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CHICANO EMPOWERMENT AND THE POLITICS
OF AT-LARGE ELECTIONS IN CALIFORNIA:
A TALE OF TWO CITIES

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by

WILLIAM V. FLORES

Associate Professor of Chicano and Latin American Studies,
California State University, Fresno

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STANFORD CENTER FOR CHICANO RESEARCH, CYPRESS HALL, RM E7, STANFORD, CA 94305

Chicano Empowerment and the Politics of At-Large Elections in California: A Tale of Two Cities

California's Chicano/Latino[1] population has grown to 6.6 million and is expected to become the largest single ethnic group in the state within the next 30 years. From 1976 to 1988, Latino voter registration doubled from 715,000 to 1.4 million[2] and is expected to double again by the year 2000. [3] The number of Latino elected officials in the state has grown too from 231 in 1973 to 466 in 1988. [4] California, however, lags behind other Southwestern states. Texas has three times as many Latino elected officials as California and New Mexico has 1.3 times as many as California. In Table 1, we can see that between 1973 and 1988, Latino elected officials in Texas tripled from 565 to 1,611 and nearly tripled in Arizona where Latino elected officials increased from 95 to 237. [5] In 1989, there are only 7 Latino state legislators in California, while Arizona has 10, Colorado has 11, Texas has 25 and New Mexico has 41. [6]

Why does California trail other Southwestern states in Latino elected officials? There are several reasons. First, Chicanos represent only 22% of California's total population compared to 38% in New Mexico and 24% in Texas. [7] A related factor is California's high concentration of Mexican and Central American immigrants. One half of California's 4.5 million voting age Latinos are not U.S. citizens and cannot vote under current laws. In effect, this disenfranchises half of California's potential Latino electorate. [8] Nationally, two-out-of-three voting age Latinos are U.S. citizens and in Texas the figure

Table 1

LATINO ELECTED OFFICIALS IN FIVE SOUTHWESTERN STATES, 1973-1988

<u>State</u>	<u>1973</u>	<u>1988</u>	<u># Change-</u>	<u>% Change</u>
Arizona	95	237	+142	+149
California	231	466	+235	+102
Colorado	122	157	+ 35	+ 29
New Mexico	366	595	+229	+ 63
Texas	565	1,611	+1,046	+185
<u>Totals</u>	<u>1,379</u>	<u>3,066</u>	<u>1,687</u>	<u>+122%</u>

Source: Southwest Voter Registration Education Project, 1989; NALEO National Roster of Hispanic Elected Officials, 1988.

Table 2

At-Large Systems in California Local Elections
and Latino Elected Officials
May, 1989

Jurisdiction	Total	#At-Large	<u>%At-Large</u>	#Seats	#Latino	%Latino
School Boards	1018	906	89.0%	5,365	247	4.6%
City Councils	453	424	93.5%	1,936	134	6.9%

Source; Southwest Voter Registration Education Project; California League of Cities; California School Board Association; NALEO National Roster of Hispanic Elected Officials, 1988;

is three-out-of-four. As a result, Chicanos in California make up only 12.3% of that state's electorate compared to 16.9% in Texas.[10]

A second factor is the relatively small number of voting jurisdictions in California. California has only 58 counties each of which has five-member boards. By contrast, Texas has 254 counties and 1,200 elected county officials. In 1989, California had 15 Chicano county officials, while Texas had 176.[11] The small number of jurisdictions in California, many with very large populations that engulf Chicano communities, reduces the chances that Chicanos will be elected to office. Another problem is gerrymandering, where districts are drawn to create safe seats for incumbents, often by carving up minority communities. A case in point is Los Angeles County. No Chicano has ever served on that county's board of supervisors despite the fact that there are 2.6 million Latino residents in the county. Several Chicano community groups have joined with MALDEF (the Mexican American Legal Defense and Education Fund) and the NAACP in a legal suit to force redistricting and the expansion of the number of seats on the board of supervisors. [12]

At-large elections, the subject of this paper, pose another serious obstacle to Chicano empowerment in California. Under at-large elections candidates run city-wide rather than by single-member district. The at-large system of elections severely diminishes the chances that Chicanos will be elected to office. In 1986, 95% of California's school districts and city councils had at-large elections. In 1986, Chicanos accounted for only 223 of the more than 5,000 school board members[13] and only 117 of the more than 2,000 city council members in the state.[14] (See Table 2 for the 1988 data). As

at-large elections are eliminated, Chicano representation is increasing. Between 1986 and 1989, more than seventy California school districts replaced at-large systems with single-member districts. By 1988, the number of Chicano school board members had increased to 247 and increased in 1989 to 293, a growth of 31% in three years. [15] Table 3 illustrates this point.

At-Large Elections Dilute Chicano Voting Strength

At-large elections were established as part of several reforms of the Progressive Era (1890-1920) to weaken the corrupt political machines that dominated urban politics at the end of the last century. The reforms also included city manager forms of government, nonpartisan elections, and the establishment of city bureaucracies. There were unintended results. Greenstone and Peterson found that the reforms of the progressive era weakened liberal-progressive coalitions, while "permitting those factional groups with the most political resources—in terms of money, organizational cohesion, prestige, control of communications, and sheer votes—to dominate urban politics." [16] Trounstine and Christensen argue that in the Sunbelt cities of the Southwest these reforms have strengthened the ability of business and commercial elites to control city politics, while restricting community participation. [17]

At-large elections, which were enacted to replace the ward and district systems, have made it more difficult for minority candidates to win office. In their study of U.S. cities, Karnig and Welch found that cities with district elections had a higher Black representation

score and a significantly higher equity rate (relative to the size of the Black population) than those cities with at-large elections. [18] A seven city study by Heilig and Mundt produced similar results. They concluded, "There is no question that blacks have achieved greater equity in local representation as a result of movements to districts...."[19] Polinard and Wrinkle found that ending at-large elections in ten Texas cities resulted in an increase in Chicano candidates running for local offices, Chicano voter turnout, and Chicanos elected to office.[20]

At-large elections pose several problems to minority candidates. First, the cost of mounting a city-wide campaign can be prohibitive. Such elections force the candidates to rely heavily on media advertising and favor incumbents who benefit from name recognition, media endorsements, and financial backing from real estate and banking interests. [21] Secondly, at-large elections can dilute minority voting strength. Because of continuing residential segregation patterns, minorities tend to be concentrated in particular neighborhoods. Single-member districts can often be drawn in such a way as to maximize minority voting strength (assuming that the districts are drawn fairly). In at-large elections, by contrast, minority candidates must win a majority of the vote city-wide. In those cities where whites constitute a majority and vote as a bloc minority candidates rarely win.[22] Thirdly, at-large elections often result in class imbalances in city council representation with many or all of the city council seats filled by representatives from the more affluent neighborhoods and few or no representatives from working class neighborhoods. Under at-large systems minorities who are elected to city office usually do

not reside in the poorer neighborhoods and are often perceived as accommodationists by minority constituents. [23]

Moreover, at-large elections discourage minority voting. Minority voters grow cynical about local government and the electoral process when they are unable to elect minority candidates to represent them. In 1968, the National Advisory Commission on Civil Disorders in the United States found that "at-large representation... does not give members of the minority communities a feeling of meaningful involvement or a stake in their city government." [24] Two decades later the Southwest Voter Registration Education Project found that in California and other states where at-large elections predominate efforts to increase "voter registration and community organization are frustrated by a lack of progress in electing Latinos... [which] in turn discourages Latino turnout." [25]

When at-large elections are replaced by single-member district elections, as they have been in Texas and New Mexico, Chicanos post dramatic gains. Southwest Voter Research Institute recently completed a study of fifty-six Texas cities that changed from at-large to single member district elections. They found that minority city council members increased from 15% to 34% for cities that adopted single member districts, while "minority representation not only failed to improve, but decreased slightly overall" for those cities that retained at-large elections. [26] Chicanos in New Mexico made similar gains immediately following state legislative action which mandated district systems in municipal elections. The number of Latino municipal officials grew from 167 in 1984 to 203 in 1988 a 22% increase. [27]

According to Southwest Voter Registration Education Project Latino representation has leveled off or even declined in those states

where at-large elections remain (California, Arizona, and Colorado) but has increased in Texas and New Mexico where at-large elections have been eliminated. Between 1984 and 1988, the number of Latino elected officials increased by 223 (11.3%) for Texas and New Mexico but actually decreased by 16 (-3%) for California, Arizona, and Colorado. [28] These results are shown in Table 4. Moreover, Latino voter turnout increased in both Texas and New Mexico after at-large elections were eliminated. In New Mexico, Chicano voter turnout in the November, 1988 elections increased to an impressive 78%! [29] In Texas, Latinos now account for 14% of all registered voters in the state and 25% of Democratic primary votes in that state. By contrast, California Latinos still represent only 7% of all votes cast in the general election, the same share held in 1984. [30] SVREP concludes that the elimination of at-large elections and the establishment of "single member districts in Texas and New Mexico greatly enhance Latino voter participation." [31]

Ending At-large Elections in California

Several strategies are being pursued to challenge at-large elections throughout the Southwest, including litigation, state legislative action, and local referendum. Litigation or the threat of court litigation by such groups as the Mexican American Legal Defense and Education Fund (MALDEF), Southwest Voter Registration Education Project (SVREP), and the Texas Rural Legal Aid (TRIA) has ended at-large in most of Texas. These groups filed hundreds of suits in jurisdictions throughout Texas. After numerous victories, a

Table 3

At-Large Systems in California School Boards
and Latino Elected Officials, 1986-1989.

<u>Year</u>	<u># Districts</u>	<u># At-Large</u>	<u>%At-Large</u>	<u>#Latinos</u>	<u>% Latinos</u>	<u>Gain</u>	<u>%Gain</u>
1986	1028	987	96%	223	4.5%		
1989	1018	906	89%	293	5.5%	+70	31%

Source: California Association of School Boards, 1989; National Roster of Latino Elected Officials, 1989.

Table 4

Southwest Latino Elected Officials By State and Type of Election,
1984-1988

<u>States</u> <u>With At-Large</u> <u>Elections</u>	<u>1984</u>	<u>1985</u>	<u>1986</u>	<u>1987</u>	<u>1988</u>	<u>%Change</u>	<u>#Change</u>
Arizona	241	230	232	248	237	-2.5	-4
California	460	451	450	466	466	+1.3	+6
Colorado	<u>175</u>	<u>167</u>	<u>177</u>	<u>167</u>	<u>157</u>	<u>-10.3</u>	<u>-18</u>
Subtotal	876	848	859	881	860	-3.0%	-16

<u>States With</u> <u>District</u> <u>Elections</u>	<u>1984</u>	<u>1985</u>	<u>1986</u>	<u>1987</u>	<u>1988</u>	<u>%Change</u>	<u>#Change</u>
New Mexico	556	580	588	577	595	+7.0	+39
Texas	<u>1,427</u>	<u>1,447</u>	<u>1,466</u>	<u>1,572</u>	<u>1,611</u>	<u>+12.9</u>	<u>+184</u>
Subtotal	1,983	2,027	2,054	2,149	2,206	+11.3	+223

Total for Southeast	2,859	2,875	2,913	3,030	3,066	+7.2%	+207
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Source: Southwest Voter Registration Education Project, 1989; NALEO Roster of Hispanic Elected Officials, 1984-1988

snowball effect took place with cities agreeing to adopt district elections without litigation. [32] In New Mexico, at-large elections were ended in 1982 when the state legislature mandated district elections. Their action came in response to legal suits by MALDEF and the SVREP for violations of the Voting Rights Act and was facilitated by Toney Anaya who served as governor of New Mexico at the time. Similar legislation was introduced in the California state legislature two years ago, but was not adopted. In 1989, Assemblyman Peter Chacón (D-San Diego) has introduced legislation that would require district elections for twelve of the state's largest school districts. The bill is likely to become law this year. [33]

The 1965 Voting Rights Act is the principal weapon in the battle against at-large elections. The Voting Rights Act prohibits those voting practices that result in the dilution of the minority vote. In 1975, Congress extended the Voting Rights coverage to Texas and to language minorities. In 1982, further amendments provided that minorities were no longer required to prove intentional discrimination in challenging state and local voting practices such as at-large elections. In 1986, a U.S. Supreme Court decision, *Thornburg v. Gingles*, established three tests for a challenge to at-large elections based on Section 2 of the Voting Rights Act: first, the minority group must be compact and constitute a majority in a single-member district; second, the group must be politically cohesive; and third, the majority group must be shown to vote as a racial bloc. [34] The Watsonville decision, to which we now turn, was based on such a challenge.

Watsonville and Salinas: Contrasting But Similar

Two California communities, Watsonville and Salinas, have recently ended at-large elections. The cases are significant because they demonstrate two very different paths that communities can select to eliminate at-large elections. Watsonville chose litigation, while Salinas opted to resolve the matter in a local election. In both cases, mobilization by Chicano community organizations was critical. The two cases demonstrate the complexity of ending at-large elections in California. Their experiences are being closely monitored throughout the state.

Watsonville and Salinas have a great deal in common. They are located a short distance from San Jose and Santa Cruz. Both cities are agricultural giants. Salinas is the lettuce capital of the country, while Watsonville is the frozen food capital of the nation. Recently, both cities were torn by long-lasting cannery strikes that engulfed their respective Chicano communities and underscored the wide gap between the Anglo power structure and the predominantly working class Chicano and Mexicano residents. For many years, Chicanos and Mexicanos were recruited as seasonal labor in the fields and canneries. Real power rested firmly in the hands of the Anglo growers, cannery owners, local developers, and city officials. But as the Chicano and Mexicano population has grown, so too have the demands for union representation, better schools, housing, and political representation.

Watsonville is a small agricultural community with an estimated population of 30,000 in 1989. In 1950, Chicanos were less than 10% of the city but in 1989 are estimated at 60%. Even so, for over thirty years Chicanos were unrepresented in Watsonville. From 1971 to 1985,

eight Chicano candidates ran for city council and one Chicano ran for mayor. All of the Chicano candidates lost despite receiving as much as 95% of the vote in Chicano precincts. It was not until May, 1987, that the first Chicano was elected to serve on the city council, Tony Campos, a realtor who had the support of the Anglo business sector. Campos ran in an election where there were three vacancies and three candidates running (two of which were Anglo). He was quickly embraced by the Anglo developers and business sector but was viewed with suspicion by Chicano residents. [35]

In 1985, Watsonville's Chicano community began to mobilize from two separate directions. In September, 1985, a strike began which involved over 2,000 cannery workers and drew support from every major Latino organization in Northern California. The cannery strike lasted for eighteen months and exacerbated tensions between the Chicano community and the Anglo power structure, which supported the cannery owners. According to Chávelo Moreno, a leader of the Strike Committee, "They [the city council] were much more concerned with the owners. Maybe they wouldn't have acted the way they did if they thought we would vote them out of office." [36]

Chicano political activists had reached the same conclusion. The Watsonville City Council was developing the downtown area. Chicano leaders feared that redevelopment would adversely affect the Chicano community. They were also frustrated by several unsuccessful attempts to run one of their own for city office. They decided to take action, contacting MALDEF which began an investigation into the possibility of court action. [37] In May, 1985, MALDEF attorney Joaquín Avila filed suit on behalf of three Chicano residents of Watsonville, Waldo Rodriguez, Patricia Leal, and Cruz Gómez, who had run unsuccessfully

for a city council seat in 1983. The suit charged that Watsonville's at-large system violated the Voting Right Act by its systematic denial of Chicano representation. In order to prove his case, Avila provided statistical evidence documenting the voting patterns in past city elections. He also presented a plan for dividing the city into seven districts, two of which would have Latino populations of nearly 80%.[38]

In 1987, U.S. District Judge William A. Ingram ruled against the plaintiffs. Ironically, the federal district court agreed that racially polarized voting did exist in Watsonville and that the Anglo voting bloc "...dictates the virtual impossibility of the election of an Hispanic candidate under the present at-large election procedures." [39] Even so, Ingram questioned the extent of political cohesion among Chicano voters as 50% of the city's Chicano population did not live in the proposed minority districts. [40] In July, 1988, the U.S. 9th Circuit Court of Appeals reversed the decision, finding historical and current racial discrimination of Latinos in California. [41] The appellate court ruled that Watsonville's at-large method of electing city officials violated the Voting Right Act as it "imperissably dilutes Hispanics' voting strength". The court rejected the San Jose district court's ruling that Chicanos in Watsonville were not politically cohesive. It pointed out that two majority Chicano districts could be created under the proposed plan, while retaining the at-large system "relegat[es] all Hispanic voters to having no political effectiveness." [41]

The case might have ended there, but Watsonville City officials refused to accept defeat. At issue was control of the city. On one

side stood the city government and pro-development forces, while poised on the other side were Chicano community activists. City officials attempted to build support for an appeal to the Supreme Court.

Watsonville Mayor Betty Murphy raised fears that district elections would focus the energies of city government on the provincial concerns of local neighborhoods rather than the broader interests of the entire city. Meanwhile, City Attorney Don Haile alluded to outside forces that were forcing unwanted changes on the small town. He angrily responded to the court ruling, commenting that, "Local control at this stage is a joke." [42] Ironically, Haile later maintained that other outside forces were forcing the city to appeal. [43] He reminded city officials that the City of Watsonville is protected against law suits by a private insurance company. As a result the city had incurred less than \$3,000 in expenses associated resulting from the suit, while the insurance company had paid out approximately \$550,000 in legal costs. An appeal would cost the insurance company an additional \$75,000. However, if the city were to settle the case, the insurance company would also be required to pay MALDEF's legal fees, in excess of \$500,000. According to Haile, the insurance company might sue the city for breach of contract if the appeal was not pursued. [44]

The official explanations of the city raised the ire of Chicano activists. Rebecca Garcia, president of the Watsonville chapter of the League of United Latin-American Citizens, called the insurance issue a "ploy" and "smoke-screen" to prevent Chicano representation in the city. She urged the City Council to hold public meetings to decide whether or not the case should be appealed to permit "those voices which the court found absent in city government" an opportunity to be

heard. [45] Dick Bernard, President of the Pajaro Democratic Club, added that, "the city council is hiding behind an alleged legality thought up by the city attorney. "[46] Even City Council member Dennis Osmer was outraged by what he termed "government by insurance company. "[47] Meanwhile, the lone latino on the City Council, Tony Campos, ignored Chicano community sentiments and voted with the majority to pursue the appeals.[48]

On January 10, 1989, leaders from a variety of Chicano community organizations along with over a hundred Watsonville residents packed the City Council chambers to urge the City Council not to appeal the case. LULAC, the United Farmworkers Union, cannery activists, and plaintiffs for the case presented petitions with more than 300 signatures. Several speakers alluded to discrimination in city employment and to the inferior level of services in the Chicano neighborhoods. One resident commented that the streets in the Chicano sections of Watsonville are poorly lit and dangerous, but in the white neighborhoods "there is enough light to read a newspaper by. "[49] Despite the strong opposition, the City Council voted to appeal the case. On March 20, 1989, the U.S. Supreme Court refused to hear the city's appeal, forcing the city to postpone elections that had been planned for May and to schedule district elections. [50]

The districts elections, to be held in November, 1989, include three Chicanos. Reflecting the impact of the cannery strike on Chicano community empowerment in Watsonville, two of the three, Cruz Gómez and Oscar Rios, were leaders in community support efforts during the Watsonville strike. Ms. Cruz Gómez, a candidate in District 1 and former plaintiff in the Watsonville suit, will face Paul Malladin, the

former owner of Richard Shaw Canning Company. Oscar Rios, a candidate in District 2 and regional organizer for the Cannery Workers Organizing Project, will go up against a member of the city's Design Review Commission. In a twist of irony, three of the current city council members (including Mayor Betty Murphy) reside in the same council district. One of the three will seek a supervisor's seat, while Tony Campos will be forced to face Ms. Murphy in the upcoming election. The November election has already ignited community interest and is expected to heighten voter registration and turnout among Latino residents.[51]

While Watsonville took four years to resolve its legal suit, Salinas ended at-large elections and held its first district elections in a matter of months. Like Watsonville, Salinas has a large Chicano population, accounting for over 40% of the city. Once a small town, Salinas is best known for its world-famous rodeo, however, in the past decade, the city has grown rapidly in the last decade and is developing as an urban center for the agricultural valley that surrounds it. Like Watsonville, agribusiness has had a determinant say in the politics and economics of the region. Class and racial/ethnic polarization has been sharply defined. In the early 1970's, the UFW lettuce strike in the Salinas Valley led to a national lettuce boycott. The strike and boycott intensified animosities among the Anglo and Chicano communities. Recently, a bitter two-year long strike at the United Foods cannery ended in defeat, leaving feelings of anger and frustration among Chicano activists. [52]

Although Chicanos make up less than half of the city's population, they account for over sixty percent of the Alisal

neighborhood. For years, Chicano parents charged that the school district had ignored their needs. In 1987, a teacher from Alisal High School was actually fired because of the high number of his Chicano students who were admitted to major colleges. [53] The case incensed Chicano parents and underscored the insensitivity of the school board. In 1985, Jesus Sánchez, who was later elected to the Alisal school board, ran unsuccessfully for the Salinas City Council. He received 70% of the vote in the Chicano precincts, but only 9% of the vote from white precincts. [54] Frustrated by the loss, Chicano community activists contacted MALDEF for a possible class action suit against the city's at-large electoral system.

The day after the Ninth Circuit Court of Appeals issued its ruling on the Watsonville suit, Chicano organizations increased pressure on the Salinas city officials. Sánchez commented in a local newspaper, "The Salinas case is even stronger than the one in Watsonville.. .I would like to see us sit down and see if we can come to some agreement on the districts so that we can all avoid the time and expense of a lawsuit." [55] *Expecting* a possible lawsuit, City Solicitor Stephanie Atigh requested a copy of the Watsonville ruling immediately after the court announced its decision. [56] One month later, on August **23**, 1988, Joaquín Avila, the attorney in the Watsonville case, filed a class action suit to end Salinas' at-large election system on behalf of three residents [57], Fernando Armenta, Simon Salinas, and Marta Nava, who became the first Chicara to win office in Salinas when she elected Trustee of the Alisal school board along with Sánchez. [58]

Fearing the high costs of court trial and the liklihood of defeat, *city* officials agreed to settle the matter through a local

election. The decision was a pragmatic one. According to Salinas City Manager Roy J. Herte, "We watched what was happening in Watsonville.. .We had no insurance policy to cover the costs of a suit, and no estimate of what it would cost, and we knew that once the precedent had been set over there, our chances of winning would have been remote." [59] On December 6, 1988, the issue of district elections was put to a vote. The election proved difficult for several reasons. First, proponents of district elections had to win in an at-large election. This would require a heavy turnout in Chicano precincts and crossovers in the Anglo precincts. Secondly, there was very little time to prepare for the election. Success would hinge on the ability of Chicano community organizations to educate and mobilize the community. Finally, and perhaps most difficult, proponents had to urge voters to pass three measures: the first establishing district elections, the second expanding the size of the city council, and the third amending the process by which vacancies on the city council are filled. [60]

Local Chicano organizations poured their energies into voter education and the get-out-the vote campaign. Volunteers went door-to-door throughout the Chicano precincts, carefully explaining the complicated ballot measures. On the day of the election, supporters phoned Latino registered voters to remind them to vote, even providing transportation to the polls. As Sánchez explained, "We had a very strong grassroots voter registration and a get-out-the vote apparatus. Otherwise we could not have won." [61] While Chicano community sentiment ran high in favor of the three measures, the Anglo community overwhelmingly opposed district elections. Sánchez felt that there was

a backlash among white voters over the Watsonville ruling along with fears that "Santa Cruz radical style" politics was creeping into Salinas. [62] District elections won by a scant 107 votes with the margin of victory coming from the high Chicano voter turnout, accounting for 35% of all votes cast. Voting was polarized along racial lines. Chicano precincts voted 85% in favor of the measure, while white precincts voted 75% against it and Filipinos favored the measure (accounting for 5% of the total vote). [63] As Sánchez explained, "The vote makes it clear that Chicanos are now a force in this community. What's really impressive is that we won this in only six months, while Watsonville took years in court. Now, we're finally going to have a Chicano on the city council." [64]

Six months later, on June 6, 1989, district elections were held in Salinas with two Chicano candidates vying for the same city council seat. Simon Salinas, a plaintiff in the initial suit, was elected to the city council, capturing 63% of the vote. Mr. Salinas faced two other opponents including attorney Juan Uranga, who had refused to be a plaintiff in the suit. Uranga was supported by the local Democratic Club and elected city officials. This angered Chicano community activists who had fought to win the district elections. According to attorney Jose Velasquez, "We were shocked to find the Democratic leadership attempting to impose their handpicked leader on our community." [65] Voter interest in the Alisal district was so intense, that on election day authorities had to be called in to keep the peace in eastside precinct polls. [65] There was horn honking, chanting, name calling, and even pushing in line as Chicano residents were anxious to vote for the candidate of their choice. According to Monterey County

Voter Registrar Ross Underwood, "Poll officers were forced into the role of yard-duty teacher. It was almost a carnival-like atmosphere. "[66] Voter turnout in the Alisal district was 43%, a 300% increase over the last county election. [67] Tina Delgado, a campaign worker for Mr. Salinas, described her feelings after the election, "I think more people are going to participate. Not only just here, but in Watsonville and everywhere else, too. "[68]

Significance of the Victories

The two cases that I have presented are different, yet clearly interrelated. In Watsonville, the city resisted any efforts to resolve the issue through negotiation and consequently agonized for four years in litigation. In Salinas, city officials reacted to the threat of lawsuit and quickly agreed to settle the matter through election. It is doubtful that Salinas city officials would have acted so quickly had it not been for the Watsonville ruling. What occurred in Salinas is a hopeful sign and likely to be repeated in other cities that have large, underrepresented Chicano communities. Most cities in California do not have insurance to protect against such suits, while those that do may find themselves pressured to settle out of court by insurance companies acting to limit their losses. The high cost of litigation may induce already financially strapped cities and school districts in California to end at-large elections through negotiation and local election.

The Watsonville ruling is especially important because it clarified the standards for future challenges to at-large elections. [70] Since the Watsonville ruling was the first decision

before the Ninth Circuit Court to interpret the Voting Rights Act, the new standards will now be applied in federal district courts in those states under the Ninth Court's jurisdiction: California, Arizona, Nevada, Idaho, Montana, Oregon, Washington, and Hawaii.[60] Several cities in California are involved in litigation over at-large elections. Lawsuits are pending in Chula Vista, National City, and Stockton. MALDEF, SVREP, and private law firms specializing in voting rights cases have already identified cities in Kern, Santa Clara, and Los Angeles counties as possible targets for future suits.[71] According to a survey conducted by San Francisco law firm Rosen and Phillips, more than 137 California cities have Latino populations of more than 10% without any Latino on the city council. All of these cities have at-large elections and could be the targets of future law suits.[72]

Despite the favorable ruling in Watsonville, as a strategy for ending at-large elections litigation is costly, time-consuming, and is far from guaranteed. Proponents of district elections have suffered recent defeats in Stockton and Pomona. The Stockton decision will likely be appealed. The Pomona ruling is disturbing because Chicanos and Blacks account for nearly half of the city's 98,000 population, yet no Blacks have ever served on its city council and no Chicanos served on that body until 1987. Nonetheless, the ruling by the Ninth Circuit Court did not undermine the Watsonville decision. Rather, the case was decided on the issue of political cohesion. Judge Alex Kozinski felt that the voting patterns of Chicanos and Blacks in Pomona did not reflect concurrence on candidates or issues and consequently the two groups "were not politically cohesive and could not be combined to form

a majority of the voters in any district. "[73] In fact, the Pomona ruling may even buttress the appeal of the Stockton case as it leaves open the possibility that a Section 2 challenge can be made even when a minority group does not constitute a numerical majority in a given section of a city.[74]

Salinas offers an attractive alternative to cities that are interested in avoiding costly litigation. Several California cities have taken this route. In 1982, San Jose adopted single-member districts through a city election. In November, 1988, San Diego, which was involved in litigation over its at-large system, voted to adopt district elections. Several California school boards are also reviewing their at-large election systems under the threat of litigation. In April, 1989, a law suit was filed by the local chapter of the Mexican American Political Association [76] against the Huron-Coalinga School District following a boycott of schools organized by Chicano students and their parents. The issue was resolved in a matter of months with the school district agreeing to establish single-member districts. Similarly, San Jose Unified School District is considering establishing single-member districts and is in the process of meeting with community organizations to discuss the matter. [77]

At the same time, the Salinas case illustrates the dangers inherent in the electoral strategy. Proponents of district elections must win a majority of the votes city-wide, necessitating a broad-based coalition and exceptional turnout from minority precincts. In Sacramento, for example, a ballot measure was defeated which would have created district election for the school board, despite strong support from minority communities. The ballot measure in Salinas barely passed.

In fact, three-out-four whites voted against the measure to create district elections.[78] In several previous elections, including Jesse Sánchez' successful bid at Alisal School Board, Chicanos had built a grassroots apparatus that carried the ballot measures to victory and laid the groundwork for Simon Salinas' impressive win.

The experiences in Salinas and Watsonville also illustrate the importance of the Chicano middle class forces working closely with working class grassroots organizations, union activists and parents groups. Lawyers, teachers, small business owners, and professionals from community-based agencies and non-profit organizations have traditionally taken the lead in efforts to gain political representation. Moreover, members of the Chicano middle class are the most likely to run for local office. [79] In both Watsonville and Salinas, the mobilization of workers and their families in a strike spurred their political activism as well. This contributed greatly to the ground swell necessary to end at-large elections and to elect Chicanos to office. Similarly, the recent victory in Huron-Coalinga was a grassroots effort initiated by Chicano parents and community members who were frustrated by the insensitivity of white principals, administrators, and school board members. In each case, grassroots activity contributed to the formation of an infrastructure that could successfully challenge at-large elections and run Chicano candidates for office. Chicanos in Watsonville and Salinas have begun to flex their political muscles. They are crowding city hall to demand services, challenging school administrators, registering and voting in large numbers, and building grassroots machines to elect Chicanos to office.

Future Direction

Ending at-large elections cannot be viewed as a panacea.

District elections do not necessarily increase minority and working class representation. [80] Nor does the existence of at-large elections necessarily preclude election of Chicano candidates. In small towns throughout California, Chicanos have been elected to office under the at-large system. The gains, however, may prove ephemeral. Without single-member districts minority candidates may be swept out of office when white voters vote as a bloc with high voter turnout. [81] In some instances, establishing district elections may not have any impact on Chicano representation. In San Jose, for example, there was only one Chicano on the city council prior to district elections, which were established in 1982. Seven years later, Blanca Alvarado, a Chicana, is the lone representative of the large Chicano population on the San Jose City Council. It may be necessary to redraw districts or even add districts to insure greater Chicano representation. [82]

Ending at-large elections should be viewed as merely one element of a broader strategy for increasing Chicano representation. Several cities already have districts, but because of gerrymandering Chicanos remain poorly represented. Los Angeles is a case in point. Minorities make up half of that city's population, and Chicanos account for a full third of the city. But in 1986, ten of fifteen city council members were white. It took action by the U.S. Justice Department, a MALDEF lawsuit, and considerable community pressure to force the city to expand the size of the council. There are now two Chicanos on the Los Angeles City Council, Richard Alatorre and Gloria Molina, both of whom

are former state legislators. Similarly, the County of Los Angeles has been sued by MALDEF, the NAACP and the Justice Department to redraw the district boundaries. The MALDEF suit would also expand the size of the Board.[83]

Reapportionment is another issue. In 1991, following the census, California will redraw its legislative district boundaries to correspond with changes in the state's population. Chicano organizations such as MALDEF and MAPA are monitoring the census process closely to insure an accurate count of Latinos. After the census, these groups will need to pressure state legislature and local city governments to achieve equitable districting. [84] Organizations working for Chicano political empowerment would be well advised to work in conjunction with Asian and African-American counterparts to avoid possible conflicts and to aggregate resources.

Demographics are on the side of Latinos in California. Numbers will eventually result in greater political representation. Increased representation, however, is not the same as empowerment. Empowerment involves a long process that begins when a community affirms its existence, claims rights due to it, and mobilizes accordingly. [85] Chicanos empowerment will require greater organization to battle for Chicano interests and to challenge the class and social relations that have resulted in the present subordinate status of Chicanos. Removing the barriers to political representation, such as at-large elections, play an important role in the struggle for equality, democracy, and self-determination of Chicanos. The Watsonville ruling and the Salinas electoral victory are small, but significant steps on that longer path.

References

1. Throughout this paper I use the term "Chicano" to refer to the Mexican origin population in the United States and the term "latino" as a broader, generic reference to all peoples of Latin American descent living in the U.S. I do not use the term "hispanic" as I feel that it is inaccurate and dilutes the distinctive nationalities of Latino people.

2. Southwest Voter Registration Education Project, Memorandum from Executive Director Richard Martinez to Concerned Parties, "A Review of the impact of single-member district elections on Latino registration, voter turnout, number of elected officials and party identification by comparing Texas and New Mexico with California, Arizona and Colorado, 1973-1988," March 21, 1989, p. 2. [Hereafter cited as SVREP Memo].

3. Half of the Chicano population in the U.S. is under 23 years of age and 40% is under 18 years of age. U.S. Bureau of the Census, Current Population Reports, Series P-20, No. 434, The Hispanic Population in the United States: March 1986 and 1987, Current Population Reports, Population Characteristics, Series P-20, 434, Table 3, "Total and Hispanic Populations, by Broad Age Groups, Sex, and Type of Origin: March 1987," (Washington, D.C.: U.S. Government Printing Office), p. 11; also, Leobardo Estrada, "The Demographics of California's Latinos: Maps and Statistics" Rose Institute, (Claremont, CA: Claremont McKenna College, 1988).

4. SVREP memo, op. cit., p. 3.

5. *ibid.*

6. NALEO, Data from the NALEO National Roster of Hispanic Elected Officials, 1989 provided by Luis Baquedano, NALEO Washington D.C. Office, Sept. 15, 1989.

7. Scott Reeves, "Hispanic Population Soars," Fresno Bee, July 5, 1989.

8. Permanent residents are taxpayers and have a clear stake in the decisions made by local governmental bodies. Laws should be enacted to extend the right to vote to permanent residents. There is precedence for this. According to Guillermo Linares, former District 6 Community School Board member, all parents may vote in New York school elections, regardless of citizenship or immigration status. This would be difficult in California as it would require amending the state constitution and would face stiff opposition, particularly given that state's adoption of an English-only initiative and anti-immigrant sentiment under the Reagan, Bush and Dukemajian administrations. Interview of Guillermo Linares by the author, New York, October 20, 1987. For more information see, Guillermo Linares, "Dominicans in New York: The Struggle for Community Control in District 6," Centro Bulletin of the Centro de Estudios Puertorriqueños, 2 (Spring, 1989),

9. U.S. Bureau of the Census, *The Hispanic Population....* p. 2; SVREP Memo, p. 3. Long-term many of these immigrants may become U.S. citizens. California leads the country in amnesty applicants many of which have stated their intentions of becoming U.S. citizens. In addition, a recent national survey by NALEO found that "more than three-fourths of all Latino immigrants recognize the importance of obtaining U.S. citizenship and more than half have taken some action in connection with preparation for and initiating the process." National Association of Latino Elected Officials, *The National Latino Immigrant Survey*, Los Angeles, CA: NALEO Educational Fund, 1989, p. 16. For a discussion of efforts to increase citizenship in Latino communities see Harry P. Pachón, "Citizenship as an Obstacle to Political Empowerment in the Hispanic Community," *Journal of Hispanic Policy* 2 (1986-87), pp 77-88.

10. SVREP Memo, p.4.

11. Harry Pachón, "An Overview of Hispanic Officials: 1986," p. viii. NALEO, *National Roster of Hispanic Elected Officials, 1986* (Washington, D.C.: NALEO Educational Fund, 1986); also preliminary data from *National Roster of Hispanic Elected Officials, 1989*.

12. Tim Novak, "Hispanic Groups Urge Redistricting Lawsuit," *Daily News*, July 29, 1988, p.1; see also, Rosa Maria Villalpando, "No ha propuesto la redistribución de distritos," *La Opinion* 29 de julio, p.1.

13. "District Elections," Supplemental Materials for A.B. 2 News Release, Office of California State Assemblyman Peter Chacón, 1989; also, Peter Chacón, "The Watsonville Decision Marks a Turning Point for California," *Perspectiva*, September, 1988, p. 2; also SVREP Memo, p. 6.

14. Author's handcount of Latino elected officials by office. *National Roster of Hispanic Elected Officials; 1986* (Washington, D.C.: NALEO Educational Fund, 1986).

15. National Roster of Hispanic Elected Officials, 1989. Phone interview, Michael Fallón, California School Boards Association, September 25, 1989.

16. David J. Greenstone and E. Peterson, *Race and Authority in Urban Politics; Community Participation and the War on Poverty* (New York: Russel Sage Foundation, 1973), p. 259. Several scholars have studied the relationship between the structure of city government and participation. See for example, Peter Eisenger, "The Conditions of Protest Behavior in American Cities," *American Political Science Review*. 67 (March, 1973) 11-28; T. Robinson and Thomas Dye, "Reformism and Black Representation on City Councils," *Social Science Quarterly* 59 (June, 1978), 133-41; Albert K. Karnig and Susan Welch, *Black Representation and Urban Policy* (Chicago, Illinois: University of Chicago Press, 1984); Peggy Heilig and Robert J. Mundt, *Your Voice at City Hall: the Politics, Procedures and Policies of District Representation* (Albany, NY: State University of New York Press, 1984); Ronald J. Terchek, "Political Participation and Political Structures: The Voting Rights Act of 1965," *Phylon* 87 (March, 1980), 25-35.

17. Phillip J. Trounstine and Terry Christensen, *Movers and Shakers: The Study of Community Power* (New York: St. Martin's Press, 1982).
18. A. Karnig and S. Welch, *Black Representation and Urban Policy*, p. 86.
19. Peggy Heilig and Robert J. Mundt, *Your Voice at City Hall--The Politics, Procedures, and Policies of District Representation* (Albany: State University of New York, 1984), p. 150.
20. J. L. Polinard and Robert D. Wrinkle, "The Politics and Policies of District Representation: The Mexican American Experience." Paper Presented at the Inter-University Program for Latino Research/Social Science Research Council Grant Recipients Conference, Stanford University, January 17, 1988.
21. According to a three year study by the California Commission on Campaign Finance, local elections are dominated by special interests and by huge campaign war chests of incumbents which heavily weight election results in favor of incumbents. "Special Interests Dominate Local Elections, Report Says," *Register-Pajaronian*, August 26, 1989, p.2.
22. Proponents of at-large election often argue that minority representation can be enhanced under the at-large system as minority interest groups can theoretically have access to the entire city council. However, because of segregation and racial polarization, white government officials may decide that it is advantageous not only to ignore the interests of minority communities, but in some cases, to appeal to the racial bias of white constituents in order to win re-election. See Greenstone and Peterson, *Race and Authority in Urban Politics*.
23. Arthur D. Martinez, "Single-Member Districting Versus At-Large Elections: A Parochial Challenge to the Public Interest?" *Journal of Hispanic Politics*, 3 (1988-89), p. 73.
24. *ibid.*, p. 24.
25. SVREP Memo, p. 5.
26. "Single Member Districts Double Minorities on City Councils," *Southwest Voter Research Notes* 2 (April, 1988), p.1.
27. Author's comparison of four year data. NALEO Roster of Hispanic Elected Officials, 1984 and 1988.
28. SVREP Memo, p. 5. It should be noted that according to preliminary data for 1989 the number of Latino elected officials has increased in California to 551. (NALEO has included, for the first time, special district officers raising the total to 580). NALEO, *National Roster of Hispanic Elected Officials*. 1989.
29. *ibid.* For a discussion of the Latino vote as a possible swing vote in various states see, Harry P. Pachón and Louis DeSipio,

"The latino Vote In 1988", NALEO Background Paper #7, (Washington, DC: NALEO, 1988)

30. *ibid.*, p. 4.

31. *ibid.*

32. Presentation by Willie Velasquez at the Inter-University Program for latino Research/Social Science Research Council Grant Recipients Conference, Stanford University, January, 17, 1988.

33. Two new bills were introduced by State Assemblyman Peter Chacón (D-San Diego) in 1988. AB 2 would require that the 12 largest school districts, other than those in chartered cities, enact district elections for school board members. AB 3434 would permit voters in all other districts to decide the matter on a local ballot through the initiative process. See "News from Pete Chacón", May 24, 1989.

34. Avila, "Watsonville Case Provides Opportunity ..."; See also, Gómez v. City of Watsonville, 87-1751 (U.S. 9th Circuit, 1988), p. 14939.

35. Campos did not face opposition from a white candidate. During the election there were three seats vacant and two white incumbents. Phone interview with Joaquin Avila, August 2, 1989. See also, Bill Flores, "Watsonville Decision: For latinos, A Key Step Toward Power," San Jose Mercury, Perspective, July 31, 1988, 1C.

36. Interview of Chávelo Moreno, Watsonville Strike Committee, Watsonville, CA., October, 27, 1986.

37. Kenneth Reich, "Watsonville loss on Election Issue Could be Victory for State latinos," Los Angeles Times, May 1, 1989, p. 3.

38. Joaquin Avila, "Watsonville Case Provides Opportunity for latino Political Representation," Perspectiva, September, 1988, p.1

39. *ibid.*

40. Kim Murphy, "Ruling Cites Bias Against latino Voters—Court Eases Challenge of At-Large Elections in California," Los Angeles Times, July, 28, 1988, p. 1.

41. *ibid.* See also, Bob Johnson, "Watsonville's New Crop," Golden State Report V (September, 1989), p. 29.

42. Susan Yoachum, "Hispanics Win Fight in Court," San Jose Mercury News, July 28, 1988, p. 1A.

43. Jennifer Koss, "Watsonville Nears Decision on Going to Supreme Court," Register-Pajaronian, January 11, 1989, p. 1.

44. Jamie Marks, "Watsonville Postpones District-Elections Decision," Santa Cruz Sentinel, December 21, 1988, p.4A.; also Jennifer Koss, "Insurance Clause May Prove Thorny for City," Register-Pajaronian, January 13, 1989, p. 1.

45. Marks, "Watsonville Postpones District-Elections...", p.1.
46. *ibid.*
47. Jennifer Koss, "Election-suit Protest: Watsonville Council Hears from Voters," Register-Parjaronian. January 11, 1989, p. 1; also, Jamie Marks, "Crowd Told Election Suit Won't End," Santa Cruz Sentinel, January 11, 1989, p. 1A.
48. After Campos' vote many Chicano residents of Watsonville stated that they felt Osmer, not Campos represented their interests. See Jennifer Koss, "City Intent on Appealing Vote Ruling," Register-Pajaronian. December 21, 1988, pp. 2. Ironically, Campos was selected 1989 "Hispanic of the Year" by the California Hispanic Chamber of Commerce. "Campos Honored by Hispanic Group," Register-Pajaronian, August 23, 1989, p. 2.
49. J. Koss, "Election-suit Protest...", p.2.
50. Lane Wallace, "Council Yields-City to Have Seven Districts," Register-Pajaronian, May 24, 1989, p. 1.
51. Lane Wallace, "Lineup for Council Pace Set," Register-Pajaronian, September 1, 1989, p. 1.
52. See "United Foods Workers Fight for Justice and Dignity," Unity, July 18, 1988, p. 1.
53. Michelle Green, "A Teacher Pushes Migrants' Kids into College-and Gets Fired by his School Board," People Weekly, 27, February 2, 1987, p 19.
54. Sánchez was defeated in his bid for city council by a Cuban American. His opponent, Ralph Portuondo, received 9% of the Chicano vote and 67% of the white vote. Portuondo was recently defeated in the June, 1989 elections after district elections were established. Phone interview of Jesus Sánchez, January 23, 1989. See also Laramie Trevino, "District Elections-Salinas Hispanics Flock to Polls," Register-Pajaronian, June 8, 1989, p. 1.
55. Ycachum, "**Hispanics** Win Fight in Court," p. 18A.
56. *ibid.*
57. Jesus Sánchez, "**Hispanics** File Districting Suit Against the City of Salinas," Press Release, August 31, 1988.
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59. Reich, "**Watsonville** Loss on Election Issue..." p. 3. Despite the settlement, the city of Salinas will still be responsible for the costs incurred by MALDEF in research time which total roughly \$264,000. See Lane Wallace, MALDEF Wants Its Fees Paid in Salinas Voting-Rights Case," Register-Pajaronian, p. 1.

59. Bill Flores, "Chicanos Empowered in Salinas—Community Votes to Overthrow At-large elections," *Unity*. February 16, 1989, p. 1.

60. Sánchez interview.

61. *ibid.*

62. Sánchez interview. See also, Bill Flores, "At-large Elections—Cities Should Follow Salinas Example," *San Jose Mercury News, Perspective*, February 12, 1989, 1C.

63. Sánchez interview.

64. *ibid.*

65. Jesse Sánchez, "Salinas Elects Salinas—Chicano empowerment comes of age," *Unity*, p. 4.

66. Laramie Trevino, "District Elections—Salinas Hispanics Flock to Polls," p. 1.

67. *ibid.*

68. *ibid.*

69. *ibid.*

70. Judge Dorothy Nelson wrote for the court, "Discrimination against Hispanics in California and the Southwest has pervaded nearly all aspects of public and private life... [and] has touched the right of California Hispanics to vote and to participate in politics." See *Gómez v. City of Watsonville*.

71. Avila, "**Watsonville** Case Provides Opportunity...", p. 1. See also, Bill Flores, "For latinos, A Key Step Toward Power," *San Jose Mercury Perspective*, July 31, 1988, 1C.

71. Avila, "**Watsonville** Case Provides Opportunity..."

72. Joaquín Avila, *Latino Political Empowerment—a Perspective* (Fremont, CA: Winchester Press, 1989), p. 21.

73. "Pomona Beats *legal* Effort to Force District Elections," *Register-Pajaronian*. August 25, 1989, p.1.

74. According to Joaquín Avila the ruling states in footnote #7 that in elections where the candidates are elected by a plurality it may not be necessary for the minority group to constitute a majority of registered voters in the proposed district. This may provide a basis for an appeal in the Stockton case. Phone interview of Joaquín Avila. September, 19, 1989. See also, *Romero v. City of Pomona* 87-6326, 87-6517, 88-5688 (*US* 9th Circuit, August 24, 1989).

75. For a discussion of minority incorporation in San Jose and other Northern California cities see Rufus Browning, Dale Rogers Marshall, and David H. Tabb, *Protest is Not Enough—the Struggle of*

Blacks and Hispanics for Equality in Urban Politics (Berkeley, CA: University of California, 1984).

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78. Sánchez interview.

79. Acuna argues that middle class organizations have often prioritized their class interests at the expense of the masses of Chicano working people. Rodolfo Acuna, *Occupied America—A History of Chicanos* (NY: Harper and Row, 3rd Edition, 1988). For a historical discussion see Alfredo Cuellar, "Perspective on Politics: Pt.I" in F. Chris Garcia, ed. *La Causa Política: A Chicano Politics Reader* (Notre Dame: Univ. of Notre Dame Press, 1974) pp36-52. See also Mario Barrera, "The Historical Evolution of Chicano Ethnic Goals," *SAGE Race Relations Abstracts*, 10 (January, 1985), ppl-48.

80. Heilig and Mundt, for example, have found that "district representation does not result in electoral success for lower-status candidates, and there is only a marginal increase in the number of such candidacies." *Your Voice at City Hall*, p. 152.

81. See Paule Cruz Takash and Joaquin Avila, "latino Political Participation in Rural California," Working Group on Farm Labor and Rural Poverty, Working Paper #8, Davis: California Institute for Rural Studies, February, 1989.

82. Joaquin Avila, "Political Empowerment of the Santa Clara County Latino Community," Policy Report of the Santa Clara County latino Issues Forum, August 9, 1988.

83. Judith Cummings, "Los Angeles Minorities Split Over Council Plan," *New York Times*. July 6, 1986, p. 19. See also, Victor Merinaw, "Blacks Seek Role with Latinos in Redistricting Case," *Los Angeles Times*, January 24, 1989, p. 1 (II).

84. See Richard Santillan, "The Latino Community in State and Congressional Redistricting: 1961-1985," *Journal of Hispanic Politics* 1 (1985), pp 52-66 and J. Avila, *Latino Political Empowerment*, pp. 14-25.

85. The Latino Cultural Studies Working Group of which I am a part has connected the concept of empowerment to "cultural citizenship", by which we mean those practices through which a group defines its social existence and "actively express and assert their own sense of human, social and cultural rights." See Rosa M. Torruellas, Rina Benmayor, et al, Ana Jurabe, "Testimonio, Identity, and Empowerment," *Centro Bulletin of the Centro de Estudios Puertorriqueños*, 2 (September, 1989), p.77. See to W. Flores, "Notes on Cultural Citizenship, Consciousness, and Empowerment," Working Paper Presented at the IUP Mini-Conference on Cultural Citizenship and Empowerment, UCLA, May 10, 1988.