeting on 12 October 1969, members discussed how to ensure that CPLC received adequate representation amongst regional Chicano and Mexican American advocacy groups. They discussed submitting a request to the Southwest Council of La Raza for a seat on the Board of Directors. Being represented on the board would enable CPLC to remain informed about the activities of similar Mexican American organizations in the region. CPLC leaders also wanted a voice at the Southwest Council that was proportionate to other groups in the region. Prior to this point, all states on the Council were represented equally. CPLC members agreed that they would lobby for 3 members on the board to ensure that their organization was given a voice proportionate to other Chicanos in the southwest.[181] It is difficult to know how cognizant CPLC members were of Chicano activism, or its strategy and tactics in other locations. A selection of Mexican Americans in Phoenix made the conscious decision to begin to identify as Chicanos during the late 1960s. In this way, the actions of Chicanos in Phoenix correlated with other Mexican Americans in other U.S. cities.[182] This decision to identify collectively as a more forthright minority group was driven in part by the Great Society legislation of the 1960s. Legislation, particularly the Bilingual Education Act, brought visibility to problems that had existed for generations but had not been a priority for public policy makers. It also gave them standing to pursue enforcement of non-discrimination statutes and remedial action via the courts. Joe Eddie Lopez articulated this argument in a letter he drafted to a newspaper editor. In response to an editorial that had expressed outrage at demands

[180] Chicanos Por La Causa, Minutes, 02/03/1969, Rose Marie and Joe Eddie Lopez Papers, Box 9, Folder 11; Chicanos Por La Causa, Minutes, 23/03/1969, Rose Marie and Joe Eddie Lopez Papers, Box 9, Folder 11.
[181] Chicanos Por La Causa, Board Meeting, 12/10/1969, Rose Marie and Joe Eddie Lopez Papers, Box 9, Folder 11.
[182] Lilia Feranadez demonstrated that an awakening of racial and political identities occurred in Chicago, and was not confined solely to the southwest. Lilia, Fernandez, *Brown in the Windy City: Mexican Americans and Puerto Ricans in Postwar Chicago* (Chicago, The University of Chicago Press, 2012); Guadalupe San Miguel Jr., *Chicana/o Struggles for Education: Activism in the Community.* (College Station, TX. Texas A&M University Press, 2013); Guadalupe San Miguel Jr., *Brown, Not White: School Integration and the Chicano Movement in Houston*. (Houston. Texas A&M University Press, 2005).

that PUHS publish information to parents in both English and Spanish, he cited the school's obligation to comply with Title VI of the Civil Rights Act of 1964. Under this legislation, he argued, 'school districts have the responsibility to adequately notify national origin minority group parents of school activities'. For such notices to be adequate they 'may have to be provided in a language other than English.'[183] Yet, the Arizona incarnation of Chicano activism was devoid of the more militant, nationalist ideological strand that had flourished in other southwestern locations.[184] On occasion, invited speakers at CPLC encouraged Chicanos in Arizona to consider more radical perspectives. In July 1970, Froben Lozada and Antonio Camejo spoke at a CPLC meeting to promote a national Chicano moratorium against the Vietnam War that was scheduled to take place in Los Angeles on 29 August 1970. Both speakers told local members of their moral opposition to the war and how American casualties included a disproportionate number of Chicanos. Camejo and Lozada questioned the continued support of the Democratic Party from Mexican Americans if it did not do more to address their political interests. Both speakers were running for elected office in California as candidates for the Socialist Workers Party. They argued that electing Democrats had done little to advance Mexican American priorities and if it continued then Mexican Americans should either withhold their support or vote for a third party candidate.[185]

From the beginning, a question of how representative CPLC was of the local Mexican American population remained unanswered. At a 7 December 1969 meeting the first item on the agenda was the recent poor attendance at CPLC meetings. Those present argued that rules be introduced to mandate attendance and that leaders of CPLC should make telephone calls prior to scheduled meetings to encourage rank and file members to attend. Other concerns focussed on the conduct of those associated with CPLC. Internal discussion about the Barrio Youth Project indicated that some individuals were concerned also about the motives of some of the CPLC members involved in the project's activities. Gustavo Gutierrez, the Vice President of CPLC, warned that no one involved in the organization should be using the Barrio Youth Project 'as a springboard to benefit individual members.' Internal

[183] Lopez, Joe Eddie, letter, undated, Rose Marie and Joe Eddie Lopez Papers, Box 3, Folder 12.
[184] Behnken, Brian D., *"We Want justice!": Police Murder, Mexican American Community Response, and the Chicano Movement* (2010) IN: Berger, Dan Eds. *The Hidden 1970s: Histories of Radicalism*. (New Brunswick, NJ. Rutgers University Press, 2010). pp. 195–214.
[185] 'Chicanos told 2-party system nothing more than an illusion', 15/07/1970, *Arizona Republic*.

disagreements amongst members were also present. He questioned the appointments that had been made to the Barrio Youth Project board, in particular that of Alfredo Gutierrez to a leadership position on the project.[186]

Conclusion

This chapter began by showing the deep roots of language based discrimination by institutions of state power in Arizona. Restricting the use of Spanish in public institutions such as the school house had been a crucial tool of Anglo domination since the late 19th century and interpreting the introduction of bilingual education, which supplanted English Only instruction, was an important modification to the polity. Aside from a handful of notable exceptions, histories of bilingual education have not captured this historical lineage. Instead, they have considered the issue as part of burgeoning culture wars including political conflicts over the content of curriculums or the teaching of contentious subject material. Earlier sections of this chapter argued that bilingual education should instead be considered alongside other restrictive policy measures, often related to immigration enforcement, which sought to exert control over the lives of people constructed as non-white racial Others. As a result of these processes, bilingual education, both as an educational remedy and as part of broader language use agenda, formed a central part of internal discourse amongst Mexican Americans about their collective political priorities. This chapter focused only upon prominent figures who engaged in public debates about the topic. Although some spoke with the authority of being representatives of community groups or committees such as COSAW, it is not clear how widely their views were shared amongst ordinary Mexican Americans. Although, responses to the local press on occasions such as the PUHS protests or after Eugene Marin's provocative interventions suggest that these moments stirred previously non-political Mexican Americans, it is for future studies to ascertain general public opinion on these topics. Yet, the importance of language to Mexican American rights discourse in Arizona appears distinctive from similar groups in other south western locations chronicled by scholars to date. These debates show that the late 1960s were a highly uncertain moment of

[186] Chicanos Por La Causa, Minutes, Board of Directors Meeting, 07/12/1969, Rose Marie and Joe Eddie Lopez Papers, Box 2, Folder 11.

transition for Mexican Americans in which they sought to make sense of the new rights conferred onto them by bureaucrats and policymakers in the federal government. Part of the public discourse highlighted in this chapter shows that leading representatives attempted to craft a new civil rights agenda to fully utilise newly acquired language rights but as part of a broad debate about the condition of Mexican Americans and the causes of the disadvantages they faced. This debate was more than a narrow, technocratic discussion of policy. Yet, even so it contained differing opinions and lacked homogeneity. The contributions of Eugene Marin show that events in Arizona represent a significant rupture with present historical interpretations of the period. He was influential in the state and espoused a political perspective of accommodationism that was often overshadowed during the emergence of Chicano politics. The continued influence of this strand of opinion into the late 1960s, contradicts previous understandings that neatly categorised these ideas as having passed with a previous generation.

As much as Mexican Americans in Phoenix debated the merits of bilingual education and future progress on civil rights issues, they had to contend with forces beyond their control. One was the structural change in development, patterns of residency and, as a result, school enrolment levels and racial composition. Another was a state bureaucracy staffed with personnel who were hostile to minority rights issues. The appointment of Weldon Sofstall was the most evident example, something that curtailed the access of prominent Mexican American figures to the locus of power, which up to that point had been the major achievement of the PUHS protests. It is this jagged trajectory of progress and subsequent retrenchment, as well as policy remedies contending with deep rooted structural disadvantage, that the following chapters of this thesis chronicle.

Chapter Two

Bilingual Education in Arizona

The previous chapter has demonstrated how the late 1960s was a period of flux for Mexican Americans in which internal debates containing diverse opinions about racial formation and new civil rights opportunities flourished. Whilst these debates occurred, members of the Arizona Legislature took up the issue of bilingual education. They did so after the passage of the federal Bilingual Education Act of 1968, which established the right of national language minority origin students to access remedial programs as a means of reducing the attainment gap between Latinos and Anglos, and address the disproportionately high rates of poverty amongst Latinos. Of the limited number of studies that have analysed the politics and policy of bilingual education, most have focused upon the introduction of the federal Bilingual Education Act.[187] Gareth Davies' *See Government Grow*, the most comprehensive account of bilingual education, demonstrated how the policy became entrenched in the federal government despite its highly uncertain prognosis beyond the initial years of funding appropriated by Congress in 1968. He attributed the policy survival to the actions of enterprising federal bureaucrats who worked to ensure that school districts enforced the provisions of the act.[188] Scholarship on the implementation of bilingual education at the state and local level, as well as the policy consequences of the act upon school districts, is far more limited. However, a collection of recent works have considered the effects of the Bilingual Education Act beyond its role in the high politics of the U.S. Congress.[189] These studies have been largely focused upon California and Texas but they highlight some themes that were consistent with Arizona's experience. For example, Natalia Mehlman Petrzela argued that 'the BEA [Bilingual Education Act] was pivotal not only in conceiving a federal commitment to the

[187] Gareth Davies, *See Government Grow: Education Politics from Johnson to Reagan* (Lawrence, KS: The University Press of Kansas, 2007), p. 144-165; Gareth Davies, 'The Great Society after Johnson: The Case of Bilingual Education', *The Journal of American History*, Vol. 88, No.2. pp.1405-1429; John D. Skrentny, *The Minority Rights Revolution (*Cambridge, MA: The Belknap Press of Harvard University, 2002), p. 180-222; Guadalupe San Miguel Jr., *Contested Policy: The Rise and Fall of Federal Bilingual Education in the United States, 1960-2001* (Denton, TX: University of North Texas Press, 2004)

[188] Gareth Davies, *See Government Grow*, p. 148-157.

[189] ; Natalia Mehlman Petrzela, *Classroom Wars: Language, Sex, and the Making of Modern Political Culture* (New York, NY: Oxford University Press, 2015), p. 3-101; Mark Brilliant, *The Color of America Has Changed: How Racial Diversity Shaped Civil Rights Reform in California, 1941-1978* (Oxford: Oxford University Press, 2010), p. 227 – 256; Carlos Kevin Blanton, *The Strange Career of Bilingual Education in Texas, 1836-1981* (College Station, TX: Texas A&M University Press, 2004).

educational achievement of limited-English-speaking (LES) children but also in spurring action at the state and local level.'[190] This chapter mostly agrees. The introduction of federal bilingual education broke an impasse in Arizonan politics over its introduction in the state's schools. It was only after the passage of the BEA that members of the Governor's administration and the Arizona State Legislature made serious efforts at introducing a state level version of the act. Yet, this expansion of the availability of bilingual education was secured with little bipartisan enthusiasm. Unlike in California, where Natalia Mehlman Petrzela has demonstrated that conservative figures such as Ronald Reagan and Max Rafferty were important to the proliferation of bilingual education programs, in Arizona, conservative politicians took only a cursory interest in the program. Although it was passed whilst Republican Jack Williams was Governor, and though he expressed rhetorical interest in the policy, he indicated little willingness to expend political capital to ensure its introduction, expansion, or funding to levels that would make the program meaningful. The Arizona Legislature was also under Republican control when state bilingual education legislation was passed but, as later sections will show, there was significant dissent amongst GOP politicians. As a result, the early history of bilingual education in Arizona is a more contested one than that experienced in other southwestern states, signifying that the state's politics were an important forerunner for the divisive English Only political initiatives of the late 1980s and 1990s. This chapter adds to a growing historiography that studies the policy implications of bilingual education, particularly its implementation at the state and local level. It does so by situating Arizona's experience as an important counterweight to interpretations developed in locations such as California and Texas that were more hospitable to Latinos.

Bilingual education features only fleetingly, even in histories of Mexican Americans in Arizona, despite being the most significant civil rights accomplishments for Latinos in the 1960s. Yet, as the previous chapter has shown, language use formed an important part of internal Mexican American debates. Therefore, this chapter expands upon the previous one by demonstrating how many Mexican Americans sought to influence bilingual education policy from within the education system, as opposed to an earlier focus upon protest. This chapter

[190] Natalia Mehlman Petrzela, 'Before the Federal Bilingual Education Act: Legislation and Lived Experience in California', *Peabody Journal of Education*, (Oct., 2010), Vol. 85 (4), pp.406-424, p. 407.

also highlights the position of bilingual education in state and local politics. Although bilingual education was administered by the state government and local school districts, not Phoenix City Council, the partisan conflict it attracted was a sharp contrast to other political issues. Later chapters will demonstrate that, in Phoenix, important matters of political economy had been neutered as matters of partisan dispute, a result of the dominance wielded by an ostensibly non-partisan political machine that controlled the municipal government. As such, the political climate in Arizona accentuated political differences were instead directed towards policies such as bilingual education.

This chapter begins by examining the legislative process in 1969, through which the first bilingual education programs funded by the Arizona state government were passed. It argues that legislators sought to implement a narrow interpretation of the state's responsibilities to Mexican Americans. Bilingual education policy initially existed in a precarious state and an uncertain future beyond an initial three years of appropriations. Later sections demonstrate how Mexican Americans, in combination with sympathetic state politicians, worked to ensure its survival and later expansion. Yet, in the later years of the 1970s, critics of the program coalesced. They questioned the efficacy of bilingualism, challenged its continued use in Arizonan schools and threatened its future. Finally, this chapter concludes that whilst ostensibly a new federal commitment to civil rights under the BEA was powerful and self-affirming for many, in reality it had a limited effect upon the lives of Mexican Americans living in the inner city and south Phoenix.

Arizona Legislation

Several years before any federal legislation was passed, politicians in Arizona had explored the possibility of introducing a state-funded bilingual education program.[191] In December 1966, Sarah Folsom, State Superintendent of Public Instruction, lobbied the Governor and

[191] The catch-all term of 'bilingual education' encompassed a collection of different pedagogical method. In its purest form bilingual education was a two-way method that involved the simultaneous teaching and improvement of both languages, in this case Spanish and English. Some full bilingual programs also included a bicultural component that also educated students on their native heritage and traditions. Funds awarded under the federal Bilingual Education Act of 1968 could be used to establish a full, two-way bilingual education program.

members of the Arizona Legislator on the issue of bilingual education. Yet Folsom's efforts were met with resistance; after Folsom held a briefing session for legislators to persuade them to take up the issue, Republican members of the House and Senate counselled the Governor, Jack Williams, not to proceed with the issue.[192] Bilingual education was simply not a political priority at this time. But even if it had been, the Arizona Constitution contained an English-Only stipulation, which stated:

'Provisions shall be made by law for the establishment and maintenance of a system of public schools which shall be open to all the children of the State and be free from sectarian control, and said schools shall always be conducted in English.'[193]

The constitutional clause stymied efforts by Folsom, between 1966 and 1968, to introduce state funded bilingual education, even after the introduction of federal legislation. Yet, she continued undeterred and two years later, raised the question of expanding bilingual education with the Governor directly. Following this exchange, Williams wrote to Folsom to clarify his thoughts on the issue. His letter contained an annotated version of the English-only passage from the Arizona Constitution and made clear his belief that statutory changes would be necessary 'before we can undertake a real bilingual instruction program.'[194] This was a view which Williams explained on more than one occasion: in response to a letter from an Arizona resident expressing her support for bilingual education and enquiring about his views, Williams again highlighted the prohibitive sections of the Arizona Constitution. He expressed his support for 'the concept of bilingual education' and his willingness to 'endorse appropriate legislation to change the present laws when that legislation is drawn.' But, he argued, responsibility for mandating bilingual education was 'the prerogative of the legislature.'[195] The Arizona Constitution impeded politicians from implementing bilingual education programs, but also provided them with a convenient statutory excuse. By supporting a change in bilingual education in theory, politicians could appear responsive to minority concerns

[192] Informational Session for Legislators, Governor John R. Williams Papers, RG1 SG20, Box 407, Folder 15.
[193] Jack Williams to Sarah Folsom, Memorandum, 19/12/1968, Governor John R. Williams Papers, RG 1 SG20, Box 429, Folder 2.
[194] Jack Williams, to Sarah Folsom, 'Bilingual Education', Memorandum, 19/12/1968, Governor John R. Williams Papers, RG1 SG20, Box 407, Folder 15.
[195] Jack Williams, to Jennifer Rauscher, Letter, 21/11/1968, Governor John R. Williams Papers, RG1 SG20, Box 407, Folder 15.

without having to contend with the political problems that would emanate from an actual attempt to pass legislation and implement the policy.

The stalemate regarding the introduction of bilingual education was broken by the Federal Bilingual Education Act of 1968. Following the introduction of the Act, students at PUHS become some of the first in the country to attend bilingual classes funded by federal appropriations. In 1969, the U.S. Department of Health, Education, and Welfare (HEW) provided an initial $76,427 to support the instruction of up to 100 students. These funds facilitated a change in approach for the chosen students, as from then on, half of their class time was conducted in Spanish and the other half in English. The teaching staff at PUHS interpreted the objectives of bilingual instruction not only as a means of improving Mexican American educational performance but also as vehicle for improving cultural pride in the use of Spanish.[196] However, education boards and school districts in Arizona were restricted from developing large-scale programs for children with limited English proficiency until the State Legislature passed legislation authorizing its introduction and allocating funds. There was confusion in the state administration about whether a bilingual program, state funded or otherwise, was legally permissible because of the Constitution's stipulation of English language use. However, the possibility of establishing bilingual education programs changed in February 1968, when the Arizona Attorney General ruled that such programs could be established in schools, but only under the English as Second Language method. The incident was the first occasion where the most significant effect of the Bilingual Education Act was evident – acting as a catalyst for change at the state level. In this instance, the Attorney General was forced to look into the matter after federal legislation placed bilingual education onto the political agenda. [197]

Together, the new federal legislation and the Attorney General's guidance forced the Arizona State Legislature to act. Bilingual education legislation was thus introduced as House Bill Number 1 in July 1968. Such action has led one scholar to argue that '[a]fter the enactment of the BEA, local educators moved quickly to implement bilingual education in schools and

[196] David Fitzpatrick, 'Bilingual Program a Success', *Arizona Republic,* 13/03/1972.
[197] Peter B. Mann, 'Race to reason: Bilingual program builds pupils' pride', *Arizona Republic*, 17/10/1969.

state legislation.'[198] Yet, this should not obscure the vociferous opposition and obstructionism of some legislators who sought to revise the Bill in accordance with a particularly narrow interpretation of the state's educational and fiscal commitment to language minorities. The reasons for opposition varied. Whilst representatives such as Jane Hull (R-Phoenix) resisted House Bill Number 1's introduction based upon the cost of its implementation, others questioned its effectiveness as a pedagogical tool. Another strand of opposition questioned the compatibility of teaching children in Spanish with full participation in American society. The chair of the Arizona House Education Committee, Jim Cooper (R-Mesa), dismissed the idea that Arizona was a historically multilingual borderland, arguing instead that 'if a group of people are going to live here, they will just get along better with English. The best way to learn it is to speak it.'[199]

Democratic members of the Arizona Legislature had hoped to pass an expansive bilingual education program that would enable all Mexican American students in the state to access language instruction. However, opponents of the Bill were able to impose significant limitations on the program: bilingual education was to be limited to students in the first three grades of schooling; there was no provision for kindergarten classes; students could enrol in one course of instruction only, with courses lasting for just one year and bilingual classes had to be conducted alongside the regular curriculum within the limit of two hundred and forty minutes of instruction per school day. Alongside this, there were financial restrictions. To fund the proposals, the Bill appropriated $100,000 for the first year of the program. This was intended to serve 4,000 students at an allocation of $25 per unit of instruction, which meant that schools faced restrictions on the number of pupils they could serve. Moreover, the Bill specified that no further funds could be allocated once the $100,000 appropriation had been exhausted and it limited the capacity of school districts to raise revenues to supplement an expanded bilingual program. This restriction resulted from a 1967 measure which capped increases in school spending at six per cent year on year. Although state-allocated bilingual

[198] De La Trinidad, Maritza, Collective Outrage: Mexican American Activism and the Quest for Educational Equality and Reform, 1950 -1990. PhD Dissertation (University of Arizona, 2013). p. 189.
[199] Jeff South and Richard DeUriarte, 'Grudging Compliance with Law: Bilingual Issue Stirs Debate.' *The Phoenix Gazette*, Eugene Acosta Marin Papers, n.d., Box 25, Folder 3.

education resources fell outside this cap, schools could not raise additional revenue to make up any funding shortfalls or to schedule additional classes.[200]

These revisions led some vocal advocates of bilingual education to renounce the final version of the Bill. During a debate on the proposed legislation, several Democratic State Representatives announced that the newly-introduced limitations on the scope and eligibility of the program meant that they would vote against the Bill when it came to the floor.[201] The resulting statute retained the supremacy of English through a stipulation that '[a]ll schools shall be conducted in English', with the exception of classes for those 'who have difficulty in writing, speaking or understanding the English language or who come from environments where the dominant language is other than English.'[202] Monies appropriated under the legislation were to be used for a bilingual education method of instruction named English as Second Language Instruction (ESL). This method involved using Spanish to teach students with limited English skills until they achieved an appropriate level of proficiency to continue schooling with their Anglo classmates. Yet, the political conflict witnessed in the Arizona Legislature on the issue of the new bilingual education Bill highlights the difficulties which Mexican Americans faced in fully accessing the new rights granted under the BEA. Federal money funded small, ad hoc programs but the possibility that substantial numbers of Mexican American students could obtain bilingual education was contingent upon more extensive state-level measures. Aside from a minority of Arizona Legislators who were vocal advocates of bilingual education, in general, members of the Legislature, either because of inertia or disdain, demonstrated little interest in crafting legislation which would provide bilingual classes for language minority students.

After the passage of bilingual education legislation in the Arizona Legislature, there existed two types of bilingual instruction, ESL and two way bilingual classes, funded through different

[200] *Arizona Revised Statutes, 15-1097, 15-1098, 15-1099*, First Regular Session, 29th Legislature; Gary Nelson to Ralph Golita, Letter, 13/06/1969, Governor John R. Williams Papers, RG1 SG20, Box 513 Folder 4; Gary Nelson to Albert Firestein, Letter, 20/01/1970, Governor John R. Williams Papers, RG1 SG20, Box 513, Folder 4; 'Bilingual teaching in schools receives initial House okay', *Arizona Republic*, 09/04/1969, Chicano Research Collection, Box 36, Folder 2; Jay Henderson to Jack Williams, Memo, 27/01/1970, Governor John R. Williams Papers, RG1 SG20, Box 513, Folder 5.
[201] Journal of the House, 11/04/1969, Eighty-Ninth Day, 29th Legislature. p. 737, Manuel "Lito" Pena Collection, Box 1, Folder 9; 'Bilingual teaching in schools receives initial House okay'.
[202] *Arizona Revised Statutes*, Section 15-202, First Regular Session, 29th Legislature.

methods, federal grants and state appropriations. One provision of the Bill passed by the Arizona Legislature was that it required re-authorization after three years. Although the expansion of bilingual education through state legislation in itself represented progress for Mexican Americans, in the intervening period federal officials indicated a greater willingness to enforce the provisions of the Bilingual Education Act of 1968. This concentrated the minds of education officials throughout the state and even prompted discussion in the Governor's Office. The change in emphasis from federal officials began approximately two years after the passage of the Bilingual Education Act, when the Director of the Office for Civil Rights within H.E.W., Stanley Pottinger, wrote to school districts with more than five per cent national origin minority group children 'to clarify D/HEW policy on issues concerning the responsibility of school districts to provide equal educational opportunity to national origin minority children deficient in English language skills.'[203] Pottinger informed the school districts that they must take affirmative steps to rectify language deficiencies that prevent students from fully participating in instructional programs. Any programs introduced to achieve this must not 'operate as an educational dead-end'.[204] Williams and Sofstall seemed unwilling to do more than fulfil their statutory obligations to language minority origin students. They believed that the rudimentary programs, established in the state with federal money, would inoculate them from federal investigation. Upon receiving the memo, the Governor wrote to Sofstall for clarification of its implications for Arizonan schools, suggesting that 'perhaps our bi-lingual [sic] programs give us a little lead time'.[205] Williams enclosed Sofstall's evaluation of Arizona's bilingual programs in his response to Pottinger. Sofstall explained that 'the local educational administration' for bilingual education programs in Arizona were required to sign a declaration stating that they would comply with the Civil Rights Act of 1964 and not discriminate against students on the grounds of 'race, color, or national origin'. Sofstall explained that Arizona had 'qualified consultants' who ensure that schools receiving federal money comply with their legal obligations.[206]

[203] Stanley J. Pottinger to school districts with more than five percent national origin-minority group children, Memo, 25/05/1970, copy of original memo in: Governor John R. Williams Papers, RG1 SG20, Box 538.
[204] Ibid.
[205] Jack Williams to Weldon Sofstall, Memo, 02/06/1970, Arizona State Archives, Governor's Subject Files, RG1 SG20, Box 538; Jack Williams to Stanley J. Pottinger, Letter, 29/06/1970, Arizona State Archives, Governor's Subject Files, RG1 SG20, Box 538, Folder 12.
[206] Weldon Sofstall to Jack Williams, Memo, undated, Governor John R. Williams Papers, RG1 SG20, Box 538, Folder 12.

For bilingual education advocates in Arizona, the next opportunity to make progress was the re-authorization process in the Legislature during 1972. Having established bilingual programs in public schools in 1969, bilingual advocates set about amending the relevant legislation to expand its scope. Democratic Senators such as Manuel 'Lito' Pena wrote a Bill that would have made bilingual education a universal right for Arizonan students. Although the need for a larger program was obvious, efforts to expand the program were once again stymied by Republican opposition.[207] Yet, Pena and other bilingual advocates were able to secure students in the first eight grades of schooling were now eligible to enrol and the stipulation that pupils were limited to one course of instruction was removed. The funding appropriation was also increased to $50 per unit of instruction.[208] In July 1973, Weldon Sofstall, issued a guide to administrators to bring clarity to the responsibilities placed on school districts following the re-authorization of state bilingual education legislation. The guidance focused on enforcement of the eligibility criteria, which became necessary after a stipulation was introduced that made school districts responsible for enforcing regulations related to the program. The biggest change was a requirement that a student might enrol in a bilingual education program only 'after satisfactory proof has been presented to the superintendent that the student is legally present in this state.'[209] Although theoretically this regulation gave new responsibilities to school districts, in reality, it had little discernible impact immediately after it was introduced. There is neither any trace of an enforcement apparatus in the records belonging to the school districts or Arizona Department of Education, nor any local press stories of school children being turned away from school because they could not verify their status as legal residents. Seemingly no students were reported to the Immigration and Naturalization Service (INS) because of their attempts to attend bilingual education classes.[210]

[207] Draft Amendment to Title 15, Chapter 10 of Section 15-1098, Manual 'Lito' Pena Papers, Box 10, Folder 13; Draft Amendment to Section 15-121 of Arizona Revised Statutes, Manual 'Lito' Pena Papers, Box 10, Folder 13; Arizona Revised Statutes, Chapter 124, Senate Bill 1137, Second Regular Session, 30th Legislature.
[208] Arizona Revised Statutes, Chapter 169, House Bill 2208, First Regular Session, 31st Legislature; Arizona Revised Statutes, Chapter 124, Senate Bill 1137, Second Regular Session, 30th Legislature; Minutes of the Arizona Senate Education Subcommittee on Bilingual Education, 15/01/1974, Manual 'Lito' Pena Papers, Box 10, Folder 13.
[209] House Bill 2208, Arizona House of Representatives, thirty-first Legislature, First Session, p. 6.
[210] I used a Keyword search of the Arizona Republic database available on Newspapers.com. The search terms included combinations of 'bilingual', 'school', 'deport', 'Phoenix Union',

Lax enforcement, or intentional disregard of the regulations, meant that schools were providing language instruction to more pupils than they received funds for under the state funding formula. This meant that by the end of the decade, ADE reports recorded a fall in per capita spending for bilingual education, at a time when the numbers of students enrolled was rising. The annual report on Bilingual Instruction and Special English Training published in 1978 for the subsequent school year celebrated 'the successful growth of the program', proof of which was signified by the 21,981 students receiving language instruction as a results of state funding.'[211] This figure was recorded as the level of 'Actual Student Participation', as opposed to the concept of 'Actual Daily Membership', which ADE had previously relied upon as a means of determining funding appropriation. 'Actual Student Participation' was a new measurement for which the ADE only began collecting data during the 1977-1978 school year. It documented the existence of a shadow enrolment figure; a higher number of students were participating than the recorded daily membership number. In this school year the difference between the two was 4,414. By the 1979-80 school year, this shadow figure began to have significant implications for the financing of bilingual education. ADE reported that Arizonan public schools had 'experienced an increase in the number of students of limited English proficiency in the 1979-80 school year'.[212] This had caused a disparity between the levels of 'actual average daily membership', recorded at 19,999, compared with the 'actual student participation' rate of 23,748. The cumulative impact of the increase of limited English proficiency children was to reduce the real terms level of funding from $50 per unit of instruction to $30.96.[213]

The introduction of bilingual education in the late 1960s raised important questions concerning how best to configure such programs; the appropriate level of funding to allocate to them and how best to measure their efficacy. Whilst bilingual education was not a priority for many state politicians during the 1970s, it was not entirely peripheral. In 1972, Governor Jack Williams opened the 30th Session of the State Legislature by announcing that the education budget had expanded to consume 74 per cent of revenue collected by state

[211] Bilingual Instruction and Special English Training: Annual Evaluation Report, 1977-1978, Arizona Department of Education (1978), The Preliminary Inventory of Carolyn Warner Papers, #1993-0702, Box 14.
[212] Bilingual Instruction and Special English Training: Annual Report, 1979-80, Arizona Department of Education (1980), The Preliminary Inventory of Carolyn Warner Papers #1993-0702, Box 14.
[213] Ibid.

authorities. [214] Yet, as the economy slowed in the early part of the decade, policies were placed under increasing fiscal scrutiny, viewed through the prism of affordability and desirability, with the result that many previously successful initiatives were then considered frivolous in the harsher light of fiscal retrenchment.

The first political conflict over bilingual education began less than a year after the Bill was signed into law. In early January 1970, the Republican-dominated Arizona Senate Appropriations Committee began deliberating on the state budget. Prior to this, the ADE had submitted a budget proposal which included a $200,000 appropriation for bilingual education in public schools, double that originally allocated by the Legislature. In response, the Appropriations Committee suggested half that amount. Weldon Sofstall agreed to the proposal because he claimed he could not provide sufficient evidence the program was successful enough to justify the requested appropriation.[215] Following this, on 13 January 1970, a group of Mexican Americans from the Valle del Sol Coalition, an umbrella organization which encompassed 24 Phoenix-based Mexican American advocacy groups, confronted the State Superintendent at his office in the state capitol. Similar to recent Mexican American activism at PUHS and in south Phoenix, the group demanded properly funded bilingual education programs alongside efforts to make public institutions representative of local demographics. [216] The pressure from Valle del Sol appeared sufficient to influence Sofstall, as two months later, he reversed his position on bilingual education funding and wrote to the chairman of Appropriations Committee requesting the original sum be allocated. The Superintendent claimed that the proposed $100,000 would serve only 4,000 students across the state in accordance with the statutory rate of $25 per unit of instruction. However, evidence from the Arizona Department of Education indicated that, in reality, double that number of students were in need of bilingual education. Sofstall was clear: the Committee's proposal was inadequate, and he supported the ADE's request for a larger appropriation.[217]

[214] Jack Williams, The Governor's Message, 30th Session of the Arizona State Legislature, Second Regular Session, Journal of the Senate, 10/01/1972, p. 12-13; Bernie Wynn, 'Governor asks legislature to start all-out drive to resort clean skies', *Arizona Republic*. 13/01/1970.
[215] Ibid.
[216] Peter B. Mann, 'Sofstall says he lacked data on bilingual budget', *Arizona Republic*, 13/01/1970.
[217] *Arizona Republic*, 17/03/1970.

By the spring of 1970, the federally funded program at PUHS had run into trouble. Guidelines for establishing programs under the BEA were ambiguous thus there was uncertainty amongst district officials regarding their legal obligations. In response to queries, federal authorities insisted that any program created under the federal mandate must be fully integrated and contain a balance of Mexican American and Anglo students. Federal officials from HEW instructed PUHS to create racial balance in their bilingual classes. This meant that PUHS had to include 25 freshmen and 30 sophomore students, who were not language minorities, in the program. According to the program's director, Maria Vega, the compliance notice meant 'a truly bilingual program . . . [would not] be possible.'[218] This stipulation created a perverse situation whereby Anglo children, without any Spanish language skills, were attending bilingual classes specifically targeted at Mexican Americans, in order to comply with racial balance requirements. As a result, Mexican American students were missing out on the opportunity to participate in bilingual programs which they badly needed to improve their educational attainment. This incident was the first to be cited by opponents of the program as part of an emerging critique that bilingual education was inefficient and an example of liberal profligacy.[219]

While bilingual education programs were threatened by regulations and limited funding appropriations, they were also threatened by public opinion. A report by the *Phoenix Gazette* into the use of bilingual education in the state's schools captured contemporary discontent, describing the program's uncertain place within the educational and political landscape. 'In Arizona', they argued, 'the foundation for bilingual education seems to rest not on any popular will of the people, but on a grudging compliance with federal mandates.'[220] The fact that the programs were federally mandated created a climate of opposition. This, according to the State Director of Bilingual Education, Nancy Mendoza, meant that bilingual education '[was] seen in the same light as civil rights activism, ethnic studies and affirmative action. People react to those issues emotionally.'[221] Even within Mexican American communities,

[218] 'PUHS Ordered To Integrate Bilingual Education Program By September', *Phoenix Gazette*, 18/06/1970, Eugene Acosta Marin Papers, Box 25, Folder 3.
[219] 'Bilingual Experts', *The Phoenix Gazette*, 28/02/1972, The Preliminary Inventory of Carolyn Warner Papers, #1993-0702, Box 14.
[220] South, Jeff and DeUriarte, Richard, 'Grudging Compliance with Law: Bilingual Issue Stirs Debate', *The Phoenix Gazette*, n.d., Eugene Acosta Marin Papers, Box 25, Folder 3.
[221] Ibid.

there was opposition to the initiatives. One local teacher stated he did not support bilingual education because 'English is the official language of the country and those kids have got to learn it.' He also questioned the value of such within the school environment, stating 'I don't need the teacher to teach me my language or culture . . . I can learn my culture at home.' The President of the board of trustees for Phoenix Elementary School District offered only qualified support of the program, arguing that bilingual education was necessary in the first three grades but only as a narrow remedial measure.[222]

Appraisals of the bilingual education programs introduced in the initial years after the federal government and state Legislature intervened were undermined by a lack of clarity about the objectives of the program. Although local press reports were not uniformly negative, one report In March 1972 described the bilingual program as a 'success'. It did so for reasons that differed from Mexican Americans' criteria for judging the program.[223] In particular, the first two years of the program had been successful in helping Mexican American children learn English. The report understood bilingual education, especially the ESL method, as a means of improving assimilation. This was in line with the views of conservative supporters of bilingual education, who argued that once Limited English Proficiency children had been given a course of remedial instruction, they would integrate into mainstream Arizonan society and culture with greater ease. This was an altogether different measure of success to bilingual advocates in PUHSD and Chicano activists, who believed that the aim of bilingual education was to encourage cultural pride. In this regard, even a small bilingual program created greater acceptance of Spanish language use. One teacher noted at the school ten years earlier 'kids got slapped if they spoke Spanish'.[224] It was this change in approach, not assimilation, that was the aim.

In the 1972-1973 school year, bilingual education classes at PUHS contained 250 students across three stages organized according to age. Most were long term residents in the U.S., but 22 students in the program had travelled to the country from Mexico less than 18 months

[222] Ibid.
[223] Fitzpatrick, David, 'Bilingual Program a Success', *Arizona Republic*, 13/03/1972.
[224] Ibid.

earlier.[225] Incorporating recent arrivals into the schooling system was not easy. An annual report prepared for the Governor in the same period noted that 6,900 migrant children had been educated at '27 common schools, secondary schools, junior colleges, and universities.'[226] ADE officials were concerned about the condition of migrant children being subsumed into the education system. Many such children, the report noted, 'were identified as lacking in health and nutritional needs', whilst others were seen as 'educationally deprived' and thus required additional schooling 'to assist in bringing them up to grade level.'[227] The annual report also documented the legislative appropriations for the State Department of Education. Aid to bilingual students for the fiscal year of 1972 - 73 was recorded at $200,000, showing how the appropriation had recovered to the level it was at two years earlier after being halved in 1970. At first sight, this marked progress, yet in comparison to other educational spending commitments, funding remained low. For example, support for 'Gifted Pupils' in the same year stood at $208,000. The entire budget administered by the ADE was $201,977,250. This figure had increased by a third in just four years. A significant increase in the Basic Grant for educational costs accounted for most of the rise in education spending.[228]

Despite additional money being made available after the state program's legislative re-authorization, the funding appropriation set by the Arizona Legislature placed significant strain on local school districts. Arizona Revised Statute – 1099 had allocated $50 per unit of instruction but the report explained this was inadequate to meet the challenges faced by schools with high language minority enrolments. In 1976, there was a ratio of 146 students to every one member of instructional staff. The $50 appropriation would enable a district with 100 language minority students to hire just one member of staff. This placed a significant burden on local school districts to provide the supplementary funds necessary to make bilingual programs viable. In the 1972 and 1973 school years, local districts had spent more on language education than the state administration. But even after the increased appropriation in 1974, local and state support had only reached a point of near parity. In the

[225] Ibid.
[226] Report to the Governor, Arizona Department of Education (1973), Arizona Government Documents Collection, Arizona State University, p. 15.
[227] Ibid., p4.
[228] Report to the Governor, Arizona Department of Education (1972), Arizona Government Documents, Arizona State University, p37.

1976 school year, the state spent $832,827 in comparison with $819,260 spent by local districts. The ADE's report recognised the increase in support from both local and state sources but argued 'the commitment is still far from sufficient to meet the need.'[229] It estimated that 33,968 (75 per cent) 'Spanish Surname' students in grades Kindergarten to four were eligible to receive bilingual instruction but were not currently being served by a state funded program. An additional 16,907 (50 per cent) students in grades 5 to 8 were also not receiving bilingual education despite being eligible.[230]

The new rights granted to Mexican Americans as language minority citizens represented significant progress. The passage of the federal Bilingual Education Act forced state politicians in Arizona to consider an issue that was previously peripheral to the Legislative agenda. Unlike California and Texas, states with histories of greater accommodation of language minorities and willingness amongst local political actors to introduce bilingual programs, Arizona had a history of hostility towards the use of Spanish. These trends were evident in political conflicts over bilingual education. State politicians took up the issue reluctantly and many conservative members of the Legislature tried to restrict the eligibility of state funded programs to a small group of students. This made the survival of bilingual education in a meaningful form beyond the initial year after the Arizona Legislature introduced an appropriation to support it, was far from certain. It also created a complex web of programs and methods. For example, the majority of students receiving bilingual instruction relied upon the state funded programs that were restricted to limited English proficiency students in the first eight grades of schooling. But bilingual classes funded by the state government were restricted to using the ESL method that would later be struck down by the U.S. Supreme Court. Ostensibly, students in PUHSD were able to attend a full bilingual program but in practice the numbers able to access the classes were low due to the limited fiscal appropriation made by Congress. Although those rights were fragile and contested, their survival indicated that the racial politics of the state, which sought conformity through the use of English Only, had been unsettled.

[229] Bilingual Instruction and Special English Training: Annual Report Highlights 1977, Arizona Department of Education (1977), The Preliminary Inventory of Carolyn Warner Papers #1993-0702, Box 14.
[230] Ibid.

Classroom Materials Committee

As has been seen, various challenges were mounted throughout the 1960s and 1970s to aspects of education policy in Arizona, not least by Mexican Americans, using direct action, political campaigns or bureaucratic channels. A typical response to such action was the creation of committees to investigate the contested issue further. Often these committees produced reports which validated the complaints raised, but substantive action rarely followed. However, such committees were not unimportant because they created forums for debate between key political actors. The Classroom Materials Committee (CMC) created in 1968 was an example of such a forum.

If language education was a contentious topic, so too were issues relating to curriculum and classroom materials, with many Mexican Americans believing such did not adequately represent their history. In September 1968, the State Board of Education agreed to establish a committee to identify classroom materials which were more representative of minority histories and cultures. In doing so, the Board believed it would appear responsive to minority concerns. Yet, beyond this, their decision represented, at the very least, a partial recognition of the increased visibility and strengthened political voice which Mexican Americans had secured in recent years. Once established, the Committee comprised some of the most important education officials in the state, including Eugene Marin, State Director of the Arizona Office of Economic Opportunity, through whom the Governor's office become involved. Collectively, these individuals were given the task of compiling a bibliography of alternative materials which schools could use to make their syllabuses more representative. The bibliography was intended to 'depict the contributions minority groups, have made, and are making, in our society.'[231] The final decision, however, remained with individual school districts; the Committee had the power only to recommend, not compel the use of new materials.

[231] Louis McClennen to Eugene Marin, Letter, 06/09/1968, Eugene Acosta Marin Papers, Box 13, Folder 12; Eugene Marin, to Louis McClennen, Letter, 09/09/1968, Eugene Acosta Marin Papers, Box 13, Folder 12.

The Committee met regularly, but made little tangible progress, largely due to certain unenthusiastic and apathetic members. A memo circulated in November 1968 suggested that the Committee was bloated and lacked direction:

'Members of the Committee – Nameless because it has so many names, but it is the one appointed by the State Board of Education to do something (we're not sure what) toward improving educational opportunity about and for minority groups.'[232]

The textbook Committee presented their findings and conclusions to the state board of education on 24 February 1969. Yet, before the presentation, members of the Committee clashed over the unwillingness of some members to give its work serious consideration. The chairman of the Committee, Eddie Myles, wrote to his colleagues to stress the importance of full participation in the preparation of their final recommendations and subsequent presentation to the board. Those events, he wrote, would determine 'whether we succeed or fail.' He also reminded Committee members that the work itself was something they believed was long overdue'.[233] But Marin did not heed the warning, attending neither the Committee's final meetings nor the presentation. In response, Myles wrote to Marin to express his disappointment and stated clearly that the meetings were of such importance that was necessary to ask him 'quite frankly, are you really interested in the problem to the extent you wish to continue to serve on the committee.'[234] In the end, the textbook Committee failed to reach a consensus or agree a list of recommended books of classroom materials.

In moments of acute political crisis, such as the PUHS protests, politicians and education officials were prepared to make rhetorical commitments to addressing the concerns raised by Mexican Americans. However, amongst education officials in the governing institutions of Phoenix and the state administration, the period of 1968-1980 was one of a perennial political indifference towards Mexican Americans. The expansion of Latino civil rights during the 1960s enabled local Mexican Americans to obtain a hearing within the political institutions of the

[232] Nina J. Mahaffey to unknown, Memorandum, 22/11/1968, Eugene Acosta Marin Papers, Box 13, Folder 12.
[233] Myles, Eddie to Textbook Research Committee Members, Memorandum, 13/02/1969, Eugene Acosta Marin Papers, Box 14, Folder 13.
[234] Eddie Myles, to Eugene Marin, Letter, 27/02/1969, Eugene Acosta Marin Papers, Box 14, Folder 13.

state, yet meaningful change in policy was often not forthcoming despite this newfound voice. A similar pattern of inaction is evident one year later, in 1969, when the political pressure on state officials appeared to be reaching a critical mass. Just a few weeks after the violence at PUHS, Dr. Welton P. Sofstall, established the Minority Group Educational Advisory Commission, which had the singular purpose of investigating the educational needs of minority groups. For someone occupying the highest position in the state's education system, Softsall was remarkably aloof and detached from contemporaneous education debates. When he spoke at the first meeting of the Committee on 13 December 1969, he admitted 'I don't know the answers'. He also appeared unaware of the longstanding appeal from Mexican Americans for educational programs to target their unique situation. For example, he stated, 'I don't know if the injustices suffered by the three minorities [African American, Mexican American and Native American] here are different or not.' [235]

Although Sofstall established the investigatory committee, his personal hostility to interventions by the state undermined any perception that Mexican Americans would receive a receptive response to their concerns. During his tenure, Mexican Americans faced a hostile education bureaucracy, in which Sofstall was the most senior figure and demonstrated a lack of interest in addressing the attainment gap between Mexican Americans and Anglos. He believed that 'the sole function of government should be to provide the person with the individual liberty to achieve his God-given destiny on this earth.'[236] Sofstall opposed any interventions of the state to provide social welfare or education programs and although he did not sabotage or hinder the state bilingual education program, it was not a priority and he expressed little interest in doing more than fulfilling its statutory obligations.[237] The limited

[235] Mexican American Educational Needs: A Report for the State Superintendent of Public Instruction. 1970. Arizona State University Library, Government Documents. Unpaginated.
[236] Weldon Sofstall, *The Arizona Constitution*, undated, Governor John R. Williams Papers, RG1, SG20, Box 495, Folder 14.
[237] In a series of speeches delivered as Superintendent of Public Instruction, Sofstall reflected on the state of public education, which he considered to be in a parlous condition, and its future. These speeches contained only fleeting references to 'minority group problems', whilst the need to maintain individual liberty were extolled at length. Weldon Sofstall, *Serving the Children of Arizona*, undated, Governor John R. Williams Papers, Box 495, Folder 14; Weldon Sofstall, *Public Schools of the Future*, undated, Governor John R. Williams Papers, Box 495, Folder 14; Weldon Sofstall, *Modern Innovation in Education*, undated, Governor John R. Williams Papers, Box 495, Fodler 14; Weldon Sofstall, *From Rights to Responsibilities*, undated, Governor John R. Williams Papers, Box 495, Folder 14; Weldon Sofstall, *The Land of the Free*, undated, Governor John R. Williams Papers, Box 495, Folder 14.

bilingual education programs in the state were not sufficient to meet the level of demand or the scale of the attainment gap between Mexican Americans and Anglo students. Four Mexican American educators wrote to the Governor in May 1970 to urge him to take further action to reduce the 'injustices in the education of Mexican-American children in Arizona'. They argued that the magnitude of the problem required an immediate intervention to overcome the 'failure to understand the unique language learning problems of the Mexican-American', amongst other suggestions about the recruitment of more Mexican American teachers.[238] Yet, when members of Arizona's Legislature asked for direction about the Arizona Department of Education's priorities for the 1971 Legislative Session, Softsall responded by listing his view of the current 'educational deficiencies': 'Drug abuse prevention', 'Moral values – juvenile conduct', and 'Love of country', amongst others, but his list made no mention of any education programs to address the attainment gap or language deficiencies in Arizonan schools.[239]

Sofstall was not the only prominent figure to display such a lack of understanding. On 18 May 1970, Governor Jack Williams attended a public meeting at PUHS to address the concerns of Mexican American parents regarding the quality of education provided in the state. Parents complained that schools had 'failed to meet some of the most important educational needs' of Mexican American children and highlighted particular areas of concern, most notably the ongoing problem of bilingual education; the acute lack of cultural understanding and the failure to provide Citizenship classes.[240] In response, the Governor admitted that he was unaware of the difficulties Mexican Americans faced in education. Given that the protests at PUHS earlier in the school year had been a prominent news event, this admission was surprising for many. Eugene Marin, a member of Williams' office with a designated portfolio for Mexican American affairs had written five articles which ruminated on earlier protests, their causes and their implications for the city's racial politics. For Williams to tell parents that

[238] Manuel Dominguez, Antonia Diaz, Raymond Flores, and Luz Baeza, 'Injustices in the Education of Mexican-American Children in Arizona and Recommendations for Change', position paper, 18/05/1970, [no pagination], Governor John R. Williams Papers, RG1 SG20, Box 531, Folder 5.
[239] Weldon Sofstall to All members of the 30th Legislature, Memo, 29/01/1971, Governor John R. Williams Papers, RG1 SG20, Box 607, Folder 25.
[240] 'Governor Promises Latins Education Help', *Phoenix Gazette*, 19/05/1970, Eugene Acosta Marin Papers, Box 25, Folder 3

he was unaware of the problems they faced indicated either that he had entirely delegated that area of policy to Marin, or that his response was disingenuous.

In its brief, Sofstall asked the Advisory Commission to identify the causes of Mexican American underachievement in education and recommend possible solutions. In its final report to the State Superintendent in 1970, the Committee was highly critical of Arizona's education system. Put simply,

'[t]he present program of instruction in most Arizona schools, particularly those in the larger urban centres, has failed to meet some of the most important educational needs of a significant majority of Mexican-American children'.[241]

To read the report's conclusion is to see that Mexican Americans faced entrenched, structural barriers that bilingual education alone could not solve. The report depicted the institutions of Arizonan schooling as unresponsive and alienating, points which indicated the Committee was sympathetic to the arguments made by minority parents. According to the report, Mexican American children entered the classroom with pre-existing educational deficiencies, but these were exacerbated by staff who were unable or unwilling to offer remedial instruction. In the case of Phoenix, the Committee believed the difficult school experiences and unequal education outcomes for Mexican Americans were derived, in part, from the divided metropolitan landscape. Mexican Americans residing in the densely populated South Phoenix barrios faced significant disadvantages in comparison with their Anglo peers in PUHSD. The most important force shaping the attainment of Mexican American students was the 'different cultural and linguistic forces not shared by his Anglo peers nor, in most cases by his teachers and the educational system.'[242] These linguistic and cultural difficulties were, according to the report, in a large part due to a persistent lack of funds or training for teachers. School districts had done '[l]ititle or nothing' to 'update the competency of classroom teachers' as the result of a fundamental unwillingness to address the problems of Spanish-speaking children. Based on these findings, the Committee recommended the

[241] Ibid.
[242] Ibid.

Superintendent instruct school districts to audit the students under their jurisdiction to establish the extent of language deficiencies in the state. They believed that the existing provisions were not adequate to meet the needs of language minority students and once a full appraisal of the demand had been ascertained, districts should develop language instruction classes to be conducted by qualified staff, to be achieved through a combination of training for existing staff and targeted recruitment of bilingual specialists. They also highlight longstanding recommendations, made by other investigatory committees, such as the preparation of a curriculum which reflected minority history and culture more appropriately than materials currently used in classrooms.[243]

In the report, the Committee also cited the lack of Mexican Americans employed as teachers or administrators as a cause of the attainment gap between Mexican American students and their Anglo peers. During the 1968-69 school year, 12,467 elementary school teachers were employed in the state but only 448 were recorded as being Spanish-surnamed. The proportion of Spanish-surnamed high school teachers was only marginally better. Of a total of 5,119 teachers, only 253 were Spanish-surnamed. In the 1969-70 school year, 1044 administrators were employed in the state's public schools yet only 32 elementary school administrators were recorded as 'Spanish-surnamed'. In the state's high schools, just seven 'Spanish-surnamed' individuals were employed as administrators.[244] These disparities, the report stated, had arisen because '[i]n the past, school districts have made it a practice, consciously or unconsciously, not to recruit Mexican-American teachers.' More than this, 'very little effort has been made to utilize positively the personal and professional resources of the Mexican-American teachers who are currently employed.'[245] Statistics for the entire state obscured worse levels of minority employment in Maricopa County, which included the state's largest city, Phoenix, and largest population of Mexican Americans. Despite the significant minority population, only 2.8 percent of teachers in the county were Spanish-surnamed and only 2 Spanish-surnamed administrators were employed in Maricopa County school districts.

[243] Idem.
[244] Ibid.
[245] *Mexican American Educational Needs: A Report for the State Superintendent of Public Instruction*. 1970. Arizona State University Library, Government Documents. Unpaginated.

To combat this problem, the Committee made comprehensive recommendations regarding the reform of hiring practices and school governance. First among them was the recommendation that school districts should make the hiring of Mexican American educators an immediate priority. The purpose of this recruitment drive was to establish a policy of maintaining staff levels 'proportionate to the number of Mexican-American students enrolled in the district.'[246] Another recommendation stated that schools with a high enrolment of Mexican American students should test candidates for administrative roles in relation to their 'competence in meeting the needs of Mexican-American children'. Similarly, the Committee suggested that school districts should establish guidelines to ensure teachers in areas with large minority enrolments 'have strong empathy for and a deep understanding of the Mexican-American.' The governance structures of school districts should also include a 'standing committee of Mexican-American educators to inform it on matters concerning Mexican-Americans.'[247]

If Williams was previously unaware of the disadvantages Mexican Americans, and other racial minorities, suffered in the state's public schools, he was left in no doubt following the Committee's report. This newfound awareness coupled with the stark nature of the report's findings led many to expect an urgent policy response, but this did not occur. Sofstall himself had little power to compel school districts to change their schools, nor could he exert any influence over a racially segregated metropolitan landscape. His power was largely confined to setting priorities and shaping the contours of discussion about education policy. Yet, his response, or any sustained effort to make progress in spite of his limited powers, demonstrated that he was not interested in implementing reform to reduce the racial attainment gap. Thus, as with other committees formed to investigate minority affairs, many of the Commission's recommendations were not implemented, particularly those related to course content. Together, the examples of the Classroom Materials Committee and the Minority Group Educational Advisory Commission clearly show that the usual pattern following publication of their findings was inertia. Yet, the Commission's report was not

[246] Ibid.
[247] Ibid.

completely ignored, as PUHSD implemented some limited reform. Within two years of the findings, officials had amended the district's staff recruitment policies to broadly mirror those contained in the Commission's suggestions. This change was announced on 18 January 1972, when Gerald DeCrow, Superintendent of PUHSD, wrote to secondary school principals under his direction to inform them of a new recruitment policy. Closing the Parity Gap, as DeCrow called it, codified a policy of improving the proportion of minority teachers 'as rapidly as possible.'[248] DeCrow explained that his aim was to ensure that the number of minority staff employed on each high school campus in the city corresponded with the level of minority enrolment in that particular school. DeCrow argued that the school system not only had a responsibility to comply with the anti-discrimination law but also a 'moral commitment as a public body to move expeditiously to close the parity gap.'[249]

In the 1969-70 school year, just 78 of 2,643 teachers in high schools within Maricopa County were 'Spanish Surnamed' and just two high school administrators were 'Spanish Surnamed'.[250]

Therefore, DeCrow's commitment to improving the demographics of the PUHSD teaching staff was an important moment of recognition, validating concerns that Mexican Americans in Phoenix had raised for many years. But it was only one demand met amongst many advanced. The majority of issues, which Mexican Americans, and now ADE-appointed Committee members, had highlighted as contributory factors in a schooling system which produced different education outcomes depending largely on a student's race, remained unresolved. In truth, therefore, the importance of the Advisory Commission's report lay not in the action which resulted directly from it, but rather it removed the possibility that Sofstall did not know the disadvantages which Mexican American students faced in the classroom. Any continued inaction resulted not from ignorance, but from negligence.

[248] DeCrow, Gerald to Secondary School Principals, Memorandum, 18/01/1972, Eugene Acosta Marin Papers, Box 14, Folder 15.
[249] Ibid.
[250] *Mexican American Educational Needs: A Report for the State Superintendent of Public Instruction.* 1970. Arizona State University Library, Government Documents. Unpaginated.

Bilingual Education politics

The 1974 election cycle returned the issues of minority representation and the education of Mexican Americans to the forefront of state politics. Sofstall had declined to seek a full term as Superintendent, leaving an open contest that year. Despite suggestions that bilingual education did not command wide public support, Carolyn Warner made the policy a prominent feature of her campaign for State Superintendent of Public Instruction in 1974. Warner had grown up in Oklahoma, briefly attending the University of Oklahoma before moving to Arizona in 1953. She became involved in the Phoenix education system as her children attended local schools. She was elected to the board of Phoenix Union High School District before deciding to seek the Superintendent's Office in 1974.[251] Three weeks before polling day, Warner stated that the bilingual program in Arizona was 'one of the finest . . . in the country, but it needs to be expanded even further.'[252] Warner calculated that there were 125,000 bilingual students in the state who would benefit from an enlarged instruction program, yet state and federally funded programs combined only reached 20,000 students, a mere 16% of those who required support. Warner argued that, if elected, she would attempt to expand bilingual programs into all high schools. She argued this could be done without raising additional revenues, simply by taking 'another look at our priorities, understand*[ing]* the problem, and start doing something about it.'[253]Beyond bilingual education, Warner attempted to address the wider issue of inequality, arguing that substantial remedial measures were required to continue the progress of racial integration in public schools. She argued that politicians and education officials 'have to strive to do everything possible to equalize educational opportunities through legal means'. This included, 'student exchanges, integrated employees of school districts, and better educational opportunities for all.' Warner's support for these measures represented a break with educational orthodoxy under

[251] Biographical Note, Overview of Collection, The Preliminary Inventory of the Carolyn Warner Papers. Arizona Archives Online. Accessed via:
http://azarchivesonline.org/xtf/view?docId=ead/asu/warner_carolyn_acc.xml;query=carolyn%20warner;brand=default

[252] Elect Carolyn Warner for State Superintendent of Public Instruction, Press Release, 10/10/1974, The Preliminary Inventory of Carolyn Warner Papers, #1993-0702, Box 30.

[253] Ibid.

Sofstall, who, as Superintendent, firmly supported a policy of localism and non-intervention in schooling matters.[254]

Even in a year when the Democratic Party was particularly successful, Warner's victory in 1974 was impressive. In the November elections Democrats won the Governorship, as well as state-wide elections for Secretary of State and Attorney General. Democrats also gained seats in the Legislature. They reduced the Republican majority in the House and gained control of the Senate after eight years in the minority. However, Warner's result was the most decisive victory; she received 296,844 votes while her opponent, Bill Roark, received 200,859. This meant that she obtained the highest number of votes of any Democratic candidate participating in a state-wide election that year. Irrespective of party, only Barry Goldwater, in his successful re-election campaign for the U.S. Senate, obtained more votes than Warner.[255]

Warner's election to the office of Superintendent of Public Instruction changed the priorities of state education institutions. A few months into her term, Warner highlighted 'bilingual/bicultural education' as the primary problem facing Arizona public schools.'[256] A quarter of students in Arizona public schools lived in a non-English speaking home. This, in addition to the high dropout rate of Mexican American students, convinced Warner that bilingual education should be a policy priority. This was scarcely a majority view. In the summer of 1975, Warner wrote to the Chairman of the Arizona House of Representatives Judiciary Committee, Peter Kay, a Republican representing the 26th Arizona Legislature district, which included the eastern fringe of Phoenix, to build consensus around her agenda.[257] To her letter, Warner attached a newspaper article which highlighted bilingual education as a priority for her administration and asked for Kay's comments. In his response,

[254] Weldon Sofstall, *From Rights to Responsibilities*, undated, Governor John R. Williams Papers, Box 495, Folder 14; Weldon Sofstall, *The Land of the Free*, undated, Governor John R. Williams Papers, Box 495, Folder 14.
[255] Bernie Wynn, 'Castro takes slim lead', *Arizona Republic*, 06/11/1974; Don Bolles, 'Dems appear to control state Senate, *Arizona Republic*, 06/11/1974.
[256] Parsons, Cynthia, 'Arizona education chief urges bilingual schooling', *Christian Science Monitor*, 23/06/1975, The Preliminary Inventory of Carolyn Warner Papers, #1993-0702, Box 14.
[257] State of Arizona 31st Legislature, 1973-1974, Mountain Bell, undated, unpaginated. Copy in Manuel "Lito" Pena Collection, Box 8, Folder 1.

Kay stated that he did ‘not feel that bilingualism is the Number One issue in education in the State of Arizona’.[258]

Within a year of taking office, Carolyn Warner ordered a fundamental review of education in Arizona. For her, and the newly-appointed Committee, the importance of the classroom and the education provided within it transcended mere pedagogic instruction. Instead, she believed '[t]he patterns shaped by schools become part of what we as individuals accept as normal in society.'[259] Education was, therefore, simultaneously a reflection of contemporary society and a vehicle to impart values onto future citizens. Now that the ADE was under new leadership, in particular with a Superintendent who was sympathetic to minority affairs, there was a possibility of meaningful change in Arizona’s education system. Similar to earlier reviews, the Superintendent’s Committee findings were critical of Arizonan education. The report noted that ‘Schools have generally reflected society's values and modelled them.'[260] For example, they found schooling in Arizona had been largely constructed along patriarchal lines, as men occupied most senior teaching and governance roles. Alongside this, within the classroom itself, there were clearly defined gender roles for boys and girls centred upon traditional ideas about masculinity and femininity. Males were encouraged towards athletic pursuits, females towards passivity and domestic skills. The Committee’s report also addressed the racial orientation of education. Schools had traditionally 'modeled [sic] a monochromatic society'. As late as 1970, school textbooks had reflected these 'racist/monochromatic views', highlighting the difficulties that Mexican Americans faced in public schools.[261]

In the initial years of her tenure, Carolyn Warner had been focused upon expanding the availability of state-funded bilingual education programs. Her administration had hoped to secure a new state law that would mandate school districts to provide ‘programs of oral-English development of the limited English-speaking’. Other recommendations for members

[258] Carolyn Warner to Peter Kay, Letter, 31/07/1975, The Preliminary Inventory of Carolyn Warner Papers, #1993-0702, Box 14; Peter Kay to Carolyn Warner, Letter, 16/09/1975, The Preliminary Inventory of Carolyn Warner Papers, #1993-0702, Box 14.
[259] Ibid.
[260] Ibid.
[261] Ibid.

of the Arizona Legislature to consider included an increase of the per child allocation to $100,000 and a fairer funding formula based upon the needs of a school district.[262] However, following the U.S. Supreme Court's ruling in the *Lau v. Nichols* case of 1974, school districts in Arizona were increasingly concerned about complying with federal mandates for language minority students. The driver in this development was a case originating in California. A group of Chinese American parents brought the suit against the San Francisco public schools on the basis that the district's failure to provide bilingual instruction deprived their children of a meaningful opportunity to participate in the classroom. The lower courts had dismissed the arguments made by Lau's lawyers that this violated their Fourteenth Amendment rights. The Courts ruled that Chinese American students received the same education as other students, meaning that there was no discrimination. The U.S. Supreme Court agreed to hear the case and handed down its ruling in January 1974, in which they reversed the Court of Appeal's earlier ruling. Consequently, the Supreme Court unanimously dismissed the Equal Protection argument but they upheld OCR's regulations, described in the 1970 memo from Stanley J. Pottinger.[263] The Supreme Court's ruling in *Lau* and the re-categorization of ESL as insufficient under the subsequent HEW directive meant that, from then on, several school districts in Arizona were no longer in compliance with Title VI of the Civil Rights Act of 1964. Bilingual education had been established in the state primarily under the ESL method. But the use of ESL also represented the fundamental ideological understanding that many politicians and educational officials in Arizona held. Yet, the ruling did not appear to immediately alter the education of Mexican Americans in Arizona.

The first signs of action occurred in 1976 when, as a result of the *Lau* ruling, Warner appointed a task force to identify the remedies available to school districts with a high proportion of language minority students. The task force comprised education professionals from across the state and in October of that year, they submitted their findings to the Superintendent. The ADE had no power to enforce new regulations; rather the findings served only as suggestions for districts on how to ensure compliance with federal mandates. Even the task

[262] J.O. Maynes, and Nancy Mendoza, Bilingual Instruction and Special English Training Program: Annual Evaluation Report to the Superintendent of Public Instruction, Carolyn Warner, 1975-1976, The Preliminary Inventory of Carolyn Warner Papers, #1993-0702, Box 14. Unpaginated.
[263] Lau Versus Nichols: 2-16-1977; Davies, *See Government Grow*, p. 157-160.

force's more limited objectives, identifying and sharing effective methods, had to contend with the strong impulse to resist a centralising educational bureaucracy and maintain local control of schooling in Arizona. Such was the case that an official from the ADE wrote to the Chairman of the task force to specify it was not the Department's policy

'to mandate specific compliance plans to local school districts and a district which chooses to follow alternative compliance plans may do so as long as it can show that the alternatives are as effective as the suggestions of the Task Force document.'[264]

The task force suggested that high school districts should consider four approaches for students whose home language, or first language, was not English. These included combining teaching subject matters in the student's native language with English as second language program; teaching subject matters in the student's native language with a bridge into English program; teaching solely under an English as second language program (ESL); or a full bilingual instruction method.[265] Elementary schools were advised to establish programs which were entirely bilingual. For the task force, although the ESL method was considered a component part of a bilingual instruction program, it was not acceptable in and of itself. This view derived from the *Lau* ruling and the subsequent directive released by the federal Department of Health, Education, and Welfare (HEW), which became known as the *Lau* Remedies. The Remedies stipulated how school districts should interpret the recent Supreme Court ruling. In particular, the directive confirmed that the ruling had outlawed the use of ESL as a method for teaching non-English speakers. The Remedies stated that whilst 'ESL is a necessary component' of teaching programs, it 'may not be sufficient as the only program operated by a district to respond to the educational needs of all the types of students'.[266]

As demonstrated earlier, different opinions regarding the most suitable method of instruction was a proxy for differing views concerning the program itself. In the years immediately after

[264] John E. Palomino to David H. Kennon, 16/02/1977, Letter. Chicano Research Collection, ME CHI E-21, Education: Task Force Findings; Lau Versus Nichols: 2-16-1977.
[265] Task Force Findings: Specifying Remedies Available for Eliminating Past Educational Practices Ruled Unlawful Under Lau vs. Nichols, The Arizona Superintendent's Task Force (1977), Chicano Research Collection, ME CHI E-21, Education: Task Force Findings; Lau Versus Nichols: 2-16-1977, p. 9.
[266] Department of Health, Education, and Welfare, 'Task Force Findings Specifying Remedies Available for Eliminating Past Educational Practices Ruled Unlawful Under Lau V. Nichols (1975). p. 5.

the introduction of state-funded bilingual education, Mexican American parents at PUHS argued for a full bilingual program throughout the school. Grace Blossom, President of the Arizona Bilingual Council, wrote to the editor of the *Arizona Republic* to make the case for a two-way bilingual program. She estimated that '90 per cent of bilingual students' in Arizonan schools 'have great difficulty reading at grade level'. Blossom argued that the current instruction programs, which focussed solely on spoken English skills, was a major reason for the Mexican American student dropout problem.[267]For some Mexican Americans, the introduction of bilingual instruction in schools was just one part of a wider agenda to reclaim the bilingual-bicultural history which they believed had been lost as a result of Anglo-American conquest. For others, a true bilingual program would create space for greater recognition and celebration of Mexican American heritage whilst also being the only method to close the attainment gap.

Continuing a pattern established following the PUHS protests, parents and bilingual education advocates sought to influence policy through local school districts. These included PUHS's advisory council of parents, established to discuss the needs of Mexican Americans at the school, and the PUHSD bilingual program, a forum for teachers and public officials to organise bilingual education provision. The responsibilities of the bilingual advisory council was to 'outline the Phoenix Union High School District Bilingual Program . . . and to seek the advice of the Task Force on the direction for expansion of Bilingual Education through District and Federal funds.' Similar to the advisory council, the task force was made up of educators from schools in Phoenix with a significant bilingual enrolment, along with representatives from the Arizona state administration and members of the State Legislature with a policy interest in bilingual education. State Senators Felix and Guteirrez were also invited to attend. [268]

At a meeting of the task force on 21 January 1974, a representative from the Arizona State Department, Hank Arredondo, argued for the need to establish a 'true Bilingual Program'. He defined such a program as including an all-encompassing approach to cultural pluralism. For Arrendondo, a 'true' bilingual program 'involves all students in a multi-lingual – multi-cultural

[267] Grace A. Blossom, Letter to the Editor, *Arizona Republic*, 28/03/1970.
[268] Minutes of the Task Force on Secondary Bilingual Program, 21/01/1974, Secondary Bilingual Program: Phoenix Union High School System (1974). Arizona Historical Society, Ephemera Collection, Box 70, Folder 9.

program', including study of all languages and cultures present in a school, hence it would 'not just involve Mexican-American students.' The State legislation which was being debated at the time aimed to 'help all students become Bilingual-Bicultural' in this manner. During the meeting, Arrendondo's interpretation of the aims of bilingual instruction was accepted as the consensus view of the task force. Collectively, they agreed on 'the need for Bilingual Programs that are multi-ethnic and multi-cultural.' The bilingual task force also endorsed the need to make progress towards 'a comprehensive approach to Bilingual Education.'[269]

Mexican Americans working on the task force attempted to use its work to expand bilingual education, but there was a lack of consensus in relation to how this should be achieved. A representative from other secondary schools in the city spoke of the need to expand the fledgling bilingual program at South Mountain, and support schools other than PUHS. Another suggestion was that the number of schools providing bilingual classes should be expanded. Maria Vega, the bilingual education co-ordinator at PUHS, told the meeting that bilingual classes should be adapted to include 'Mexican-American culture and Mexican History.' She explained that, of the schools in PUHSD which offered bilingual education, PUHS had the largest enrolment in bilingual classes, with roughly 400 students by 1974. The program at PUHS was being supplemented with funds from federal Title VII appropriations. Students in the ninth grade were taught courses on 'Spanish, Reading, English, Math and Mexican History.' But as students progressed through the school, the range of courses available to them was reduced. Just a year later, tenth grade students could attend only 'Spanish, English and American History.' Junior level students were taught only 'English and Spanish' and Senior year students just Spanish. Maria Vega was keen to stress the impact that the program had on the educational attainment of students who enrolled in the program. '[M]any students who graduated from the bilingual program', she argued, 'hold responsible jobs in the community where they use their bilingual talents.'[270]

South Mountain High School reported that, in 1974, their bilingual program served 100 students. The school also had a class of students from Mexico and Costa Rica who possessed

[269] Ibid.
[270] Ibid.

no English skills. Bilingual instruction classes at East High School served only 50 students. Roy Flores, speaking for East High, noted that 'most of the students in the program did not live in the East High attendance zone but came from Phoenix Union and South Mountain attendance areas.' Flores was also concerned that bilingual programs in the upcoming school year would be required to include 'students who were not just remedial.'[271]The requirement to include native English speakers would reduce the number of LEP students which could be served by the program.

Later in the meeting, Vega argued that additional funds should be sought for 'counselor involvement in home visitation and fulltime bilingual counselling.'[272] Her remarks re-iterate how bilingual education transcended the classroom, incorporating both the public and private sphere. Whether intentional or not, the program had the additional effect of reforming parents: bilingual instruction programs aimed not just to help Mexican American children, but also to reshape the language practices of Spanish-speaking parents. Robert Dye, the Principal of PUHS, endorsed the recommendations which resulted from the advisory committee. Mexican American parents had previously criticised Dye during the 1969 walkout, as they believed he did not take their concerns seriously. His support for the conclusions of the Committee indicated some education officials were becoming more responsive to the concerns of Mexican Americans. This history of bilingual education and the committees that were established to examine the provision in Arizona demonstrates the contests that were ever present throughout the decade after its introduction. To ensure the survival of bilingual education, its advocates were required to negotiate and work within the education system, eventually securing a gradual expansion of available programs. But as the decade progressed, the climate coarsened and critiques that were present from the outset assumed added weight.

[271] Ibid.
[272] Ibid.

Challenges

Despite pressure from Mexican American parents to expand the program, the continued existence of bilingual education even in its most basic form became increasingly doubtful, as the difficulties faced by the program became more severe by the end of the 1970s. PUHS's reliance on federal monies left it at the mercy of bureaucratic officials in HEW and the U.S. Congress. Eventually, after five years of funding, the federal government reduced the amount of financial support available to PUHS. On 31 January 1977, PUHS was notified funding for its bilingual program would be removed at the end of the school year.[273] The loss of federal funds would undermine the bilingual provision available to students at the school.

The PUHS Advisory Committee wrote to the PUHS Board to express its view that ESL 'will not be an effective replacement to the Bilingual Program'. They clearly stated that 'it will not be fair to either the students or the community as a whole to try to make them think that the new program is a "Bilingual Program" just because one of its sections has been called "bilingual."'[274] Some members of the Committee argued that providing only ESL would produce inferior results and waste tax revenues, whilst others made provocative suggestions regarding the motives of the state administration and the Board of Education, suggesting they were influenced by 'a strong desire to suffocate the longings of the Mexican-American student and of the Chicano community for a substantial improvement in education.' For those in power, the success of the bilingual education threatened the existing racial and economic order which underpinned Arizonan society and was thus viewed with suspicion. Committee members argued that politicians and public officials saw Mexican Americans as a racially inferior people who 'should be for ever destined to perform the menial chores in our society.' A thriving bilingual program provided Mexican American students with an opportunity to break the cycle of educational underachievement which had persisted for many decades. The reluctance of the Arizona Legislature to fund a replacement program, they argued, was intended 'to keep the Mexican-Americans "where they belong"' and 'to destroy THEIR

[273] P.U.H.S. Bilingual Advisory Committee to School Board of Phoenix Union High School, Memo, 10/02/1977, 'Facts About P.U.H.S. Bilingual Program'. Governors Raul H. Castro and Wesley Bolin Papers, 1973-1978, RG1 SG 22, Box 145, Folder 1.
[274] Ibid.

PROGRAM.'[275] The Advisory Committee also warned that Chicanos in the city were watching carefully to see how the Board would act, implying that the unrest of 1969/70 could occur again.

Supporters of bilingual education had achieved incremental expansion of the state-funded program throughout the decade since its inception. More money than ever before had been appropriated to fund the program and educate students. Although the sums remained relatively small compared with the state's overall budget, this progress nevertheless represented an important victory for local Mexican Americans. Yet, the program remained contested and many questions about its effectiveness were left unanswered. In the second half of the 1970s, these challenges became more vocal, threatening the continuation of bilingual education in Arizona.

Arizona statute stipulated that the ADE was obligated to prepare an annual report concerning bilingual instruction programs within the state. In spite of mounting political pressure and increased questioning, the 1977 report was unequivocal in terms of the program's success. Increased funding under the 1973 legislation had had a significant impact on the number of students receiving instruction. Before it was expanded in 1973, the number of students enrolled had dwindled to 2,000 but by 1977 the number had increased to 21,981. 'Bilingual Instruction and Special English Training in Arizona' the report argued, 'has the potential of being one of the most productive programs we have ever had in our schools.' [276]

In a late 1970s context when PUHSD was administering budget cuts to schools within the city the program was surprisingly durable. Dr. John Walters, Assistant Superintendent of PUHSD, confirmed in 1972 that bilingual education funding would not be cut. Instead, the district would absorb the cost of the program without requesting further federal funds. A condition of the funding stated that PUHS must submit an annual evaluation report detailing the progress of students within the bilingual program.[277] In reality, this meant that students

[275] Ibid.
[276] Bilingual Instruction and Special English Training: Annual Report, 1977-1978 Annual Evaluation Report, Arizona Department of Education [undated], The Preliminary Inventory of Carolyn Warner Papers #1993-0702, Box 14. p. 1
[277] 'Bilingual Program a Success', *Arizona Republic*; 'Bilingual Experts', *Arizona Republic*.

receiving bilingual education were assessed using the Stanford Reading Test before they enrolled in the program and again at the end of the program. The evaluation report showed that the bilingual program contributed to modest improvements in the educational attainment of those enrolled. Students

'whether they are Spanish or English dominant, will increase their reading proficiency by a mean minimum of 1.5 grade levels between pre and post administration of the Stanford Reading Test.'[278]

When a critical national report, produced by the American Institute of Research (AIR) for the U.S. Office of Education, was released in July 1978, it had local implications in Arizona. At its core, the report argued that students in bilingual education classes were not learning English any faster than their counterparts in non-bilingual classes. Yet, both the method and findings of the report were controversial. One critical response was circulated within the Arizona Superintendent of Public Instruction's office and submitted to AIR for inclusion in the final version of the report. Written by former members of AIR, it expressed concern at the findings published and intended to 'correct interpretations of the findings, suggest alternative interpretations, and identify the limitations of the study.'[279] The document dissected AIR's method of the study, with particular focus on the evidence behind the claim that students in bilingual classes did not make more progress learning English than those outside the program.

Regardless of its flaws, the report provided sceptics with the intellectual authority to challenge bilingual education in public schools. One Arizona State Senator wrote to Carolyn Warner, enclosing an editorial on the matter from the *Arizona Republic*. State Senator Boyd Tenney reminded Warner 'that I had reservations about the bilingual program which this editorial brings out.' With this in mind, Tenney suggested that the ADE 'eliminate the request

[278] Don Covey, 'Final Evaluation Report: Phoenix Union Secondary Bilingual Program, Phoenix Union High School System, 1972-73', (1973) Arizona Historical Society, Ephemera Collection, Box 70, Folder 8. p. 1- 2.
[279] Response to AIR Study "Evaluation of the Impact of ESEA Title VII Spanish/English Bilingual Education Program" (1977). The Preliminary Inventory of Carolyn Warner Papers. Arizona State University. #1993-0702. Box 14; Tracey Gray to Jack Jennings, 23/06/1977, Memo, 'Response to AIR Interim Report'. The Preliminary Inventory of Carolyn Warner Papers. Arizona State University. #1993-0702. Box 14.

for bilingual funds from the up-coming budget.'[280] The attached editorial referred to the 'Bilingual Failure' proved by the report and argued that it highlighted policy consequences which were 'not what the educators had in mind when they came out so strongly for bilingual education.' This method of instruction acted as a 'crutch' which prohibited the progress of Mexican American students. The *Republic* concluded that 'the findings of the U.S. Office of Education should result in dropping the use of Spanish to teach English in Arizona schools.'[281]

Yet this is not to say the local press was uniformly critical of bilingual education following the AIR report. For example, the *Phoenix Gazette* offered a more nuanced response. Its editorial implored Arizonan education officials to take the report seriously despite 'criticisms of it', as the educational and social cost of possible shortcomings were too serious to ignore. Yet '[r]ather than making arguments against the study', the paper argued that 'Arizona educators should devote their talents and energies to improving a program that doubtless has flaws but is far too important to abandon.'[282] A number of supporters of bilingual education registered their disapproval by writing to the editor. For example, Miguel Roman Garcia challenged the editorial's interpretation of the study. He argued that the *Republic*'s call for the end of bilingual instruction was based upon an inaccurate representation of the program; 'Spanish is not being used to teach English in Arizona, or in any other bilingual program to my knowledge.' In contrast, Spanish was being used to teach basic subjects to Spanish speakers who would find conventional schooling in English incomprehensible.[283]

By the end of the 1970s, the debate about the meaning and merits of bilingual education, which had been contested 10 years earlier, had become muted and the policy was well established in the state. Even those who had been advocates of the policy during the mid-1970s had become less vocal by the end of the decade. For example, although Carolyn Warner had made bold promises during her first campaign for State Superintendent of Public

[280] Boyd Tenney to Carolyn Warner, 25/07/1978, Letter. The Preliminary Inventory of Carolyn Warner Papers. Arizona State University. #1993-0702. Box 14.
[281] 'Bilingual Failure', Editorial, *Arizona Republic*, 20/07/1978, The Preliminary Inventory of Carolyn Warner Papers. Arizona State University. #1993-0702. Box 14.
[282] 'Break The Cycle', Editorial, *The Phoenix Gazette*, 22/07/1978, The Preliminary Inventory of Carolyn Warner Papers. Arizona State University. #1993-0702. Box 14
[283] Garcia, Miguel Roman, 'Reader Terms Report on Bilingual Ed Invalid', *Arizona Republic*, 28/07/1978, The Preliminary Inventory of Carolyn Warner Papers. Arizona State University. #1993-0702. Box 14.

Instruction, four years later the issue was absent from her re-election campaign. In 1978, her campaign was based upon a record of fiscal restraint, which she portrayed as being in alignment with an anti-government spending public mood.[284] Although Warner had been criticised for seeking the 1976 Democratic nomination for the U.S. Senate election, seemingly at the expense of her current role, there was little expectation that she would face a close race, or for a while even an opponent.[285] The eventual GOP candidate was a former education official named Steve Jenkins. During the campaign he criticised Warner for falling education standards and proposed a change in focus for school curriculums to include a greater emphasis on traditional education and free enterprise.[286] Yet, Jenkins struggled to make an impact in the race, eventually losing by 45 per cent to Warner's 51 per cent of the vote.[287] Warner was re-elected once more in 1982 before becoming the Democratic Party's unsuccessful nominee for the 1986 Arizona Gubernatorial election.

Despite the fizzling of debate surrounding bilingual education, it was firmly incorporated into the educational infrastructure of the state. In 1982-83, school districts in Arizona recorded a total of 25,175 students as having received bilingual instruction classes during the previous year.[288] By the 1985-86 school year, 71,045 students received bilingual education classes in Arizonan schools.[289] Considering the uncertainty that surrounded the program in its early years both federally and locally, such a level of enrolments by the mid-1980s represented a significant achievement. These new rights and opportunities for language minorities were granted by the federal Bilingual Education Act, but the number of students who attended bilingual instruction as a direct effect of this legislation was limited. Even in the 1982-83 school year, it accounted for just 49 percent of funds used in the state for language instruction.[290]

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[284] 'State head of education campaigns', *Arizona Republic*, 12/07/1978.
[285] Tough battles for governor and legislature', *Arizona Republic*, 08/01/1978; Art Gissendaner, 'Republican seeks post in education', *Arizona Republic*, 07/06/1978.
[286] Art Gissendaner, 'School chief race centers on emphasis', *Arizona Republic*, 29/10/1978; 'Barnstorming by GOP Candidate', *Arizona Republic*, 24/10/1978; Art Gissendaner, 'Rivals for state schools post trade barbs on quality of education', *Arizona Republic*, 22/10/1978.
[287] 'Complete Vote Returns', *Arizona Republic*, 09/11/1978.
[288] Bilingual Instruction & Special English Training Annual Report: 1982-83, *Arizona Department of Education*, December 1983, Arizona State Library, Arizona Collection, Arizona State Library, p. 7.
[289] Bilingual Programs and English as a Second Language Programs: 1985-86, Executive Summary, *Arizona Department of Education*, Arizona Collection, Arizona State Library, p. 6.
[290] *Bilingual Instruction & Special English Training Annual Report: 1982-83*, p. 7.

Conclusion

This chapter has expanded upon current historical understandings of bilingual education policies by chronicling the political conflict and policy implementation at a state and local level. In Arizona, bilingual education was initially a small program encompassing just a few classes in PUHSD. The trajectory of state and federally funded bilingual education programs mirrored one another in that both faced highly uncertain futures beyond the years of initial funding appropriated by the U.S. Congress and Arizona Legislature. Yet, both were able to survive, expand and flourish by the end of the 1970s. In doing so, the complicated relationship between the federal Bilingual Education Act and state level programs became apparent. This chapter complements earlier work by Natalia Mehlman Petzela by showing that although the practical effect of the Bilingual Education Act was limited, it had a more significant effect of spurring action amongst local politicians. In Arizona, this was particularly apt as any action to introduce bilingual education programs were stymied by the English Only clause in the Arizona Constitution. Without the passage of a federal Act, bilingual education would have remained prohibited in Arizonan classrooms. Yet, for the overwhelming majority of Mexican American students in the state, they were not able to utilise the new rights granted by the Act without subsequent legislation from the Arizona Legislature.

Bilingual education was contested throughout, particularly by members of the state education bureaucracy such as Weldon Sofstall. During the re-authorization process in 1973, bilingual education detractors placed additional demands upon schools and school districts that threatened the viability of the program. Most notably, the requirement that school districts check the eligibility status of its pupils. Although this measure does not appear to have been fully implemented it suggests that bilingual education and the school house were by the 1970s, becoming sites of immigration enforcement. Historian Mae Ngai argued that during the late 19th and early 20th century, U.S. immigration laws became ever more draconian, with the effect of expanding the enforcement apparatus further inland, away from

simply regulating points of entry.[291] These regulations were also consistent with an era in which regulations governing access to social welfare were being tightened.[292] In doing so, the decision to attach stringent eligibility criteria to bilingual education programs compliments one of the arguments made in the previous chapter that regulating language use should be considered alongside other methods, typically imposed as part of immigration policies.

Another theme that persisted throughout the 1970s was the attempts of Mexican Americans and Chicanos to influence the development of bilingual education through the institutions of power. The effects were mixed, as particularly under Sofstall, the conclusions and recommendations of committees were not acted upon. But the election of Carolyn Warner in 1974 enabled Mexican Americans to shift from trying to simply ensure the survival of bilingual education to advocating for a full bilingual program including two-way instruction alongside the teaching of Mexican history and culture. These efforts continued a line of internal debate that proliferated during the PUHS protests: establishing full bilingual education programs represented more than simply a debate about the best pedagogical method but also an attempt to obtain recognition of Arizona as a shared territory of English and Spanish speakers. Yet, to fully understand education in Phoenix and evaluate remedies to reduce racial discrimination it is necessary to account for the structural forces that inhibited Mexican Americans. One mentioned in the first two chapters has been policymakers who were reluctant to address non-white concerns in a meaningful sense. In the next chapter, this is expanded by exploring the metropolitan landscape in which students were schooled and the forces that made that environment unequal.

[291] Mae Ngai, *Impossible Subjects: Illegal Aliens and the Making of Modern America* (Princeton, NJ: Princeton University Press, 2004).
[292] Cybelle Fox, 'Unauthorized Welfare: The Origins of Immigrant Status Restrictions in American Social Policy', *Journal of American History*, vol. 102, No.2 (Mar.. 2016) pp. 1051-1074.

Chapter Three

Urban Development

The leaders of Phoenix City Council had, since the 1940s, marketed the City as a place with a distinctive way of life that included low density living and an environment free from polluting industries. This distinctive lifestyle was accompanied by a distinctive political economy. Between 1940 and 1960, PCC and private sector boosters created a business-friendly environment, underpinned by low rates of taxation, limited employment rights and a reduction in the power of unions. Although this political-economic model was distinctive from areas in the Rustbelt, many practices that created segregated neighbourhoods and schools in both the old Jim Crow south and urban north were replicated in Phoenix. Historians have identified a web of federal and local government action that created residential segregation. Access to mortgages and home improvement loans for non-whites was curtailed by policies such as the Federal Housing Association lending guidelines. The waves of suburbanization during the 1940s and 1950s were shaped by these policies, which firmly entrenched racial inequality in metropolitan landscapes by the early 1960s.[293]

To fully understand the implementation of bilingual education and its limitations as a policy response to the problem of high rates of poverty amongst Latinos, it is necessary to take account of the environment in which schools were situated and from where they drew their enrolments. Any analysis of classroom pedagogy and the educational performance of students would be inadequate if it was confined to actions within the classroom. The previous chapters have stressed that one of the main arguments for the introduction of bilingual education was to reduce the attainment gap between Mexican American students and Anglos. Yet bilingual education had limited success at achieving this objective. This chapter

[293] David Freund, *Colored Property: State Policy and White Racial Politics in Suburban America* (Chicago, IL: University of Chicago Press, 2010); Kevin Kruse and Thomas Sugrue, eds., *The New Suburban History* (Chicago, IL: University of Chicago Press, 2006); Robert Self, *American Babylon: Race and the Struggle for Postwar Oakland* (Princeton, NJ: Princeton University Press, 2003); Kevin Kruse, *White Flight: Atlanta and the Making of Modern Atlanta* (Princeton, NJ: Princeton University Press, 2005); Matthew Lassiter, *The Silent Majority: Suburban Politics in the Sunbelt South* (Princeton, NJ: Princeton University Press, 2006); Ansley Erickson, 'Building Inequality: The Spatial Organization of Schooling in Nashville, Tennessee, after Brown', *Journal of Urban History*, Vol. 38, No.2 (Mar., 2012) pp. 247-270. p. 247-249.

will argue that one important reason was prejudicial development policies orchestrated by PCC. Schools in Phoenix were both products of their surrounding environment and important tools in shaping the development of the city. They derived most of their income from levies on local properties, a calculation that was based upon the property's value, meaning that resources available to any school were contingent upon the desirability of a neighbourhood, the quality of local utilities, and the economic opportunities of surrounding areas. Development policies that prioritized outlying areas, which contained overwhelmingly white inhabitants, at the expense of those in the inner city, which had the largest concentrations of non-whites, inhibited the reduction of the educational attainment gap between Anglos and Latinos.

The introduction of bilingual education in PUHSD schools occurred concurrently with an important juncture in the City's history. The costs of Phoenix's low density model of development were increasingly unaffordable and the Council's ability to impose political control on the city was weakening. Yet, the City Council intervened to ensure the survival of the city's way of life that prioritized outlying, mostly white neighbourhoods at the expense of the urban core. PCC published plans for the redevelopment of Phoenix that would run for the next two decades, a process that began in 1968 with publication of its development plan for Central Phoenix. Although this document referred to a small part of the city, the plan captured the anxieties of Council officials and their commitment to renewing a political economic model that continued the distinctive, Phoenix way of life. What followed was a voluminous planning literature, produced by Phoenix City Council between 1968 and 1978, which, cumulatively, reimagined the entire metropolitan landscape. The development plans established the development priorities for the city and indicated where future growth should occur. The culmination of the Council's planning aspirations was the publication of the Comprehensive Plan for Phoenix, which set out a model for the future development of the city during the last quarter of the twentieth century. The Plan was published in 1971 as the definitive planning guide for the Phoenix Metropolitan Area. Yet, these volumes were revealing not just because of their planning contents, but also because they demonstrated the moods and motives of city politicians during a turbulent political period. Leaders on the Council were fearful that the political and social environment of low density living which boosters, real estate developers and politicians had created, was disintegrating.

Whilst historians have chronicled the causes of metropolitan segregation during the first two decades of the postwar era, less attention has been paid to the 1970s onwards.[294] Throughout the U.S., concentrations of African Americans and Mexican Americans in urban neighbourhoods and schools after the *Brown v. Board of Education* decision were assumed to be a product of de facto segregation. Yet this chapter shows that in Phoenix the influence of state actors in the remaking of metropolitan segregation continued into the Great Society era and beyond. Housing and urban development policies initiated by PCC at the start of the 1970s consolidated an already racially imbalanced landscape. They re-affirmed the Council's preference of developing outlying, suburban neighbourhoods at the expense of the inner city. The result was to further undermine inner city neighbourhoods, reducing the ability of school districts to raise revenues.

This chapter begins by showing how opposition to development policy, often on the basis of its effects upon local schooling, became an important part of Mexican American politics. Subsequent sections demonstrate the causes of that opposition. The second section explains the context of inner city Phoenix at the start of the 1970s before explaining how the city's Central Plan demonstrated a commitment from Council officials to the survival of the low-density development that had proliferated since the 1940s. It then demonstrates how subsequent planning initiatives remade metropolitan inequality by directing resources away from inner city areas whilst ensuring that prisons and other undesirable developments were located in mostly non-white neighbourhoods. Actions by elite policymakers were compounded by ordinary residents who sought to prevent the spread of public housing or other developments that could encourage non-white residents to re-locate to their neighbourhood. This chapter concludes by showing how by the end of the 1970s, PCC struggled to retain control of the local planning model in the face of a homeowner populism that demanded the municipal government shield them from the costs of low density living.

[294] Two notable exceptions: Ansley Erickson, *Making the Unequal Metropolis: School Desegregation and Its Limits* (Chicago, IL: The University of Chicago Press, 2016); and: Douglas Massey and Nancy Denton, *American Apartheid: Segregation and the Making of the Underclass* (Cambridge, MA: Harvard University Press, 1998).

Opposition to the city's planning model

The CGC's dominance of Phoenix had been unbroken in the 20 years since 1948, in part because of the at-large voting system for Council elections, which made it difficult for opposition groups to consolidate their support. This had enabled business and political elites to offset the costs of growth, particularly its most undesirable features, on to the politically powerless areas of the inner city. However, in the ten years between 1968 and its demise in 1978, it suffered a number of ruptures.[295] One of the first challenges to the CGC's political power was increasingly vocal opposition from minority rights groups. An early instance of Mexican Americans challenging the development policies of PCC occurred on 22 June 1970, when more than 300 local residents attended a public meeting of Phoenix City Council, held in the Nuestro Barrio area of South Phoenix. At the meeting, local residents expressed their frustration at the planning policies that meant the area had insufficient recreation facilities, unpaved streets, limited public transportation and overflowing irrigation ditches.[296]

Protests by Mexican Americans at PUHS were followed by protests against the Comprehensive Plan. Many understood the interconnectedness of education to the metropolitan landscape and sought to change the nature of urban development policies. For example, CPLC and its most prominent members considered land use policy and urban development an important arena of social justice in which they organised to obtain more equal access to resources. Following the publication of the City of Phoenix Council's Comprehensive 1990 Plan, CPLC co-ordinated opposition to the plan amongst residents of the inner city. In anticipation of a public meeting on 17 June 1971, they collaborated with an independent local news outlet called *Voice of the City* to publish 14 objections to the plan.[297] City officials were scheduled to publish further details of the plan at a public meeting on 17

[295] Luckingham, *Phoenix*, p. 183-185.
[296] 'Chicanos list problems for City Council action', *Arizona Republic*, 23/06/1970.
[297] 'Problems Concerning City of Phoenix's Comprehensive 1990 Plan', *Voice of the City*, 17/06/1971, Vol. 6, No. 16, Arizona State University Archives, Arizona Collection, p. 6. The *Voice of the City* blended news reports with subjective authorial judgments. Its editorial line included far more content of an activist tone and nature than would be expected in a conventional outlet. The editor positioned themselves in opposition to the *Arizona Republic* and *Phoenix Gazette*, often with critical denunciations of articles published in those titles. The *Voice of the City* often carried stories that were less likely to be chronicled in more mainstream outlets. It's owners and editors had a close affinity to local activist groups and included their perspectives more readily that other news outlets.

June 1971. In *Voice of the City* they urged anyone who was interested in opposing the plan, especially at the public meeting, to contact CPLC representatives.[298]

CPLC aimed to publicise the importance of the plan to local residents, especially because it contained no provisions to improve the economic and civic life of south Phoenix. Planners had also decided not to include any new areas of residential development in this area of the city. These decisions, opponents believed, were indicative of the priorities of the City's leadership who resided in north Phoenix and continued to use the area of south Phoenix as a dumping ground. For decades, land in south Phoenix had been used as the Council's long-standing preferred site for the construction of prisons and waste facilities.[299] The 1990 Plan continued this history of disregard toward the city's poor and minority inhabitants. Proposals had been drafted without any representation from the neighbourhoods of the central city and south Phoenix. For CPLC and others who opposed the plan, it demonstrated another example of business and political elites imposing their model of economic development upon a disenfranchised minority. The dividends of the city's economic growth were not shared equally, nor were its costs. Planners had chosen to expand the availability of industrial land use in south Phoenix but not extend the potential lucrative 'Central Corridor' further south. Doing so would have expanded the business districts in the area, improving the employment opportunities for local residents.

The Plan indicated that future construction of waste management facilities would occur disproportionately in south Phoenix, even for plants servicing North Phoenix. Inner city residents had been displaced and inconvenienced by the construction of the Maricopa Freeway, yet no money had been appropriated for beautification of the freeway, despite the disruption it caused affected residential communities. Neighbourhoods that had been desecrated and depopulated by policies that neglected the urban core would be further undermined. Mexican Americans and African Americans feared that the plan would precipitate the encroachment of industrial units into the neighbourhoods of south Phoenix.

[298] 'City of Phoenix 1990 Plan Hearing June 17th', *Voice of the City*, 17/06/1971, Vol. 6, No. 16, Arizona State University Archives, Arizona Collection, p. 6.
[299] Bob Bolin, Sara Grineski, and Timothy Collins, 'The Geography of Despair: Environmental Racism and the Making of South Phoenix', *Human Ecology Review,* 2005, Vol. 12, No.2, pp. 156-168.

The organizers of opposition to the Plan suspected foul play, which, they argued, was configured to encourage the displacement of minority inhabitants of south Phoenix and to precipitate their eventual relocation. The implementation of the 1990 plan 'will benefit only the developer and not the people of South Phoenix'. In particular, they suspected that developers would use the opportunity to purchase properties in south Phoenix at a low cost and 'then he will change the zoning make a large profit by reselling the land for industrial use.'[300]

After the Comprehensive Plan was introduced in 1971, Alfredo Gutierrez, a prominent Chicano in south Phoenix, made opposition to unequal development policy a prominent part of his successful election campaign for a seat in the Arizona State Senate. Once elected he challenged plans to use the inner city and south Phoenix as a site for undesirable land uses, such as prisons and waste facilities, often citing the implications these actions had on local schools. In the summer of 1972, Chicano organiser Alfredo Gutierrez entered what would become one of the more contentious election campaigns for the Arizona House of Representatives, due to be elected in November of that year. Gutierrez was a 29-year-old community worker heavily involved with the Barrio Youth Project. He was recruited to stand in the election by Arizona Rep. Manuel Pena, a Democrat representing the neighbouring district who was influential in enlisting Mexican American candidates for office.[301] Generations of discriminatory land use policy and housing segregation had influenced the electoral map of Phoenix. As a result, most of the city's Mexican American and African population lived within the 23rd Legislative District and were thus in direct competition for democratic representation.

One of the issues that Gutierrez believed needed greater attention was the unequal allocation of land use within south and central Phoenix compared to other areas of the city. The *Arizona Republic* described the district as 'a mixture of industrial plants, slum quarters, middle-class

[300] 'Problems Concerning City of Phoenix's Comprehensive 1990 Plan', *Voice of the City*, 17/06/1971, Vol. 6, No. 16, Arizona State University Archives, Arizona Collection, p. 6; 'Recommendations To The City of Phoenix For The Improvement of The Inner City and Barrios By 1990', *Voice of the City*, 17/06/1971, Vol. 6, No. 16, Arizona State University Archives, Arizona Collection, p. 7.
[301] Bernie Wynn, 'District 22 races match minorities' *Arizona Republic*, 04/09/1972.

residential housing, low-rent quarters' and sporadic business premises.[302] Many of the neighbourhoods within the area were the most deprived in the city, surrounded by heavy and polluting industries. In his campaign, Gutierrez argued that 1990 land use plan would cause significant upheaval for local residents by earmarking more land for industrial expansion. The designation of land for these purposes highlighted a disparity between the areas of the 23rd district and other parts of Maricopa County. City authorities, he argued, used the south side "for a dumping ground".[303] One example of the second-class status with which city officials treated Mexican Americans concerned the Maricopa freeway crossing that CPLC had previously challenged Phoenix authorities about. The freeway bisected the area and forced some children to walk via a tunnel originally constructed for flood control. Students in the suburban area of Tempe crossed the freeway using a purpose-built bridge.[304]

Gutierrez won the Democratic Party primary for the 23rd district, defeating Cloves Campbell by 2602 votes to 2472. His primary campaign benefitted from the support of United Farm Workers (UFW), who had been active in the state as part of an effort to recall the Governor. They provided campaign infrastructure to defeat Cloves Campbell because of his decision to remain neutral in the ongoing dispute between the UFW and Governor Jack Williams. [305] Several months later Gutierrez was comfortably elected to the Legislature as the representative for the 23rd district, despite a write-in campaign conducted on behalf of Cloves Campbell.[306] Once in the Arizona Legislature he continued to speak about the unequal treatment of south Phoenix, often highlighting the effects of development policy upon local schools. Both state and city officials continued to use sites in south Phoenix for the construction of undesirable projects. One example was the decision by members of the Arizona House of Representatives to instruct the State Corrections Department to begin planning the construction of a new medium security prison on a 150 acre site in south Phoenix. Gutierrez argued that the Durango site in south Phoenix was 22nd on a list of 29 potential locations and was selected in spite of requests from officials in Tucson and Gila Bend to host the facility. Building the prison in south Phoenix would be expensive, particularly as it

[302] 'Blacks and Chicanos in vote showdown', *Arizona Republic*, 19/06/1972.
[303] Ibid.
[304] Ibid.
[305] Don Bolles, '7 Legislators voted out in bids for renomination', *Arizona Republic*, 14/09/1972.
[306] 'Some mistakes mar efficient Maricopa ballot count', *Arizona Republic*, 09/11/1972.

would require land valued at $97,000 to be purchased prior to construction. Three years earlier, the area of Deer Valley, an alternative site in north Phoenix, had been judged the most suitable location for a new prison but dismissed by state legislators. Rep. Peter Corpstein, the member of the Arizona House who represented that area, later voted for the south Phoenix site. Another proposal to situate the prison in the north Phoenix district of Paradise Valley had also been dismissed immediately, in this case despite being on state-owned land.[307]

Gutierrez argued that the close proximity of elementary schools and residential areas made the site in south Phoenix particularly unsuitable. The Joint Legislative Budget Committee responsible for the decision claimed that the location had been selected because of its proximity to an existing facility of juveniles and a jail annex. Sen. Gutierrez argued that the decision was based upon a disregard for south Phoenix and the racial minorities who populated these neighbourhoods. The House leadership, he argued, 'selected the site because it's next to poor people, to brown people and to black people'. In a subsequent debate in the Arizona Senate, he argued that the decision was 'a symbol of racism . . . an act of irresponsibility . . . a tragic mistake.'[308] The opposition which Gutierrez organized against the selection of the south Phoenix site received a surprising amount of support from Republicans. Sandra Day O'Connor expressed her agreement with some of Gutierrez's speech. She also stated her belief that prisons should be located in areas 'where at least a majority of residents are willing to have it put there.'[309] An editorial in the *Arizona Republic* expressed the paper's view that '[i]t is an outrageous decision which cannot be left standing.'[310] The prison site selection was just one land use decision that treated the residents of south Phoenix unfairly. Gutierrez noted that 10 schools in the inner city and south side areas of the city were beneath the flight path of Sky Harbor airport. South Phoenix was also the site of much of the city's landfill. On another occasion City of Phoenix Council selected a site in south Phoenix for the development of an NFL stadium without consulting local

[307] 'Prison site in south Phoenix', *Arizona Republic,* 02/05/1974; 'Prison Opposition Unlikely', *Arizona Republic*, 20/03/1974.
[308] Jana Bommersbach, 'South Side Expected to Resist Prison', *Arizona Republic*, 20/03/1974; Don Bolles, 'Review Expected on Prison Proposed for South Phoenix', *Arizona Republic*, 01/05/1974.
[309] 'Review Expected on Prison Proposed for South Phoenix', *Arizona Republic*, 02/05/1974
[310] 'New Prison – Not in South Phoenix!', Editorial, *Arizona Republic*, 01/05/1974.

residents. This, Gutierrez argued, despite the proposed venture offering little benefit to the surrounding neighbourhoods.[311] These decisions highlight the unequal distribution and use of state power in Phoenix. The policies that underpinned these actions, and the spark for the opposition of Mexican Americans detailed above, are the focus of the subsequent sections of this chapter. Before analysing PCC planning policy, it is important to understand the condition of inner city Phoenix at the beginning of the 1970s and the context in which metropolitan inequality was remade.

The condition of inner city Phoenix

The confinement of poor and minority citizens to inner-city neighbourhoods came as the result of a political ideology which fused racial exclusion, class privilege, economic marginality and political disenfranchisement. The costs of growth and suburban living were offset against inner-city neighbourhoods, heavy and polluting industries were located in areas south of McDowell Road, the line that demarcated the north Phoenix suburbs from the inner-city. One set of scholars has traced these processes as far back as the late nineteenth century, as part of their studies concerning environmental racism.[312] Whilst these actions were discriminatory and had a pernicious effect on many of the city's inhabitants, this chapter argues that they were the results of a different type of racism to the visceral segregationism embodied by figures such as George Wallace. Instead, it was a less obvious prioritization of white interests and a commitment to a way of life that directed resources into areas that maintained the advantages that white residents had accrued over generations. It is not possible to know what was in the minds of policymakers working in PCC, the Phoenix Housing Commission (PHC) or any other planning body which re-designed the city's landscape during the early 1970s, particularly as the publications they produced contained no overtly prejudicial statements about Mexican Americans, African Americans, Native Americans, or any other minority group. They contained none of the overt cultural panic that was articulated by Samuel Huntingdon's *Who Are We?*[313] Instead, the subjugation of Mexican Americans living in South and inner-city

[311] 'U.S. efforts toward equality termed inadequate', *Arizona Republic*, 17/05/1974.
[312] Bob Bolin, Sara Grineski and Timothy Collins, 'The Geography of Despair: Environmental Racism and the Making of South Phoenix, Arizona, USA', *Research in Human Ecology*, Vol. 12, No. 2, 2005.
[313] Samuel P. Huntingdon, *Who are We? America's Great Debate* (London: Fress Press, 2004).

Phoenix was replicated and intensified over multiple generations. It is for these reasons that Charles Tilley's work is particularly instructive. He introduced the concept of 'Durable Inequality', whereby systematic replication of social inequality is achieved through exploitation and opportunity hoarding.[314] In Phoenix, elites typically utilized the former to profit from the labour of the economically marginalized without allowing them to share in the profits. Non-elites erected boundaries to hoard opportunities and prevent others from accessing their resources. Tilley argued that opportunity hoarding 'operates when members of a categorically bounded network acquire access to a resource that is valuable, renewable, subject to monopoly, supportive of network activities, and enhanced by the network's modus operandi.'[315]

Tilley argued that opportunity hoarding was a relatively benign force when judged against other forms of categorical inequality. Other scholars have been far less sanguine about the consequences of opportunity hoarding, especially as they relate to education and Civil Rights.[316] In Phoenix, the distinction between exploitation and opportunity hoarding was often unclear. Yet, by examining the city's housing and development plans, a consistent pattern of policies, which sought to maintain a way of life derived from economic exploitation and the hoarding of opportunity in outlying areas, can be identified.

By the time public officials considered the future of Phoenix and the distribution of city resources, the association of race, the inner-city, deprivation, and inferior behaviour was firmly entrenched, so much so that overt acts of racial discrimination were unnecessary. Phoenix City Council politicians rarely engaged in overtly discriminatory discourse or committed racist acts. Yet in spite of this, Phoenix was a racial polity of the kind described by Charles Mills as being structured 'to maintain and reproduce this racial order, securing the privileges and advantages of the full white citizens and maintaining the subordination of nonwhites.'[317] As a result, there was a Phoenix which was white and a Phoenix which was

[314] Charles Tilley, *Durable Inequality* (Berkeley, CA, University of California Press, 1998).
[315] Ibid., p. 10.
[316] Elizabeth Anderson, *The Imperative of Integration* (Princeton, NJ: Princeton University Press, 2010); John L. Rury, and Aaron Tyler Rife, 'Race, schools and opportunity hoarding: evidence from a post-war American metropolis', *History of Education*, Vol. 47, No.1, pp. 87-107.
[317] Charles W. Mills, *The Racial Contract* (New York City, NY, Cornell University Press, 1998). p. 14.

not. Until the late 1960s, this divide was clearly demarcated by Van Buren Street, but as later sections will show, the actions of the Council shifted it north to McDowell Road. South of this line, the population was typically poorer, attended inferior schools, and crucially, came overwhelmingly from minority backgrounds. This chapter is an examination of the institutions that influenced the development and availability of housing in Phoenix. But to fully understand the forces and institutions that shaped the lives of non-white citizens living in the inner-city, it is essential to look beyond acts of commission. Public officials at the City Council did not express overtly prejudicial ideas or intent. But the smaller, covert actions as well as the decisions not to act, to direct resources elsewhere, or to remain ignorant of the issues faced by inner-city residents were also an important part of the repertoire of exclusion.

The 1970 census revealed a starkly unequal metropolitan landscape. Patterns of race and residency had a clearly demarcated spatial form with overwhelmingly white neighbourhoods north of McDowell Road and the city's minority citizens living south of that point. In ways similar to other Sunbelt locations such as Charlotte and Atlanta, the population of Phoenix's inner-city had declined during the postwar period. Despite Phoenix's general population rising rapidly, the population of the inner-city fell by 32 per cent between 1950 and 1975, by which point it stood at 53,727 inhabitants. Of those who departed, 14,000 left in the five years between 1970 and 1975. The City Council anticipated that the decline of the inner-city would continue throughout the 1980s, with one contemporary estimate indicating that, by 1985, the population could be as low as 45,000. By 1970, 57.8 per cent of inner-city residents were non-white.[318] One of the main consequences of this migration trend was a change to the demographic composition of the inner-city, meaning that neighbourhoods became disproportionately populated with racial minorities.

Those that remained in the inner city faced other sources of inequality, particularly in relation to housing. Residents in these areas were more likely to live in dwellings which were old, over-crowded and had a lower market value. Phoenix's prolonged housing boom, beginning in 1950, had enabled most housing stock to be rebuilt or existing units replaced. Yet this trend

[318] 'Inner City Area Plan, Inner City Citizens', Planning Committee, *Phoenix Housing Commission* (Phoenix, September 1979) p. 13.

bypassed much of the inner-city. In these tracts, only 32 per cent of housing had been built after 1950; 42 per cent of the housing stock pre-dated 1939.[319] Moreover, at a time when the city as a whole was experiencing exponential economic and population growth, the number of housing units in the urban core fell. In 1950, there were more than 27,798 housing units within the inner-city, yet the special Census of 1975 recorded just 23,896.[320] The quality of the houses that remained had deteriorated. As a result, the number of inner-city residents who lived in overcrowded conditions was considerably higher than in outlying areas. The value of such properties was also significantly lower. More dwellings in the inner-city than elsewhere in Phoenix lacked plumbing and kitchen facilities. Residents living in between Van Buren street and McDowell road, at the northern edge of the city, typically lived in high-quality housing. The number of housing units without plumbing or kitchen facilities in these areas was far lower than the outlying area average of 1.97 per cent. Yet, in the areas South of Van Buren, as many as a quarter of homes required the use of external bathroom facilities.[321]

These trends contributed to the creation of neighbourhoods that, judged by metrics such as unemployment, labour force participation, education, housing and income, were the most deprived in Phoenix. They were most in need of government intervention and yet some of the least likely to receive it. In 1969, the median family income for Phoenix was $9,956. According to the 1970 Census, every inner-city tract had an income that was below average, with a quarter of households classified as beneath the poverty line.[322] In the neighbourhoods south of Van Buren, which contained most of Phoenix's non-white residents, deprivation was compounded by low levels of education. The city-wide average for years of education obtained was 12.3 years. Yet in only two of the seventeen 1970 Census tracts within the inner-city was the average years of education obtained even close to the citywide average. Furthermore, within those seventeen tracts, a significantly lower number of residents graduated from high school than residents in other areas of the city.[323] The future

[319] Idem.
[320] Ibid., p23.
[321] Ibid., p.23-25; In tracts 1141 the number was 58.8%, 1140 it was 26.3%, 1142 it was 26.5%. Other tracts ranged between 1.9% (1144) and 12.9% (1148).
[322] Ibid., p. 21; p. 18.
[323] In Census tract 1130 the average number of school years was marginally higher (12.4) than the city-wide average. Tract 1131 (12.1 years) was close. The other 15 tracts ranged between 7.4 years (1150) and 10.6 years (1132). Census tracts 1130 and 1131 contained similar levels of high school graduates to the city-wide

development of the city was of paramount importance to the education system. Public officials consistently dismissed the possibility of using busing as a remedial tool to overcome the disadvantages of racial imbalances in Phoenix Union High School District Schools. Their refusal enhanced the importance of physical proximity to a good school. Without the use of busing or forced integration, residency patterns and equitable access to property and lending markets became essential means by which minority families could utilize the new rights granted to them under Civil Rights legislation.

The Central Phoenix Plan

The process of re-making the city in the post-Civil Rights era began with the publication of the Central Plan. Decisions about where to locate the main centre of business and regulations upon the density of future developments had implications for PUHSD schools. The Central Plan's emphasis upon the retention economic power within an influential coterie of businessmen worsened a hollowing of the urban core, which was already underway by the end of the 1960s. This created imbalances in both the enrolments of PUHSD schools and the quality of provisions that inner city schools offered. Yet, policymakers did not seek to redress the unequal metropolitan landscape. Although PCC considered itself to have a modern approach to political-economy, it did not intend to integrate an accompanying, modern commitment to racial liberalism. Instead, the Central Plan was a manifestation of the Council's understanding of the city and a clear expression of their fears as the end of the 1960s approached. Throughout its pages, the Council expressed its belief that growth would continue at a significant pace. The consequences would be increased pressure on local services, the need for additional space and demand for more construction work. Far from being a narrow policy document considering the development options for the area, the Plan contained much material detailing how City officials understood Phoenix's history. The City Council believed that the very existence of Phoenix was rooted in the 'desires of thousands of people looking for a better way of urban life.' That way of life was distinct in Phoenix. 'Thoroughly western', as the Council described it, and 'like other cities' suburbs – spacious,

average; 64.1 per cent and 53.4 per cent respectively, compared with an average of 58.9 per cent outside of the inner city. Ibid., p. 20-21.

convenient, relaxed.' The spatial form of Phoenix after 20 years of near unimpeded growth reflected the 'preferred way of life' of its residents'; in particular, they valued 'low density decentralization of residences, employment and commercial activity.'[324] Yet, as the Council warned, this way of life was threatened by unmanaged growth. Without immediate action, they felt the city would succumb to the problems which had blighted other large urban centres.

The City Council's desire to shape development in accordance with this particular way of life meant that decisions about bricks and mortar were also decisions about facilitating social interactions, in particular the interactions of influential figures. Social capital was essential to the formation of the Central Plan. The political economy of Phoenix had been dominated by a small coterie of businessmen for decades. Their values, identities and personal characteristics mirrored those of officials in the City, which was an essential element in the hoarding of opportunities. Many moved freely between public office and private enterprise, establishing a consensus between Phoenix City Council and Phoenix businessmen concerning the priorities for the central corridor.[325] Through this interaction, the preferences of business became development policy; one of the primary justifications for the planning policies recommended in the Central Plan was the response of business leaders to the Council's consultation on the issue. The central area, according to the Council, was the administrative and governmental hub of not only the city, but also the state. The success of businesses and municipal functions rested upon the ability of 'many people [to] come together, face-to-face, frequently and efficiently.'[326] The future of the central business corridor was thus contingent upon the continued system of knowledge transfer amongst its inhabitants. During the consultation, businessmen expressed their strong desire to maintain proximity to one another, allowing them to socialise without the inconvenience of significant travel obligations, dissuaded City leaders from pursuing alternative paths for the central city. The decision of the City Council, and the process by which it was made, is an example of bonding social capital.[327] The ties between policymakers and members of the private sector were

[324] 'Central Phoenix Plan', *City of Phoenix Council*, (Phoenix, November 1969). p. 5; p. 28.
[325] Ibid., p. 18.
[326] Ibid., p. 13.
[327] Bonding social capital is a sociological concept, which brings together those of a similar life experience, has been juxtaposed with bridging social capital. This is where people with substantial differences attempt to

based upon shared characteristics and understandings, which cultivated agreement on the direction of public policy. Consensus between them was essential to the practice of forming boundaries which demarked exclusion for inner-city residents. These connections enabled City Council policymakers, in agreement with the private sector, to maintain the status quo and continue to withhold opportunities for economic development beyond a small elite. Crucially, missing from the alternatives considered by the Council was the idea that prioritizing a more diverse range of locations across the city for major government institutions or private enterprise would benefit a greater number of Phoenix residents.

Within the central corridor, there was little residential development and thus few residents to consult. But the Council accepted that discussions regarding the structure of the city's main business district affected all residents, particularly when those discussions focused on the socioeconomic distribution of city resources. A decision to prioritize investment in other parts of the city could have altered the nature of inner-ring neighbourhoods, in which minority residents sought to relocate from the inner-city. City Council officials had the opportunity to change Phoenix's economic model and the patterns of residency but the authors of the plan consulted only private businessmen and public officials already working within the Council. The results reflected their preferences and interests, as well as being a restatement of the principles which had guided development of the city since the 1940s. Above all else, the Council sought to manage growth without fundamental change by relegating questions concerning equitable distribution of resources to an afterthought.

The Council's preferred option for future development was the continuation of 'neighborhood associations' of businesses within the central corridor. They hoped to cultivate a prestigious business district capable of attracting corporations of regional and national standing. It was assumed that Companies of this magnitude would expect a distinctive central business district. Yet, an exception was made for manufacturers, such as Motorola, who had opened a plant on the city's fringes. The announcement of planning priorities was just one

connect and enhance ties. In this regard, I am influenced by Rury and Rife's adaption of the concept for examining education policy and urban development in the U.S. during the second half of the twentieth century. Tilley, *Durable Inequality*, chapter 1; Rury and Rife, 'Race, Schools, and Opportunity Hoarding', p. 102-104; Robert Putnam, *Bowling Alone: The Collapse and Revival of American Community* (New York, NY: Simon and Schuster, 2000), p. 350 – 366.

method by which the Council could influence the distribution of resources, especially 'by limiting other locations where development could take place.'[328] These decisions demonstrated the PCC's willingness to continue to use government to facilitate a business friendly environment. Another method used was that of zoning, a method The Council was particularly interested in the use to protect residential neighbourhoods and prevent the proliferation of commercial activity away from the centre. 'Zoning has traditionally been the protector of residential values', the report argued. But these values were being eroded by 'increasing traffic and encroaching commercial activities. Many neighbourhoods have already been blighted.' The Council argued it was essential to persuade the inhabitants of 'fine residential areas' that the value of their property remained secure and the quality of local amenities would remain high.[329]

The Council distilled the debate about both the central area, and the entire metropolis, as 'Centralization vs. decentralization . . . should more development be guided into the central area, or should outlying business districts be encouraged?'. It was acknowledged that a policy of 'radical dispersion', whereby places of employment and residency would be scattered throughout the city, could achieve some of the Council's stated aims, especially the reduction of traffic congestion. The influence of a small business elite upon PCC policy was highlighted when this proposal was ultimately dismissed as a serious policy option on the basis that 'there is still a strong preference on the part of certain key business men for physical proximity to the major components of the business district.'[330] Another option was to focus on the development of outlying areas alone. This was considered a promising option in future, but it was dismissed as an immediate solution, as it required significant investment in the city outskirts, which could discourage investment in the central business district. The Council also believed it would cause land speculation.[331]

City Council officials believed that modernity was central to the identity of Phoenix. They argued that it was a 'thoroughly 20th century city', in contrast to other cities that were

[328] Ibid., p. 26.
[329] Idem.
[330] Central Plan., p. 16.
[331] Idem.

'burdened with the forms of the 19th century, and they are struggling to make their dense, congested central districts operate.' Officials sought to cultivate the image of Phoenix as a new kind of city, set apart from traditional metropolitan centres in the U.S. An essential element of this model was the centrality of the automobile to life in Phoenix. To live in the open, spacious, low-density environment of Phoenix required the use of an automobile. At its core, the Plan was designed to facilitate the transportation of residents via car. Major zoning and planning decisions were decided on the basis that this was the preferred method of travel in the city. Yet, the Council accepted that less than 50 per cent of the city's population had access to an automobile. The Plan, and subsequent planning documents, expressed vague wishes for improved public transport, but these mainly focused on improving bus services. The Council's fear of Phoenix's ossification into a state similar to those cities of the urban north meant that a subway or tram system was dismissed, as were other considerations of serious investment in a public transport network which could support the 50 per cent of residents who did not have the resources to purchase an automobile.[332]

The urgency of the moment, especially the need for definitive action to make the growth of the city sustainable, caused City officials to include only measures that could be enacted immediately. The Plan was not 'a collection of ideas on which to draw' but instead 'a plan of action'.[333] For this reason, the Plan contained a detailed appraisal of Central Phoenix as it existed at the end of the 1960s, with particular emphasis on the economic and social life of the central city. The Council made recommendations to ensure that future development occurred in accordance with 'the tastes and technology of our time.'[334] It portrayed the city's recent history and identity as being based upon modernity, but their conception of being a modern city was connected only to technology, civic governance and an alternative business model. When the Council argued that Phoenix represented a modern place to live, there was no attempt to portray the city as a bastion of racial liberalism. In policy matters with implications for civil rights or racial integration, PCC seemed content to simply fulfil its legal

[332] 'Central Phoenix Plan', p. 5; p. 25-28.
[333] Ibid., p. 65.
[334] Ibid., p. 5.

obligations, without pursuing a more expansive effort to reduce racial inequality.[335] Even in areas of public policy where the Council had scope to implement strategies which may have distinguished Phoenix as a modern city by virtue of its tolerant approach to race, the Council demonstrated little interest.

PCC argued that the 'challenge now facing Phoenix is managing the growth that economic expansion will inevitably bring.'[336] To this end, the Plan suggested alternative options for the future development of the central city area. The starting point for their investigation was the question of 'what forms could the City take and which are the most desirable?' Yet, the subsequent pages of the Central Plan contained little fresh thinking. Perhaps the most illuminating element is the Council's unwillingness to depart from orthodoxy. Possible alternatives, which included distributing wealth and employment more equally across the city, were dismissed, mainly because the automobile remained integral to the way of life city officials wanted to promote. The possibility of using public resources to support a comprehensive transportation system was considered not in keeping with the modern nature of Phoenix. 'The introduction of such a system . . . would require dense concentrations of population – the very concentrations that many people came here to avoid.'[337] Future development was to be ordered around the automobile and its supremacy as the preferred method of travel.

The Council's desire to maintain this way of life caused it to clash with the Phoenix Housing Commission, who reviewed the plans before they were published. Prior to the publication of the final report, external consultants commissioned by PCC to advise on the drafting of the plan, submitted their recommended plan for Central Phoenix to the task force. These included restrictions on higher density building and maintaining the limits on high rise construction. The Phoenix Housing Commission reviewed the differences between the proposal provided by the external consultants and that of PCC appointees. The Housing Commission was critical of the task force's decisions, particularly in relation to the matter of high-rise development.

[335] Matthew Lassiter, *The Silent Majority: Suburban Politics in the Sunbelt South* (Princeton, NJ: Princeton University Press, 2006); Kevin Kruse, *White Flight: Atlanta and the Making of Modern Conservatism* (Princeton, NJ: Princeton University Press, 2005).
[336] 'Central Plan', p. 11.
[337] Ibid., p. 13.

The initial proposals drafted by the consultants recommended that high-intensity development be encouraged in the area south of Thomas Road. But the task force amended the plan to ensure that high-intensity development was limited to areas not farther north than the Papago Freeway. [338] The decision meant that high-intensity development would be concentrated in the streets south of McDowell Road, the purpose of which was to ensure neighbourhoods further north would remain dispersed and able to sustain the low intensity living central to the city's identity. The Housing Commission argued that it was 'not reasonable' to limit high-intensity development to McDowell and the areas further south. Although the Commission did not believe there should be a moratorium on high-rise development north of Thomas Road, it accepted the consultants' recommendations and suggested that construction of high-intensity building be encouraged south of this street.[339] Following detailed consideration of the plans and a single public consultation meeting, the Commission confidently assumed that 'virtually everyone, to our knowledge . . . support the plan in concept, if not in detail as presented', though they acknowledged some dissenting opinions likely existed. In its report, the Commission urged the City Council to ignore 'selfish-interest groups' and pursue a development plan for the central business corridor that was 'in the best interest of the total community'.[340] Both the contents of the Central Plan and the process by which it was developed, demonstrate the commitment of Council officials to maintaining the economic and development model that had defined the city since the 1940s. Although the Plan covered only a small area of the city it highlighted two important elements that shaped discussions about future developments. Firstly, were the anxieties that officials displayed about maintaining a way of life that could only be implemented through minimizing political dissent. Secondly, the details of the Plan highlight that other options were possible, perhaps even preferable to those they approved. Yet, the influence of a small business elite remained critical to decisions about the city's future. The Central Plan was the just the start of discussions about the city's future in a post civil rights context, they were elevated further by the compilation of The Comprehensive Plan.

[338] 'A Report and Recommendations to the City Council on the Central Phoenix Plan', *Phoenix City Planning Commission*, (Phoenix, May 1976), p. 4.
[339] Ibid., p. 5.
[340] Ibid., p. 10-11.

The Comprehensive Plan

The Central Plan exposed the political, economic and racial assumptions that influenced PCC decisions, but a subsequent document was more consequential for the future of the city's development. In November 1969, City of Phoenix Council first published The Comprehensive Plan – 1990; the purpose of the document was to bring order to a metropolitan landscape that had for years sprawled with little direction from the city government. The Plan ran to 1990, by which time the Planning Commission estimated that Phoenix's population would increase by 560,000, reaching 1,080,000. It contained detailed plans about the Planning Commission's preferences for the future growth of the city. These decisions about where to direct new housing developments and private sector investment had significant implications for the city's education system.

There could not be racially balanced schools without an urban development policy that distributed resources equitably, unless education officials or the courts were prepared to impose remedial policies such as busing. PUHSD officials had no interest in implementing such a policy, which meant that housing policy was intimately linked to racially segregated school enrolments. The Plan also highlighted the complicity of PCC planners in the re-enforcement of an unequal metropolitan landscape, undermining arguments that residential segregation was the result of private decisions by homeowners to relocate. These actions were a catalyst for the hollowing out of the urban core, which left non-whites in inner city neighbourhoods that were deprived of resources. From 1971 onwards, the year that the final version of the plan was published, the schools that served the inner city, PUHS, East High and North High, contained an increasing number of non-white students whilst the number of Anglo students enrolled decreased. The actions of the state were critical causal factors in these trends. No integrated schools would emerge if fundamental racial prejudices shaped planning and housing policies. Understanding the municipal government's actions is critical to a full appraisal of bilingual education policy in Phoenix as well as accounting for the failure to enact a meaningful reduction in Latino educational underachievement and rates of poverty.

Appointed by the City Council, the Commission contained a mix of public officials and notable local figures deemed suitable to make recommendations on the future of development policy.

In the earlier Central Plan, city officials had expressed concern regarding the impact of continued uncontrolled growth. They intended the Comprehensive Plan to serve as a long-term guide to public policy which would limit the consequences of growth and maintain the Phoenix way of life. The plan forecasted the amount of land required for residential development, business, and public facilities, alongside explaining how these developments would be integrated into a cohesive planning model for Phoenix. The City Council portrayed the plan as a manifestation of the city's values, as well as a practical guide to achieving 'where we want to go, and how we are going to get there.'[341]

The expanse of space in and around Phoenix enabled Phoenix residents to live a dispersed lifestyle, free from the crowdedness of other large metropolitan centres. As a result, the city had a high proportion of single family units compared to most other major U.S. cities with a population over 250,000. By 1965, single family units covered 28,927 acres and 33.1 per cent of total developed land. The contemporary U.S. average stood at 28.3 per cent in cities of a comparable size.[342] Phoenix had significant opportunities to expand even further but the Planning Commission faced challenges to ensure that it complied with its aim of facilitating orderly growth. They worried that a continuation of previous growth trends would make the cost of maintaining public services and its way of life unsustainable. In particular, the Commission wanted to avoid leapfrog development, a type of sprawl whereby existing urbanised land on the periphery is bypassed for undeveloped land that required the extension of public facilities. They estimated that, within the planning area of the city, there were 73,500 acres of vacant land suitable for development. The land was spread-out, but the highest proportion was found in the north Phoenix areas of Paradise Valley and Deer Valley. The Commission argued that much of this land had been bypassed because of poor transport routes and lack of utilities. A more significant problem was the conversion of a large amount of 60,200 acres of land, used at that time for agriculture, into urban uses. Most of the land was situated in South Phoenix and the Laveen area, southwest of the city. Although the Commission acknowledged the process of converting agricultural land was arduous, it was in

[341] Ray E. Korte Jr., to Citizens of Phoenix, *Letter*, 12/11/1969, IN: 'The Comprehensive Plan, 1990', *City of Phoenix Planning Department*, (Phoenix, November 1969); 'The Comprehensive Plan', p. 3.
[342] The Planning Commission compared statistical data on land use to an average of cities with a population over 250,000. Included in this was Dallas, TX; Dayton, OH; Memphis, TN; Newark, NJ; at St. Louis, MO; Ibid., p. 31, 33.

these areas that they hoped future growth would occur. Their preference was for 'compact and orderly development outward from the core'. Converting agricultural land presented the best opportunity for 'providing economical municipal services.'[343]

The Plan set forth principles and priorities for future development in the Phoenix planning area. One method through which the Planning Commission sought to influence future growth was the control of the housing supply and location. They aimed to end the unplanned growth witnessed in the previous three decades and ensure 'proper safeguards' were applied for the future. In the context of Phoenix public policy, where an association of inner-city neighbourhoods with deprivation and slums had been present for generations, the notion of development safeguards indicated a preference for preventing the outward growth of the urban core. In the Comprehensive Plan, earlier assumptions about the inner city persisted. For areas in transition due to outgrowth from the inner-city, close regulation of development was considered especially important. In particular, the planners wanted to deter land uses which were considered to be 'incompatible' with residential neighbourhoods. They expressed their priorities for residential areas through a series of 'special development considerations'. Identifying priorities for the nature of future construction often acted as a barrier to be utilized by the City Council, and local residents, to maintain the homogeneity of low density living in Phoenix. One proposal advocated the creation of a law eliminating 'blighting influences', which they hoped would enable property values to be maintained. Social capital had been an important influence upon the formation of the Central Plan, and with it the future of the Phoenix political economy. A similar force influenced the Planning Commission's guidelines for residential development. Beside the picture of an idyllic neighbourhood, lined with palm trees and detached, low-density housing, the Commission encouraged 'special attention' to be paid to the 'organization of a pleasing living environment'. The tools they suggested to achieve this were the use of zoning ordinances and subdivision review. At its core, these planning goals aimed to preserve the supposed Phoenix way of life that boosters marketed to prospective new residents. The Planning Commission prized the development of 'well balanced' residential units that were 'convenient for informal social needs'. These goals ensured that a heavy emphasis was placed upon the ability of Phoenix residents, particularly

[343] Ibid., p. 35.

those living in suburban areas, to maintain the social environment of their local community. Planners believed that maintaining social relations of this nature, along with good residential services, contributed to the all-important 'feeling of place' in Phoenix. Inherent in this proposal was a line of thinking that suggested further construction would undermine the local community. They indicated that conformity was a high priority, more so than equitably distributing resources across the metropolis or enabling the city's residents to access them fully. Outsiders were seen as a threat to property values; good-quality residential services could only be maintained in this environment.[344]

Other long-standing influences upon public policy in Phoenix were also present in the Comprehensive Plan. For example, the plans demonstrated that questions of federalism and the proper role of government, which had pervaded local politics since the 1940s, continued to shape decisions about the city's development. In the Plan, these questions resurfaced as the Planning Commission considered the extent to which the government could intervene to influence the nature of development. They accepted that government 'could give support and encouragement to the rehabilitation and rebuilding of dilapidated housing' and that 'Various assistance programs of the Federal government might be used to help us achieve this.' Government intervention had been largely absent for almost a decade because Phoenix was ineligible for federal funding after voters repealed the building code. However, the absence of significant action to improve housing conditions indicated it remained a low priority for the City Council. The authors of the Comprehensive Plan recognised that successive governments since the Second World War had been too preoccupied with 'the political and economic problems of expansion', meaning that city officials had neglected their 'social and aesthetic responsibilities.' The burdens of the city's expansion, such as 'widespread pollution' of the air, water and food with toxic chemicals, even 'technological unemployment', had fallen disproportionately on poor residents of the inner-city and South Phoenix, with little compensation in return.[345] Members of the Planning Commission acknowledged that there were options available to alleviate the unequal burdens of development on the inner city and

[344] Ibid., p. 71
[345] Ibid., p. 22.

south Phoenix areas but politicians at PCC had decided for ideological reasons not to pursue them.

There was remarkable continuity in the ideological assumptions within the polity despite changes in who held leadership positions within the City Council. An incident from 1969 highlighted the Council's disregard for the aesthetics of the inner-city, especially when intervention could threaten the white advantages and suburban privileges of outlying areas. In the autumn of 1969, an application from the City of Phoenix for funds under the federal urban beautification scheme was refused. Phoenix had been ineligible for many federal Housing and Urban Development (HUD) programs since voters in the city repealed the building code in 1962. The Council had since tried to access other funding schemes to support improvements in the standard of urban living and its infrastructure. After receiving the news that the city's application for urban beautification funds had been refused, the Mayor of Phoenix wrote a detailed letter to the HUD Secretary, George Romney, 'to express [his] grave concern, and that of our City Council, about a new and questionable policy in HUD concerning its various grant programs for cities.' Phoenix had been awarded funds in previous years, most recently HUD had approved $342,000 in 1968-69 for similar schemes. The HUD regional office informed the City Council that Phoenix's plan to spend just 30 per cent of the funds on poverty-area beautification did 'not compare favourably with the higher percentages planned by other cities in our region.'[346] The plans Phoenix submitted in support of their application indicated that only a small proportion of the grant would be directed towards areas of the city with significant amounts of poverty.

The Mayor argued that HUD funding had become disproportionately weighted towards poverty reduction programs, which he believed was 'somewhat pessimistic.'[347] 'At risk of seeming to be against fighting poverty', he continued, 'we protest what we feel is an unhealthy and dangerous trend in the Federal Government's philosophy in helping cities.' He believed this change in HUD policy was against the spirit of the original legislation which established the funds, and in any case, Phoenix was an exception. The city needed

[346] Milton Graham to George Romney, Letter, 05/11/1969, Government Documents Collection, Arizona State University, XUPH 2.2.
[347] Ibid.

improvements to the water and sewage, especially in areas where leapfrog development had occurred; as well as beautification projects, throughout the whole city. If HUD directs federal funds only to areas with 'high levels of poverty', he asked, 'where will the needed help come from for meeting responsibilities in non-poverty areas?'.[348] The Mayor's letter demonstrated one of many complicated interpretations of the role of government within the city's political elite. The incident highlighted that members of PCC were not uniformly against the use of the state, and accepting federal money, if it suited their priorities for the development of the city. Graham, on this occasion, lobbied HUD Secretary George Romney for federal investment to be directed into Phoenix suburbs. Graham's actions demonstrate that the continuity in the governing ethos of the city that had shaped its development since the 1940s was still influential in public policy decisions at the end of the 1960s. There was no ideological opposition to federal government involvement in local matters.

Population mobility and entrenched inequality

A consequence of the Council's preference for suburban development was the creation of a static inner city population, comprised mainly of non-white inhabitants. This was a key element in making PUHSD schools increasingly racially imbalanced and entrenching educational disadvantages for Mexican Americans. This occurred as a result of the close partnership between Planning Department officials and private sector actors. Although the Plan was meant as an indicative expression of the Council's preferences for future development, there was substantial synchronicity between their intentions and the construction projects implemented by private sector companies.[349] For example, the plan continued the longstanding prioritization of suburban areas for new development whilst almost all new private sector construction projects were located on the fringes of the city. Within the Phoenix metropolitan area, there was no construction work funded by private developers anywhere south of Thomas Road at the time of The Comprehensive Plan's publication.[350] Builders and developers supplied a fluid housing market in North Phoenix and

[348] Ibid.
[349] 'The Comprehensive Plan', p. 177.
[350] 'Inside Phoenix '71: Economy', *The Arizona Republic and Phoenix Gazette Newspapers* (Phoenix, 1970), The Prelimininary Inventory of Carolyn Warner Papers, Box 12, p. 49.

outlying neighbourhoods. Within Phoenix, 246,000 residents were estimated to have lived in the city less than five years and 348,000 people to have lived within Maricopa County for the same period. Of those who had moved from other U.S. states, California, Illinois and Indiana were the most common previous locations.[351] Newcomers to the city mostly chose to live in North Phoenix locations. In neighbourhoods south of Van Buren Street, just three per cent of households comprised new arrivals.[352] Even those who were not new to Phoenix relocated frequently. In nine of Phoenix's 20 metropolitan districts, one third or more of the population had lived within that area for more than five years. The inner-city and south Phoenix were exceptions to this trend, as these neighbourhoods had more static populations than other areas. 79 per cent of residents in South Phoenix had lived there for more than five years. In other inner-city areas, the number was between 79 and 89 per cent; in comparison to a city-wide average of 66 per cent.[353]

The effects of these actions had significant implication for PUHSD. PCC's actions made it harder for inner city neighbourhoods to attract new investment and retain existing residents. As white inhabitants left the inner city in increasing numbers, non-white and low income residents assumed a larger proportion of the population. As a result, it was both harder for PUHSD schools to raise revenues via property taxes to fund educational programs and creating racially imbalanced enrolments. This was highlighted by the Phoenix Housing Commission (PHC), a body comprised of lay persons and public officials appointed by the City Council to review the state of Phoenix's housing and the quality of its planning policies, when it explained how the city might improve racial integration. They envisioned interactions between residents and public housing occupants occurring in schools, neighbourhood parks, in their yards or whilst their children played in the street.[354] Integration of the type they described was hard to achieve when the Council discouraged investment into inner city neighbourhoods and created barriers for non-whites to relocate to outlying areas.

[351] Ibid., p. 11
[352] Ibid., p. 12.
[353] Ibid; Ibid., p. 47.
[354] 'Housing in Phoenix., Vol.2.', p. 723.

The web of actors that confined non-white residents to the inner city had many facets. Undoubtedly, some residents in areas south of Van Buren St. lived there for a combination of reasons but other forces, including structural and systemic discrimination, curtailed the freedom of inner city residents to relocate and created the immobility amongst the population highlighted above. The legacy of restrictive eligibility criteria for federal mortgage guarantees, residential redlining and prejudicial lending practices influenced the spatial configuration of the city. As one of many minority groups affected by discriminatory lending practices, Mexican Americans often found that real estate brokers and banks refused to sanction their mortgage applications for properties in racially mixed neighbourhoods. Alongside this, PHC highlighted less formal and easily quantifiable barriers that prevented minorities from accessing suburban homes. The Commission argued that the small number of minorities working in the city's real estate industry had compounded generations of institutional discrimination. Yet, the few that did work in the industry tended not to work in areas covering all-white neighbourhoods, making it harder for fellow Mexican Americans and others to gain access. Race permeated the judgements of brokers on the market value of properties and investments. White brokers were more likely to provide a lower valuation of properties in neighbourhoods with a high proportion of minority residents. Appraisals of potential value in these areas were also typically lower, discouraging investment of private funds. These practices highlight a common-held view within the contemporary property market, namely that deals involving minority residents were disproportionately risky in comparison with similar deals involving white buyers.[355]

The Federal Fair Housing Act of 1968 prohibited discrimination on the grounds of race, color, religion or national origin in the sale or rental of property.[356] In the autumn of 1968, the City of Phoenix implemented an ordinance that made discrimination on the same grounds illegal. Whilst in parts the ordinance echoed the Fair Housing Law, it went further than these laws by establishing an enforcement committee and including provisions making it illegal to advertise or utilize application forms in a manner likely to induce discrimination.[357] By this point, real estate agents had developed subtle methods for advertising properties in a manner that was

[355] 'Housing in Phoenix: Volume II', *City of Phoenix Commission on Housing* (Phoenix, 1973), p. 717 – 719.
[356] The Fair Housing Act of 1968 (FHA) (42 U.S.C.A. §§ 3601-3631).
[357] 'Housing in Phoenix: Volume II', p. 725, 728.

compliant with legislation, yet also discouraged minority buyers. One of the new advertising provisions stipulated that realtors must submit a HUD Fair Housing Marketing Plan to a local HUD-FHA Equal Opportunity Housing Representative. To obtain approval, advertisements for areas containing a large number of white residents must include efforts to promote the availability of HUD-FHA financial assistance or guarantees to minority buyers. Prior to this new regulation, a common method was to include an Equal Opportunity logo within the advertisement. Although many realtors advertising in the *Arizona Republic* or *Phoenix Gazette* included an adequately sized logo, some used a barely visible version. Others obscured the availability of FHA financial support entirely.[358] In the context of a restricted private housing market, the possibility of accessing publicly subsidized accommodation was the only option for many seeking to relocate from the inner-city. Yet, Phoenix had an extremely limited number of public housing units; as of September 1973, they contained only 1,565 residents, 42 per cent of whom were African American, 35 per cent Spanish American, 20 per cent white, 3 per cent Native American and 2 per cent other. The city's housing projects often comprised a large minority population alongside white residents. Yet, even in the inner city, different demographic groups lived in concentrated silos, separate from one another. In only one location were large cohorts of Mexican Americans and African Americans living together. The Sidney Osborn Homes, Matthew Henson Homes, and A.L. Krohn Homes housed large numbers of African Americans. Mexican Americans were clustered in Frank Luke Jr. Homes and Marcos de Niza Homes.[359]

The importance of expanding the availability of public housing units was recognised by the Housing Commission when they suggested that social connections were essential to reduce segregation. They believed that earmarking suburban land for the location of new subsidized developments would enhance everyday interaction between occupants of subsidized and nonsubsidized properties, as well as ensure a fairer distribution of socioeconomic resources. After reviewing the existing provision of public housing, they suggested that new subsidized lots could be allocated evenly across the six planning zones within the municipal area.[360] Yet

[358] Ibid., p. 729, 731.
[359] Only in Sidney Osborn Homes did the project contain a large number of African American residents (79) and Mexican Americans (50). 'Housing In Phoenix., Vol.2.', p. 723.
[360] This was comprised of Deer Valley, Moon Valley, Paradise Valley, Maryvale, South Phoenix, and Phoenix Remainder; 'Housing in Phoenix, Vol. 1,' *Phoenix Commission on Housing* (Phoenix, Ariz.: 1973), p. 290.

even as the Commission suggested methods for making the city less economically divided, their recommendations indicated that their proposals remained largely racially exclusive. They argued that cohesion would be easier and resistance to the construction of subsidized units weaker if the difference between new residents was merely economic, presumably as opposed to racial. If nonsubsidized residents had 'major differences in life style and values, mixing can lead to hostility and conflict.'[361] They also discouraged the creation of more public housing on the grounds that it would contravene the Council's goal of maintaining city residents in locations near 'friends, relatives, churches and clubs belonged to, and other familiar landmarks and valued places.' To move residents away from areas with a dense concentration of other minorities, the Housing Commission argued, 'can be a traumatic experience for a minority household.' Planners further pathologized the condition of minority residents by arguing that they feared being unable to make friends or establish meaningful relationships 'unless common values, interests, and living patterns exist.'[362] In their appraisal of housing in Phoenix, the Commission noted that minority residents might not want to relocate from their existing neighbourhoods, nor would the placement of a new family in a neighbourhood 'immediately change its social relationships.'[363] Implicit in their belief was the notion that poor white residents of public housing would be more tolerable to private homeowners than racial minorities, even if they were of a similar economic position.

Resistance to the building of subsidized housing lots highlighted the complexity of Phoenix's racial hierarchy and the position of the city as a crucible of race and nation. A selection of homeowners had expressed opposition to subsidized tenants moving into their neighbourhood because they believed such tenants might indulge in unsavoury behaviour or adhere to less robust moral standards. Complaints of this nature served as a thin veil for racialized concerns about the inferior values of Mexican heritage residents. Some homeowners discriminated on the basis of nationality because they associated 'undesirable character traits and behaviour to all persons of a certain nationality.'[364] These arguments demonstrated the persistence of associating Mexican Americans, and other racial minorities,

[361] Ibid., p. 713.
[362] 'Housing in Phoenix, Vol. 1', *Phoenix Commission on Housing* (Phoenix, Ariz.: 1973), p. 290.
[363] Ibid.
[364] Ibid., p. 714.

with the deprivation of inner-city and inferior personal values. It also suggested a fraught lived experience for Mexican heritage residents in the city. Homeowners who associated Mexican culture, lifestyle, and behaviour with inferiority and sub-personhood was unable to know the nationhood status of the Mexican heritage person he encountered in daily life.

The Commission's findings highlighted the complex factors that shaped not only Mexican Americans' standing in the property market but the construction of their racial identity in Phoenix. They surveyed the opinions of residents in outlying neighbourhoods to identify reasons for opposition to the construction of subsidized housing. Four of the most frequently cited reasons fused racialized concerns with the language of economic class. One reason often used was that subsidized lots would be of inferior quality, meaning that '[n]o one but poor people will ever want to live in them'. A second explanation for white resistance to subsidized housing was the feeling that poor people would not bother to maintain the properties. Other complaints linked cultural concerns with schooling and property valuations, for example a third reason cited was the belief that '[t]hey will have lots of children and create an added burden on the school system. They will not pay their way.' Another reason for opposition was the belief that building property of this kind would lower property values and cause a decline in the quality of the neighbourhood. Opposition to building subsidized housing outside of the inner city blended cultural concerns with economic arguments that they would become a drain on local taxpayers. Homeowners in prestigious neighbourhoods raised concerns about integrating the children of poorer, non-white residents they believed were culturally unfit to attend schools in affluent neighbourhoods. For example, some responses to the Commission suggested that children from subsidized housing 'will use bad language and teach the present residents' children bad habits.' This accompanied a belief that 'crime will rise'.[365] The objections that the Housing Commission identified demonstrated the precarious nature of being a low or moderate-income resident in Phoenix. Families within this category were most likely to occupy inner-city neighbourhoods with little opportunity to relocate. These areas also contained the highest proportion of Mexican Americans and African Americans, meaning that, through successive generations, the inner-city space became synonymous with racial minorities and was imbued with racialized characteristics. In the minds of suburban residents,

[365] Ibid., p. 697-698.

the simultaneous concentrations of poor and minority residents fused racial resentment with class prejudice. Opposition to the construction of subsidized housing was thus articulated in a language which depicted proposed residents as being culturally alien and unfit to relocate beyond their existing neighbourhoods. Despite the introduction of federal legislation and local ordinances that outlawed the use of discriminatory practices against non-white groups, conditions in Phoenix highlighted the deeply entrenched antipathy that was crucial to ensuring long standing barriers prevented non-whites from relocating to outlying areas. Whilst equal opportunities for non-whites in Phoenix had been granted under the law, fundamental change to local property markets was not forthcoming.

The opposition of affluent homeowners represented an important part of the explanation as to why minority residents continued to experience unequal treatment in the housing market. Such opposition was given greater import because of the willingness of public officials to placate these sentiments. City Council officials interpreted these concerns as a reasonable middle-class desire 'to live in economically and socially homogenous areas where it is also easier to pass on cherished values to children and where property values are not threatened.'[366] The Housing Commission indicated the difficulty of implementing meaningful action to overcome discriminatory practice, they argued that '[t]hese fears cannot be easily dismissed' and questioned whether it was 'appropriate and feasible to encourage ethnic integration'.[367] Members of the Commission did, however, suggest some policy interventions which they believed would lessen the anxieties of homeowners. In terms of education, non-subsidized residents believed they would be forced to pay additional taxes to fund the increased enrolment of children from low income families, as subsidized residents would not be able to make meaningful contributions to fund the additional cost associated with new developments.[368] The Commission proposed a scheme to centralise school funding, thus reducing the importance of property taxes to school budgets. This policy proposal was cited as a tool for reducing the tax burden on affluent homeowners, rather than creating a more equitable distribution of resources, suggesting that reform was only viable if it was deferential to middle class interests.

[366] Ibid., p. 698.
[367] Ibid.
[368] Ibid., p. 713.

Other proposals focused on reforming potential occupants of subsidized housing. For example, the Commission suggested that 'their so-called inferior values can be lifted to a higher majority standard, if such is present.' But regardless of this, the basis from which City Council officials proceeded remained the notion that the arguments raised by affluent homeowners were reasonable, grounded in their personal experience of subsidized housing residents. The Housing Commission tried to reconcile these concerns with the notion that 'maintaining stable neighbourhoods to control racial balance and demand . . . is politically and ethically controversial, if not illegal.'[369] However, the main motivator for homeowner opposition to public housing was the notion that racial diversity represented a threat to property values. The Commission stated that a 'major obstacle' to developing subsidized housing and fostering better social cohesion was 'the general lack of desire by home purchasers of tenants for heterogeneity.' Homeowners opposed heterogeneity because of the difficulties of selling a home that 'is 20 percent higher in value than those around it.' Potential purchasers were discouraged from entering the market because they feared that 'the general surrounding market' would damage the subsequent resale value of their home.

Purchasing a home had obvious financial benefits for the owner, enabling wealth accumulation amongst other things. The home was also viewed as 'a symbol of identity . . . [and] stability; it shows purpose and involvement and implies at least a minimum level of responsibility.' These symbols and meanings have greater power, they argued, 'if the house is owned'.[370] Undoubtedly, the Housing Commission spoke for many residents and many others when they stressed the importance of the home to Phoenicians, 'a home is more than just shelter to many people. It is a symbol of continuity – a visible guarantee of tradition and future.'[371] As in much of the country, the detached, single family unit was the most popular type of house on the market. Homes of this type were available in Phoenix at a reasonable rate. John F. Long developers marketed a two-bedroom, one-bathroom unit in Maryvale, a recently developed area in west Phoenix, for $16,990; a similar unit in Paradise Valley was available for $17,990. This price was achieved by reducing the overall size of the unit to 850

[369] Ibid., p. 697.
[370] Ibid., p. 750.
[371] 'Housing in Phoenix, Vol. 1', *Phoenix Commission on Housing* (Phoenix, Ariz.: 1973), p. 750

square feet and charging extra for items such as a refrigerator, deemed a luxury. The decision to build smaller lots and exclude additional items had, according to the Housing Commission, 'brought new detached home purchase back into the price range of a young couple in their twenties with one child, and earning $7800 to $9100 per year . . . the typical buyers.'[372]

The 1980 Census indicates that, as the population grew, so too did the distribution of non-white residents in neighbourhoods which were previously predominantly white. For some non-white families, the development of affordable housing at the western edges of the city's boundaries provided limited opportunities for relocation. In particular, areas in Maryvale experienced a growth in the Mexican American population.[373] Yet, this change was limited. For many poor and minority citizens the possibility of homeownership was remote. These families lacked the mobility and resources to relocate. Although discrimination on grounds of race or class was not easily delineated, and often intertwined, a disproportionate number of Mexican Americans and African Americans were represented in the percentage of low and moderate income households.[374] 45 per cent of Mexican American families and 61 per cent of African American families earned below the $7,000 annual income threshold deemed necessary to afford even the new developments in Maryvale.[375] Although the proportion of 'All Other' families below the $7,000 threshold was only 27 per cent, at fully 34,951, they were the largest component. Families other than the two largest minority groups in the city made up 75 per cent of this economic category.[376] PCC's unwillingness to countenance any policy intervention using public money raised either locally or appropriated by the federal government meant that families without the means to accumulate sufficient wealth to relocate were stranded in inner city neighbourhoods. Redeveloping those neighbourhoods was not a priority for the Council, nor was improving the public infrastructure or schools. The

[372] Ibid., p. 746.
[373] 'Phoenix: A Community Profile, 1990', *City of Phoenix Planning Department* (Phoenix, 1990), p. 78 - 85.
[374] The analysis of low and moderate-income households by the city council was divided into three categories: below the poverty line, an income of less than $4,000, and an income less than $7,000. Information pertaining to the racial and ethnic composition of individuals and families beneath the $4,000 and $7,000 categories was included. No equivalent data was provided for those beneath the poverty line. 'Housing in Phoenix, Vol.2', *Phoenix Commission on Housing* (Phoenix, 1973), p. 700.
[375] The report uses terms 'Negro', 'Spanish', and 'All Other'. For the purposes of continuity, I have adapted these to 'African American' and 'Mexican American'. The Indian population within the City was less than 1 per cent in 1970 meaning that the 'All Other' category was overwhelmingly comprised of white, Anglo-Americans.
[376] Ibid., p. 699.

result of these decisions, consolidated in The Comprehensive Plan, was to remake the inequalities that had accrued over generations and limit the progress that non-white residents could obtain in the post-Civil Rights era. Collectively, they undermined the possibility of other remedial programs effectively reducing levels of inequality across the city. Yet, this model of municipal governance and urban development was contingent upon a like-minded elite retaining possession of political power and their ability to maintain a consensus amongst the majority of the electorate about the benefits of growth. In the years following the publication of The Comprehensive Plan, that consensus began to dissolve under the pressures of an increasingly vocal minority rights contingent and dissatisfaction with an increasingly unsustainable economic model.

Fracturing of the Metropolitan Planning Model

Another force that shaped city politics at this time was a burgeoning homeowner populism, rooted in the overwhelmingly white neighbourhoods of the urban fringe, which challenged the city's ability to manage continued residential and population growth. They hoped to prevent the fracturing of city planning priorities by implementing a new process for deciding the planning needs of local communities. The Planning Commission appointed lay persons to advisory panels in the hope they would enable planners to devise 'a plan that would reflect the desires of residents.'[377] The introduction of advisory panels came in response to the complaints of local residents who believed that the Council 'did not reflect public opinion' in the planning process.[378] They were unhappy with seemingly aloof planning department officials who decided what was best for their communities based upon citywide goals and regulations.

The Paradise Valley Plan was the second to include an advisory capacity for citizens in the development of the plan. The plan for the North Phoenix area of Deer Valley, published in 1970, marked the first attempt at utilizing this method. Beginning in 1972, members of the Planning Committee held bi-monthly public meetings to discuss the future development of

[377] 'Paradise Valley Area Plan', *City of Phoenix Planning Department* (Phoenix, 1976), Arizona State University Library, Government Documents Collection, unpaginated.
[378] Ibid.

Paradise Valley, by then one of the fastest growing areas in the Phoenix metropolitan region. In 1965, the area's population stood at less than 13,000; by 1970, this had expanded to 23,000. In the subsequent three years, the population more than doubled to 50,000. A further 10,000 residents took up residence in Paradise Valley across the next two years, meaning that by 1975, its population stood at 60,000.[379] The introduction of local control into planning policy created further opportunities for residents to restrict access to neighbourhoods and services. Local residents were anxious to ensure that future growth sustained, rather than damaged, their existing way of life. But residents also recognised the need to enhance the economic base of the area. Paradise Valley, in its early iterations, was known as a bedroom community, an area comprised almost entirely of single occupancy housing. As much as the absence of high value utilities, commercial, or industrial units was central to their idea of idyllic suburban life, residents realized that such an absence deprived them of important property tax dollars. Local residents also sought to create employment opportunities within the planning area and thus reduce the need for Paradise Valley residents to commute into the downtown area. Yet they insisted upon rigid guidelines concerning the type and location of permitted industry. For example, their proposals stated a preference for 'research orientated' employment activity and prohibited industrial lots for the purposes of: 'heavy manufacturing', 'processing and compounding of materials', 'fabrication products', 'warehousing as a primary use', 'retailing as a primary use', 'gasoline or chemical storage', and 'open storage'.[380] New industrial units were also required to be constructed in a manner in keeping with the existing character of the neighbourhood. If the building was single story, it should not cover more than twenty per cent of the net site area. For a two-story building, this was limited to ten per cent. Adherence to these guidelines tended to limit industrial activity to either white-collar professions or high-tech industry. Thinking of this kind was not new, but it was hard to reconcile with other proposals that sought to diversify the area.

Planners and local residents acknowledged that existing development in Paradise Valley had been imbalanced. The planning committee expressed its wish that future development should incorporate 'all ages and income levels'.[381] To this end, the plan included

[379] Ibid.
[380] Ibid.
[381] Ibid.

recommendations to avoid the 'over concentration of any one density or life-style'. Instead, the study area should ensure that sufficient capacity remained for 'medium density, multi-family, low income and senior citizen residential developments.' The implementation of these guidelines would alter the composition of Paradise Valley, at that point one of the most exclusive neighbourhoods in the metropolitan region. Under the proposals, future growth in the area would take place on a balanced basis, halting the accumulation of wealth in the suburban enclaves of North Phoenix. Yet, taken as a whole, despite ostensibly noble aims, the plan did not make the area accessible to most urban poor and minorities. If traditionally low skill or industrial employment opportunities were prohibited under the new plan, relocation was limited to middle class, white-collar workers. Anyone else who occupied the affordable housing built in the northern section of Paradise Valley would face limited employment opportunities or a significant commute to other areas of the city.[382]

An area planning committee for the inner-city made similar reflections upon local housing and development which had occurred in recent decades. In doing so, they made a point which had become apparent to many by the end of the 1970s: 'Many affluent former inner-city [residents] . . . have relocated elsewhere to obtain adequate housing, resulting in a declining population and an area dominated by low income and minority families.' They hoped that future planning policy would encourage a more equitable balance of resources throughout the city, particularly so that residents could 'improve their living standards without leaving the area.'[383] Phoenix had been subject to the same trend towards suburban living that every other Sunbelt metropolis had experienced, but it retained a strong economic centre within the inner-city. In the years between 1970 and 1978, the number of jobs in the inner-city had increased by almost 10,000, which amounted to a 15.5 per cent increase. Yet the idea that metropolitan growth was universally beneficial seemed an ever more dubious proposition by the end of the 1970s. The 1970 Census recorded a disproportionately high number of males residing in the inner-city who were either unemployed or not actively participating in the labour force. Of the 17 inner-city tracts, only one had a rate of unemployment or non-participation below the city average of six and a half per cent. The area planning committee

[382] Ibid.
[383] Ibid.

blamed a 'lack of skills, education, or experience, and discrimination and unnecessarily rigid hiring practices.'[384]

Conclusion

Throughout the Sunbelt, postwar residential segregation had been constructed through a variety of state actions such as FHA lending guidelines, combined with non-state actions such as racial covenants. By the time that Phoenix City Council published The Comprehensive Plan this apparatus had been dismantled. Although many of the effects of overtly prejudicial development policies were still evident, this chapter has explained why Phoenix remained an unequal metropolis into the post-Civil Rights Act era. The Central Plan, published at the start of this period, displayed the anxieties of leading members of the Council about their ability to sustain the Phoenix way of life in the final quarter of the twentieth century. Yet, in a moment of flux, business and political elites decided to reassert the ideology that had dominated local municipal politics since the 1940s. By considering, and rejecting, other development models, the Central Plan highlighted that other courses of action were possible. The decision to reject them was based in large part on the views of a downtown business elite that, as the Central Plan showed, continued to hold significant influence in Phoenix politics.

The Central Plan was one example from this period, when the city's leadership pursued a set of policies that although not explicitly described as intending to disadvantage non-white inhabitants, had that effect. Collectively, the development and political economic decisions made by the Council narrowed the range of available and acceptable options because of a worldview that prioritized capitalist accumulation, limited public investment, and a commitment to low density living. As a result, many courses that may have rebalanced the distribution of power and wealth were not given due consideration. But political and business elites did not entirely impose this model upon the populace. The chapter also demonstrated the continuing presence of grassroots opposition to subsidised housing, the proliferation of which many homeowners believed would increase the presence of the poor and non-whites in their neighbourhoods. The emphasis within the Comprehensive Plan on maintaining a

[384] 'Inner City Area Plan', p. 13. p. 33-34, p. 43.

neighbourhood's current way of life and social connections, therefore enabled homeowners to continue to hoard the opportunities accrued through generations of discriminatory public policy. Historians have observed similar trends in the Sunbelt but normally in a setting that contained a population comprised of a white majority and an African American minority. This chapter has demonstrated that in Phoenix, similar techniques were applied to Mexican Americans, refining our understanding of both Sunbelt development and the Mexican American experience within it.

To embed its model of political economy and urban development PCC had marginalised dissent, particularly from inner city residents with little institutional power. For the powerless and largely voiceless residents of south Phoenix their neighbourhood existed at the whim of planning decisions made by a political elite comprised almost entirely of middle aged white males. Politicians and public officials responsible for these decisions appear to have taken little consideration of the way planning decisions made in the pursuit of economic growth affected the lives of south Phoenix residents or whether they were likely to share in the proceeds. Yet, this chapter showed that the Council's ability to act with impunity was limited in the post-1968 context. In particular, this chapter highlighted that the growing assertiveness of Mexican Americans and Chicano organizations were not pre-occupied simply with policy areas typically associated with these groups, such as education or immigration. Residential and economic development were also important issues around which they mobilised opposition, and in the case of the 1972 Arizona Senate Election, became a crucial part of local electoral politics for Mexican Americans. They were not always, or even often, successful but in doing so they initiated a gradual reshaping of a polity from which they had largely been excluded until recent years. But they were not the only detractors. Similar to other Sunbelt metropolises during this period, PCC was also assailed by a homeowner populism which demanded the state act to preserve their way of life and act to prevent its costs from rising. The next chapter will demonstrate the implications of this force upon education policy.

All of these trends had profound implications for students in the PUHSD system. The unwillingness of the Council to use either federal, or municipal funds to intervene on behalf of Phoenix's poor and non-white inhabitants removed the possibility of redeveloping the inner city and limited their options for relocating. These actions remade an unequal

metropolitan landscape in the post-Civil Rights era, ensuring that residential patterns remained in the most part in accordance with the decades long trend of a non-white urban core surrounded by overwhelmingly Anglo suburbs. The result was to undermine inner city schools such as PUHS and contribute towards the dramatic reduction of inner city school enrolments during this period. Bilingual Education alone could not overcome these deeply entrenched forces. The next chapter demonstrates the importance of schooling to policies around neighbourhood development, how they shaped each other and its effect of further handicapping educational remedies for disadvantaged students.

Chapter Four

School Finance and School Construction

Shortly after losing the Gubernatorial election in 1970, Raul H. Castro addressed an audience at East High School about the condition of racial minorities within the Phoenix Union High School District. Castro expressed his hope that PUHSD could become 'a model school system for the entire Southwest.' He argued that PUHSD should be a laboratory for integration methods and demonstrate to other cities with large multi-racial populations how to successfully educate children in these circumstances. Castro simultaneously challenged the education system to do more to improve the standard of schooling in the city and Mexican Americans to take more responsibility to overcome the longstanding image of them being 'a man under a cactus or a person who is mentally retarded.' Undoubtedly, the District faced difficulties in closing the attainment gap between Mexican Americans and their white classmates, but Castro predicted that 'history will be made in this district.'[385] The idea that Phoenix faced Civil Rights issues that were distinct from those of other prominent cities and regions was accepted by local politicians of various ideological perspectives. In February 1962, the United States Commission on Civil rights held public hearings in Phoenix. The Commission opened the hearings by congratulating public officials on the progress they had made in extending civil rights and asking what lessons other cities could learn from the experience of Phoenix. In his testimony, the Mayor of Phoenix, Sam Mardian Jr., boasted of how 'There is no discrimination toward any minority group . . . discrimination that existed here prior to 1954 is now non-existent.' In Mardian's telling, Phoenix had successfully achieved racial integration through voluntary methods that had not required the intervention of the courts. He suggested that other locations that were reckoning with a history of racial segregation should consider encouraging greater individualism, and less government intervention to reduce discrimination.[386]

[385] 'PUHS District Racial Mix Can Be Model, Castro Says', *Arizona Republic*, undated, Rose Marie and Joe Eddie Lopez Papers, MSS 130, Box 3, Folder 4.
[386] *Hearings Before the United States Commission on Civil Rights*, Phoenix, Arizona, 03/02/1962, p. 5-12.

Within twenty years, the Phoenix Union High School District, the single district responsible for all high schools in the city, was placed under a desegregation order by the federal government. In 1981, just four of the city's eleven high schools were in compliance with the Civil Rights Act; the other seven had been relapsed into racially isolated institutions that resembled a previous era of state sanctioned segregation. This chapter seeks to understand how this process occurred. Mardian's perspective on the state of race relations in the city was as flagrantly inaccurate as it was self-serving. Previous chapters have explained how discriminatory practices that marginalized racial minorities cascaded through generations of Phoenix public policy. These conditions remained in place at the time of Mardian's testimony and subsequent development policy interventions further entrenched the unequal standing of minority citizens in Phoenix when compared with their white neighbours. The formal mechanisms of segregation may have been removed from 1954 onwards, but the absence of significant policy to redress the decades of discrimination meant that material change was limited. That little meaningful action countered the legacy of legally enshrined segregation contributed to the city's noncompliance with Civil Rights legislation. This chapter will argue that two significant policy interventions at the beginning of the 1970s altered the course of racial progress and was a significant factor in remaking racial inequality in the post-Civil Rights era. The first related to where schools were built; the second concerned how they were funded.

The introduction of school site construction guidelines demonstrated the importance of the schoolhouse to the process of urban planning, despite school districts having ultimate responsibility for choosing the site of new schools. Therefore, as with decisions about where to locate housing, the planning department's intervention precipitated the hollowing out of a network of inner city schools and was not a response to the individual decisions of private homeowners. In doing so, members of Phoenix City Council utilized Federal Government recommendations that schooling should occur in suburban-like settings to justify their decisions. Recent studies have demonstrated that similar actions to prioritizie suburban areas for new school construction occurred throughout the Sunbelt, therefore situating Phoenix alongside Nashville, Tennessee and other metropolitan settings where space had been imbued with racial characteristics. Ansley Erickson's study of Nashville demonstrated the importance to the remaking of racial inequality of decisions about where new schools should

be constructed. This chapter expands upon her methods by deploying them alongside the debate about school finance structures. Phoenix politicians and boosters had marketed the city as a place without racial conflict and free of the legacy of explicit Jim Crow segregation, yet they utilized the same methods for ensuring that white advantages were preserved.[387] Ultimately, school finance and school construction decisions highlight the inaccuracy of longstanding assumptions which posited that post *Brown v. Board of Education* segregation was the result of de facto, individual actions by homeowners. The example of Phoenix demonstrates instead that state and local government remained heavily involved in the creation of racial imbalances but through less visible means.

Historian Phillip VanderMeer wrote that 'Phoenix was a place where average people could afford to purchase a good quality home.'[388] Earlier chapters have demonstrated that any plausible definition of average, in this context, should be limited to mostly white citizens. For many Phoenix residents the quality of a home was contingent upon access to a good quality school of their choice. Yet, by the early 1970s, the quality and sustainability of many school districts, especially outlying ones, was threatened by the increasing costs of education provision. School districts derived most of their funding from a tax levy on property within the district. As school costs increased, and with it the burden on homeowners, politicians in the Arizona State Legislature felt compelled to intervene. In doing so, they demonstrated that the imperative of public officials, from members of school boards up to members of the Arizona Legislature and the Governor's Office, was to ensure the costs and discomforts of life for white residents were minimized. Discussions of school finance reform were conducted in the same manner as those regarding school construction; not on the basis of need or deserving but to preserve the viability of the Phoenix way of life for white homeowners in a period of financial uncertainty. These parameters for public policy highlighted the difficulties that Mexican Americans had in realizing the new rights promised to them under the Great Society legislation.

[387] Ansley Erickson, *Making the Unequal Metropolis: School Desegregation and Its Limits* (Chicago, IL: The University of Chicago Press, 2016), p. 1-19; p. 120-150; Ansley Erickson, 'Building Inequality: The Spatial Organization of Schooling in Nashville, Tennessee, after Brown', *Journal of Urban History*, Vol. 38, No.2 (Mar., 2012) pp. 247-270.
[388] Phillip VanderMeer, *Desert Visions*, p. 192.

School Finance

In the 1972 elections to the Arizona State Legislature, Republicans enhanced their majority in the House of Representatives by an additional four seats, taking their total to 38. In the Arizona State Senate, the balance remained the same, 18 Republicans and 12 Democrats.[389] The issue of school finance had been entirely absent from the election campaign yet soon after the election, the Republican speaker of the House, Stan Akers, declared his intention to call a special session on the matter. His announcement meant that school finance was one of the foremost issues in State politics once the 31st session of the Legislature opened in January 1973. In recent years, politicians had avoided calling a special session and little reform had been achieved on the issue. Schools were funded from a levy against property within the school district based upon an assessment of valuation. This model often incentivised local boosters and politicians to attract commercial or industrial investment to a district to off-set the tax burden upon homeowners. But by the early 1970s, the cost of schooling was increasing while, under restrictions passed in 1967, school districts could increase the levy on property holders within a district by a maximum of 6 per cent per annum. This meant that homeowners were forced to find extra revenues to educate an increasing school age population. Even an increase of 6 per cent would barely sustain school budgets at a time when inflation was regularly at this level or higher. The model of school finance in Arizona also widened disparities between school districts. Low-income districts had fewer valuable properties, commercial lots or utilities from which to levy funds. In general, they raised less than wealthier, suburban school districts.[390]

In the early 1970s a change in the method of collection threatened to cause a further increase in property taxes. Informal methods of assessment had held valuation rates at an artificially low rate. Tax bills had remained stable because assessors had undervalued properties using out of date information. This was set to change following the introduction of a computerized

[389] 'Akers named House speaker; Mrs. O'Connor to lead Senate', *Arizona Republic,* 09/11/1972; State of Arizona 31st Legislature, 1973-1974, undated, Mountain Bell, Manuel 'Lito' Pena Papers, Box 8, Folder 1; Don Bolles, 'School taxes top priority list for 31st Legislature', *Arizona Republic*, 07/01/1973.
[390] U.S. Bureau of Labor Statistics, CPI-All Urban Consumers, 1970-1980, [Online]. Last Accessed 24/04/2017, at: https://data.bls.gov/pdq/SurveyOutputServlet

valuation system. It would use the most recent information on the true market value of homes. Such a change meant that property owners in the state faced possible increases in their tax liabilities. Levies were based upon the spending budget of individual school districts. Even if tax rates were maintained at their current level, the increase in property taxes could double. The plan faced resistance, not least from 14 county assessors who stated they would continue to value properties based on appraisals from 1972, rather than on the computerized valuations from 1973. The state property valuation director believed that properties in Maricopa County were being valued at approximately 5 per cent below their market value.[391] Republicans had commanding majorities in both houses of the Legislature, which meant that it was incumbent upon them to propose measures to reform the structure of school taxation and avert the impending political conflict.

The office of the Governor of Arizona has little executive authority, for its occupant cannot compel the State Representatives and State Senators to legislate on a particular issue. The Governor's primary method for influencing the political agenda is through the bully pulpit. In a speech to open the new session of the State Legislature, an important event for the Governor to signify his political priorities, Jack Williams urged legislators to address the issues of taxation and school finance. Throughout a wide-ranging speech he made a consistent argument that legislators should pursue fiscal restraint and urged state legislators not to acquiesce to every demand for extra public spending. Williams explained that the success of the state in recent decades had been underpinned by the political and economic commitment of its political leaders to thrift. He believed that future prosperity was contingent upon adhering to those principles. 'Let us not be ashamed', he argued 'if we do not spend all of the money we can collect from taxpayers. Let us remember that they too deserve consideration.'[392] He began by identifying the policy priorities he hoped the Legislature would make progress on. This began with a recommendation that legislators introduce land use planning reform to ensure that Arizona remained 'an attractive area in which to live and to

[391] Bernie Wynn, 'Legislators find weird fiscal picture', *Arizona Republic*; 19/01/1973; 'Legislators to meet on assessors "defiance"', *Arizona Republic*, 19/01/1973.
[392] Jack Williams, 'Opening Message to the Arizona Legislature from the Governor / State of the State Address', *Journal of the Senate*, 08/01/1973, 31st Legislature, 1st Session. [Online], Last accessed 17/05/2017, at: http://azmemory.azlibrary.gov/cdm/compoundobject/collection/statepubs/id/2480/rec/36

raise children.' The state faced the consequences of 'unplanned and unavoidable growth'. The governor then turned his attention to education. He noted the significant expansion of state spending on education between 1957 and 1967. During this period state expenditure had 'increased 260 percent while our population increased only 47 percent.' By the early 1970s, 75 per cent of the tax revenues levied by the state government were spent on education. Five years earlier, a plan to restructure school finance had included provisions that enhanced the state government's responsibility for providing education funding. It had also included property tax relief worth $67 million but Williams argued that this had been eroded by rising costs for school districts. The governor was concerned by the escalating cost to the state government and individual property owners. He believed that containing spending was an important priority not only for the state administration generally but also a particular priority for legislators deliberating on a new school finance system. Even so, the governor told legislators that 'Something must be done'. He indicated that reducing the burden of taxation on property owners was the priority his administration wished to secure in the upcoming special session on taxation and school finance. But he also acknowledged that the situation was complex and the options limited. Proposals for reform had to contend with the delicate equilibrium of school governance in Arizona. 'Local control and local responsibility' he argued, 'should not be eroded by unwise tax legislation.' Williams argued that the disparities in property taxation between districts were the result of haphazard methods of collection, not flawed design. In 1968 the Legislature had stated that rates of taxation must be calculated based upon a valuation of property according to 100 percent of its cash value. Some assessors had not adhered to the regulations and created 'great inequities' between districts. Some property owners now face 'almost catastrophic increases' when their property was re-assessed.

The Special Session began in January 1973 but it was not until the spring that the Republican leadership in the Legislature published their first proposals for reforming property taxation and school finances. The Arizona House Majority Leader Burton S. Barr (R-Phoenix), argued that urgent measures were necessary to mitigate 'Arizona's tax crisis'. His urgency, and the saliency of the matter was based mainly on the 63 per cent increase in property tax levies

since the 1968-69 fiscal year. Barr argued that without action, homeowners in Arizona faced a possible further 30 per cent increase in taxes during the current fiscal year.[393]

The tax burden placed on homeowners by the existing system of school finance was the foremost criticism amongst Republican legislators but another strand of discontent focused on its inadequacy to provide the requisite level of funding for school districts. In February 1973, the Arizona Tax Research Association (ATRA) presented its research on school finance to the Legislature. They noted that education costs had doubled in the previous six years while the reforms implemented in 1968 capped annual increases in property taxes at 6 per cent. Even the significant increases in financial support from the state government had failed to stem rising costs. In the same period, the level of average attendance in schools throughout the state had increased by 64,000 students, which amounted to approximately 18 per cent. ATRA highlighted that an additional 4,038 teachers had been employed, causing a 24 per cent increase in the workforce. Over the 6 year period since 1968, this level of growth had added $148 million to school costs.[394] Collectively, this amounted to a significant, additional financial strain upon the school system that could not be sustained without urgent reform. Yet, the initial proposals from GOP lawmakers were intended to address a different problem – providing immediate, short term relief for home owners. One suggestion was to provide a $40 million rebate for 350,000 owner–occupied single family homes, to be funded from a surplus of federal revenue-sharing dollars that were available. The money was available as a single windfall and therefore not a reliable basis for establishing a continuing subsidy. The Republican leadership argued that the rebate was a temporary relief for homeowners whilst legislators introduced a new system of property taxation. Further proposals included a suggestion that property tax be frozen for a year whilst assessors ensured that new valuations were sought via a computerized method. A subsequent proposal increased the overall value of the rebate to $42.4 million. The Republican proposals would mitigate increases for homeowners in all 14 counties in Arizona. But in Maricopa County the rebate would amount to a 2 per cent tax cut, meaning that the average homeowner would be paying a lower rate of property tax than they had in 1972. More importantly, the Republicans proposed to

[393] '$40 million program of tax relief unveiled', *Arizona Republic*, 21/02/1973.
[394] 'Panel Claims School Costs Have Doubled', *Arizona Republic*, 16/02/1973.

introduce a new class of property. The existing system had four bands, each with a separate level of tax. Railroads and mines were assessed at 60 per cent of their cash value; utilities at a rate of 40 per cent; apartments and stores were subject to a 25 per cent rate, and houses, farms and vacant land were taxed at 18 per cent. Burton Barr wanted the rebate to target specifically homeowners who faced an increased tax burden without also providing a subsidy to farmers and landowners.[395] Other reforms were targeted at the methods of collection that had caused large increases in property taxes for homeowners. These were a consequence of inaccurate valuation data. Counties that conducted new assessments every five years held taxes below the market value in the intervening period but then inflicted sharp rises on homeowners following large-scale revaluations. This also created collection disparities between counties that maintained more accurate evaluation methods. The rebate proposals included a convoluted method of distribution as legislators constructed them in such a way as to avoid damaging the budgets of local school districts. Under the plan, homeowners would pay the county treasurer 25 per cent less than normal and the state government would send the differential figure which would then be passed onto school districts.[396]

The *Arizona Republic,* often reflective of political opinion amongst conservative politicians in Arizona, did not agree with the legislative proposals. The *Republic* published an editorial in May 1973 counselling legislators to pause before significantly reducing or abolishing property tax. They did this for three reasons: Firstly, the *Republic* argued that it taxed unearned income, namely that of land speculators, who benefitted from increases to the value of their land but contributed little to the community. Second, any transfer of responsibility for funding schools would also be a removal of an important instrument of local control. Property taxes, they argued, were typically spent by local authorities that were in closest proximity to the electorate. Any reform that made schools more, or even totally, reliant on revenues collected by the state government would amount to a centralization of power. Finally, the cost of funding education would simply need to be found via another means.[397]

[395] Don Bolles, '$42 million package of tax relief unveiled', *Arizona Republic*, 22/03/1973.
[396] 'State program for tax relief tied to rebates', *Arizona Republic*, 21/02/1973.
[397] 'Property tax has its place', *Arizona Republic*, 25/05/1973.

The special session on school finance reform was being conducted in a moment of political uncertainty as both state and federal courts heard cases that concerned the constitutionality of school funding formulas. The most notable, in the summer of 1973, concerned the United States Supreme Court's deliberations in *San Antonio Independent School District v. Rodriguez*. At the same time, efforts to reform the school finance system were complicated by cases in the Arizona state courts. Initially, legal action had been brought by parents and students in the Roosevelt School District within Phoenix. One group of plaintiffs emphasised the unequal demands upon taxpayers that resulted from a system rooted in disparate property values. They argued that the methods of assessment across the 295 school districts created disparities that placed an unequal burden on taxpayers in poorer districts. Plaintiffs insisted that parents in low-income school districts were required to pay a higher level of tax than those in more affluent districts to achieve equivalent or lesser educational opportunities. The second group of plaintiffs consisted of students attending school in Roosevelt School District. Their argument focused on the notion that the system of school finance created disparities in education within the state and thus violated their constitutional rights. These propositions were similar to those being tested in the *San Antonio* case as well as in the *Serrano v Priest* case being heard at the same time in California.

In 1972, when the case was first heard in the lower courts, the Superintendent of Public Instruction filed a motion to have the case ruled 'nonjudiciable'. Superior Court judges denied the motion. After hearing the case, the trial court did not agree that the plaintiff student had suffered injury in their right to an education. But they sided with the plaintiff parents on the basis that the system of school financing discriminated against them.[398] Despite this, the lower court ruled that remedial action should be delayed until the special session on school finance in the autumn. The purpose of the special session was to redesign the structure of school financing in Arizona. The system that the lower court believed unconstitutional would likely no longer be in place before any corrective action was implemented. [399]

[398] *Sofstall v. Hollins*, 110 Ariz. 88 (1973), 515 P.2d 590.
[399] Cheryl Rexford, 'Teacher Unit asks to Join in Finance Suit', *Arizona Republic*, 15/06/1973.

The Superintendent of Public Instruction, Weldon Sofstall, appealed the case to the Arizona Supreme Court. In June 1973, as the Court began hearing the case, the Arizona Education Association (AEA), filed a brief on behalf on its membership, 18,000 teachers, in the hope that the Supreme Court would uphold the ruling in favour of the students in Roosevelt District. However, by the time *Hollins* reached the Arizona Supreme Court, the case had been further complicated by preparations for the special session. Arizona legislators had repealed all measures related to school finance to enable a new system to be constructed entirely clear of pre-existing obligations. The Arizona Supreme Court ruled that the repeal of school finance provisions reduced 'the need for us to meet specific and detailed contentions of defects in the current school financing system'. A ruling from the U.S. Supreme Court in *San Antonio*, during the intervening period since the appeal, narrowed the scope of the litigation. [400] *San Antonio* considered methods used for funding public schools in Texas, based for the most part on property taxes similar to Arizona's. As parts of Texas grew more unequal so too did the revenues that individual schools could raise to fund education provisions. A group of parents challenged the school funding system in Texas on the grounds that the disparities violated their equal protection rights under the Fourteenth Amendment. However, the U.S. Supreme Court Justices ruled by a 5-4 margin that a state public school finance system that resulted in unequal levels of funding between districts was consistent with the Fourteenth Amendment and that the equal protection clause did not enshrine a legal right to equal school funding across districts.[401]

The Arizona Justices did, however, believe there was merit in addressing the plaintiff's arguments. The Arizona Supreme Court rejected the contentions of both groups of plaintiffs. Writing for the Court, Chief Justice Hays accepted that the Arizona constitution established education as a fundamental right for pupils between the ages of six and twenty-one. But this right was limited to assuring every student 'a basic education'. His opinion cited the recent U.S. Supreme Court ruling in *San Antonio Independent School District v. Rodriguez*. The Court

[400] *Sofstall v. Hollins*, 110 Ariz. 88 (1973), 515 P.2d 590.
[401] *San Antonio Independent School Dist. v. Rodriguez*, 93 S. Ct. at 1298-1299.

concluded that relative differences in education spending provided 'no basis for finding an interference with fundamental rights'.[402]

In *Hollins*, Chief Justice Hays departed from the recent rulings made by the high courts of other states. Similar to the *Serrano v. Priest* and *Milliken v. Green* rulings, Hays accepted that education was a fundamental right under the state constitution. But, he did not accept, as the courts in California and Michigan had, that school financing laws were unconstitutional under the Equal Protection Clause of either the Arizona or U.S. Constitution. The Arizona Constitution contained a more limited education mandate with which a school financing system must comply. Chief Justice Hays ruled that 'A school financing system which meets the educational mandates of our constitution i.e., uniform, free, available to all persons aged six to twenty-one, and open a minimum of six months per year, need otherwise be only rational, reasonable and neither discriminatory nor capricious.'[403]

With regards to the taxpayer plaintiffs' case, Hays cited the recent *San Antonio* ruling. In that case the Supreme Court had upheld the system of school financing on the grounds that to rule it unconstitutional would nullify local taxes as a method of funding local services. To do so on the grounds that the burdens of such methods fall unevenly would transcend 'the constitutional prerogative' of the court.[404] Hays argued that in the case of Arizona, the court 'found no magic in the fact that the school district taxes herein complained of are greater in some districts than others. For the foregoing reasons, the trial court's summary judgement in favour of the taxpayer-plaintiffs is reversed.'[405] Members of the Arizona legislature had followed the *San Antonio* case closely, even going so far as to draft emergency plans to assume 100 per cent of education costs in the event that the U.S. Supreme Court issued a ruling that made the state's method of collection unconstitutional. However, now that both the Arizona Supreme Court and the U.S. Supreme Court had dismissed arguments that would

[402] *San Antonio Independent School Dist. v. Rodriguez*, 93 S. Ct. at 1298-1299. *Sofstall v. Hollins*, 110 Ariz. 88 (1973), 515 P.2d 590.
[403] *Sofstall v. Hollins*, 110 Ariz. 88 (1973), 515 P.2d 590.
[404] *San Antonio Independent School Dist. v. Rodriguez*, 93 S. Ct. at 1298-1299
[405] *Sofstall v. Hollins*, 110 Ariz. 88 (1973), 515 P.2d 590.

have compelled legislators to intervene and create a more equitable distribution of resources, they were free to construct a funding system that accorded with their principles.

The Special Session was scheduled to start in October 1973. By mid September the Republican leadership across both houses of the legislature announced three proposals for reforming the state's system of school finance. As with previous proposals, they demonstrated that the parameters of discussion were limited. The Republican majority stated that it had two objectives: reduce the reliance on local property taxes and establish a more equitable system of school finance. All three plans would increase the level of state funding for schools from the existing 46 per cent to 75 per cent, with an intention to deliver a significant reduction in property taxes. The House Majority Leader argued that this was necessary because school tax rates were forecast to rise by 140 per cent during the next five years. Any reduction in property taxes would need to be offset by increases in taxes collected by the state government, typically sales tax and levies on corporate enterprise. Such a move would change the relationship between schools and the educational bureaucracy. All of the plans sought to reduce the disparities between school districts, estimated in 1973 to be between $400 and $3000 per year, per pupil. The most drastic suggestion was to set an upper limit on the average per pupil spending in elementary and high schools. The budgets of school districts spending more than this figure would be frozen until the gap between wealthier and poorer districts was reduced. The Arizona Legislature would decide the percentage increase of the annual cost on an annual basis, depending on the rate of economic growth in Arizona. The other proposals would curtail spending in affluent districts but aimed to narrow the gap between poorer districts incrementally, over a period of two to five years.[406]

Following the publication of their plans, Republican legislators held public consultations to hear the testimonies of education and tax experts. At one of these hearings, two education officials challenged the received wisdom that a reduction of the rate of local property tax was the most important priority for the special session. Dr. George Smith, Mesa Superintendent of schools, and Thomas Cunningham, a member of the Paradise Valley Board of Education,

[406] Bernie Wynn, 'GOP Presents School Aid Plans to Cut Home Tax', *Arizona Republic,* 12/09/1973; Robert Reilly, 'GOP's School Financing Plans Sure to Stir Debate', *Arizona Republic*, 12/09/1973.

argued that the rate of assessment, currently set at 18 percent, should be increased. Each of the proposals published by the Republican leadership stated their intention to cut the assessment rate by 3 percentage points. But doing so, Smith and Cunningham argued, would limit the amount of money a school district could raise by issuing bonds - the Arizona constitution limited the indebtedness of school districts to 10 per cent of its value. Any reduction in the rate of valuations could not, therefore, be off set by additional borrowing. For suburban districts like the ones Smith and Cunningham represented this imposed a significant restriction on the amount of borrowing a district could access to fund capital investments. Suburban school districts included mainly single family properties but lacked business or industrial lots from which to raise additional revenues.

At the same hearing, Tom Beauchamp, the president of the Arizona Education Association, expressed his concern at the diminution of local control and the likelihood that education budgets would be increasingly exposed to political pressure. All proposals expanded the responsibilities of the state government for education and would thus require education officials to negotiate budgets with the state legislature. This, he argued could lead to a situation where 'schools . . . must go back to the legislature each year, hat in hand, to beg for enough money to survive.'[407] Other education officials questioned whether the shift in responsibility for funding education would result in the de facto loss of local control. The superintendent of Creighton School District in inner city Phoenix argued that increasing the state government's portion for school financing to 75 per cent was incompatible with a true definition of local control. If legislators were given the power to 'restrict and tightly control finance, you also take away from the local citizens the right to determine the curriculum offered, the type of professional teaching, the materials to be used and the performance standards expected of children.' The Republican leadership's plans, therefore, signified a more fundamental reorganization of school governance than many at the time recognized.[408]

Democrats in the Arizona Senate produced alternative plans to raise revenues from different sources. To centralize school finance mechanisms would place an additional $96 million fiscal

[407] Bernie Wynn, '2 Educators Call for Assessment Hike', *Arizona Republic*, 25/09/1973.
[408] Bernie Wynn, 'Hearing on School Finance', *Arizona Republic*, 26/09/1973.

burden on the state government. The Democrats, wishing to avoid any rise in sales tax, instead proposed increased corporate taxes, personal income tax for higher earners, and taxes on real estate transactions. Democrats in the Arizona Senate prioritized the reduction of what they believed to be a regressive sales tax. Yet, the announcement of a distinctive Democratic plan inadvertently highlighted the large areas of partisan agreement and consensus between the two parties. That the state government should underwrite up to 75 per cent of the costs of schooling was now accepted wisdom. To meet these costs, and to alleviate the burdens of local property taxes, state taxes must rise. Collectively, legislators began re-organizing the state's system of school financing. The new arrangements would transform the citizen's relationship with the state, the state's method of levying taxation, and the structure of school governance. There were no competing liberal and conservative, Republican and Democrat interpretations of these policy issues. To be sure, political sport dictated that some members of the Arizona Legislature presented differences between their proposals as colossal when a closer read demonstrated them to be only marginal. One, more excitable, Democrat, James McNulty (D-Bisbee), used the Arizona Senate debate to describe Republican plans as 'dangerous, vicious and almost subversive'. He proposed the state should provide only 66 per cent of school funding, as opposed to Republicans plans to provide 75 per cent, and merely attempt to precipitate 'the lessening of inequalities among school districts' rather than equalise payments. To read such rhetoric as serious philosophical difference is to miss the fundamental ways in which partisan political opinion had coalesced on school financing.[409]

The *Arizona Republic* published an editorial that urged lawmakers to focus on what it believed to be 'the central question of Arizona's education financing.' Political conflicts over the level of education appropriations had occurred every year. But, the *Republic* argued, not enough thought had been given to accounting measures. The governor had made a similar recommendation to the legislature a few days earlier. Little infrastructure existed to measure the effectiveness of ever-increasing funding levels for schooling. Establishing a mechanism for evaluating educational performance was the true challenge before the legislature. These problems were enhanced by the fractured structure of schooling across 290 school districts.

[409] Theodore Rushton, 'Senate Democrats offer a package to fund schools', *Tucson Daily Citizen*, 26/10/1973.

Though it would be a painful exercise, the editorial argued that 'consolidation must be achieved.'[410] Even if the *Republic* believed that school districts should be consolidated, one conflict during the special session highlighted how the debate about the future of school finance had become confined to a narrow discussion that privileged suburban interests. State Senator Delos Ellsworth, a Republican representing Mesa, an outlying town on the fringes of metropolitan Phoenix, introduced a 'homestead' clause for property owners. The provision would exempt $2,500 of a property's valuation from taxation. The homestead exemption was introduced as a means of stymying a proposal to redistribute tax revenues between school districts. Members of the special session had considered a requirement that the state government collect revenues from districts with high valuation levels and then redistribute them to poorer districts. The incident also demonstrates the ideological dexterity of Arizona Republicans beyond reducing the tax burden of suburban homeowners. Burton Barr, the Majority Leader in the Republican controlled House of Representatives, hoped that any homestead clause would be accompanied by a $1 statewide property tax. Barr argued that under the state's structure of school financing the burden of increased property taxes would be paid primarily by utility companies.[411] Twenty years earlier Arizona Republicans had asked homeowners to pay extra taxes. They did so to fund a tax cut in business rates in the hope of making the city more attractive in comparison with Sunbelt competitors. In the early 1970s, leading Arizona Republicans proposed the exact opposite. In the intervening years, a dogmatic adherence to such tenets was cited as an excuse for refusing to access federal funds to improve south Phoenix neighbourhoods and schools. Yet, such a departure from the political orthodoxy in the state was done not to support the most needy but to conciliate suburban homeowners.[412]

Opposition from Educationalists

The Arizona School Board Association sought to act as an organized lobby to influence the direction of school finance proposals. In the context of partisan consensus amongst state legislators, they represented the most forthright of the opposition, which was confined to a

[410] 'The Annual Crisis', Editorial, *Arizona Republic*, 29/10/1973.
[411] Bernie Wynn, 'Panel agrees on main items in schools bill', 14/12/1973, *Arizona Republic*.
[412] Philip VanderMeer, *Desert Visions and the Making of Phoenix, 1860 – 2009,* p. 204-205, p. 209-210.

vocal minority of academics, teachers, and parents. The Association published a monthly newsletter that served as a kind of trade journal for school board members in the state, providing notice of new developments in schooling and highlighting the public pronouncements of politicians. Alongside this it featured detailed pieces that discussed current policy proposals and future directions in education. The journal served as a site of intellectual exchange between educationalists; some editions in particular carried guest publications from school board members in other states. It also informed members of the discussions and happenings at National School Board Association Conferences. The president of the Arizona School Board Association updated readers on the national educational context, highlighting the progress of court cases with potential implications for Arizonan schools or informing readers of the headwinds in Washington D.C.

Once school finance became a prominent issue in Arizonan politics, the Association used the newsletter to comment on proposed changes. Although articles in the Arizona School Board Association journal argued for school finance reform, they approached the policy question with a different purpose to Republican politicians in the state Legislature. Public discourse in the lead up to the special session was coalescing around a strand of thought that posited the reduction in property liabilities as the main priority for politicians. Unsurprisingly educators writing in the journal stressed that the agenda for the special session should prioritize reform that enhanced the quality of education. The School Boards Association encouraged legislators to begin by establishing the first principles of '[w]hat educational programs and services will be funded in the state's school finance plans and for whom will these programs be provided?'[413] The Board also encouraged politicians to consider the big questions of federal versus local responsibility for eliminating educational disadvantages and the desirability of the state ensuring equalization across school districts.[414]

In seeking to provide alternative school finance options, the association considered the models of other states as a blueprint for reform. In the May 1972 issue, the president of the association wrote to members to inform them of the *Serrano vs. Priest* case in California and

[413] 'Property Taxes', *Arizona School Boards Association*, (Phoenix, May - June 1972), Vol. 1, No. 4. Arizona State University Library, Local Government Collection.
[414] Ibid.

its implications for Arizona. The rates of property taxation varied as widely in Arizona as they did in California, which created difficulties for school authorities who sought to create an equitable distribution of revenue. The president of the association argued that reorganizing school districts as a means of ensuring a fairer distribution of wealth would be unstable. A fluctuation in property or industrial valuations would require constant shifting of district boundaries and the reassignment of students to alternative schools. The only alternative she foresaw was a centralized process 'for collecting and distributing these tax resources of the state.'[415]

In the year before the special session, the ASBA felt emboldened, its leadership believing it could influence the direction of policy. The president congratulated members after she believed they had successfully exerted influence over members of the state Legislature. One example occurred when the Arizona House of Representatives shelved a bill that would have changed the date of school board elections and ensured they occurred on the day of a general election. 'You did it' she wrote, since the lack of support for the bill 'was largely due to the efforts you as board members made in talking to your Representatives and pointing out the dangers to public schools if such a change came about.'[416] After being elected to the presidency of the Arizona School Board Association (ASBA), Katie Dusenberry wrote to members to urge them to take a more active role in the state's politics. 'This is "Legislative Time"' she declared. ASBA members should use their 'influence in suppressing or advocating various items of state and national legislation.' The Association had recently expanded and their expertise enabled them to scrutinise a larger body of legislation. She encouraged school board members who might be uncomfortable participating in political activities to consider it a matter of civic duty to prevent bad policy being introduced into local schools. The ASBA published regular bulletins notifying members of relevant legislative proposals. Dusenberry also encouraged members to scrutinise education legislation and contact their local representatives. Those members who notified politicians of their opinions could act as

[415] 'President's Message', *Arizona School Boards Association*, (May - June 1972), Vol. 1, No. 4. Arizona State University Library, Local Government Collection.
[416] Katie Dussenberyy, 'President's Message', *Arizona School Boards Association*, (April 1972), Vol.1, No.3, Arizona State University Library, Local Government Collection.

important counterweight to 'vocal minority groups in Maricopa County that appear frequently at the Capitol.'[417]

As the special session approached, the new president of the Arizona School Board Association, Everett Luther, wrote to members repeatedly to stress its importance. He stated that this was the 'most important matter before every school board in the State of Arizona this fall'.[418] Luther explained his concern about the 30-day special session. The previous legislature had removed 'all of the present school financing programs and the slate is clean for an entirely new approach.' But devising an entirely new system of school finance in a short period of time could lead to 'hasty compromises' and subsequent difficulties. ASBA provided members with policy briefings aimed at keeping board members informed about the proposed changes. This information would enable members to lobby their state representatives more 'intelligently'.[419] Luther hoped that ASBA would act as an advocacy network that could influence the drafting of school finance proposals and shape them according to the association's priorities by lobbying State Legislators. Members 'should know how to reach them in the event you receive a request from the School Board Association to contact your legislators on a particular matter. The importance of successfully bringing the influence of this network to bare, he argued, 'cannot be overemphasized'.[420]

On the eve of the special session, Lou Ell Kleinz, Executive Secretary of the Arizona School Boards Association, spoke at the Arizona Tax Conference. She spoke of the need to ensure a more equitable funding regime throughout the state. Kleinz believed that the funding structure at that time enabled significant disparities between districts. It was not uncommon, she argued, for some districts to have a tax rate of $1 per $100 or less and an expenditure of $1000 per pupil. Other districts had a tax rate of $5 per $100 but their expenditure per pupil

[417] Katie Dussenberyy, 'President's Message', *Arizona School Boards Association*, (March 1972), Vol. 1, No. 2, Arizona State University Library, Local Government Collection.
[418] Everett Luther, 'Message from the President', *Arizona School Board Association*, (August – September 1973), Vol. 2 No.5, Arizona State University Library, Local Government Collection.
[419] Ibid;
[420] Everett Luther, 'Message from the President', *Arizona School Board Association,* (November – December 1973), Vol. 2 No. 6, Arizona State University Library, Local Government Collection.

was only $600.[421] Kleinz argued that the disparity was caused in part by the rules governing the assessment of a district's tax value.

This contrasted with the mood among Republican legislators, typified by a speech made by Sandra Day O'Connor, the Majority Leader in the Arizona Senate. O'Connor had indicated her priorities for the special session during an earlier speech to the same conference. Her foremost priority for the session was to limit the burden of taxation upon homeowners. She argued that if individual counties refused to reduce levels of property taxation then the State government should intervene. [422] Both Day O'Connor and Ell Kleinz proposed an enhanced role for the state in local education, contravening the longstanding consensus in Arizonan politics about the sanctity of local control. Yet, their rationale for doing so diverged. The School Boards Association argued that further state involvement was necessary to improve educational standards. The Arizona Senate Majority Leader proposed using similar methods but to ease the discomforts of increased property taxes on homeowners.

Leading figures within the multiple educational bureaucracies, such as Carolyn Warner, expressed their opposition to Republican proposals. She and other members of the PUHS school board met the chairman of the Arizona Senate Education Committee in August 1973. As part of the proposed increase in the state government's role in education funding, a greater effort would be made to equalize funding between districts. Similar to the recent court cases, the crux of these discussions was the educational mandate of the state. They rehearsed arguments about what constituted equality and the appropriate method by which it could be rendered through state intervention. For one group, the simple payment of equal sums to all school districts would meet the state's responsibilities. Others such as Warner felt that an equal distribution of school finances would involve recognising the differing burdens that each district faced. Amongst the enrolment of inner city schools in Phoenix were children from low-income families and welfare recipients. They received subsidies from the school

[421] Ibid.
[422] 'School Board Members Attend State Tax Conference on School Finance', *Arizona School Board Association*, (Aug – Sept 1973), Vol. 2, No. 5. Arizona State University Library, Local Government Collection.

district to pay for lunches, transportation and books. If the new system of school financing did not account for these additional burdens, then it would disadvantage PUHS.[423]

Once the special session was in progress, education officials for the Phoenix Union High School System raised further objections to the proposed school finance changes. They used the pages of the district newsletter to address the claim that the costs of public schooling were out of control. The newsletter stated that PUHSS overall education costs, salaries, and maintenance had risen but at lower levels than the national average. Schools in the district had been required to provide new programs that placed additional strains on school budgets. One such example was bilingual education, which 'requires a dollar outlay per student roughly three times that of a "regular" program.' But district authorities argued that education was a public good that would eventually make a return on the fiscal investment. They conceded that taxation had risen to cover school costs but this was due to 'a half-century lag in salaries' and the 'many additional services demanded by the public.'[424]

A subsequent legislative bulletin was sent to parents about the school finance proposals before the Legislature. The purpose of the bulletin was 'to keep parents and citizens informed of legislation being considered', state the position of the PUHSD board's position on the issue, and encourage parents to contact their political representatives to exert pressure. PUHSD indicated that its priorities were, amongst others, property tax relief for local residents and the equalization of basic education provision throughout the state. Similar to ASBA, District authorities argued that the burden of taxation should be reoriented away from individual property values onto 'other revenue sources'. Such a proposal would centralise the collection of school revenues and require redistribution from the state government. To ensure that students are provided with the equal basic education they also insisted that this would require a new funding formula. They argued that the principle of equality required a general commitment to providing all students in the state with the same level of dollar funding. The present system provided schools in neighbouring districts with significantly different level of resources. But a secondary commitment would also be required. This involved a commitment

[423] 'Inner City Schools Need More Aid, Educators Say', *Arizona Republic*, 30/08/1973.
[424] 'Are Public School Costs Out of What? The facts say "no"', *Phoenix Union High School District Newsletter*, Vol 13 No.8, Arizona State Archives, Arizona Collection.

from the state government to provide more dollars for 'exceptional or disadvantaged youth . . . who require a lower student-teacher ratio'.[425]

Phoenix Union School District authorities stated that they could not endorse the school finance plans currently being considered by the Legislature. But the bulletin stated that if the proposals were modified it would re-evaluate its position. The bulletin encouraged parents to 'Be an active American' by contacting local politicians to express their opinions on the school finance proposals.[426] The ASBA and PUHSD board worked hard to organise parents and school board members in opposition to the school finance proposals. However, they did not exert any noticeable influence upon the legislative process. In February 1974 the president of the Association wrote of his regret that members had not been able to play the decisive role that he had envisioned they might. In a subsequent self-proclaimed 'indictment of school board members' the President explained, 'we could do a better job' of influencing state legislation.[427] Yet, the opposition of ASBA and PUHSS officials highlighted the narrowness of the terms of debate in the special session. The notion that a new system of school finance should be constructed according to what is likely to provide the highest standard of education was marginalized. The Republican Party leadership dismissed the concerns of educators and depicted them as lobbyists for special interest groups. The special session instead displayed consensus about the importance of state intervention to alleviate the burden of taxation upon suburban homeowners. However different their intended ends, both sides agreed on the preferred means of expanding the role of the state. Such a proposal represented a departure from a belief in local control that had underpinned state education policy for generations.

The special session on school finance was the longest in the state's history. A year earlier, legislators had spoken of concluding a deal within a month. A new school finance regime was passed on 19 February 1974, 121 days after the opening of the session. The eventual act increased the proportion of aid provided by the state administration from 48 per cent to 68

[425] 'Legislative Bulletin', *Phoenix Union High School District Newsletter*, No.1, 23/10/1973, Arizona State Archives, Arizona Collection.
[426] Ibid.
[427] Jack Dent, 'President's Message' *Arizona School Board Association*, (January – February 1974), Vol. 3 No.1, Arizona State University Library, Local Government Collection.

per cent. In monetary terms the level of funding provided by the state administration was increased from $197 million to $328 million. Legislators also agreed to raise the state sales tax, in addition to increasing levies on corporations, liquor and cigarettes. They estimated that this would provide the $172 million in revenue that school districts required. One Republican in the Senate voted against the increase in sales tax but the measures were otherwise passed with partisan votes: 17-13 in the Senate, 34 – 24 in the House. [428]

Sandra Day O'Connor argued that the legislation would enable a significant reduction in homeowner's tax bills for the next fiscal year. In Phoenix Elementary School District, the rate of property tax would fall from $3.82 per $100 of assessed valuation to $2.74. The Republican leadership in the state legislature estimated that this would reduce the tax liability for the owner of a home valued at $25,000 by $108 in Scottsdale, and $263 in Roosevelt Elementary District. Such reductions were made possible by a $40 million windfall from the federal revenue-sharing formula. Governor Jack Williams had counselled state legislators to be cautious in appropriating the money because it would be available for a single year only. Democratic opponents of the legislation believed that using the revenue-sharing rebate to temporarily reduce taxes was a major weakness of the bill. Craig Davids, the Minority Leader in the Arizona House of Representatives, argued that legislation represented 'temporary tax relief at best and phony tax relief at worst.' He speculated that tax rates would rise again after the 1974 election.[429] Democratic critics in the Senate argued that the reforms represented a tax break for the wealthy. Sen. John Scott expressed his belief that the tax burden had merely been shifted from 'the hard-pressed middle class, while the wealthy will again escape taxes.'[430]

Schools in Phoenix

Decisions about how schools were funded highlighted Arizonan politicians' actions to preserve white advantages which in turn limited poorer districts' ability to obtain an equitable allocation of resources. The effects of funding decisions were reinforced by decisions on the

[428] Don Bolles, '$172 million school financebill OK'd', *Arizona Republic*, 20/02/1974.
[429] 'Approval of $172 million school finance bill', Arizona Republic, 20/02/1974.
[430] Ibid.

locations of new schools. In 1972, Phoenix City Council Planning Department made an appraisal of the city's need for new schools and published a series of guidelines for the future selection of school construction sites. The plan, titled *Schools in Phoenix*, audited the present state of the city's schools and used population projections to establish new 'concepts and guidelines' for future school construction and administration.[431]The plan studied the needs of both elementary and high school systems in the Phoenix Planning Area. This covered 393 square miles taking in the central, City of Phoenix portion of the Phoenix Metropolitan area. The study included 15 elementary districts: Alhambra, Balsz, Cartwright, Creighton, Fowler, Isaac, Laveen, Madison, Murphy, Osborn, Phoenix, Riverside, Roosevelt, Washington, and Wilson; the 2 high school districts of Phoenix Union and Glendale Union; and the 2 unified districts of Paradise Valley and Scottsdale. The intellectual blueprint for the manual was an earlier set of federal recommendations. In 1958 the Department of Health, Education, and Welfare published a guide to school site selection. The *School Sites* manual signified a break from the unambiguously segregationist language of the Federal Housing Association lending code. The manual instead expressed federal preferences for education to occur in suburban settings by explaining that building schools in areas with 'high buildings' should be discouraged or avoided 'if at all possible'. Federal officials believed there to be 'no justification' for the selection of sites that were situated close to the 'depressing and annoying, . . . irrations' such as smoke, noise or crowded neighbourhoods. Urban neighbourhoods were depicted as unhealthy, unsafe for the education of children, and incompatible with their need for 'clear air and sunshine.'[432] These guidelines provided justification for municipal authorities to direct new school construction to outlying areas based upon an ideological preference, rather than an assessment of need or the distribution of the population.

[431] Dwight L. Busby, Open Letter, 25/09/1972 IN; 'Schools in Phoenix', *City of Phoenix Planning Department* (Phoenix, 1972), Arizona Government Documents, Arizona State University Library.

[432] 'Schools in Phoenix', *City of Phoenix Planning Department* (1972), p. 30-34; 'School Sites: Selection, Development, and Utilization', *U.S. Department of Health, Education, and Welfare*, (Washington, D.C., Government Printing Office, 1952).
Ansley Erickson has written about the influence of federal school construction guidelines, in particular the School Sites document and its effects upon Nashville, Tennessee. Ansley Erickson, *Making the Unequal Metropolis: School Desegregation and Its Limits*; Ansley Erickson, 'Building Inequality', pp. 247-270.

In *Schools in Phoenix*, city officials adapted federal guidelines published in the *School Sites* guide, for local purposes. The seemingly innocuous guide to school construction was consistent with generations of Phoenix land use policy and an ideological lineage that privileged suburban space. Yet, *Schools in Phoenix* also sought to shape the composition of the inhabitants of these spaces, in particular it expressed the Council's belief in the importance of schools to the formation of both neighbourhoods and communities. The plan described communities as often having 'similar population characteristics with similar ethnic and economic groups clustering together.'[433] Planners described schools as being the most important instrument in building communities but in order to do so they had to navigate the complex structure of school governance in the city. As a result, the report called for cooperation between school districts and the City of Phoenix planning department to ensure that the 'best needs of school planning' could be met. The long-standing commitment to local control meant that the responsibility for assessing the needs of individual school districts lay with the district administrators themselves. Although school districts were responsible for reaching a conclusion as to 'the type, size and capacity of needed facilities', their decision-making power was more limited, nor were board members inclined to use the powers they had. One member of the Paradise Valley School Board wrote of how '[t]he illusion of local control is a myth that has little basis in reality'. They continued, to argue that decision-making responsibility, particularly in larger school systems, amounts to little more than approving decisions made by many administrative specialists hired for that purpose.'[434] To what extent school board members could act in a truly impartial manner when the Planning Commission was responsible for developing a Comprehensive Plan for the city is also questionable. The Comprehensive Plan created the general environment for neighbourhood growth and population distribution, within which school districts made decisions about facilities. Yet, the City Council's decision to issue guidance on the location of school construction, in spite of their role being only advisory, demonstrates the importance of schools to the Comprehensive Plan and patterns of residential development.[435]

[433] The plan measured neighbourhoods as constituting 4000 – 7000 people, and communities as multiples of neighbourhoods to a total of between 20,00 – 40,000 people. 'Schools in Phoenix', p. 43.
[434] Dave Campbell, 'The Myth of Local Control: The School Curriculum and the Community', *Reveille*, Vol. 1, [undated], p. 4-5, The Preliminary Inventory of Carolyn Warner Papers, Box 10, Folder 7.
[435] 'Schools in Phoenix', p. 1.

Despite appearing as only a set of recommendations, *Schools in Phoenix* made explicit its objectives for the future planning of school facilities, in particular that its guidance should be used 'as a general planning guide by school districts.' It was particularly concerned with the role of schools in developing good residential neighbourhoods, to which the location of a school was considered 'a vital part'. As the hub of a neighbourhood, the report stated, a 'properly located school can encourage desirable development.'[436] Other criteria such as 'Changes in neighbourhood characteristics' was cited as an important factor in the selection of future school locations. Drawing upon earlier federal guidelines, the planning commission tried to establish a link between the consideration of neighbourhood characteristics and common-sense suggestions for the selection of school sites such as: 'population projections', 'land use changes' and 'location of other community facilities'.[437] These amounted to an effort similar to that discussed in a previous chapter, whereby the decision to locate new schools in outlying areas encouraged homeowners to relocate away from the urban core and, therefore, was not merely a response to private decisions by individuals. Instead, in their attempts to maintain the Phoenix way of life, Council officials used schools as an important instrument in ensuring continued homogeneity in suburban neighbourhoods and directed resources to support their expansion.

In its audit of current school facilities, the Planning Commission considered the quality to be generally good but they highlighted that problems existed with older schools in inner city neighbourhoods. A further deficiency was identified in fast developing, new areas where adequate school construction had not kept pace. These patterns demonstrated how the relationship between school construction and suburban development was often complicated. In these instances, families who relocated to outlying neighbourhoods faced what historian Jack Dougherty called an 'educational disincentive'.[438] Conventional understanding posits that parents relocated to suburban neighbourhoods to access superior schools, although this was often the case, it was not always so. The system of school finance in Arizona further complicated the City of Phoenix Council's effort to direct resources to the suburbs. School

[436] Ibid., p. 2.
[437] Ibid., p. 46.
[438] Jack Dougherty, 'Shopping for Schools: How Public Education and Private Housing Shaped Suburban Connecticut', *Journal of Urban History*, 2012, Vol.38(2), pp. 205-224.

districts were allocated a portion of funds by the state government according to their level of 'average daily attendance'. It was calculated by dividing the aggregate number of days attendance by the number of days in which teaching occurred at the school. This system penalised some school districts with recently expanding populations. Administrators for Washington Elementary District anticipated they would lose $385,537 in 1974-75 because 400 recently build homes in the district were unoccupied. A reduction of this kind would require the school district authorities to cut the salaries of school teachers.[439]

The nature of inward migration to Phoenix had placed a disproportionate burden on schools, particularly as the growth of the city had been driven by the arrival of young families. This had caused the average age of the city's population to fall to 24.7 years; 60 per cent of the new arrivals to Phoenix since 1960 were under 14 years of age.[440] Ell Kleinz, Executive Secretary of the ASBA, highlighted the demographic and economic pressures upon Arizonan school districts. The state contained 56 school age children per 100 adults in comparison with a national average of 51 children. Between 1963 and 1973, public school enrolment in Arizona increased by 50 per cent, the national average was 18.1 per cent. In Arizona the birth rate was 21 per 1000 population per year. The U.S. average was 17.3 births.[441] *Schools in Phoenix* anticipated that future growth would occur in northern and western areas of the city. In particular in the Paradise Valley and Maryvale districts. The Planning Commission argued that this would represent a simple continuation of current trends, considering that a significant amount of affordable housing had been built in Maryvale during the immediate postwar years. This seemingly provided the most likely route for minorities to relocate from inner city neighbourhoods. Yet, by 1960, just 336 Mexican Americans and even fewer African Americans lived in this area of the city.[442] John F. Long, a powerful real estate developer in Phoenix, had donated land to make the area more attractive to families, who could avoid enrolling their children in urban schools.[443] By the end of the 1970s, residents in the area spoke of their

[439] Carol Cloud, 'Teachers' salary cuts feared if pupil attendance plummets', *Arizona Republic,* 24/11/1973.
[440] Ibid., p. 29.
[441] 'School Board Members Attend State Tax Conference on School Finance', *Arizona School Board Association*, (Aug – Sept 1973), Vol. 2, No. 5. Arizona State University Library, Local Government Collection.
[442] Needham, *Power Lines*, p. 86.
[443] Phillip VanderMeer, *Desert Visions and the Making of Phoenix*, p. 210.

desire to control 'the character of the neighbourhood'.[444] Mexican Americans in Phoenix who wanted to move into even modest outlying areas faced complex processes of discrimination.

Changes in enrolment, 1960-1970

District	School Year 1959 - 1960	School Year 1969 - 70	Change
Alhambra	7,253	9,336	+2,083
Cartwright	4,009	10,146	+6,137
Isaac	3,639	4,806	+1,167
Laveen	311	1,312	+1,001
Paradise Valley[445]	891	5,227	+4,386
Phoenix Union	15,978	24,963	+8,985
Roosevelt	6,650	9,512	+2,862
Scottsdale	11,062	26,441	+15,379
Washington	8,308	17,424	+9,116

Table 1. Enrollment Trends, 'Schools in Phoenix', p. 32-33.

Undoubtedly, outlying areas were the fastest growing areas in the metropolitan region. The trends recorded over the ten year period, 1959-1969, demonstrate the substantial growth of enrolment in Paradise Valley and Scottsdale, both on the periphery. The Cartwright district, which contained the Maryvale area, also experienced significant growth. So too did the north and northwestern schools in the Washington district. However, the growth of school enrolments in these areas should not obscure the relative stability, and in some cases expansion, of students attending inner city schools. This came on top of already over-crowded conditions. The District had been operating double sessions, in overcrowded classrooms, to cope with expanded levels of enrolment. Phoenix elementary district, which covered the densely populated areas immediately north of the Salt River, educated 1,138 fewer students in 1970 than it did in 1960. Yet, the district's enrolment was still 9,858, one of the largest in

[444] 'Maryvale Village: A Plan for Our Future', *City of Phoenix Planning Department*, (Phoenix, 1981), p. 6.
[445] The statistics for Paradise Valley and Scottsdale refer only to the portions that are included within the Phoenix metropolitan area.

the metropolitan region. Inner city districts such as these had the oldest schools and the most pressing need for new facilities.[446]

Data on future growth provided both the basis and justification for the long range planning of the city. The planning commission's recommendations solidified the metropolitan landscape and the distribution of resources within it. *Schools in Phoenix* included the planning department's projections for population and enrolment growth. This data informed their conclusions about the number of schools each district would require by 1980, and a further estimate of their needs by 1995. Planners recommended that school construction policy utilize a mechanism called advanced acquisition. This involved the identification and purchase of land in advance of pre-existing demand for a new school in spite of any existing need for new premises. At the time of the report, schools in Cartwright elementary district were operating at near full capacity. The planning commission estimated that the level of enrolment, 12,423 in 1970, would double within the decade. They argued that the 'need is great to develop an advance acquisition program now, before development occurs.' The commission argued that 6 new elementary schools and 2 junior high schools must be built immediately.[447] The enrolment in Phoenix Elementary District was predicted to remain at a similar level for the 20 years but in Roosevelt District the situation was more pressing. Schools in this area were already educating 1000 students more than their stated capacity. To meet the demand eight schools conducted double sessions. 10,957 students were educated in Roosevelt schools during the 1971-1972 school year and the commission believed that enrolment would increase to 23,260 by 1980. They judged that two new schools were required immediately, with an additional need of 16 new schools before the end of the decade. Whereas the plan noted school building projects being undertaken in other districts, especially northern and western districts, no such plans existed for the largely deprived areas south of the river. Instead, they suggested that the school population increase should be accommodated through the expansion of existing sites. *Schools in Phoenix* indicated only that a 'great deal of further planning must be done' to ensure school infrastructure could withstand the anticipated increases in school age population. Both Cartwright elementary and

[446] 'Schools in Phoenix', *City of Phoenix Planning Department* (Phoenix, 1972), Arizona State University Library, Arizona Government Documents Collection. p. 16-33.
[447] Ibid., p. 36.

Roosevelt elementary were situated within Phoenix Union High School District. *Schools in Phoenix* anticipated that PUHSD would grow from 26,078 to 45,700 by 1980. The plan stated that the 'district is experiencing growing demands in the Maryvale and South Phoenix areas'. A new high school was being opened to 'take much of the pressure off Maryvale High School.' No corresponding construction project was planned to alleviate the infrastructure demands on South Phoenix. Yet, more than simply deterring the construction of schools in areas with high levels of need, the planning commission's projections for outlying areas established the justification for a large-scale construction program in places such as Paradise Valley. *Schools in Phoenix* highlighted that the limited number of schools in Paradise Valley were currently operating at close to their capacity. The proposals suggested one elementary school was required immediately and a further 8 schools were suggested for construction before 1980. This was in addition to the construction of an additional high school. Although the projected demands upon schools in Paradise Valley and Roosevelt elementary were similar, by 1995 Roosevelt was estimated to require 18 new elementary schools; Paradise Valley was judged to require an additional 20 new schools. This response indicated different priorities based upon a preference for suburban development over the inner city.[448] As a result, state resources flowed to school construction projects that conformed to these preferences and cultivated the model of Sunbelt living that boosters believed would attract industrial development.

The planning commission's intention to influence the nature of future school construction was hindered by several regulatory and governance procedures for which *Schools in Phoenix* proposed reforms. One problem was the cost of selecting vacant land in a pre-existing community, which could be expensive and sometimes came in to conflict 'with other community interests'. Planners proposed a policy of advance acquisition because, according to the commission, it was more advantageous to purchase school sites in advance of demand. Advance acquisition enabled planners to 'determine the character of a neighbourhood and create a proper residential environment.' This accompanied a recommendation that 'Good site evaluation procedures' should include a consideration of 'the social fabric and sentiments

[448] Ibid., p. 36-41.

of the area.'[449] The commission suggested that state laws required strengthening to enable a fuller long-range acquisition program. Another hindrance to the Council's plans was the reliance on local property taxation created a complicated landscape of school finance across the Phoenix metropolitan region. The assessed valuation per district - incorporating private property, industrial and commercial land uses – increased at a consistently high rate during 1965-70.[450] But this translated into a disparate amount of resources per capita, even in neighbouring districts. Cartwright district, which had the lowest level of per capita expenditure ($2,709), was located immediately north of Riverside district, which had the highest per capita expenditure ($40,580).[451] School finance was further complicated by the variance in property tax rates levied by districts. Roosevelt district set property tax at $7.14 per $100 in comparison with the rate of $1.38 per $100 for property owners in Riverside.[452] Districts were able to offset the burden on individual taxpayers by attracting and retaining industrial or commercial enterprise. *Schools in Phoenix* argued that equalization of school finances was necessary to reduce inequalities across the metropolitan region. It was not certain whether the disparities between school funding had 'an effect on the quality of education.' Nor did it believe that establishing an equal tax base between various school districts was possible. Instead, similar to the school finance reforms discussed in the Arizona Legislature, the plan argued that action was necessary to alleviate the burden of property taxation upon homeowners in districts that were without commercial or industrial enterprise.

The importance of *Schools in Phoenix* should not be underestimated. The report made expressly clear that taken in consideration with the General Plan for 1990, its recommendations should be considered the sole authority on the acquisition of sites for school construction. These sites were of central importance to the future development of Phoenix in accordance with the political economy envisioned by the City of Phoenix Council and the Charter Government Committee. The plan stated that 'The school is the focal point of the neighborhood and should be planned with the neighborhood in mind'. The selection of

[449] Ibid., p. 48-49.
[450] Ibid., p. 50; For example, the level of assessed valuation in Paradise Valley Unified District increased from $18,343 in 1965-66 to $29,629 in 1970-71.
[451] Ibid., p. 51.
[452] This despite Roosevelt having one of the lowest levels of per capita expenditure, $2,844. Ibid p. 48-52.

the right area for school construction was considered 'so important that it should proceed from the basic premise that a school is an integral part of the neighbourhood.'[453]

Schools in Phoenix was saturated with the kind of pro-suburban ideology that federal policy had promoted in earlier decades. The plan suggested new concepts for school construction. All of them perpetuated the arguments that sites with large amounts of acreage in low-density areas were the only valid location for the education of children. It depicted inner city neighbourhoods as inadequate and polluted locations that were unfit for schooling. Such perceptions added bureaucratic authority to arguments encouraging the city's resources to be directed to outlying neighbourhoods. Planners suggested that schools be constructed as education or school parks. This involved building either individual or multiple schools on a 'park-like site'. The accompanying drawings envisaged an idyllic setting that included large amounts of green space for sports. Planners accepted that a drawback of the model was its requirement for large amounts of open space. Yet the final conclusions of the plan recommended that future developments conform to this model. The planning commission indicated that it believed future growth in the metropolitan region would occur in the school districts of Paradise Valley, Washington, Cartwright, Roosevelt, Laveen; and in Gendale Union and Phoenix Union High School Districts. All were located outside the inner city region. [454]

Conclusion

This chapter has argued that in order to understand the forces that determined the educational performance of Mexican American students it is necessary to look beyond the conventional educational framework. As a result, this chapter has shown that questions about the effectiveness of bilingual education and the significance of recognising the rights of language minorities, must be considered in a more holistic educational context. In Phoenix, educational opportunities were influenced by policies governing school finance and school construction, which did not receive widespread attention from contemporaries or historians, in comparison with the issues surrounding the curriculum or desegregation. Yet, they

[453] Ibid., p. 66.
[454] Ibid., p. 59; p. 59-66.

occurred concurrently. During the early 1970s, the structure of school finance in the state required political action, but when politicians in the Arizona Legislature considered the issue they did not approach it from an instrumentalist perspective of providing the best conditions for the education of children. Debates about equalizing the disparities between richer and poorer areas, Anglo and non-white neighbourhoods, were subordinated to the priority of providing tax relief for homeowners. Many of the most vocal proponents of reforms to this effect were from suburban areas, on the fringes of the Phoenix metropolitan area. There was a political consensus among both Republican and Democratic politicians in favour of reducing the levies on homeowners, however much these actions might compromise the quality of education in the state, leaving only a vocal minority of educationalists to advocate for a system that focused upon educational need.

The introduction of new guidelines for the selection of sites for the construction of new schools is further evidence of municipal leaders' willingness to use the levers of state power in support of a pro-suburban ideology. Contemporary discourse of supposed white flight obscured the extent to which the Phoenix City Council was a catalyst for migration away from urban areas and the undermining of schools in these areas. The use of techniques such as advanced acquisition, to situate a school in a suburban area that did not have the resources to support it, demonstrate that school construction was not entirely determined by private homeowner decisions to relocate away from the inner city. In the case of Phoenix, the federal *School Sites* manual provided a justification for Council officials to solidify what had been informal policy throughout the postwar years. In doing so, local planners applied to local conditions in Phoenix the argument of federal officials in H.E.W., that the education of children in urban settings was unhealthy and detrimental to educational performance. The result was to undermine inner city schools, which retained stable levels of enrolment, and deprive them of much needed resources.

Collectively, the issues of school finance and school construction show that education was more important to municipal politics and urban development than previously recognised. In Phoenix, decisions about where to situate schools were considered essential tools by planners trying to assert a distinctive model of development. This chapter, therefore, presents a circular politics in which development in Phoenix was influenced through the use of school

site selection and when the costs of living in those neighbourhoods became too high for inhabitants, politicians intervened on their behalf. This process occurred to the detriment of those living in the urban core, who were deprived of resources to improve over-crowded and under-resourced schools. School finance and school construction policies, therefore, were crucial to the remaking of inequality in Phoenix during the post-Civil Rights era by restricting the possible options of educational remedies and, as will be shown in the subsequent chapter, undermining those that were implemented.

Chapter 5

Busing and Open Enrolment

The introduction of bilingual education legislation by federal politicians was celebrated as an example of bipartisan collaboration. Earlier chapters have demonstrated the limits of that convergence at the state level in Arizona, and the limited opportunities for Latinos to access the language instruction programs. Rates of poverty in Phoenix remained well entrenched and were not alleviated by bilingual instruction for a multitude of reasons. One was the patterns of residential segregation, built over generations but reinforced in the early 1970s through a series of planning interventions by Phoenix City Council. To be sure, the actions of Phoenix City Council in the early 1970s did not make a previously egalitarian metropolis unequal. The city, and its schools, particularly those in the inner city were experiencing structural changes to both the level of their enrolment and the nature of their racial composition. In 1967, PUHS had an enrolment of 4,000, which halved in three years, although East High and North High had expanding student numbers.[455] However, decisions about how schools were funded and where new ones were built directed public resources away from inner city schools and incentivised private real estate investment in outlying areas. The result of these actions was to entrench Mexican Americans in urban areas of Phoenix that contained substandard housing, limited employment opportunities and high rates of poverty. Urban development policy had implications for PUHSD as a whole but particularly for Phoenix Union High School (PUHS), which drew its enrolment from the attendance zone most densely populated with Mexican Americans. At the start of the 1970s, the number of Mexican Americans and African Americans attending PUHS was disproportionately high when compared with the city's overall demographics.[456] At a time when national discourse about desegregation remedies became politically charged and tinged with racial animus, education officials in Phoenix had to contend with the racial imbalances within the PUHSD.

[455] Robert J. Sharti, 'Valley High School Enrollment Rising', *Arizona Republic*, 02/10/1967.

[456] In 1970, the Mexican American population in Phoenix was 14 per cent, the African American population was 4.8 and American Indian was 1 per cent. In the same year, the combined non-white enrolment in PUHS was 88 per cent. Population, Housing and Employment Characteristics in Maryvale, *City of Phoenix Planning Department* (Phoenix, n.d.), Arizona State University Government Documents Collection, p. 1; 'Mexican American Educational Needs: A Report for the State Superintendent of Public Instruction'.

Debates in Phoenix during the early 1970s occurred at a time when public discourse about desegregation focused upon the use of busing as a method of reducing racial imbalances in public schools. [457] Two of the major flashpoints were decisions by District Court Judges in North Carolina and Massachusetts to order the introduction of busing plans in Charlotte-Mecklenburg County district and the Boston Public School system. Events such as these have been the focus of several historical accounts, which have tended to focus upon high profile clashes over desegregation, the sentiments of busing opponents, and instances of white popular resistance to the desegregation of schools with high concentrations of African American students. This makes Phoenix, a city with Mexican Americans as the largest non-white group as well as African American and Native American populations, different from many of the school desegregation cases chronicled by historians. [458] Although historians have often made only cursory mentions of Latino experiences of busing, a handful of studies have examined the desegregation of school systems that included a large Latino enrolment.[459] Guadalupe San Miguel Jr. demonstrated how Latinos were classified as white and assigned to schools in Houston Independent High School District that contained large African American enrolments as a means of protecting white students from being bused.[460] Yet, existing studies have not considered the effects of desegregation upon Latinos in a holistic manner, examining it alongside other educational or municipal policies, or considered its implications for the racial formation of Latinos.

[457] The term busing referred to either the single way transfers: students from a single school were transported to a different school to achieve a better racial balance at both schools. Or, more controversially, two way transfers whereby students would be transferred in the same manner as above but with students from the receiving school being transferred in the opposite direction.

[458] Matthew Lassiter, *The Silent Majority: Suburban Politics in the Sunbelt South* (Princeton, NJ: Princeton University Press, 2006); Kevin Kruse, *White Flight: Atlanta and the Making of Modern Conservatism* (Princeton, NJ: Princeton University Press, 2005); Ronald P. Formisano, *Boston Against Busing: Race, Class, and Ethnicity in the 1960s and 1970s* (Chapel Hill: University of North Carolina Press, 1994); Joanthan Reider, *Canarsie: The Jews and Italians of Brookyln against Liberalism* (Cambridge, MA: Harvard University Press, 1985); Jack Dougherty, *More Than One Struggle: The Evolution of Black School Reform in Milwaukee* (Chapel Hill, NC: Univeristy of North Carolina Press, 2004). Matthew Delmont's *Why Busing Failed* claims to be the first national study of busing although it has little mention of Latinos or the experiences of the southwest.

[459] Guadalupe San Miguel Jr., *Brown, Not White: School Integration and the Chicano Movement in Houston* (Houston, TX: University of Houston Press, 2001); Ruben Donato, *The Other Struggle for Equal Schools: Mexican Americans During the Civil Rights Era* (New York City, NY: State University of New York Press, 1997).; Mark Brilliant, *The Color of America Has Changed: How Racial Diversity Shaped Civil Rights Reform in California, 1941-1978* (Oxford: Oxford University Press, 2010).

[460] Guadalupe San Miguel Jr., *Brown, Not White: School Integration and the Chicano Movement in Houston* (Houston, TX: University of Houston Press, 2001).

Histories of both Arizona and Phoenix have overlooked political conflicts over school desegregation.[461] But placing Phoenix within the historiography of desegregation indicates that the city shared some of the experiences of Northern and Western cities. Despite having a different demographic composition, Phoenix was sharply divided by race, yet public officials stressed that such polarization flowed from supposedly de facto segregation. Education officials in Phoenix were concerned that Phoenix could be subject to a desegregation plan similar to those imposed on other cities. Non-white high school students in the city were overwhelmingly concentrated into three inner city schools, whilst schools on the urban fringe contained almost entirely white enrolments. All of these schools were within a single, citywide high school district, which meant that students could be transferred between schools without the kind of violation of school district jurisdiction that was struck down in the U.S. Supreme Court's *Milliken v Bradley* decision of 1974. As high-profile school desegregation cases were contested throughout the U.S. judicial system, there existed in Phoenix the conditions for a large-scale system of pupil transfers should the courts wish to impose it. Yet, busing was not seriously considered in Phoenix for several distinct reasons.

Twenty years of Charter Government Committee domination of the city's politics had entrenched opposition to government intervention, unless it was for the purpose of facilitating commerce, in local political culture. The continued supremacy of the CGC and like-minded affiliates such as *Arizona Republic* publisher Eugene Pulliam, meant that addressing racial discrimination and segregation was not on the political agenda of city institutions. The anti-government political culture constrained public discourse and meant that busing or other meaningful policy interventions to reduce school segregation were simply not debated. Although non-white parents and organizations such as CPLC attempted to make school

[461] Eric V. Meeks, *Border Citizens: The Making of Indians, Mexicans, and Anglos in Arizona* (Austin, TX: The University of Texas Press, 2007); Bradford Luckingham, *Phoenix: The History of a Southwestern Metropolis* (Tucson, AZ: University of Arizona Press, 1989); Philip VanderMeer, *Desert Visions and the Making of Phoenix: 1860 -2009* (Albuquerque, NM: University of New Mexico Press, 2010); Andrew Needham, *Power Lines: Phoenix and the Making of the Modern Southwest* (Princeton, NJ: Princeton University Press, 2014); Bradford Luckingham, *Minorities in Phoenix: A Profile of Mexican American, Chinese American, and African American Communities, 1860-1992* (Tucson, AZ: The University of Arizona Press, 1994); Echeverria, Darius V. *Aztlan Arizona: Mexican American Educational Empowerment, 1968-1978.* (Tucson, AZ: The University of Arizona Press, 2014); Patricia Gober, *Metropolitan Phoenix: Place Making and Community Building in the Desert* (Philadelphia, PA: University of Pennsylvania Press, 2006); Pete R. Dimas, *Progress and a Mexican American Community's Struggle for Existence: Phoenix's Golden Gate Barrio* (New York, NY: Peter Lang, 1999).

segregation a salient political issue from the late 1960s, public officials intervened only to preserve white interests. In Phoenix, grassroots activism, on either side of the busing debate or the topic of school segregation, did not involve violent demonstrations of the kind that occurred in Little Rock, Boston, or New York, in large part because local policy makers had made acts of overt racial hostility redundant. The fusion of racial discrimination with economic exclusion, which enabled residents in suburban areas to accrue the advantages of wealth and housing, also absolved individuals in outlying areas and the political elite from blame. Instead, policymakers implemented an open enrolment scheme that removed attendance boundaries in PUHSD and provided students with the opportunity to attend any school in the district. This policy resembled the freedom of choice plans that emerged in southern states to circumvent desegregation. The result in Phoenix was to worsen the imbalances between PUHS, North High, East High, and schools in outlying areas. In turn, furthering the construction of Mexican Americans as a distinctive non-white race, excluded from the white racial polity.

The chapter begins by arguing that despite ostensible urgency in addressing the level of racial imbalance in PUHSD, politicians and education officials pursued a deliberately sluggish approach to achieving racial balance. In part, this was due to antipathy towards the use of busing. Later sections examine the open schooling policy that the PUHSD board decided to implement instead of busing. Soon after it was evident that the open enrolment plan did not improve racial balance in PUHSD but officials persisted with the policy. This final section of this chapter shows the culmination of the policies pursued by Phoenix City Council regarding housing and urban development, regulations on school construction and state policy on school finance. By the end of the 1970s, their effects caused a crisis of urban schooling. The chapter ends with an account of the school closure crisis in PUHSD, which was resolved only by the intervention of a U.S. District Court Judge. The proceeding sections will argue that this crisis was wrought by a culmination of the forces described in previous chapters: urban development, school finance, school construction and a failure to enact meaningful attempts to reduce racial inequality.

Busing

Politicians in Phoenix believed that the city had a distinctive approach to civil rights that demonstrated the benefits of desegregation by voluntary means. As we have seen, Sam Mardian Jr., then Mayor of Phoenix, articulated this perspective when the U.S. Commission on Civil Rights chose to hold public hearings in Phoenix in 1962. The Commission praised Phoenix as an example for other cities trying to integrate a large multi-racial population. Mardian portrayed Phoenix as a desert oasis of racial liberalism; an argument at odds with the reality of a city clearly demarcated by race and wealth.[462] He spoke of restaurants in Phoenix that served locals 'without regard to race or color'. Phoenix, he argued, was an example of a 'voluntary nature of desegregation' that was 'much healthier than forced integration'.[463] This idea was based upon the decision of political officials in Phoenix to desegregate its schools before the *Brown v. Board of Education* ruling. Schools had been formally segregated by race from 1909, when the Arizona Territorial Legislature enacted legislation that mandated formal segregation in public schools. Minority students continued to attend segregated institutions until a 1951 ruling by the Arizona Supreme Court, which ordered the state to desegregate its public schools. Yet, achieving change in the racial distribution of schools in Phoenix was slow. Phoenix Elementary School District contained three previously segregated schools. Afterwards, they were considered 'Open', but little changed. In 1967, minority students made up 99 per cent of these schools' enrolments.[464]

By the early 1970s, the structure of schooling in Phoenix entrenched significant disparities, both intra-district and inter-district. Contained within the city's 13 elementary school districts were 96 individual schools. The city's sole high school district was responsible for 10 high schools. This made Phoenix one of the only major cities in the U.S. not to have a unified school structure that administered education between Kindergarten and Grade 12. Activists and parents alike demanded that PUHSD reduce the levels of segregation throughout the area. As recently as 1967, PUHS had an enrolment of 2,930, which was comprised of 35 per cent Anglo,

[462] Andrew Needham also made reference to these hearings in *Power Lines*. Needham, *Power Lines*, p. 86-88.
[463] Sam Mardian Jr., Testimony, Hearings Before the U.S. Commission on Civil Rights, 03/02/1962, Phoenix, p. 8.
[464] 'Desegregation Ruling', *Arizona Republic*, 24/02/1981.

20 per cent African American, and 43 per cent Mexican American. Within two years, the percentage of Anglo students had fallen to 7 per cent whilst the proportion of African Americans had risen to 30 per cent and Mexican Americans had risen to 55 per cent.[465] This unequal distribution of minority students meant the enrolment at PUHS was now comprised almost entirely of Mexican and African Americans, whilst in contrast, Camelback High in north Phoenix was populated with mostly white pupils.[466] At a meeting of the PUHSD Board in July 1970, parents pressed for urgent action to reduce the concentration of white students at schools in North Phoenix. Ronnie Lopez, Executive Director of CPLC, argued that school segregation in Phoenix was 'a very serious problem'. Leon Thompson, Democratic member of the Arizona House of Representatives, spoke of the need for urgent solutions to improve school integration 'or it will be too late.'[467]

Politicians' and education officials' belief in the supposed merits of a voluntary approach to desegregation persisted in the early 1970s, even as they worried that mandatory requirements could be imposed on PUHSD. As high profile cases involving school segregation and busing attracted national attention, PUHSD was forced to create contingency plans should they also be compelled to implement a desegregation plan. One example was the case of *Swann v Charlotte-Mecklenburg County*. The National Association for the Advancement of Colored People (NAACP) had pursued litigation in the Swann case on the basis that residential segregation in Charlotte was derived from official policies that had been administered and funded through both municipal and federal governments. They sought remedial measures from the supposedly de facto causes of school segregation, in contrast to previous cases of segregation derived from de jure practices. The case reached the U.S. Supreme Court on 1970 after the Fourth Circuit District Court had earlier approved a desegregation plan that included the use of busing to achieve racial balance. The Supreme Court delivered its ruling on 20 April 1970. The Court affirmed the District court plan for desegregating Charlotte-Mecklenburg schools. Writing the opinion for the majority, Chief Justice Warren Burger argued that 'the objective today remains to eliminate from the public schools all vestiges of state-imposed

[465] Peter B. Mann, 'PUHS enrollment to peak at 3,000, report predicts', *Arizona Republic*, 23/12/1969.
[466] Ibid; E.J. Smith Study cited IN: Carol Norris, Phoenix Union High School System: Enrollment Data Pack (1978), Cecilia Esquer Papers, Box 1, Folder 3. p. 3.
[467] 'PUHS need to integrate cited in report', *Arizona Republic*, 10/07/1970.

segregation.' Yet, in later passages, he argued that judicial interventions should occur only in response to a constitutional violation and that intervention should be temporary.[468] However, the most significant element of the ruling was the Court's affirmation of the District Court judge's plan and, in particular, the use of busing as a desegregation remedy. The Court's decision indicated that urban-suburban remedies may be permissible in future cases. Charlotte-Mecklenburg school district encompassed, within a single authority, both the urban neighbourhoods of Charlotte and the surrounding suburban areas of Mecklenburg County. The desegregation plan would involve two way busing between these neighbourhoods, in which African American students from urban neighbourhoods would be transported to suburban schools and white students would ride buses in the opposite direction. Yet, as Matthew Delmont has argued, the Court's ruling was not uniformly positive for desegregation advocates because it stated that strict racial balance was not a constitutional right, undermining the future possibility of recourse for supposedly de facto segregation. The Court argued that 'The constitutional command to desegregate schools does not mean that every school in the community must always reflect the racial composition of the system as a whole'.[469]

Public officials in Phoenix continued to express antipathy towards busing. Dr. Howard Seymour, Superintendent of the District, told an audience of parents that he did not support the use of busing to achieve racial balance, '[a]rtificial integration contributes nothing but hard feelings all around'. He argued instead that 'Voluntary exchanges between schools, such as we've had a couple times this year, are a fine thing for youngsters, but I doubt if anyone really feels comfortable in a forced situation.'[470]

Seymour's successor, Gerald DeGrow, expressed similar opinion after being appointed Superintendent of PUHSD in July 1971. Shortly after assuming the role, DeGrow said that he opposed 'artificial' busing because 'you can't take students from one pocket and start busing

[468] Swann V. Charlotte-Mecklenburg Board of Education. 402 U.S. 1. 20/04/1970
[469] Matthew Delmont, *Why Busing Failed*, p.130; Swann V. Charlotte-Mecklenburg Board of Education. 402 U.S. 1. 20/04/1970; James E. Ryan, *Five Miles Away, A World Apart: One City, Two Schools, and The Story of Educational Opportunity in Modern America* (Oxford: Oxford University Press, 2010). p. 76-79; Matthew Lassiter, *The Silent Majority*, p. 133-137.
[470] 'Parent yoke on teachers called unfair', *Arizona Republic*, 07/03/1970.

them all over town . . . Integration has to be a gradual process.'[471] After the retirement of Dr. Robert Shapiro, both candidates to fill his seat on the PUHSD Board also expressed antipathy towards the use of busing. Steve Jenkins an African American who had previously served in the Air Force, stated that he was 'definitely against any form of involuntary busing and it should not ever come to pass in Phoenix.' Rosendo Gutierrez, a civil engineer, expressed a similar view, 'I am opposed to busing for the sake of integration. Busing should be to meet functional needs.'[472] The *Arizona Republic* echoed a common argument for refusing to address the racial imbalance in PUHSD when it suggested was 'the result of de facto segregation reflecting the housing patterns in a particular neighbourhood'.[473] Yet, the *Swann* ruling, among other events, brought segregation to the forefront of public discourse in Phoenix and as the case proceeded through the courts, PUHSD school officials became increasingly concerned that a similar ruling could be handed down in Phoenix. Roy Wilkins, the NAACP's national director addressed an audience in Phoenix and expressed his belief that the city should bus students to ensure racial integration in schools. He stated that Phoenix was 'one of the few places outside of the South where you have a segregated school system'.[474]

The U.S. Commission on Civil Rights decision to return to Phoenix in 1971 brought further scrutiny of race and racism in the city. In response to critical testimonies at the hearings, an editorial in the *Arizona Republic* challenged any suggestion that Phoenix was a 'polarized city rampant with racial discrimination'. The *Republic* believed the city had 'imperfections', but the recent hearings had focused excessively on shortcomings and not enough on the state's 'pretty impressive moral commitment' to enabling the equality of opportunity.[475] Yet, when public discourse on desegregation in Phoenix occurred, it often focused on the city's responsibilities to its small African American population. In particular, the *Republic* argued that the inability of African Americans to find good quality housing was not always due to racism. They cited other reasons such as the 'fear of increased violent crime. Fear of devalued

[471] Daren J. Krupa, 'DeGrow opposes busing, campus security plans', *Arizona Republic,* 03/07/1971.
[472] 'Board candidates assert similar view', *Arizona Republic*, 11/09/1971.
[473] 'Segregated School System?', Editorial, *Arizona Republic*, 22/05/1971.
[474] Ibid.
[475] 'The Phoenix Racial Climate', *Arizona Republic*, 20/05/1971.

property. Fear of change.'[476] These discussions often avoided discussions about the effects of residential and school segregation upon Mexican Americans, despite impassioned exchanges at PUHSD Board meetings.

The de facto explanation for school segregation was just one way in which Phoenix conformed to national patterns of civil rights discourse. In his recent study of busing across the U.S., Matthew Delmont argued that 'As civil rights advocates continually pointed out, "busing" was a fake issue.' School children had been transported to schools on buses, at public expense, for decades; this was nothing new. Hence, in northern cities, "busing" represented a 'palatable way to oppose desegregation without appealing to the explicitly racist sentiments they [Northern whites] preferred to associate with southerners.'[477] In Phoenix, both proponents and opponents of busing made similar arguments in the spring of 1972. For example, the President of the Urban League, Vernon E. Jordan, told an audience in Phoenix that opposition to busing was a 'phony issue' used by whites who oppose civil rights. On 21 May 1972, the *Arizona Republic* published an editorial in response. Their argument was similar to that which underpinned resistance to civil rights during the last quarter of the twentieth century, in particular that 'To oppose busing is not to oppose civil rights'. The editorial instead argued that busing was a waste of time, as students would be sat on a bus when they might otherwise be studying, and a waste of money, which could be spent on other education programs. The *Republic* argued that the depth of antipathy to busing throughout the U.S. inoculated opponents to the policy from accusations of racism because 'there is too much anti-busing sentiment in the country to dismiss it as being anti-civil rights sentiment.' In the paper's view, it was the rights of those who objected to busing that were being violated:

'The majority has civil rights, too. […] One of those rights is to send their children to the nearest school. A corollary is the right to oppose making their children waste hours in buses when they could spend them in the classroom.'[478]

[476] Ibid.
[477] Matthew Delmont, *Why Busing Failed,* p. 2-3.
[478] 'Busing and Civil Rights', Editorial, *Arizona Republic*, 21/05/1972.

When President Nixon delivered a speech on 16 March 1972, about his opposition to busing, PUHSD officials tried to pass a motion endorsing the President's position, others used it as an opportunity to re-iterate their opposition to the policy. Weldon Sofstall expressed his '100 per cent' agreement with the President's recommendations. One member of the PUHSD believed that it should 'go on record endorsing it.'[479] However, Arizona House Representative Leon E. Thompson (D-Phoenix) argued that the political dispute over busing obscured the underlying problem with education in Arizona. He argued that 'Blacks don't want to be bused from one inferior quality school to another inferior quality school.'[480]

The result of the sustained and deep rooted opposition to busing caused education officials to consider alternative policy remedies that could reduce racial imbalances in school enrolments. Gerald S. DeGrow, the Superintendent of PUHSD, suggested that an alternative to busing was the consolidation of school districts 'into 3 or 4 combined school districts'. DeGrow argued that students attending segregated elementary schools faced difficulties when subsequently attending racially mixed high schools. He cited instances of student unrest at South Mountain High School as an example of this. The school contained a broadly balanced racial demographic and should have been a model of integration for the city.[481] Yet, DeGrow's point highlighted the limited options for policy makers in Phoenix. His proposal to combine school districts was not supported by other members of the Board and was not pursued any further.

Whatever the merits of busing as a policy intervention, there was no consensus at the time as to its effectiveness and thus it was not properly considered an option in Phoenix. The supremacy of white city officials, visible in the continuous attempts to preserve white advantage accrued over generations, narrowed the range of available options and limited the scope of acceptable political discussion. Busing lay beyond the contours of contemporary Phoenix civil rights debate, even as leading education officials were aware of or willing to acknowledge the problem of segregation in schools. In its place, as a means of improving

[479] Two members of PUHSD tried to pass a motion supporting President Nixon's statement on busing. It did not reach a vote. 'PUHS board's back-Nixon motion dies', *Arizona Republic,* 17/03/1972.
[480] Ibid.
[481] 'PUHS director advocates reorganizing city schools', *Arizona Republic*, 21/03/1972.

Phoenix's racial balance, the city turned to open schooling, which gave the option for individuals to choose the school they attended**.**

As in the case of school finance, a small but vocal group of educators opposed the prevailing consensus within Phoenix against busing. At the Arizona Education Association's (AEA) Annual Conference in 1972, delegates argued for a more interventionist approach to alleviate disparities in educational achievement between different racial groups. In line with this, a motion was passed which placed the AEA in opposition to any attempt to pass a federal amendment prohibiting busing and urged policy makers not to dismiss the effectiveness of the program. Instead they argued that officials should consider 'all possible options to find solutions to segregation'. Yet, delegates also accepted that 'busing may or may not be the ultimate answer to racial segregation in the schools of every community.' Even tacit support for busing represented a significant break from the political orthodoxy in Phoenix. Yet, support for the resolution was not unanimous; the resolution was fought on the floor of the convention with significant dissenting opinion.[482] Without consensus on busing or another desegregation method, PUHSD instead turned to open schooling, a policy of removing attendance boundaries and enabling students to attend any high school in the city.

Open Schooling

Although all high schools within Phoenix were situated within PUHSD, the sole high school district, students' choice of school was restricted before 1971. Students had to attend the high school nearest to where they lived, with no option of transferring to an alternative. As demonstrated in earlier chapters, the school that a student attended was therefore intrinsically linked to local housing markets and urban development policy. Parents at PUHS, the school with the highest level of racial imbalances and the worst educational performance, sought options for obtaining better education for their children, in particular access to North Phoenix school with a predominantly white enrolment.[483] While challenging the PUHSD board for more resources, minority parents, especially those at PUHS, were, by 1969, supportive of

[482] 'Teachers Defeat Increase in Dues', *Arizona Republic,* 23/04/1972.
[483] 'PUHS need to Integrate', *Arizona Republic*, 10/07/1970.

an open schooling policy. Under such a policy, PUHSD would remove the criterion that students must attend the school closest to their home and enable them instead to enrol in any high school within the PUHSD boundaries. A pilot scheme had enabled students at PUHS, East High, and North High to operate as open schools during the 1970-71 school year, providing they registered their interest before 17 August 1970. The PUHSD Board of Education had decided to implement the policy after PUHS citizens advisory committee had recommended it be introduced.[484] One early endorsement of this idea came from the Mexican American Political Association (MAPA), a political activist group involved in organising protests at PUHS. They argued that open schooling offered a solution for parents dissatisfied with the existing school system. In 1970, Manny Orneles, Vice President of MAPA, speaking on behalf of the group, stated that, rather than continue to send their children to PUHS, 'that parents should contact the administration and enter their children in either of these two schools [North High and East High].'[485]

Crucially, Orneles urged PUHSD to introduce a provision to fund the cost of transporting students to their chosen high school, something they had opted against when the policy was introduced.[486] This soon became an important point of contention about open schooling. Although the parents of minority children supported the PUHSD Board's proposal to introduce open schooling, they were aware that without an accompanying policy of publicly funded transportation, it would be available to only a few students who lived in the inner-city.[487] The Board of PUHSD decided to overlook concerns from minority parents and implement the policy without providing transportation. In reality, this meant that many students had the illusion of choice concerning their schooling, but little agency to realise this without the resources to pay for daily travel. Shortly after the policy had been announced, 150 inner-city residents pressed for free transportation for needy students at a public meeting of the PUHSD Board on 2 April 1970. Operation LEAP (Leadership and Education for the Advancement of Phoenix), an anti-poverty program organised by Phoenix City Council, had funded the transportation costs of 700 low income students at PUHS, South Mountain High

[484] 'Phoenix Union, North, East to be "open schools" in fall', *Arizona Republic*, 17/07/1970.
[485] 'MAPA Proposes "Open" Schooling', undated, Rose Marie and Joe Eddie Lopez Papers, Box 3, Folder 4.
[486] Ibid.
[487] 'Future of Phoenix Union High School', undated, The Preliminary Inventory of Carolyn Warner Papers, Box 30.

School and Carl Hayden High School. They had paid for return bus tickets for students from a federal grant of $6,000.[488] Yet, one LEAP representative told the PUHSD Board at a public meeting that it could no longer fund the program. A coalition of speakers, including LEAP representatives, Chicanos Por La Causa, and other local activist groups, urged the Board to provide free or subsidized travel from public funds. This sentiment was echoed by parents at the meeting who argued that transportation was an urgent problem in the district and a central cause of the high dropout rate in Phoenix high schools. To parents, announcements concerning new teaching programs and pedagogical methods meant little if their children were unable to travel to the schoolhouse itself. At the meeting, parents asked the Board to reject a $20,000 budget proposal to pay travel money to teachers making home visits. Instead, the Superintendent of PUHSD Board told parents he would try to raise the required $10,000 from business and service organizations, yet this money was ultimately not forthcoming.[489]

PUHSD officials had a more nuanced view of funding transportation costs for students than simple, doctrinaire opposition. On the one hand, district officials were unwilling to support the transportation costs of students who intended to utilize the open enrolment policy. However, the district paid the costs of bus tickets for a small number of students from low income families, who lived more than two miles away from their high school, until the money ran out in April 1970. Board officials appealed to business and civic groups to donate money as a means of ensuring the program continued. The *Arizona Republic* even printed an appeal for donations.[490] PUHSD eventually included the scheme as part of its 1970-71 budget, which required a rise in local property taxes of 42 cents per $100 of assessed property valuation.[491] Yet, when parents attended a Board meeting in April 1970 to demand a comprehensive school transportation policy, PUHSD officials responded that it would not be able to meet the financial cost of busing students to schools of their choice.[492] Despite the protestations of parents at public meetings such as the above, the PUHSD Board remained unmoved in its commitment to open schooling and its unwillingness to pay for school travel.

[488] 'LEAP to get $6,000 for busing students' *Arizona Republic*, 20/02/1970.
[489] 'Top Priority is Demanded for Free Transportation for Needy PUHS Students', *Arizona Republic*, 03/04/1970.
[490] 'Help These Students' *Arizona Republic*, 14/04/1970.
[491] Peter B. Mann, Phoenix Union District taxes to increase at least 42 cents', *Arizona Republic*, 15/04/1970.
[492] Ibid.

During the summer of 1970, Mexican American parents challenged the PUHSD Board to implement measures to improve the racial balance of the city's high schools. One avenue through which parents advocated change was the Citizens Advisory Committee (CAC) of PUHSD. These issues came to a head on 9 July 1970, when CAC presented its findings in a report commissioned by the PUHSD Board. CAC argued that 'de facto segregation is the situation in the schools of the Phoenix Union High School District'. In response, they recommended that the Arizonan Board of Education establish a committee containing representatives from various racial minorities in Phoenix; the remit of the group would be to ensure that PUHSD complied with 'both the spirit and the intent of recent laws and court rulings regarding the integration of schools.' The Superintendent of PUHS and his staff endorsed the recommendation.[493]

The CAC recommended that the Board remove school attendance districts, declare all PUHSD high schools to be open schools, and enable students to attend any school of their choice. They believed that introducing the measure in response to racial imbalances in the city's schools but their support was contingent upon PUHSD funding the transportation costs associated with enrolling at a new school. In particular, they argued:

'in order to encourage racial balance in the school, transportation should be provided for those Mexican-American students and those Black students who live within the Phoenix Union High School attendance zone but wish to go to some other high school and for Anglo students who reside in other school attendance zones but want to attend Phoenix Union.'

The PUHS Board stated that they considered this proposition 'Highly desirable'.[494] Indeed, the Superintendent of PUHS recommended that, for the 1970-71 school year, the policy be trialled in schools that were under-capacity, with the intention being to implement a comprehensive open schools policy in the subsequent academic year. CAC suggested that 'the Board of Education place itself on record that beginning with 1971-72 school year, all schools in the Phoenix Union High School System will be open schools.' They requested this

[493] 'Future of Phoenix Union High School'; 'PUHS need to integrate cited in report', 10/07/1970, *Arizona Republic*.
[494] Ibid.

commitment because the Superintendent and his staff believed it was 'a policy which makes possible the integration of schools' and this was a higher priority than overcrowding. Yet, whilst they embraced the proposal generally, the PUHSD Board rejected the recommendation that public funds be allocated to enable students to attend schools of their choosing. The Board's decision caused Gary Klahr, Co-chairman of the committee, to withdraw his support for open schooling at the public meeting called to announce the Board's new policy.[495] These decisions highlight the challenges that minority groups faced when trying to precipitate change in public bodies. Two members of the Board, Dr. Robert C. Shapiro and Donald Jackson advised parents that election to the Board was the most effective means by which minority parents could bring about substantial change, rather than through direct action or civil unrest. Shapiro, Jackson, and Carolyn Warner told parents that if they entered more candidates for election, this would provide the greater representation of minority perspectives that the board needed.[496] However well-intentioned their advice was, a small increase in representation did not change the prevailing political and educational orthodoxy in Phoenix and PUHSD. As a result, they were not able to relieve the conditions non-white students faced whilst studying in under-resourced inner city schools.

The PUHSD Board gave its final approval of an open enrolment program for the district in March 1971, removing the attendance zones but without appropriating any money to fund transportation. State Senator Cloves Campbell questioned the value of the policy for minority children, many of whom attended school in the 23rd Arizona State Senate District. His constituency encompassed much of the inner-city and south Phoenix areas from which PUHS drew its enrolment and which were the most densely populated with minorities. He argued that although the measure appeared helpful to minority students, it would do little to cure 'de facto segregation.' For those living in deprived areas of the city, 'Local bus service has been tremendously curtailed, and the students' parents cannot afford cars to transport them to schools they wish to attend.'[497] Yet, even such representations by local political figures were ignored by the Board.

[495] Ibid.
[496] Ibid.
[497] '"Open door" PUHS plan Challenged', *Arizona Republic*, 13/03/1971.

Although the problem of 'de facto segregation' in PUHSD was recognised by education officials and politicians, few meaningful remedies were proposed. In March 1971, Operation LEAP requested that PUHSD make achieving racial balance a formal priority for the district. Collectively, the PUHSD Board declined to do so, but the exact reasons for this varied. For Carolyn Warner, the Board tended to commit itself to objectives which it did not have the resources to achieve; the Board did not indeed have sufficient money to support substantial change aimed at achieving racial balance. However, another Board member argued that if federal monies were available for voluntary busing, then PUHSD would consider the option. Joshua Bursh, a member of LEAP who had raised the issue of racial balance initially, suggested that the Board's behaviour indicated PUHSD leadership was not fully committed to the notion. 'If racial balance were near the top of the district's priorities," he argued, "I'm sure there would be no problem deciding to spend the money for it." Bursh's remarks correlated with the views of many minority parents of children at inner-city schools, who suspected that PUHSD used budgetary constraints to avoid implementing meaningful policies to improve racial balance. Such suspicions were fuelled by the fact that the district was paying for the transportation of approximately 600 students to attend vocational education classes not available at their usual school. LEAP also questioned the value of compensatory education programs at PUHS, when the school's performance was inferior to that of other city high schools. The PUHSD Board emphasised the fact that 25 per cent more was spent per student at PUHS than at other district schools. Yet, for advocates of a meaningful attempt to achieve racial balance, additional funding alone was insufficient to overcome a demographic enrolment entirely out of sync with the metropolitan area. Whereas 75 per cent of students in the district were white, only 4.9 per cent of PUHS' enrolment was Anglo.[498] However welcome increased financial resources were for parents in the district, the problem of racial isolation was urgent and required an immediate response.

Consequences

Even before the policy had been implemented, local education observers had raised concerns regarding the potential adverse effects open schooling would have on the balance of

[498] 'School Board evades racial balance issue', *Arizona Republic*, 12/03/1971.

enrolments in PUHSD schools.[499] Although there was empirical data which clearly showed that by the end of the 1970s open schooling had not had the desired effect, warning signs were apparent from an early stage. PUHSD board members chose not to act upon repeated studies and interventions from education officials who warned that the district was becoming more unequal as those who could utilised their opportunity to enroll in prestigious north Phoenix schools, whilst those lacking mobility were confined to inner city schools. This perspective was expressed in February 1974, when an advisory council of parents and administrators from throughout the PUHSD met to discuss bilingual provisions. One member of the meeting highlighted that '79% of the Mexican-American population of the Phoenix Union High School District' was concentrated in 'four school attendance zones.'[500] Mexican Americans were predominantly enrolled in PUHS, South Mountain High School, East High School, and Carl Hayden High School. Despite repeated warnings and mounting evidence, PUHSD board members repeatedly voted to maintain the policy, eventually ending it only at the behest of a U.S. District Court Judge. The decision to sustain open schooling highlighted the antipathy of officials towards desegregation and their unwillingness to intervene to reduce the plight of urban schools.

Within five years of open schooling's introduction, the aggregate flow of students away from PUHS and other inner-city schools towards facilities in north Phoenix was evident to education officials. This movement of students across attendance boundaries had significant, if unintended, implications for the racial composition of schools. A 1976 report by the Arizona State Government confirmed that schools with a high number of white students in their enrolment became more racially imbalanced in the five years following the introduction of open schools. Camelback High School in north Phoenix contained an overwhelmingly white enrolment at the beginning of the 1970s; under the open schooling policy, this white majority increased, as an additional 534 white students from outside the previous attendance boundaries joined the enrolment. Just 28 Spanish-surnamed American children were added to the school's rolls. Unsurprisingly, volatility in student enrolment had the inverse effect at

[499] Morrie Goldman, 'Open-school policy considered treating symptoms, not cause', *Arizona Republic*, 13/03/1971.
[500] 'Minutes of District Bilingual Parents Advisory Council', 13/02/1974, Phoenix Union High School System (1974). Arizona Historical Society, Ephemera Collection, Box 70, Folder 9.

schools with a high percentage of minority students. One example was North High School, which experienced 'sizeable gains of Black, American Indian, and Spanish Surnamed American students, but [had] considerable [sic] less holding power for Other White students.'[501] In five years, North High lost 352 white students, with overall enrolment being maintained by additional minority students.[502] Yet, despite clear indications that open schooling had not had the intended effect within PUHSD, education officials were unwilling to consider any actions to curtail or end the policy. At a PUHSD Board meeting to present the results of the study, Lloyd Colvin, the district's Research and Planning Director, predicted that the level of white enrolment would fall from 65.9 per cent to 59.5 per cent. The remaining enrolment would comprise a higher proportion of minorities, who would be confined to inner-city schools. Members of the Board hoped that by acting, they could pre-empt the intervention of federal officials. One member, Ruth Finn, asked a committee of business and community leaders to consider the ways in which inner-city schools could be improved. She also argued that the PUHSD Board could not impose top-down measures to alleviate the unequal treatment of minorities in the city. 'If we are going to do anything to build up our inner-city schools' she argued, 'we're going to need some pretty heavy community help behind it'.[503]

The longstanding reluctance of Phoenix City Council and education officials to expend the resources necessary to improve opportunities for residents of the inner-city and south Phoenix remained a feature of local politics throughout the 1970s. For example, in 1977, the PUHSD Board conducted a review of enrolment patterns since the introduction of open schooling. The district's review highlighted the difficulty of reconciling racial integration and open schooling with other federal mandates, such as bilingual education. Carl Hayden High School in the southwest corner of Phoenix had an enlarged enrolment of Hispanic students. Between 1972-77, 718 white students had left the school to attend others within the city's boundaries. Mexican Americans living outside of Carl Hayden's conventional attendance

[501] Lloyd Colvin, 'Where Phoenix Union High School System Students Live and Attend School: 1976-77', *Phoenix Union High School District, Arizona Department of Research and Planning,* (Phoenix, 1976), ASU Library Microforms, p. 4. 'Spanish Surnamed' is defined as: 'Persons considered by themselves, by the school, or by the community to be of Mexican, Puerto Rican, Central American, Cuban, Latin-American, or other Spanish origin. 'Other White' is regard as: 'Persons considered by themselves, by the school, or by the community to be of English, Germanic, Scandinavian, French, Italian, or other European origin other than the categories listed above.'

[502] Ibid.

[503] Ibid.

boundaries had replaced these students. The President of the PUHSD Board argued that this represented a significant problem and without action, the school could have come 'to be known as our Hispanic school'. The open schooling policy had created an enrolment in which enrolment numbers fluctuated throughout the district. PUHS was teaching just ten per cent of the white students living within its previous attendance boundary. At East High School, one third of the enrolment travelled from other areas of the city; most of these students were minorities. There was also a continuation of the longstanding trend of resources flowing northwards. South Mountain High School situated south of the Salt River and comprised mostly of minority students, lost students from all demographics. In contrast, the overwhelmingly white Camelback High attracted many more students, so much so that 683 of its enrolment lived in other areas.[504] But the racialized patterns of residency were so deeply ingrained that, although the removal of open schooling would cause Camelback to lose students, it would not change its racial composition. The same was true of Maryvale. The imposition of pre-1971 attendance boundaries would increase the number of white students at North High without changing the overall level of enrolment. The cancellation of open enrolment would also increase both the enrolment and number of white students at Carl Hayden, South Mountain and PUHS.[505]

[504] Ibid.
[505] Cecelia Goodnow, 'Segregation Rising in PUHS District; Board Fears Effects', *Arizona Republic*, 31/10/1977.

The enrolment characteristics of Camelback High School

Race	Students who reside in Camelback	Students who reside in and attend Camelback	Students who leave Camelback to attend other system schools	Students residing outside Camelback but attending Camelback	Total attending Camelback	Net Gain/Loss
American Indian	15	14 93.3%	1 6.7%	9	23	+8 (53.3%)
Black	17	8 47.1%	9 52.9%	2	10	-7 (-41.2%)
Spanish Surnamed American	58	50 86.2%	8 13.8%	36	86	+28 (+48.3%)
Other White	2135	2040 95.6%	95	629	2669	534 (25.0%)
Other	53	47 88.7%	6 11.3%	7	54	+1 (+1.9%)
Total	2278	2159 94.8%	119 5.2%	683	2842	+564 (+24.8%)

Table 2: Residency vs. Membership, Camelback. 'Where Phoenix Union High School System Students Live and Attend School: 1976-77', p. 14.

In the 1972-73 school year, 14.2 per cent of students attended a school other than the one closest to their residence. Across the next five years, that number increased to 27 per cent. Of more concern for the Board was the overall decline of students attending schools within the district. There had been a four per cent decrease in the number of school age children living within the PUHSD boundaries, yet the number of students attending school had fallen

by 16 per cent.[506] In the five years spanning the middle of the 1970s, the overall level of student enrolment had fallen. Five years after the introduction of open schooling in PUHSD, educational officials sought to measure its impact on school enrolment and so researchers at Arizona State University set about surveying students who had decided to transfer schools. They noted that enough evidence existed by 1977 to 'conclude that the open enrolment program in the Phoenix Union High School System is not successfully serving to integrate the district.' Their research demonstrated how the policy enabled parents with means to move their children away from inner-city schools with predominantly minority enrolments to outlying schools with mostly white enrolments. The result was that minority students without the means to transfer became isolated in inner-city schools of inferior quality.[507]

	White students	***Non-white students***
Residing in the District	- 13%	+ 21%
Attending school in the district	- 22%	+ 4%

Table 3: Residence and attendance pattern changes from 1972 to 1978 in the eleven high schools of the PUHSD. 'Enrolment Data Pack', p. 7.

The researchers at ASU pointed to demographic changes that were altering the nature of PUHSD schools. Between 1972 and 1978, PUHSD high schools lost almost a quarter of its white enrolment. The movement of students created increasingly unbalanced schools in the inner-city. By the end of the 1978 school year, PUHS, South Mountain, Carl Hayden, North High and East High all had a majority of students who were Mexican Americans or African American.[508] An accompanying report, in September 1978, also confirmed that open schooling was not working. In particular, it noted 'that the open enrolment program in the Phoenix Union High

[506] 'Enrollment Data Pack', p. 6.
[507] Jim Smith, 'A Comparison of Transfer and Non-Transfer Students in an Open Enrollment District', PhD Thesis, Arizona State University, 1977, IN: Carol Norris, 'Enrollment Data Pack', Phoenix Union High School System, (Phoenix, 1978), p. 2-3.
[508] Ibid., p. 11.

School system is not successfully serving to integrate the district.'[509] The report echoed sentiments expressed by other reports that the policy had enabled students from 'higher socio-economic levels' to leave schools with a large minority enrolment. The consequence was the isolation of minority students, who lacked the means to move, in schools populated overwhelmingly by other African American and Mexican children.[510] They found similar patterns of increased student enrolment volatility within PUHSD and a reduction in the overall number of students studying at district schools. These reductions occurred at a time when the overall population of the city was expanding, but were nothing new; instead, they represented an acceleration of a trend that had begun in the mid-1960s. As Phoenix City Council encouraged development on the suburban fringe, families had begun moving their children out of the city's high schools, movements which altered the racial composition of schooling in Phoenix.

By the middle of the decade, the problems with open enrolment that State Senator Cloves Campbell predicted in 1971 had come to fruition. The open schooling policy had not improved the racial balance of Phoenix high schools. Its introduction hastened enrolment patterns in which white students left inner city schools to enroll in schools in outlying areas of North Phoenix. Parents at PUHS who had lobbied for the change had inadvertently provided opponents of busing and other state intervention with a powerful argument to frustrate those initiatives. Throughout the 1970s, members of the City Council, the Arizona Legislature, and the editorial writers of the *Arizona Republic* invoked the open schooling policy as an example of why further action was not necessary. Open schooling became an extension of supposedly de facto segregation, a claim to racial innocence. If children could technically attend any school in the city, overpopulation of inner-city schools with minorities became merely an expression of pupils' desires to attend their neighbourhood school. The result was to further imperil schools that remained in the inner-city and south Phoenix. In 1969, Lloyd Colvin had reported to the PUHSD Board that the enrolment of PUHS was 2,930 and that he anticipated the enrolment to remain at approximately 3,000 for the next five years.[511] Yet, those predictions had proved to be wildly inaccurate, feeding the suggestion that PUHSD should

[509] E.J. Smith Study cited IN: 'Enrolment Data Pack', p. 3.
[510] Ibid.
[511] Peter B. Mann, 'PUHS enrollment to peak at 3,000, report predicts', *Arizona Republic*, 23/11/1969.

close some of its school sites. The question of closing PUHS first came before a meeting of the PUHSD Board as early as February 1971, just a month before the introduction of open schooling. On this occasion, the Board decided by three votes to two to keep the school open.[512]

By 1973, discussions regarding the closure of PUHS assumed a more serious tone when Gerald S. DeGrow reported that enrolment at PUHS for the 1973-74 school year was predicted to fall to 1,500 students. DeGrow stated that the quality of education provided at PUHS had fallen to such an extent 'that I would not want my children to go to that school'.[513] He proposed four courses of action for the school. The first involved phasing out the school beginning 'with the ninth grade in 1974-75', whilst the second proposed dispersal of the student population at PUHS into other schools at the beginning of the 1974-75 school year. The third suggestion included plans to properly fund a comprehensive curriculum and to ensure the school remained open regardless of how much enrolment fell. The final option was to reverse the open schooling policy across the district and compel the 500 students who had left PUHS to return. DeGrow tried to dispel ever present suspicion that the city's business elite exerted outsized influence on public policy, he stated that he had not been placed under pressure by 'the downtown business establishment to sell that facility'. DeGrow's ruminations on the policy options facing PUHSD highlight that the Board understood that ending open schooling or pursuing alternative approaches to reducing racial imbalances existed. Their persistence with the policy demonstrates that these ends were lesser priorities for the Board than sustaining the advantages of the Anglo middle class. [514] Although open schooling was detrimental to enrolment demographics in many areas, the policy improved racial balance in some PUHSD high schools. Both East High School and West High School had a higher level of minority enrolment than they otherwise would have under the pre-1971 system of fixed attendance boundaries.[515] Despite the hopes of district officials that this trend signified a sustainable change to the distribution of non-white students, it was a temporary state, as part

[512] Charles Horky, 'Board votes to keep PUHS at site', *Arizona Republic*, 05/02/1971.
[513] '$1.5 million PUHS outlay wins support', *Arizona Republic*, 07/01/1973
[514] Ibid.
[515] Lloyd Colvin, 'Where Phoenix Union High School System Students Live and Attend School: 1976-77', p. 3.

of trend of white students leaving and non-white students moving further north from the inner city.

By the end of 1977, the PUHSD Board had indicated a greater willingness to address racial inequalities within its schools. At a meeting in November 1977, the DeGrow helped pass a resolution which committed the Board to achieving racial integration in the city's 11 high schools. The Board's resolution recognised that, in response to irrefutable evidence of worsening conditions, addressing racial imbalances in its schools had become an urgent priority. In comparison to the PUHSD leadership's unwillingness to pass a similar resolution earlier in the decade, it represented progress, although the Board made only a vague commitment to programs 'that will implement racial integration'. A vague resolution was easy to achieve by 1977; only an extreme minority were prepared to publicly oppose the abstract notion of integrated schooling. As in many other U.S. cities, it was the methods of achieving racial integration that caused contention. The decision of one Board member to oppose the resolution on the basis that he feared commitment to integration would involve busing indicated that the fear of desegregation methods that were considered invasive remained a powerful influence on PUHSD policy. [516]

Several months later, although significant evidence had been available for at least two years that the policy was increasing the isolation of racial minorities in a number of District high schools, PUHSD finally began to consider ending the open schooling system. In line with this, the PUHSD Board announced that it would vote on whether to continue the policy on 2 March 1978. At a meeting a few weeks before the vote, a group of 12 parents challenged Board members on their plans to end the scheme. They complained that a return to neighbourhood attendance boundaries would increase the dropout rate and force families to relocate across the city. The parents also argued that the decline of high school enrolment in the inner-city was caused by inferior educational provision, not racial animosity. Other speakers stated their belief that open schooling had caused a drain of talent and resources away from inner-city and south Phoenix schools. Ruth Finn, a member of the PUHSD Board, disagreed. She argued

[516] Cecilia Goodnow, 'Integration goal of district, PUHS board proclaims', *Arizona Republic,* 30/11/1977; Cecilia Goodnow, 'School Consolidation for Desegregation Unlikely in City, U.S. says', *Arizona Republic*, 10/02/1978.

that open enrolment had increased segregation in the district. Although cautious about stating that reversing the open schooling policy would solve problems of racial imbalance in the city, she argued 'I feel a great obligation not to continue a policy that is making things worse.'[517] Yet despite her protestations, PUHSD voted to retain the open enrolment policy. The vote included a proposal to return to the pre-1971 attendance boundaries, with equal course offerings at all schools in the city. The Board was split two votes each; there was no decisive fifth vote as the seat of a recently deceased member remained vacant. Members of the Board who voted against the measure explained their actions using many of the same arguments previously expressed in response to efforts to remedy racial inequality in Phoenix schools. 'The patrons have spoken loud and clear' argued the President of the Board, V. A. Dunham, 'they feel the closed policy would create a lot of dissent.' The desires of Anglo parents to maintain the ability to send their children to a school of their choice were heard over the demands of African Americans and Mexican Americans who demanded a more equal education system. The other member of the Board who voted against the proposal urged the members to 'immediately go into a plan for desegregation' but gave little indication as to what that might include. Although disappointing for parents of children at inner city schools, the discussion showed that open schooling was subject to considerable public scepticism.[518]

Without action from education officials, the problem of segregation worsened. The PUHSD Board predicted that racial imbalance in the city's schools would further increase between 1977 and 1982, whilst the level of white enrolment was forecast to decrease from 65.5 per cent to 59.1 per cent, leaving Mexican Americans and African Americans isolated in inner-city schools. The Board projections stated that the number of white students at Camelback High would drop from 93.2 to 90 per cent. But the changes in demographic composition were predicted to be most profound at schools already containing a significant minority enrolment. For example, in just five years, the number of white students at North High School was expected to fall from 43.8 to 27.2 per cent. [519]

[517] 'School-enrollment Plan is Opposed', *Arizona Republic*, 24/02/1978.
[518] 'Enrollment Policy of Schools Retained', *Arizona Republic*, 03/03/1978.
[519] Goodnow, Cecelia, 'Racial Suit Worries Phoenix Schools', *Arizona Republic*, 05/06/1977.

School closure crisis

In July 1979, the PUHSD board created an integration panel to consider the district's options for improving desegregation. Although some members of the board had signalled a greater willingness to discuss the topic, it was a fear that the U.S. Department of Health, Education and Welfare's Office for Civil Rights would cite the District for discrimination against minority students, which caused them to create the panel, in the hope that it would avert action by the federal government. It contained 64 members, including three representatives from the 11 school campuses in PUHSD, five students, and five teachers, with the remainder being selected by the school board to serve as delegates. However, some members of the panel perceived it to be a talking shop with little purpose other than to appear to be a serious effort at improving integration but with little scope for reaching definitive conclusions and recommendations. For example, Jane Boyd, a member of the panel, described it as 'totally ineffectual', and members of the panel 'knew our purpose was to do nothing.' Boyd was a member of the student balance subcommittee but believed that '[e]very time we talked about student balance they thought we meant busing. My committee definitely had a racist tone to it'.[520] Further resistance came from others outside the panel such as Thomas Haddock, the Superintendent of Alhambra elementary district. He questioned the necessity of OCR's inquiry, rehearsing old arguments about the causes of racial imbalances.[521] Haddock explained that he was not aware of 'anyplace in the metropolitan area where deliberate separation is true.' The racial imbalance in school enrolments across the city was a consequence of 'the housing boom of the '50s dictated how the districts grew up.' Dan Levine, President of the Madison Elementary District Board, expressed similar sentiments when he argued, 'There is no deliberate segregation in the districts, it just happened as the city grew'.[522]

Despite being accused of fulfilling only a symbolic function, the creation of the panel, and the work it produced marked a new stage in the deliberations over desegregation and the future

[520] Art Gissendaner, 'Integration panel in PUHSD faces internal problems', *Arizona Republic*, 01/07/1979.
[521] Lloyd Colvin, 'Where Phoenix Union High School System Students Live and Attend School: 1976-77', *Phoenix Union High School District, Arizona Department of Research and Planning,* (Phoenix, 1976), p. 13.
[522] Art Gissendander, 'School Officials Unsure of Rights-Probe Meaning', *Arizona Republic,* 12/08/1979; Beverly Medlyn, 'PUHSD must make decision on closings within 6 weeks', *Arizona Republic*, 06/10/1979.

of PUHSD schools. From the beginning of the 1978 school year, there were perennial questions about the viability of inner city schools and frequent proposals to close at least one site. In March 1979, the PUHSD board vote once again to continue to deliver classes at all of the current high school sites. The decision meant that although the closure of PUHS and other inner city school sites had seemed inevitable at some points during the 1970s, they had remained open despite falling enrolments and a student body that with each year contained an even more disproportionate number of non-white students. Although the PUHSD announcement in March 1979 appeared wholly positive news, it foreshadowed a series of decisions that culminated in an intervention from the U.S. District Court Judge, Valdemar Cordova, to prevent the creation of a 30 square mile area in Phoenix without a high school. In the March 1979 PUHSD board meeting, Superintendent Pat Henderson announced that all 11 current sites would remain open during the next school year but district officials would initiate plans to close one or more schools for the 1980-81 academic year.[523]

Fears about the future of inner city schools were heightened in November 1979 when, after ten months of deliberations, the Integration Panel made a series of recommendations that had profound implications for the future of PUHSD. The Panel's final report argued that racial balance in the District would be best achieved by closing three high schools and distributing the enrollment across the remaining eight campuses, although they did not specify which of the schools should close. The Panel believed that this would have the additional effect of equalizing educational and curriculum opportunities throughout the district. On other matters, the Panel was unwilling to countenance action to improve the racial composition of Phoenix high schools. Despite longstanding concerns about the effects of open enrollment upon PUHSD, members of the Panel decided by a majority vote to recommend its continuation but with a voluntary busing scheme that was incentivised to encourage parents to send their children to schools outside their neighbourhood. Suggested incentives included free bus travel and the first option on courses at the new school they attended. Anyone willing to participate would be assigned to the nearest school with an imbalance of students with their race or ethnicity. Yet, these recommendations highlighted the enduring commitment from officials and lay-person members of the advisory panel, to sustain a policy of an open

[523] Art Gissendaner, 'PUHSD unlikely to shut schools', *Arizona Republic*, 15/03/1979.

enrolment policy that was central to the inequalities within PUHSD. There were, however, some dissenting opinions to the proposals.

Mexican American parents were critical of the advisory group's recommendations, particularly with regards to the implications for the availability of bilingual education classes. A spokesman for the Valle del Sol stated that the report did not respond 'to the needs of the bilingual community'. They also stated that '[m]inority parents are concerned about the quality of education in the district and must be allowed to the system in a culturally relevant manner.'[524] Non-white parents and community organizations were further enraged when the PUHSD Board highlighted four schools, which had the highest levels of non-white enrollment in the District, as the most likely sites to be closed. The Board used a ranking system based upon number of enrolled students, equal educational opportunity, operational costs, ethnic balance, geographic constraints, building quality and drop out rates. As a result, Phoenix Union, Carl Hayden, North High and South Mountain were highlighted as the most likely venues to close.[525] One concern was the effect any decision to close inner city schools would have upon surrounding neighbourhoods. Arizona Rep. Art Hamilton (D-Phoenix) stated, 'It would effectively kill all of south Phoenix and the vast majority of central Phoenix.'[526] Another concern raised by Rep. Hamilton was that the closures would mean that in the event of any busing mandates from the Office for Civil Rights, the burden would fall disproportionately upon inner city students. He argued, '[t]here is no way I can accept busing in the south and central portions of the city and leave the north Phoenix neighbourhoods intact. It would be an outrage.'[527]

After several consultation meetings, the PUHSD Board eventually reached a decision following a tense public meeting on 06 December 1979. By a 3-2 vote they decided to close PUHS, North High and West High. The two dissenting votes, President of the Board Mary Carr and Roger Hagadorn argued that although they believed that some schools in the District

[524] Art Gissendaner, 'Panel urges PUHSD to shut 3 schools to aid integration', *Arizona Republic*, 02/11/1979.
[525] Art Gissendaner, 'PUHSD plans could close East, Central', *Arizona Republic*, 29/11/1979; Art Gissendaner, 'Union, East front-runners in closings', *Arizona Republic*, 05/12/1979.
[526] Art Gissendaner, 'Minority leaders are angered by high-school closing report', *Arizona Republic*, 03/11/1979.
[527] Ibid.

must close, a decision to decommission both Phoenix Union and North would have too great an impact upon the inner city, arguing instead that East High should be closed. The Board also agreed to sell the PUHS campus to raise funds for the District.[528] This decision was the culmination of a multitude of forces such as school finance reforms, decisions over metropolitan development, school site selection and desegregation remedies. Yet, the Board's vote to close PUHS opened rather settled the fate of inner city schools. After it was announced, OCR threatened to investigate PUHSD, which caused the board to delay the implementation of a PUHS closure plan.[529] These decisions were the first act in series of contested decisions that were ultimately settled by the U.S. District Court in 1982.

PUHSD's need to consider cost reduction measures and school closures was a consequence of a confluence of factors that included the city's development model that had hollowed out the urban core, a political culture committed to low rates of taxation and an open enrolment policy that created significant inequalities amongst the district's schools. The District board could not raise property taxes on homes within the district, its primary source of revenue, by more than 7 per cent each year. If PUHSD officials wished to raise additional sums, it was required by law to hold an override election to gain the consent of the electorate. But an override election could not provide unlimited additional revenue. The Arizona Legislature passed a law in 1980 that restricted override election revenues to a maximum of 10 per cent of a district's budget, with an additional requirement that it be re-authorized by local tax payers every three years. Further limiting the options for PUHSD was the stipulation that any revenues derived from the sale of property could not be used for 12 months if the district had also sought funds through an override. Yet, the costs of declining enrolment in PUHSD did not fall equally upon its 11 schools because of open enrolment, although all schools were faced with the fixed costs of maintaining a school site. In 1971-72, PUHSD had 29,700 students enrolled in its schools, by the 1980-81 school year that had fallen to 20,600, which meant that District officials faced stark choices about the future of educational provision in the city and how to fund it.[530]

[528] Art Gissendaner, 'Phoenix Union, North and West will be closed', *Arizona Republic*, 07/11/1979.
[529] 'U.S. lists PUHSD among worst civil-rights offenders', *Arizona Republic*, 13/12/1979.
[530] Art Gissendaner, 'Wealthy PUHSD caught in fiscal dilemma', *Arizona Republic*, 01/11/1981.

After the Arizona Legislature passed a measure that enabled PUHSD to hold a budget override election earlier than May, the District scheduled the election for 26 February 1980. The purpose was to obtain authorization to raise $3.37million through additional property taxes from households within the district, which District officials planned to use to keep all 11 high school campuses open for another year. The PUHSD Board was initially sceptical about holding the election as part of the school closure program, believing that it was unlikely to pass in a political climate that was increasingly hostile to tax increases and that even if it was successful, the additional taxes would only delay the closure program, not prevent it altogether. Despite this, the Board voted 3-2 to hold an override election to avoid implementing the school closures within months, instead hoping to phase the closure program so as to take full effect by August 1981.[531] Once the Arizona Legislature removed the stipulation that elections must always be held in May, a date of 26 February 1980 was chosen. The decision of the PUHSD Board to seek an override election was deeply divisive amongst local residents and parents. On 3 February, the Citizens Advisory Council (CAC) of PUHSD decided against supporting the decision by a vote of 13-12, and by extension refused to formally endorse the $3.37million budget override proposal. At the CAC meeting, Rosendo Gutierrez, the chairman of a grassroots organization, Save Our Schools, which organised to keep inner city schools open and well resourced, argued that the school closure program would devastate urban neighbourhoods. Gutierrez argued closing PUHS, West and North would cause a mass exodus to outlying neighbourhoods, evidence of which was already visible in the number of properties in close vicinity to those schools being offered at prices that were below market rate.[532] Despite these pleas, voters approved the override by a margin of 7,192 to 5,168 with high levels of support for the measure in areas that were served by schools earmarked for closure. Even so, this was a very low turnout from the 130,000 eligible voters in the district. The result was to raise the necessary revenue to balance the PUHSD budget and secure a one year delay to the plans to close three high schools.[533] After the election, local residents and politicians continued to argue that the closing of inner city would threaten the viability of inner city neighbourhoods and that PUHSD should reconsider

[531] 'Phoenix Union, North and West will be closed', *Arizona Republic*, 07/11/1979.
[532] 'PUHSD panel will not endorse drive to fight closures', *Arizona Republic*, 03/02/1980.
[533] Art Gissendaner, 'Budget override OK'd; 3 city high schools will remain open', *Arizona Republic*, 27/02/1980.

its decision. When Phoenix Union Elementary District opened four new schools, Arizona Sen. Alfredo Gutierrez used the occasion to argue that '[p]erhaps we can persuade them (Phoenix Union officials) by this effort that the central city should not be abandoned.'[534]

Despite these representations, PUHSD's financial situation remained dire and the prospects for continuing to operate 11 high school campuses was parlous. In January 1981, District Superintendent Pat Henderson revealed the accounts and projected budget for the next three years. He announced that PUHSD would have a budget shortfall of $4.6 million in the 1981-82 school year, which was expected to rise to $8.2 million by 1983-84. Henderson told the Board that any spending reductions would only affect the budget, meaning that significant reductions would need to be found in future years as well as the $3 million cuts to next year. This was necessary, Henderson argued, because of the structural challenges created by declining enrolment in city schools whilst enrolments in suburban areas such as Deer Valley had expanded from 900 to 8,000 students within 10 years.[535] The loss of each student cost PUHSD schools $1,800, which meant that when officials were faced with agreeing a budget for the 1981-82 school year they had to introduce a package of spending cuts and tax rises. One such saving was the closure of North High, decided earlier in year but in effect from that autumn.[536] Alongside this, a 30-cent property tax raise was also introduced to fund construction projects over the next five years.[537]

As PUHSD officials made plans for the 1982-83 school year, three board members: V.A. Dunham, Mary Carr and Don Kennedy, announced their preference for closing two schools as part of the district's cost reduction package.[538] However, suspicion began to build amongst residents of the inner city that part of the Board's preference for closing PUHS was based upon the city's plans to re-develop the area with shopping centres and condominiums rather than residential housing. Two years earlier, Phoenix City Council had agreed a set of proposals

[534] 'High school closures threaten inner-city vitality, citizens say', *Arizona Republic*, 05/08/1980.
[535] 'PUHSD faces $4.6 million shortfall', *Arizona Republic*, 30/01/1981; William La Jeinesse and Mary Jo Pitzl, 'Declining student rolls drain schools of funds', *Arizona Republic*, 25/05/1981; 'Lease, sale, or relocation described as alternatives for closed schools', *Arizona Republic*, 25/05/1981.
[536] Art Gissendaner, 'PUHSD president proposes North High as target for closure', *Arizona Republic*, 27/02/1981.
[537] '$72.1 million PUHSD budget receives final OK', *Arizona Republic*, 05/06/1981.
[538] Art Gissendaner, 'PUHSD must close 2 schools, 3 on board say', *Arizona Republic*, 25/09/1981.

called the Downtown Area Redevelopment and Improvement Plan, which challenged the viability of the area as a location for family residences, instead prioritizing commercial and high-density residential units. Pat Henderson, the PUHSD Superintendent, endorsed these sentiments and questioned whether 'the downtown area is compatible with attracting families with children.' He also suggested 'that the downtown area will become a commerce center.'[539] As a result, after the re-development was complete, the area would be designed for young professionals without families rather than the low density family units that had been prioritised for decades. Phoenix City Council's Plan referred to the use of two school sites as locations for private redevelopment projects such as hotels. Although the executive assistant to Mayor of Phoenix, Margaret Hance, insisted that '[t]he Mayor and City Council . . . have not taken an active role in lobbying for or against school closures', the perception of school officials and parents at PUHS was that the Council and business elite wanted to close the school in order to pursue development opportunities. Don Kennedy, governing board president of PUHS, expressed this most clearly when he stated '[t]he way anyone would read this (proposal), Union is in the way of economic progress.'[540]

Later in October 1981, when the PUHSD Board had to take decisions about the educational provision offered at inner city sites, Mary Carr highlighted development concerns for choosing West High as the location for vocational education. She argued that '[t]here is substantial doubt that residential development will occur downtown . . .under present conditions'.[541] The unlikelihood that residential lots would become available was an important reason for rejecting PUHS as a possible site for locating the vocational education centre. The board's decision to consult private sector boosters enhanced the perception that the downtown business establishment exerted significant influence upon PUHSD policy. In particular, as board members considered the implications of closing inner city schools, they referenced the importance of Phoenix City Council plans to discourage future residential development in the inner city as justification for closing school sites. Once the PUHSD Board agreed to close PUHS, they listened to representations from the Phoenix 40, a group of influential private sector

[539] Art Gissendaner, 'High schools in inner city fear eviction: Redevelopment plan aimed at commerce', *Arizona Republic*, 04/10/1981.
[540] Ibid.
[541] Art Gissendaner, 'West High picked as vocational site by PUHSD board', *Arizona Republic*, 30/10/1981.

boosters who urged the PUHSD to consult businessmen about the sale of school sites so as to comply with their development model for the inner city.[542]

After several rancorous public meetings, the PUHSD board decided by 3 votes to 2 to close PUHS at the end of the 1981-82 school year. The Board took the vote at a meeting attended by over 200 parents and local residents. PUHSD officials hoped that closing PUHS would save $697,000, making a significant contribution to reducing the budget shortfall. The two members of the Board who voted to keep the school open, Mary Price and Georgie Goode, expressed concern that the decision would leave many inner city students without a convenient school site to attend. Immediately after the vote Price proposed a motion to close east High School and re-open North High to retain a site for inner city students.[543] Yet, there was no majority on the Board for maintaining all existing sites in part because two longstanding board members had been elected on a platform that favoured the school closures program. This was a continuing trend as newer members of the Board such as Price and Goode sought to fulfil their promises to keep inner city schools open and clashed with longer-serving members who had made contrary commitments.[544] Despite the Board's composition, Price was able to prevail with her plan to close East High and re-open North High its place, as a high school offering a comprehensive curriculum. Although North would not have an attendance boundary and comply with the open enrolment policy, District officials indicated that students who had been displaced by the closures of PUHS and East High would be given first option on places. Carr hoped that '[t]his will put a school back into the inner city . . . it will be one that parents would send their kids to and put honor back into the inner city.'[545] Yet, other such as Clovis Campbell, once a member of the Arizona Legislature representing the 23rd Senate District and by this time the president of the Maricopa County Branch of the National Association for the Advancement of Colored People (NAACP), argued that North High was not an inner city school.

[542] Art Gissendaner, 'Phoenix Union faces life-or-death task: educating voters', *Arizona Republic*, 10/05/1982.
[543] Art Gissendaner, 'Phoenix Union High will be closed at the end of '81-82 school year', *Arizona Republic*, 20/11/1981.
[544] Art Gissendaner, 'Bickering board: PUHSD hampered by members' squabbling', *Arizona Republic*, 04/01/1982.
[545] Art Gissendaner, 'East High to close; North to reopen in fall', *Arizona Republic*, 08/01/1982.

Campbell believed that the inner city was an area that stretched from the Salt River to McDowell Road and contained three schools: South Mountain, Carl Hayden and PUHS. As a result, the NAACP was exploring legal options to challenge the PUHSD Board's decision to close PUHS.[546] There were even differing opinions about what constituted the inner city amongst PUHSD Board members, for example Georgie Goode argued that '[i]nner city has been used to describe the poor and underprivileged.' Goode also explained that the notion of an inner city school had historically been malleable, in particular as soon as 'North was perceived as an integrated school, it became an inner-city school.'[547] Mary Carr expressed similar sentiments, '[i]n time, Central might be considered an inner city school because there is low-cost housing all around it . . . If you are looking for the inner city, you could consider going south from Camelback Road.' Another PUHSD Board member, Mary Price, also suggested that the areas that are considered within the inner city was defined by the socio-economic status of their inhabitants. She argued, '[e]conomically, I would say the inner city is defined as an area with people who do not have a choice to move away from the economic development to take advantage of educational options.'[548] This public discourse amongst PUHSD board members and other public figures highlighted the deeply ingrained assumptions about the inner city as an entity defined less by a fixed set of geographical boundaries than an association with the poor and racial minorities.

Whilst the decision to close PUHS and re-open North High angered the local branch of the NAACP, others were unhappy with the accompanying decision to close East High in its place. In February 1982, the parents of 20 students at East High filed a lawsuit in the U.S. District Court in order to obtain an injunction and prevent the closure of the school. Their claim argued that closing East High discriminated 'against plaintiffs and other similarly situated on the basis of race, color, or ethnic origin and therefore violates [their] civil rights'. The lawsuit also argued that many students currently studying at East High would be unable to attend North High 'for essentially racial reasons', because of its need to serve inner city residents.[549] On 2 March 1982, a second suit was filed against PUHSD, on this occasion by parents of

[546] Art Gissendaner, 'Inner-city Phoenix: Where is it? Who lives there? PUHSD wants to know', *Arizona Republic*, 17/01/1982.
[547] Ibid.
[548] Ibid.
[549] Chuck Hawley, 'Parents sue to prevent closing of East High', *Arizona Republic*, 13/02/1982.

students at PUHS on near identical grounds to that filed against the closure of East High.[550] One day later, despite the impending legal action, PUHSD Board members voted to put the sale of the PUHS campus to a ballot of voters within the district on 18 May. Yet, PUHSD's plans to reduce the $6.5 million shortfall in its 1983-84 budget through the sale of PUHS were hampered by the negative response of two private appraisal firms. Both told the Board that that buildings on the PUHS campus were worthless and that any construction project on the site would be better served by demolishing the buildings. A valuation for the site, encompassing both the land and buildings was eventually fixed at $20 million.[551] Other cost cutting measures included a plan to eliminate 170 job roles for the next school year, the majority of which were teachers, these layoffs were in addition to the 500 roles that had been cut since 1978.[552] As the election approached, Mary Carr reminded voters of the severity of the budget crisis, 'I don't want to frighten anyone, but we've already closed minority schools in the inner city and on the east side. If it does not pass, we may have to close a majority school on the west side.'[553]

Voters in PUHSD delivered a mixed verdict when asked to decide on the school closure program. Only 11,337 of a possible 151,810 registered voters participated in the election, which meant that turnout was just 7.7 percent. On the issue of closing PUHS, 6,179 voted in favour, 5,132 against, but voters did not approve the second option of converting the campus of West High into a vocational education campus. Unsurprisingly, opposition to the PUHS sale was strongest in the district affected and the surrounding inner city areas whilst the outlying areas of north Phoenix and the suburban Maryvale to the west of the city were most supportive of the closure. The inverse was true of the vocational education proposal, apart from the area surrounding West High. Voters in these areas opposed the PUHS sale by 818 votes to 642 but registered strong opposition to the vocational education program with just 420 Yes votes and 1,058 rejecting the proposal.[554] These results left the district in a difficult

[550] Art Gissendaner and Chuck Hawley, 'Phoenix Union sale put on May 18 ballot despite parents' suit', *Arizona Republic*, 05/03/1982.
[551] Art Gissendaner, 'PUHSD complex called useless to developers', *Arizona Republic*, 03/03/1982.
[552] Art Gissendaner, 'PUHSD initially approves cuts that would terminate 114 jobs', *Arizona Republic*, 06/03/1982; Art Gissendaner, 'PUHSD enrolment continues to dip; 103 teachers, 67 others lose jobs', *Arizona Republic*, 15/04/1982.
[553] Art Gissendaner, 'Phoenix Union faces life-or-death task: educating voters', *Arizona Republic*, 10/05/1982.
[554] 'PUHSD vote tabulation', *Arizona Republic*, 20/05/1982.

situation. Although it needed the money from selling the campus, the board was unwilling to close PUHS without re-distributing the 1,400 students that were undertaking vocational programs there. Board President Georgie Goode argued that the verdict from the electorate was 'unclear to everyone', although the electorate 'were convinced that we needed money for the budget as we proposed.'[555]

After negotiations between PUHSD officials and the two groups of parents suing to keep either PUHS or East High open failed, each case was heard in the U.S. District Court.[556] The case brought against East High was heard in late June with a verdict delivered on 2 July 1982. After hearing the claim, U.S. Circuit Court Judge Charles H. Hardy denied a request from the plaintiffs to issue a preliminary injunction, which would have forced PUHSD to reopen East High School for the 1982-83 school year. Hardy determined 'that the board's decision to close East was rational', and to grant the injunction would create a 'chaotic situation' in PUHSD because students had already been assigned to school for the next academic year.[557] Although PUHSD officials expressed their relief at Hardy's ruling, the case brought by parents of students at PUHS was outstanding and due to be heard in August 1982. As Hardy had affirmed the authority of a school district to take action it deemed necessary to resolve its budget deficit, local and political observers argued that his fellow Circuit Court Judge, Val Cordova, would issue a similar judgement.[558]

The case came before the Court on 04 August 1982. During the proceedings, one PUHSD Board member, Don Kennedy, explained that he voted to close PUHS because of a persistent decline in educational standards, which meant that it was a 'disservice' to students. The parents of students who hoped Cordova would issue an injunction that halted its sale and ordered its re-opening, argued that sending their children to Central High caused significant financial hardship due to the transportation costs.[559] The plaintiffs called Richard R. Valencia, an educational psychologist based at the University of California, Santa Cruz, as an expert

[555] Art Gissendaner, 'PUHSD board baffled by school-sale, vocational votes', *Arizona Republic*, 20/05/1982.
[556] 'East parents press case to reopen school', *Arizona Republic*, 12/06/1982; Art Gissendaner, 'PUHSD shunned for Union High', *Arizona Republic*, 15/06/1982; Art Gissendaner, 'Attempts to keep East, Union open rejected by board', *Arizona Republic*, 16/06/1982.
[557] Art Gissendaner, 'Judge to deny request for East High reopening', *Arizona Republic*, 03/07/1982.
[558] 'An Unpopular Ruling', *Arizona Republic*, 06/07/1982.
[559] Chuck Hawley, 'PUHS wasn't providing education, official says', *Arizona Republic*, 05/08/1982.

witness to testify in particular about the criteria by which PUHSD had used to select schools for closure. District officials had used eight criteria to measure the performance of schools, these included: the number of courses offered, student educational attainment, the number of 'educationally handicapped' students, test scores, the experience of teachers, and the ratio of teachers for each subject.[560] Valencia argued that PUHSD's decision to judge schools according to these criteria was discriminatory towards the inner city schools with high non-white enrollments.[561] Al Flores, the attorney representing the group of parents who brought the case, argued that because PUHS, North and East High all had large non-white enrolments, the 'result of these closures is a one-way busing scheme'.[562]

On 30 August, U.S. District Judge Valdemar Cordova sided with the plaintiffs and issued an injunction against the sale of the PUHS campus. He also ordered the District to reopen the school in time for the spring semester. Cordova wrote that the District's maps indicated that a 30 square mile area of the inner city would be left without a high school. For this reason, he argued that the decision to close PUHS and sell the campus represented 'the disembowelling of the inner city of Phoenix by removing therefrom all the secondary educational facilities which were easily accessible to minorities.' Cordova argued that these processes were exclusively targeting minorities.[563] Following the ruling, PUHSD officials developed alternative plans that would comply with the U.S. District Court Injunction without further undermining the District's financial position. In October 1982, the Board proposed that PUHS be sold immediately with North High School reopened for the 1983 academic year. Although similar plans had been developed by the Board before, this iteration had been devised in consultation with the District's attorney, J. William Brammer to ensure that it would comply with the court order. This was achieved by proposing new attendance boundaries, divided at Seventh Street, which re-distributed the population formerly served by PUHS to other schools. Fixed attendance boundaries would be re-imposed, ending the open enrolment policy 11 years after its introduction, and forcing students to enrol at the school closest to their home. A

[560] Chuck Hawley, 'Plan to shut Union chided as "biased"', *Arizona Republic*, 11/08/1982.
[561] Richard R. Valencia, *Chicano Students and the Courts: The Mexican American Legal Struggle for Educational Equality* (New York City, NY: New York University Press, 2008), p. 210 – 221.
[562] Betty Beard, 'Federal judge vows to hand down ruling on PUHS sale soon', *Arizona Republic*, 24/08/1982.
[563] Chuck Hawley, 'PUHS ordered reopened for spring; sale to "disembowel" district barred', *Arizona Republic*, 31/08/1982; Carol Sowers, 'Phoenix Union reopening order "unexpected", *Arizona Republic*, 01/09/1982.

caveat was inserted into the new attendance policy that allowed pupil transfers if they improved the racial balance of the eight high schools in the District. Al Flores, the attorney who represented the parents who brought the PUHS suit, conceded that the plans were likely to be accepted by Judge Cordova as complying with his order. Yet, he was enthusiastic about the decision to end open enrolment, which he argued 'was clearly found to be discriminatory' and had encouraged 'white flight'.[564] However, the 14 parents who filed the suit were not satisfied with PUHSD's new proposals. After meeting with the board, they publicly rejected the plan to reopen North High on the grounds that they remained committed to saving PUHS.[565] Despite their discontent, on 23 November 1982, U.S. District Judge Valdemar Cordova determined the plan to be 'constitutional and legal', vacated his ruling that reopened PUHS and accepted the Board's proposals. Although the 14 parents who brought the suit remained unhappy with the decision to close PUHS, Cordova's ruling ended their suit. It also ensured that North high would reopen and the open enrolment policy, which by 1982 was utilised by approximately one third of PUHSD students, ended.[566]

Conclusion

Phoenix faced questions about how to ensure greater racial balance at the same time as other metropolitan regions throughout the U.S. and despite having a different racial composition to Charlotte, Atlanta or Detroit, the city exhibited a similar approach. PUHSD officials demonstrated a deep antipathy towards the use of busing, a policy that was beyond the accepted boundaries of political debate in the city. Although this resistance did not degenerate into violence as in Boston, it was strong enough to exclude all but the least intrusive desegregation remedies. Historians have typically understood President Nixon's appeal to anti-busing sentiments as an appeal to former Democratic Party voters in southern states but this chapter has shown its resonance in Phoenix. The opposition to a meaningful attempt at reducing racial inequality and Phoenix's similarities to other Sunbelt locations suggest that although city officials portrayed it as a modern city, distinguished from other

[564] Deborah Shanahan, 'Phoenix Union may be sold, North High reopened', *Arizona Republic*, 08/10/1982.
[565] Deborah Shanahan, 'Parents reject district's proposal to reopen North instead of PUHS', *Arizona Republic*, 29/10/1982; Deborah Shanahan, 'Phoenix Union board plans to push for law to restrict student transfers', *Arizona Republic*, 12/11/1982.
[566] Deborah Shanahan, 'Judge Oks plans to sell Phoenix Union High', *Arizona Republic*, 24/11/1982.

sunbelt locations with histories of racial conflict, this concept of modernity did not include a commitment to racial liberalism. As earlier sections of this chapter has shown, the federal Office for Civil Rights considered Phoenix to have some of the worst instances of educational segregation in the country. When city and education officials acted it was only when they feared intervention from the courts or federal officials. This chapter has therefore shown that the national political crisis over busing also affected Phoenix and in doing so it has also demonstrated that these conflicts were not limited to districts comprised of whites and African Americans or districts where long-established working class white communities resisted integration with adjacent African American populations. Although public discourse about busing in Phoenix sometimes focused upon remedial measures for African Americans, it was Mexican Americans who formed the largest non-white group and discussions about segregation were based upon their concentration in inner city schools.

As PUHSD officials would not countenance the use of busing but could have been compelled to implement one had the Courts intervened, they introduced a policy of open schooling instead. The adverse effects of the policy were evident within two years of its introduction, but officials persisted with it because of the political power of north Phoenix neighbourhoods and the policy's additional utility as an apparent desegregation remedy. By the end of the 1970s, open enrollment had accelerated the trend of mostly white students leaving inner city schools for those on the suburban fringe, whilst the proportion of non-white students increased at PUHS, East High and North High. The effects of the policy were not only to change the composition of PUHSD schools but, as some education officials noted, to change the notion of the inner city itself. As white students left and some non-white students enrolled in North High, it became known as an inner city school, highlighting the association of space in Phoenix with racial characteristics.

This chapter, and this thesis, end with the school closure crisis in Phoenix during the late 1970s and early 1980s. As previous sections have shown, the crisis was a culmination of public policy decisions about urban development, school finance, school construction, and desegregation. As PUHSD board members consulted about plans to close inner city schools, the development preferences of business elites in the city influenced the decision-making process. In doing so, this chapter has highlighted a closer relationship between private sector elites, education

provision and development policy. These decisions were made between 1979 and 1982, a generation after the coterie of businessmen who shaped postwar Phoenix were most powerful. But the institutions they crafted continued to shape local politics and it was only during the school closure crisis that a previously assumed link became apparent. That the issue of segregation in Phoenix required the intervention of a federal court judge in the summer of 1982 to prevent the 'disembowelling' of the inner city demonstrates with particular clarity that although the civil rights opportunities granted to Mexican Americans in 1968 promised much, the experience of Phoenix over the subsequent 14 years indicated that actual progress was hard to achieve. [567]

[567] Chuck Hawley, 'PUHS ordered reopened for spring; sale to "disembowel" district barred', *Arizona Republic*, 31/08/1982.

Conclusion

In 2001, researchers at Arizona State University surveyed the state of education in Arizona, concluding that 'Far too many of Arizona's Latinos drop out of high school or fail to obtain the sound basic education needed for more advanced study.'[568] Another report, published 10 years later by the same University, argued that '[i]n terms of educational attainment and achievement, the situation has not changed much in the last decade.'[569] These were the same issues raised by federal politicians who advocated the introduction of bilingual education during the 1960s. Why then has the attainment gap between Latinos and their white peers persisted despite the mid-century interventions of federal politicians? This thesis has argued that an evaluation of the introduction of bilingual education and its effectiveness, has to examine the conditions that shaped the educational context in which the policy was delivered. In the case of Phoenix, this included the longer history of restrictions upon Spanish use, opposition from state politicians and municipal development policies that created an unequal metropolis. The foremost contribution of this thesis is to situate the policy history of bilingual education into an urban history context to analyse the range of actions, both state and non-state, that caused higher rates of poverty and educational underperformance among Latinos. With this in mind, the previous chapters have shown that the signature civil rights accomplishment for Latinos could not surmount the range of discriminatory practices that circumscribed opportunities for Latino students.

The Bilingual Education Act of 1968 had been one part of the Great Society programs that sought to eliminate poverty. Although historians have examined the origins and implementation of the policy at the federal level, studies of the policy's effects at the state and local level are limited. This thesis has shown that the experiences of Arizona complicate perceptions that the policy enjoyed bipartisan support, particularly since Arizonan politicians and policymakers did not make significant efforts to incorporate the agenda into state and local politics. Politicians took up the issue reluctantly and throughout the legislative process

[568] *Five Shoes Waiting to Drop: On Arizona's Future*, Morrison Institute for Public policy, Arizona State University, October 2001, pp. 1 -50. p. 16.
[569] Tom R. Rex, *The Latino Population in Arizona: Growth, Characteristics, and Outlook – with a focus on Latino Education*, W.P. Carey School of Business, Arizona State University, September 2011, pp. 1 – 42. p2.

tried to limit the scope of bilingual education programs wherever possible. Despite this, Arizona had a well-established bilingual program by the early 1980s. Yet it was not sufficient to overcome both the depth and range of discrimination that circumscribed the lives of Latinos and confined them to under resourced inner- city neighbourhoods. Therefore, the main contribution of this thesis is to show that political opposition was not the only means by which Latino political demands were stymied. In particular, bilingual education programs did not reduce poverty and increase educational attainment because of a series of development and other school related policies that compromised the viability of urban schools. Although bilingual education represented symbolic progress against an Anglo majority that had restricted the use of Spanish, it was introduced at a time when the Comprehensive Plan, school sites, and open enrolments policies were enacted to much greater effect. In combination, these policies show the difficulty of pursuing educational equality when the quality of instruction and the levels of attainment are subject to a wide range of external influences.

In recent years, scholars have identified a web of state and non-state actions that created metropolitan regions divided both racially and economically. These practices were developed during the 1940s and 1950s but, as has been discussed, municipal leaders in Phoenix updated them for the post-civil rights era. In Phoenix, a series of interventions from the City Council re-affirmed a development model and way of life that was threatened by population growth and demands by non-white inhabitants for equality. The publication of the Comprehensive Plan in 1971 is therefore a critical juncture at which future possibilities of a more equitable urban landscape, and as a result schools, were extinguished. Inherent in the Plan was a desire above all else to attend to the wishes of white homeowners with a preference for suburban living over the needs of inner- city neighbourhoods with high levels of poverty. Decisions to prioritise development in outlying areas and restrict the density of construction throughout the city, but particularly in the areas adjacent to the inner city, limited the options for non-white inhabitants and directed resources away from urban neighbourhoods. The result was to solidify patterns of racial inequality that confined non-white residents to the poorest and most dilapidated neighbourhoods, causing a replication of these conditions in the final quarter of the twentieth century.

The actions that this study identified in Phoenix contribute to an emerging body of literature defined by recent works such as Ansley Erickson's *Making the Unequal Metropolis* and Emily Strauss's *Death of a Suburban Dream*. These works have demonstrated not only the influence of urban development upon schools but also the importance of schools to urban development. As shown in previous chapters, PCC's use of planning methods that were less visible than conventional policy levers add to a growing body of literature that demonstrates the importance of looking beyond the conventional framework of racially exclusive policies. In the 1940s and 1950s, racially restrictive covenants and overtly prejudicial redlining policies were used to maintain racially homogenous neighbourhoods. By the 1970s, these had been replaced by tools of covert discrimination but they were no less visceral in effect. For example, ostensibly race neutral guidelines about the selection of new school sites were used to shape development priorities, housing markets and by extension, maintain racially imbalanced neighbourhoods. There was a remarkable consistency in the methods used by the Council's Planning Department to ensure that schools were constructed away from the inner city to those identified by Ansley Erickson in Nashville, Tennessee. In Nashville, planners were influenced by federal guidelines on school site selection, which they laundered into local guidelines that prioritised space and idyllic surroundings over educational need. The similarities between Phoenix and other areas suggest the significance of these trends was not limited to a single region. But in Phoenix the combined effect of development plans, school site guidelines and the state's school finance laws was to limit the effectiveness of bilingual education and undermine the modern society envisioned by the Great Society programs.

The actions of Council officials in conjunction with non-state actors also had more lasting consequences, as shown by the PUHSD school closure crisis. By the end of the 1970s, inner city neighbourhoods that had been undermined by the Comprehensive Plan and other planning initiatives, became increasingly racially isolated and struggled to finance local schools. As segregation increased at PUHS, East High and North High, and the District's financial shortfall worsened, education officials resorted to closing inner city schools. These decisions were caused by a combined effect of planning policies that directed new schools to the suburban periphery and school finance reforms that favoured suburban neighbourhoods, both of which were made on the basis of ideological preference rather than need. The open enrolment program, which began in 1971, acted as a catalyst for trends of white students

leaving the inner city and reducing the enrolment at PUHS and altering its composition to one that was overwhelmingly non-white. The principal cause of these events was a series of public policy decisions, not just private homeowner choices about relocating to the suburbs.

Phoenix boosters exerted significant efforts in the post-war years to portray the city as a modern metropolitan centre that was distinctive from the urban North and racially divided South. As the preceding chapters have shown, many of the discriminatory practices identified in places such as Chicago, Boston, Atlanta and Charlotte, were also utilised in Phoenix. The seemingly modern way of life that boosters promoted to entice people to relocate from the urban North and Midwest was premised upon offsetting the costs upon areas of the inner city that contained large non-white populations. That politicians in Phoenix discriminated against non-white inhabitants in many of the same ways that municipal leaders in other Sunbelt metropolises did shows that the marketing of the city as a tolerant desert oasis contained little substance.

These policies were enacted by municipal politicians and officials acting under the auspices of the Charter Government Committee, but with close associations with the GOP. During the 1950s, Barry Goldwater had progressed from the CGC to becoming a GOP candidate in Arizona. Republican Governor Jack Williams had followed a similar path, having been the CGC Mayor of Phoenix during 1956-60. As Barone and Ujifusa argued in 1981, 'Phoenix is politically conservative. No other major metropolitan area in the country has consistently voted so heavily Republican.'[570] It was, therefore, Republican and Republican-aligned politicians who were responsible for implementing policies that entrenched inequality in Phoenix during the post-civil rights era. In combination, the chapters of this thesis challenge the argument of Michaela Ann Larkin that GOP politicians in Phoenix and Arizona more broadly accommodated Mexican Americans and their political demands.[571] While there is evidence that they sought the votes of Mexican Americans during election campaigns, the development model pursued in Phoenix relied upon the exploitation of non-white residents

[570] Barone and Ujifusa, *The Almanac of American Politics 1982*, p. 38.
[571] Micaela Anne Larkin, 'Southwestern Strategy: Mexican Americans and Republican Politics in the Arizona Borderlands', pp. 66-86, IN: Shermer, Elizabeth Tandy, eds., *Barry Goldwater and the Remaking of the American Political Landscape* (Tucson, AZ, 2013).

of the inner city. Mexican American voices were absent from important decisions that shaped the future of the city and once key spokesmen articulated their perspectives about equitable land use they were overlooked.

This thesis is the first comprehensive attempt to integrate the experiences of Mexican Americans into a history of Sunbelt metropolitan development. In Phoenix, Mexican Americans were the largest non-white group, followed by small populations of African Americans, Asian Americans and Indian Americans. Although this thesis focuses upon the uses of state power that shaped how race was made for Mexican Americans, it has identified some new interpretations about the experiences of Mexican Americans in the Sunbelt. The introduction of bilingual education represented an important moment of progress when considered within a longer context of restrictions upon the use of Spanish. Bilingual education also created space for greater recognition of Mexican American history and culture within schools, something that had been contested in previous generations. Yet, this thesis has also demonstrated that there were differing opinions within Mexican American communities and often vocal dissent to an emerging Chicano politics. This was evident in discussions prior to the introduction of bilingual education but also amongst those who became disillusioned or critical of its effects once implemented.

Even for those who supported it, any freedom the Bilingual Education Act offered Mexican Americans to define their identities occurred at the same time as the development policies described above fortified the link between race and space. As was shown in the final chapter, by the early 1980s, urban neighbourhoods and schools became synonymous with non-white, particularly Mexican American inhabitants. By the time of the school closure crisis, inner city neighbourhoods struggled to remain economically viable areas that provided enough good quality housing, schools and employment opportunities to retain residents. Mexican Americans in Phoenix were, therefore, subject to the type of policies that historians have observed in other Sunbelt locations, used to discriminate against African Americans. The effect in Phoenix was to define Mexican Americans who resided in these areas as a distinct non-white racial Other.

A proportion of Mexican Americans escaped these racializing processes and obtained a middle-class lifestyle in outlying neighbourhoods, but this should not be understood as being equidistant between the binary of white and non-white statuses. Instead, in the period this thesis examines, Mexican Americans occupied a complex and fluid position in society, in part subject to the kind of discriminatory practices that other non-white inhabitants suffered but on occasion able to avoid the worst excesses of racism. Despite the opportunities for some Mexican Americans such as Eugene Marin to prosper in these conditions, for the majority of Mexican Americans living in Phoenix, the GOP had enacted public policies that made economic and racial equality harder to attain. Yet, this thesis is not a comprehensive account of Mexican Americans in Phoenix and there is scope for further studies to examine the experiences both locally and in the Sunbelt generally. Although previous chapters provide an indication of how Mexican Americans challenged the discriminatory practices they faced, there is clearly scope for further study. These chapters have also focused upon a small selection of Mexican American public figures, but more needs to be known about the everyday experiences within Phoenix and how life flourished in the barrios of south Phoenix despite the effects of segregation.

This thesis has argued that evaluating the condition of Mexican Americans locally, regionally, and nationally needs to be approached from numerous perspectives. Placed in a longer historical context, the period of 1968 - 1982 appears as a period of progress for Latinos where an important civil rights demand was established and consolidated. It was situated after a time when Mexican Americans suffered overt exclusion and discrimination but before the re-emergence of intense debates about culture and identity that have since defined contemporary U.S. politics. The content of debates about Latinos, Spanish language use, assimilation and immigration coarsened in the late 1980s. This new era began with the emergence of English as the Official Language debates, initially in the U.S. Congress in 1981, but then as a series of ballot initiatives from 1986 onwards in states such as Arizona, California and others. From this point onwards, conflict over Spanish language use became a recurrent conflict in U.S. political culture, in particular during 1997-2000 when several states including Arizona passed ballot initiatives that outlawed its use. In the context of an abrasive partisan conflict that has defined U.S. politics since 1994, the bipartisan federal support of bilingual education to address the Latino attainment gap and rates of poverty appears restrained. Yet,

evaluating bilingual education within a longer trajectory of U.S. history highlights that its incorporation into the polity was the exception to a trend of hostility towards Latinos. The late century retrenchment of Latino rights and the alarm in conservative politics about the growing visibility and electoral influence of Latinos was in keeping with an earlier, pre-1968 racial politics, and not a new theme.

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