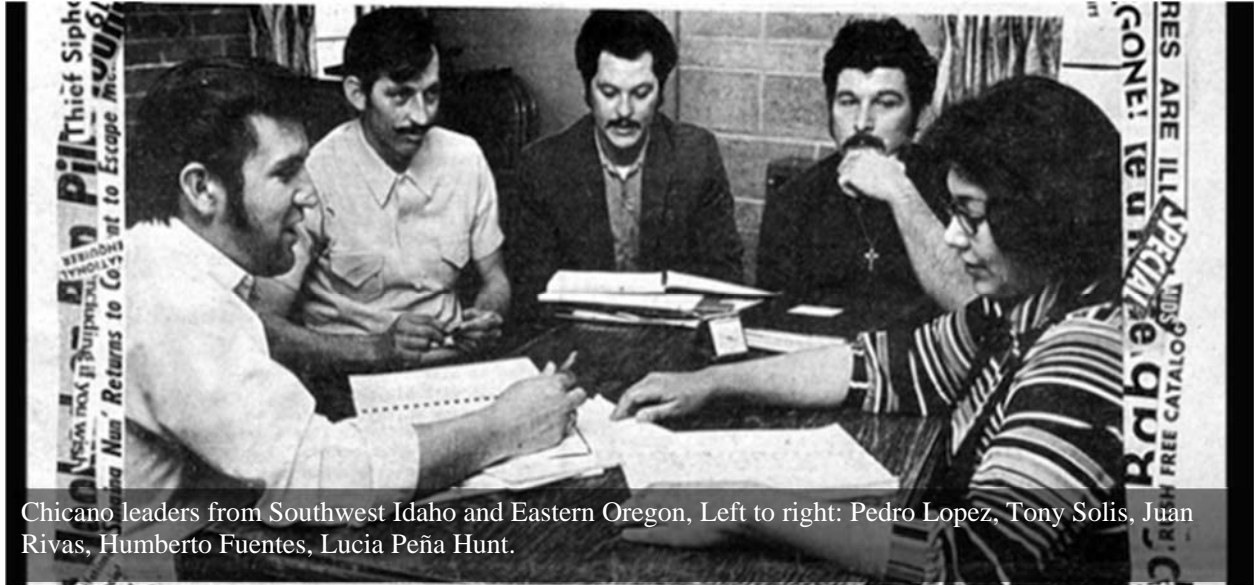


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Latinos Continue to Fight Racism in Idaho

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Chicano leaders from Southwest Idaho and Eastern Oregon, Left to right: Pedro Lopez, Tony Solis, Juan Rivas, Humberto Fuentes, Lucia Peña Hunt.

Latinos Continue to Fight Racism in Idaho

Half-century of battles over anti-discrimination legislation still shape Idaho politics



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Though Adler's example may be apocryphal, examples of overt racism bound in Idaho, from the Twin Falls gym teacher accused of trashing a Mexican flag to the Coeur d'Alene man picketing taco trucks with racist signs..

The fight for LGBT rights in Idaho is the latest in a half-century struggle for state protection from discrimination and bigotry. From small towns to major cities to the legislative chambers, racism in Idaho has certainly been a long struggle for the growing Hispanic community, which now comprises 11.5 percent of the state's population. In a recent Idaho Statesman editorial, nationally renowned and respected constitutional historian David Adler took Idaho's political leadership to task for tolerating bigotry and racism. He challenged Gov. C. L. "Butch" Otter to recognize it as a serious problem and address it in his 2014 State of the State speech.

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In his column, Adler mentions a sign affixed to a fence surrounding a house in a predominantly Hispanic neighborhood in Burley that arrogantly proclaims "No Mexicans." This contemporary example reminds us of "Whites Only" signs that tarnished the South in the pre-civil rights days. In fact, racist placards declaring "No Mexicans" at restaurants, bars and many other commercial enterprises in Southern Idaho led to the passage of Idaho's first anti-discrimination law in 1961, the Idaho Fair Employment Practices Act. Examples of violence and discrimination against Hispanic people in Idaho date back to the beginning of the 20th century in Burley and Caldwell. This type of behavior even forced the Mexican government to remove Idaho from the list of states importing Mexican farm laborers under the World War II-era Bracero program.

Fed up with the way Idaho treated Mexicans and other minority groups during and after WWII, some fought back — including Antonio Rodriguez, a barber and owner of a small restaurant in north Nampa. Rodriguez's friend, Isidro "Blackie" Lopez, remembered coming home after the war in 1945 dressed in his military uniform and the respect local residents showed him. However, "when I put on civilian clothes," Lopez told writer Maria Salazar years later, "the Anglos saw me as just another Mexican, worthless in their eyes." Lopez eventually left the state to make his home in Washington. In the 1950s, signs at Canyon County businesses



Courtesy of the foreign relations archive in Mexico City

Luis Colunga, then deputy consul at the Mexican Consulate in Salt Lake City, took pictures of the Driggs labor camp in 1930. He was so scandalized by the camp that he sent copies to the Idaho governor.

told Mexicans and other minorities to stay out.

Angered and frustrated by the anti-Mexican sentiment in Canyon County and elsewhere in the state, Rodriguez and his wife, Maria, joined others to form the Idaho Citizens Committee for Civil Rights. Armed with support from the Idaho Advisory Committee to the National Commission on Civil Rights, they helped craft legislation banning discrimination in public accommodations and employment and, according to one account in the *Lewiston Morning Tribune*, “won the enthusiastic and watchful support of several members of the Legislature.” Despite arguments that the bill was not needed in a state like Idaho, it passed the House and Senate in February 1961 with only a modicum of opposition. Lacking enforcement power, media accounts and minutes of the debate indicated that opponents to the law considered it harmless enough.

The editor of the *Lewiston Morning Tribune* heralded the new law as “one of the substantial accomplishments” of the 1961 legislative session. But he also knew the statute would be reluctantly obeyed, if at all, by the city’s business class. Still, he hoped it would “encourage a man of good will in business to resist the pressures of prejudice and bigotry,” even if he merely retreated behind the new law that compelled him to serve everyone. The editor’s message to the community was clear; be a racist or bigot, but the law now forces equal treatment for all.



Courtesy of the foreign relations archive in Mexico City
Housing from the Driggs labor camp, 1930.

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Despite Rodriguez’s assertion that the offensive signs in Canyon County came down after passage of the law, Idaho’s new anti-discrimination law did little to transform the climate of intolerance in the state toward people of color. It took the United States Civil Rights Act of 1964 and the assassination of civil rights leader Martin Luther King, Jr. to force Idaho to chip away at its granitic block of bigotry.

The 1964 U.S. Civil Rights Act put the full force of the federal government behind the enforcement of laws against discrimination in employment, housing, education,

public accommodations and other areas of daily life. The power of federal law and actions of Idaho's progressive religious institutions empowered migrant farm workers to have a greater role in self-help organizations which tackled problems of ignorance and poverty. King's murder in 1968 and the clumsy manner that Idaho's government officials handled protocols of respect for the death of a national leader brought angry citizens of every racial hue and national origin together to demand change. During a peaceful rally on the Statehouse steps, participants called for the creation of a state human rights commission. In the following months, they formed Citizens for Civic Unity and crafted a bill to create an official human rights commission for Idaho. Then-state Sen. Phil Batt, a powerful Canyon County farmer, agreed to introduce the measure as SB 1221. Batt, a Republican regarded by many as a champion for minority rights — and a fine clarinet player — served as vice chairman of the Senate's State Affairs Committee, which held extensive hearings on the bill.

Republican Gov. Don Samuelson's advisers also scrutinized it and, concerned that it created a quasi-judicial agency with broad powers, drafted an alternative bill that granted the proposed commission only investigative and advisory powers in areas of employment opportunities, housing, education and public accommodations. In essence, this served to create a commission to oversee the provisions outlined in the earlier 1961 anti-discrimination act. And, like that act, the commission would be powerless on its own to enforce the law.

he so-called "governor's bill" appealed more to State Affairs Committee members who thought the original Citizens for Civic Unity bill vested too much power in a commission that might be "inclined to go on witch hunts, condemning innocent people in its zeal for securing the rights of minorities." Some committee members, "frightened by civil rights activism," were convinced that Idaho had no serious problems with discrimination. These lawmakers believed that neither the Legislature nor the voters "would stand for a 'strong' civil rights commission," according to 1971 interviews with Batt and with Stan Crow, a Boise attorney who helped draft the "governor's bill." The weakened bill went to the full Senate and passed unopposed, 33-0, on March 15, 1969. The House approved it 11 days later, 51-7.

Idaho's Commission on Human Rights (ICHR) was not what Citizens for Civic Unity envisioned and was much weaker than human rights commissions in other states. A 1971 study, showed that the body lacked direct enforcement and subpoena powers, was woefully underfunded and had no "statutory assurance" allowing for "effective complaint processing procedures." Legislative attempts the following year to grant it powers similar to those exercised by state commissions elsewhere proved unsuccessful. Governance rules forced the commission to rely on county advisory committees — appointed by county commissioners — and county prosecuting attorneys who often presented multiple obstacles and delay tactics to attempts at solving communities' discrimination problems.

The ongoing controversy in Idaho over the lack of equality for the state's lesbian, gay, bisexual and transgender residents — as well as failed attempts to include them in the 1969 act creating the Idaho Commission on Human Rights — puts Idaho in the category of a state whose male-dominated, Republican Legislature clings to an outdated vision of pre-civil rights America. Astonishingly, the Idaho Human Rights Commission itself voted in 2009 against including "sexual orientation" and "gender identity" in the Idaho Human Rights Act, echoing the long-held position of lawmakers. State legislators' steadfast refusal to grant equality to LGBT citizens prompted 86-year-old former Republican governor and longtime civil rights champion Phil Batt to call them "fools."

Although Idaho's Mexican American community found representation on the commission with Jesse Berain's appointment as a commissioner and its first and only full-time investigator, serious civil rights abuses continued. Many Idaho farmers and agribusinesses violated migrant farm workers' human rights by failing to provide them with decent housing or even with portable toilets in the fields. A large food processing company in Caldwell refused to promote Mexican Americans to management positions despite their demonstrated competence and seniority. This practice of ethnic discrimination appeared to be widespread where Mexicans concentrated. Complaints brought before the IHRC in 1970 and 1971 accused owners at some eating and drinking establishments of denying service to people of Mexican heritage or demanding that they not speak Spanish on the premises. Many expressed frustration that their children, in whom they placed all hope for a better future, failed in an educational and social environment that was unresponsive to their needs, thereby leading to high drop-out rates and a bleak future.



Via Idaho State Historical Society clipping file
 Chicano leaders from Southwest Idaho and Eastern Oregon meet, and eventually form the Idaho Migrant Council in 1971.
 Left to right: Pedro Lopez, Tony Solis, Juan Rivas, Humberto Fuentes, Lucia Peña Hunt

See also: Errol D. Jones and Kathleen R. Hodges, *The Hispanic Experience in Idaho*. Boise, ID, Boise State University, 1998.



Since the early 1970s, there have been positive changes to improve Idaho's civil rights record and mitigate overt incidences of racism toward Mexicans and other Hispanics. Civil rights activists fought to create the Idaho Migrant Council (now Community Council of Idaho). Idaho's progressive religious community continually promoted tolerance and acceptance. The passage of the Immigration Reform and Control Act (IRCA) of 1986 enabled thousands of undocumented workers to legalize their status and become eligible for citizenship. The 1987 creation of the Idaho Commission on Hispanic Affairs brought Hispanic concerns to the attention of legislators. Mexican activists succeeded wringing from the Legislature a series of laws in the 1980s, 1990s and early 2000s forcing farmers and agribusinesses to place mobile toilets in fields, provide workers compensation insurance, pay minimum wage and make sure labor contractors obtained licenses and posted bonds.

Pointing to these accomplishments, Idaho's leaders comfort themselves with assurances of progress and the eradication of racial and ethnic bigotry. On closer examination, however, the record of these gains reveals that every one of them came about through struggle and political fights waged by Mexicans and their supporters against the same political and economic elites who take credit for

these achievements today — achievements which remain under constant threat. For example, why did Idaho’s current governor, faced with an ailing economy and budgetary shortfalls in 2010, earmark the Idaho Commission on Hispanic Affairs and the Human Rights Commission (along with other small agencies receiving state funds) for elimination over a four-year period?

Dumping these commissions would have little or no impact on the state’s budget. The proposal promised to be a huge mistake, as political pundit Randy Stapilus pointed out. “The Human Rights Commission ... works in an area where Idaho’s reputation — many around the country still know it (or think they do) best as a haven for Aryans — is shakiest,” Stapilus wrote. The Twin Falls *Times-News* foresaw the possible damage, writing in a January 2010 editorial: “We can see the headlines across the country now: ‘Idaho joins Alabama, Arkansas and Mississippi in nixing rights commission.’” If little money was to be saved at the expense of further damaging Idaho’s national image, what was the real reason for singling out these agencies for elimination? One can only speculate, but an awareness of the historic resistance to creating the Human Rights Commission and the Commission on Hispanic Affairs in the first place indicates that the state’s political leadership may have been eager for a chance to eliminate these bodies.

Racism toward Hispanics in Idaho clearly continues. Sociologist Richard Baker, in *Los Dos Mundos*, called it institutionalized racism. Statesman columnist Tim Woodward learned this after he published a column in 2008 extolling Boise’s tolerance and good will. So many letters and emails recounting acts of discrimination and racism flooded his mailbox that he was forced to write an apology. Moreover, Mexicans/Hispanics are disproportionately overrepresented in Idaho prisons (16 percent) and underrepresented among the ranks of K-12 teachers and administrators (1 percent). The time has come for Idaho’s leaders to meet Batt’s challenge: to step forward and remove institutional barriers that hinder all Idaho’s residents from equal treatment. Instead, in his most recent State of the State, Otter gushed with optimism about Idaho’s economic and educational future. That future does not currently apply equally to all groups within the state, but changing demographics, pressure to raise wages and education reform will eventually force institutional change, whether politicians get behind it or not.

See Hispanic Profile
Data Book, 2012.



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The views and opinions expressed here are those of the writer and do not necessarily reflect those of Boise State University or the College of Social Sciences and Public Affairs.