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ORAL HISTORY

of

IRMA HERRERA

Interviewer: Rebecca Westerfield

Dates of Interviews:

August 10, 2007
August 17, 2007
October 26, 2007
INTERVIEW WITH IRMA HERRERA – EXECUTIVE DIRECTOR OF EQUAL RIGHTS ADVOCATE AND A FORMER MARGARET BRENT AWARD WINNER – AUGUST 10, 2007

When we started we had a little bit of conversation earlier in meetings but I think I’d like to take a moment to go ask you a few questions first about your background. There is biographical data in articles which accompany this tape. We know your birth date, birth place and educational background and so forth. What I would like to ask you about is, where were your parents born? Where were your parents born? Tell me a little about your family background.

I’m Chicana, Mexican American. My parents were both born in the United States. My mother, whose name is Esperanza Martinez, was born in a small south Texas town called Realitos that is not far from where we grew up, Alice, TX, which is in south-central Texas, about two hours south of San Antonio and 90 miles from Laredo, the Mexican border. So, it’s a fairly agrarian, hot, poorer part of Texas. And her parents came from Mexico during the times of the Revolution with a number of younger children and so my mother was born in the United States as were some of her siblings but her family origin was rural Mexico.

When you talk about the Revolution, what years are we talking about?

I regret to say I’m not well versed in the Mexican Revolution. If my mother was born in 1917, her parents must have come in the early teens, you know 1910. I will look because it may be that I have some information about that. I don’t know a lot about my mother’s background in terms of family history because our relatives have had very low levels of education and have not been literate people and so there isn’t a lot of that genealogical history that has been done. And I haven’t done anything of the sort myself either.
On my father’s side of the family, he was born in a town called Escobares and his name was Claudio Herrera. My dad died when he was in his early fifties. He was born in the US in a border town, Escobares is a border town about 10 miles from Rio Grande City and in the Rio Grande Valley of Texas. Texas only has one valley, as compared to California, the Rio Grande Valley. In these towns like where my dad grew up they were 95% Mexican American. His family had lived in that area of Texas before it became the United States so on my dad’s side they’ve been in the US since it was still Mexico and so they’ve been native to that part of the country for many, many years. His parents were farmers and they owned a farm. His dad died when my father was a very young boy so he quit school to help support his family; he was the oldest of four boys. My parents married prior to World War II right before my dad was going to go off to war. My father became a barber by trade. He was a highly intelligent man who did not have opportunities to go to college. I suspect if he had lived in different times he would have had an opportunity to be well educated. My mother only finished elementary school and came from a family where the belief was that girls did not need an education. In a small town in south Texas basically the goal was to get your daughters married off and my mother did not marry until late in life relative to Mexican girls, she married in her mid-twenties. She was the youngest in her family and I think it was the belief, as was the case with many Mexican families, that one daughter stays home and is responsible for taking care of parents as they age. That person was my mother. She lived with her parents up until the day she did get married. Then her husband went off to war and she stayed and continued to live with her parents. She lived with her parents or next door to her parents until her parents died which was right at about the time I was born. Her parents lived to a ripe old age and my mother is about to be 90.

Oh! Great genes!

Well, I have good genes on my mother’s side of the family. On my father’s side of the family, unfortunately, I have very bad genes because he was the eldest of four boys and he was the last one to die. All of them died before their 50s of heart disease.
Do you have siblings?

I do. I'm from a family of four children. We were all born and raised in Alice Texas, which I previously described - population 18,000 and continues to be population 18,000. I have an older sister who unfortunately died in her early 20s of lupus. Then I have a brother who is after her. Then there is me and then I have a younger sister. Currently I have two siblings – a brother who is in his late fifties, I'm in my mid-fifties and my sister is in her early-fifties. They all live in south central Texas. They are both married and have children so I have two nieces and two nephews. Uh, no, I have all nieces! I have four nieces and the only male child in our family is our son. I have a son who is now 15 years old, his name is Antonio. I am married and have a lovely husband named Mark Levine. Now my brother and sister are successful in different ways.

Now, I was just wondering, what's the birth order?

The birth order is that I'm the third child and I must say that as the third child I never had a special place because the eldest is the first born, and then to have a brother as the only boy and then to have a baby sister, I always thought, well gee – what am I? I remember one day having made that comment and getting my grandmother to make me a quilt.

[tape stops]

So your father’s mother decided to make you this quilt.

Right, so I would feel like I am special too.

Sweet, do you still have the quilt?

I don’t remember that quilt anymore. But I still may have it. I am from a family where women quilt. I learned how to quilt and when I finished law school a very close friend
who was a law professor, the only Chicano law professor that I knew, he and his wife were going to have a baby and I made a quilt for them. And then I made a quilt for another friend and then after that I just got too busy and I’ve never made any quilts although I keep thinking someday I’ll return to that hobby.

You obviously are very well educated, as we know from your resume and accomplishments. Where did the love of education come from or where did the drive for education come from?

When I started school my parents sent us to a parochial school and at that time the schools were totally segregated. Not that it matter much in our home town, it was very heavily Mexican American. My world as a child was divided into two kinds of people – Anglos and Mexicans. I had no idea that a white person could be Irish or Italian or Jewish because we had such little interaction with them. I grew up in a totally segregated world, probably as segregated as African Americans in Baton Rouge or Louisville because we just did not interact with each other. We had the railroad tracks that divided the Mexican part of town and the white part of town and the school district was divided and schools zoned that way. I remember the first person I ever heard of going to Harvard law school was Jorge Rangel who later became a judge in Texas. When he was in Harvard he did a law review article about segregation in south Texas and how you could cut the lines of the district differently. Instead of using the railroad tracks you could use the main artery north south which would then divide the Mexican and white communities but the schools were totally segregated so there was the Mexican elementary schools.

We even had segregated parochial schools. I went to the Mexican parochial school called St. Joseph’s which was a very tiny school. I think I developed a love of learning because I loved to read. I’ve always been a reader and I was also an inquisitive and argumentative girl and I remember being told in Spanish “abogada sin libros” which means “you are a lawyer with no training”, literally “a lawyer with no books”, because I was always questioning. “Well what do you mean a virgin could be the mother of Jesus?” I was not popular with nuns! I was the sort of kid who always wanted to know more about things.
As they say, we’re back on the record.

One of the incidences that I think made me a very independent person and someone willing to stand up for something, in first grade I had a teacher who didn’t let me go to the bathroom. I told her that I needed to go to the bathroom and she said I couldn’t go, that I had to wait. So I peed at my desk.

How humiliating.

They called my parents and my dad came to pick me up, my mother did not drive, and I remember my dad saying to me then “If you know you need to do something and somebody else tells you can’t but you know you have to do it, it’s okay to disregard another person. And you have to do what you know you need.” Ever since then I always felt sometime grownups can be wrong and people may not be acting out a bad intent but their actions have consequences to people. For me that was a very formative experience, having a parent who actually supported me, because one of the things I thought was that maybe my parents are going to be mad at me because I peed in my pants. That wasn’t at all what happened, it was much more I had a compassionate response and an angry parent but not angry in a “go tell the teacher to go to hell” kind of way, that’s not the kind of parent that either of my parents were. That was one experience that taught me to stand up for myself. But you’re asking about the love of education.

I always was a reader. I spent my summers reading. It drives me nuts because my son could care less about books! The Alice Public Library was maybe five blocks from my home and I would walk there. It was a one room library. I remember reading books that were well beyond my age. As a little girl I had tremendous interest in other countries and other cultures. I felt I had traveled the world through books because I hadn’t been
anyway outside of Alice, Texas or maybe Corpus Christi. Every summer our parents would take us on a vacation but that meant going 40 miles away to the beach for 2 or 3 days. Just hanging out and having a good time and that was our family vacation. By contrast my family now we get to travel all over the world. My son feels like “Uh, why do we have to go to Europe again?” I think what led me into higher education was the fact that I graduated from high school at 16 years of age.

Let me go back for just a moment before we move on from there. I’m really interested in knowing a little bit more about the nurturance of your love for reading and education. Obviously as you point out, the public library, very key, very important. The public library was certainly my refuge as a child, so I completely connect with that love of reading. Were there any challenges in the elementary school age as well as folks who supported you? I’m curious as to the context of why that really landed with you, how that seed got seeded and nurtured.

I sometimes say this with worry that people will take it the wrong way but one of the benefits of being in a segregated school was that everyone was from your color, everyone was from your socio-economic group, at least in my community and you stood or failed without reference to that. The smartest student was a Mexican American kid; the least capable was a Mexican American kid. I was among the top students. I was always either first in my class or second. I had a very healthy competition with another female student, Yolanda, who I still stay in touch with. I was a good student. That was something clearly my parents were very proud of, when I would come home with all As. Especially, it seemed to mean a lot more to my father than to my mother. My mother was not a big supporter of the fact that I was a big reader. It was like “You’re going to go blind” “Why are you spending all your time, go outside and play?” “Why don’t you help do the dishes?” She wasn’t supportive of my spending a lot of time reading. I obviously found time to read. I was always expected to help out around the house and do chores like that. I was a good student academically. The reason I came to graduate high school very young was that the elementary school I went to, St. Joseph, which was actually kindergarten through 8th grade, was so small that we had combined classrooms. We had second and
third grade together. I was kind of a busy girl, always wanting to stay engaged with things. In order to keep me quiet the nuns used to give me additional work. It was like “Can you give me work?” “Here do this.” By the end of the year I had completed all of the curriculum for second & third grade. They asked my parents if it was okay that they pass me on to fourth because they thought that being in third grade was not going to be very fruitful for me. I went on to fourth grade, meaning I skipped a year. I stayed at that school through 8th grade. I went to high school and there was only one public high school. I went to an integrated high school; however, it was pretty much segregated by tracking. I had a most peculiar mix of classes.

By tracking I assume college bound or not or what?

I think it is college bound but basically it was Mexican and white but it has the correlation with whether it provided you the opportunity to go to college or not. I found myself with a most peculiar set of courses. Actually, I am misspeaking; I went to ninth grade in junior high that was public. That was before the schools went from 9th to 12th being high school. Junior high went through 9th grade. My first year outside of the parochial school system was in junior high and I went to a junior high that was somewhat integrated. It was segregated both by self-selection since we had not going to school with any white kids we tended to hang out with the kids we were most familiar with, and I remember in 9th grade taking a speech class, which was a class that was pretty well integrated, and the teacher made me give every speech about a subject that had to do with “ch”. So like “China” because I pronounced it like “Shina” because like a lot of Mexican American kids we had our own accent. I thought that was both horrifying and at the same time it forced me to learn how to learn and the importance of language and how you speak it and that people make so many assumptions based on whether you have an accent or whether you use grammar correctly. That was my first time that I was in an integrated classroom. I had some classes that were Mexican American and white kids and then I had other classes that were all Mexican kids. I went on to high school and the same thing happened in high school but somehow in high school I got on what was called accelerated classes, it’s probably the AP equivalent.
AP being Advanced Placement?

Yeah. I had an accelerated class in English and again its because I had always been a reader and I liked to write and I had a strong vocabulary. I was taking classes where I was either the only or there might be another Mexican kid and the rest were all white kids. I was fairly isolated because we did not have social relationships. The rest of my curriculum was the non-college track. I was on home-ec. My husband teases me about that, I’m the Emily Post of the family because I can tell you how to set a very fancy table and where the water goblets go and all sorts of things that we would never see in our homes because we were poor. In home economics it was important for us to learn all these things. I also learned how to sew; my mother was also a very good seamstress. I acquired a lot of practical skills that Mexican girls needed because we were not expected to go to college. I also acquired some good skills because I took an English class that was an advanced class. I think that my history and government was also in the advanced category. Because there wasn’t much to do in Alice, TX over the summer I would go to summer school just because I wanted to take a class or do something and my parents would let me. What happened was at the start of my senior year I was called in by a counselor and I was told that I had enough units to graduate that year if I wanted to. I was at that time 15 years old. She showed me the transcript and said “you also have very good grades” and I said “I’ll talk to my parents.” I talked to my parents and they said okay. Being 15 years old I could only think that what I would do after I finished high school was go back to school.

I want to go back, up to this period of 15. I’m very curious who were your models for learning?

That’s a really hard question. I always feel embarrassed that I can’t point to anyone in particular. My dad liked to read. My dad read newspapers and magazines and was interested in what went on in the world. I looked up to my dad a lot. I thought he was a very upright person and a very smart person and a very practical person. He was well
respected in our community. If people had problems they would come to see Claudio and he would talk to them. After my dad died we found lots of papers detailing ways in which he had helped members of the community that we had never heard of. One thing about my family was that it was always very open to assisting people in need. There might be a relative staying with us for a while who had hit hard times. I remember that a cousin of ours came to live with us and it wasn’t until later on that I realized that the reason she lived with us is because she was pregnant and her parents had thrown her out of the house. My parents took her in and she lived with us and then she had this baby which was put up for adoption which was never talked about. I didn’t come to appreciate and understand this until I was an adult that that was what had happened.

I also came from a family where there wasn’t a lot of openness about problems. We can all look skyward and say “Okay, and how was that different from my family”. I think that my father was a very big influence. He always encouraged my academic achievement. I also know that my mother would say “If I had had an education I would have liked to have been an nurse.” I would think that it must be good to have an education if it is something that my mother wishes she had had. My father would also talk about how he would have liked to go to college. We weren’t especially pushed, the expectation wasn’t that we were going to go to college but that they definitely wanted us to finish high school and I often think about how different your life chances are from the get go based on those expectations.

The reason is that when you looked around in our community very few people were well educated. There was one Mexican doctor and he was not like us in that he had come from an upper income family. There were maybe a handful of Mexican American families that had made it and they had made it a generation or two ago. I’m not even sure how, whether it had been in farming. This is also very oil rich land where I come from and there are some very wealthy people who made money off of oil but they’re all white people. There are a few folks, but they were all male, so the doctor was male, the lawyer was male. Most of the teachers were white. Occasionally you had a Mexican American teacher. I remember the first Mexican American teacher I ever had was in high school.
She was a math teacher and I was a horrible math student. I never really connected with her because I thought the subject was not something I was good at. Although I always wish I had been good at math, I think it’s a wonderful skill to have.

I should go back and say the teachers in my elementary parochial school were nuns from the Philippines or from Spain.

**Thank you because I was wondering were you speaking English or Spanish in this school?**

In this school we spoke English and in fact if you spoke Spanish you were penalized. You were usually fined and expected to put a nickel in the jar or whatever it was. They frowned upon our speaking Spanish. Every single kid in that school was from a Spanish speaking family where that was the language at the house. When I get together with friends from elementary school, and we still stay in touch, we always laugh about our speaking Spanish in the yard and in the hallway and the goal was never to be caught. We were required to go clean the alter of the church or penalized in some way. We were very early on given the message that it was not okay to be who we were. The Spanish nuns I felt viewed themselves as superior because they were light skinned women probably from fairly well educated families who had as a vocation chosen to become religious people. The Philippino nuns obviously looked more like us but they spoke English with a very heavy accent. We had these Spanish speaking, or speakers of other languages including Spanish, who wouldn’t allow us to speak Spanish, who kept insisting that we must speak English, must speak English, must speak English, which we did. I always thought that was so wrong that they didn’t want us to speak Spanish. I don’t ever remember having a conversation with my parents about that. Among ourselves, the students, we just thought that was ridiculous.

**I want to go back to your father in a moment but before that were there any female role models that you were looking at during this period, elementary through middle**
school, whether it’s there in the community or in your family or a national figure? I’m just curious.

I can’t say that any of our teachers, my teachers, were particular role models. I didn’t want to grow up to be like them. I was never a TV watcher so I didn’t see TV hardly at all. We had one but I would much rather read books. I can’t say that as a little girl I was interested in the paper. I see my son at 15 just starting to be interested in looking at what is in the news. All the women were either homemakers or had jobs that were minimum wage, entry level, low income or farm labor jobs.

When you were reading, fiction for instance, was there any fictional character that you identified with?

I can’t remember anyone specific but I did identify with characters who were female who got to go out and do things in the world. Someone who might be a detective or a reporter or who’s traveling and has no means of support and making the grand tour after completing a certain level of school. In terms of real life people, as a young girl I just don’t remember that there were any particular folks I was looking to and saying “I want to be like her.” That’s kind of sad and I don’t know if I’m just drawing a blank. What about you?!

No this is about you! That will be another interview. We’ll do that over a bottle of wine!

I want to go back to your dad because he was obviously such an important influence to you and encouraged you and supported you. You also learned even more about him after he passed and how he was viewed not just within the family but in the community. Did he every share with you any stories or anything that would give you some insight into what made him the man of rectitude and integrity that you seem to be describing?
He did used to talk about how some things were unfair and that there was discrimination because he went to World War II, as did a high percentage of Mexican American men, and came back from World War II and got involved with LULAC, the League of United Latin American Citizens which was one of the premier civil rights groups that started and also with the GI Forum. The founder of the GI Forum was from Corpus Christi, Texas so that was forty miles away.

**What is the GI Forum?**

It was a support group for soldiers. I didn’t know this story until much later but it’s a very celebrated story that a Mexican American soldier from Floresville, Texas which is maybe an hour away from where we lived, died in the war and when he was sent back they wanted to have a large funeral for him because this was a hero. The largest place was the white funeral home and they refused to have a service for him because he was Mexican. Back then it was totally segregated. We had a Congressman from the district who was Mexican American, Henry Gonzales ([verification necessary; Henry Gonzales was the first Mexican American to be elected to Congress and was from Texas; however, it appears Dr. Hector P. Garcia was the founder of the American GI Forum]), was the Congressman my whole life growing up. He took it before the Congress and said “How can it be that we have these soldiers dying in the war and they come home and they can’t be buried because of segregation?” This soldier was buried in Arlington Cemetery. ([Dr. Garcia requested the intercession of then-Senator Lyndon B. Johnson, who secured Longoria’s burial in Arlington National Cemetery.](http://en.wikipedia.org/wiki/American_GI_Forum) The GI Forum was a group dealing with the unfairness that GIs coming back were finding that they put their lives a risk and then they got back home and they were still experiencing discrimination. He was a very active member of the GI Forum. They would meet and talk about ways to improve their community and how to get people involved in the electoral process. I remember my parents paying a poll tax in order to vote. I remember hearing about that, “We have to pay the poll tax to make sure we can vote in this upcoming election.” Of course those have been illegal for many, many years.
Mostly what I remember about my dad was his being very generous and kind and well-liked by members of the community. We loved for him to tell us stories about World War II. My favorite story was The Death March of Bataan. He was not in it!

Luckily.

Luckily. I’ve never really thought about it until we’re sitting here chatting, Rebecca. I think maybe what the story was about for me was that people could be put through such inhumane and challenging conditions and keep going. That’s always been my view, no matter how bleak it is, no matter how high the odds against victory, you just keep going because it’s important. If you’re doing it it’s important and you need to keep going. I find that in my organization all the time, how do we keep going? How do we take on a case when we don’t know how many years it’s going to take? When we don’t know what kind of curve balls are going to be thrown at us. If you gave in to your fears it’d be difficult to accomplish anything. You’re going to take a leap of faith that you’re going to see the other end of this so you keep going. Maybe that was what the Battle of Bataan war story that we loved to hear over and over again.

The other thing I remember about my dad was that his brother was also in World War II. His brother was in the Navy. They met in the Philippines. My father did serve in the Philippines and his brother’s boat docked in the Philippines and I remember his telling us how much that meant to him in the middle of the war to be able to meet up with his brother. My father’s brother grew up in the same town as we did so our families were close.

When you ask about role models, the first girl I saw go to college was my first cousin Linda. She was probably six or seven years older than I was. I think there I also got the idea that a girl could go to college. Because most girls didn’t, what happened to most of the girls in my high school is that they got married and had kids right out of high school. Maybe you got a job working at the phone company which indeed was my very first job
the summer after I finished high school I worked for the phone company as an operator when people still had to put the little jacks and connect people up for directory assistance. At age 16 I was not, I had been a quiet, nerdy, studious girl so it was out of the question that somebody like me was going to get married so I continued going to school. I attended a college that was 28 miles away from my home town. To me it was like a continuation of high school, what else was I supposed to do at age 16. I really had never had any counseling or encouragement about going to college in high school. That just wasn't something Mexican kids got. However, when I did meet with the counselor towards the end of the school year when I was going to graduate she said “I think you’re going to be very surprised at how well you’ve done.” I finished high school with an A average. They always honored the kids who completed high school, this was before grade inflation, there were 16 kids that finished high school with 4.0 grade average. Of those two of us were Mexican, the rest were all white.

When you would get challenged in your studies, you did obviously very well, who did you go to for help? Was this just you on your own?

It was just me on my own. I don’t remember being challenged in anything except math! How typical!

That’s what calculators are for now!

I remember looking at math problems and looking at geometry and just not getting it but I didn’t go to anybody. I just kind of struggled; I might have asked the teacher. I don’t recall getting particularly good help. I took very basic math. That’s what I mean about having been in classes that were in the one hand college preparatory and in the other hand basic stuff that would never have advanced me. I never took trigonometry; I never had a course in chemistry or physics. I had basic courses. If I had gone to a good college I never would have survived because I didn’t have the training. Fortunately I went to a college that was in essence a community college; it was a four year institution.
Before we get to that, because I want to stay on this other subject if you don't mind, just indulge me, about your family a little more. You were a very strong student, you have a female cousin Linda who ends up going to college, was that your uncle's daughter, your father's brother's daughter? I'm just curious if you ever thought or have any understandings of why these two Mexican American men would have such achieving daughters. What would be the influence there? The perception of that culture is that women stay home, they have children, they take care of the family and here there are two cousins, females, who are breaking the mold, doing something very different, who are on the cutting edge. Any thoughts about that?

Well, in my uncle's case, my uncle and his wife owned a tortilleria which in a Mexican community it was like the bread store (bakery). In old European countries every neighborhood has a bread store and in Mexican communities used to be that every neighborhood had a tortilleria. My father's side of the family several people were small business men and owned tortillerias. We had the market on tortillas; this was before flour tortillas were sold in stores or any Mexican products were sold in stores. His wife worked at the store and I remember that my cousin Linda also worked at the store and made deliveries. She was in some respects she was an emancipated girl in that she had a role in the outside world and she was the oldest. The other thing is, I don't know how this plays in, she was also so pretty. She was pretty and she was light. Because color is a really big deal, there's still a lot of color discrimination in communities of color. There was clearly color discrimination. That was something that really bugged me as a little girl because growing up in the south Texas sun I got very dark. I have a sister who is very light and always people making comments about light is better.

When you say people, which people?

Community people. Like someone would be born. I've actually written about this when I was a journalist. I've written about color prejudice among communities of color.

Do you still have that article?
I do.

I'd love to have a copy.

I'll have to look for those articles but I still have them.

Someone would have a baby and the first thing out of a visitor who'd been at the hospital they would say “Oh, Juanita had a girl, so pretty. She’s so light.” Or people would say, “So and so had a baby boy. Oh the poor thing is so dark.” The message all along was that being dark was not good, it was always better to be light. I remember that my cousin Linda was so pretty and light. She was very popular in high school. I think she was maybe more than 7 years older than me, probably the first Mexican American cheerleader in our high school. She went off to college because I think she had become part of the group that the social norm was that this sort of girl goes on to college. It could be that our parents also saw that women didn’t get such a great deal. They didn’t want their girls to have to put up with what they’d seen Mexican women have to put up with.

I was just curious about that. We’re going to pause here for just a moment.

[tape stops]

August the 10th with Irma Herrera with of Equal Rights Advocate
We were talking about some of the influences of people and events that made you the feisty young woman that you were and certainly still the same feisty mature woman that you are. I want to go back for a moment because we were talking about the very significant influence of your father and why you believe he so wanted to see you succeed in a way that was very different than the way other women in your community culture were succeeding and also to look at the influence of your mother as you made your way.
As I was telling you off tape, Rebecca, my mother influenced me in very different ways than my father. Growing up my mother I think was in a depression a good part of her life. When I was born and my mother went into the hospital she made a promise to the Virgin Dolorosa, the Virgin of Sorrows, that if her parents were still alive when she got out of the hospital she would name me Dolores, which is in fact my middle name. Her parents which she took care of as the youngest daughter and she lived next door, her whole life, even after she married, she was very, very close to her parents. She cared for them as they aged. They both died within six months of my birth. My mother without a doubt was very depressed and in mourning during my early childhood years.

I remember my mother telling stories about how I was just the perfect baby. I was never a bother. Sometimes I wouldn’t make a peep and one day I didn’t make a peep and she wondered why hadn’t I made a peep and I had crawled under the bed and gone to sleep. This was when I was crawling. My brother had gone in and found me. In many ways that story is about how I spent a lot of my life trying to make things right for my mother, not wanting to be a problem, trying to protect her because she got these terrible migraine headaches and she seemed so sad. I think that I just wanted to make things right for her. I wanted to make her happy. I was also quite a comedian. I’m a very good mimic, to this day I must say. Part of that was wanting to entertain her and make her laugh.

Another way in which she was, or her life influenced me greatly was that she was a totally dependent person to my father. My mother did not know how to drive. We lived close enough to downtown that we could walk and she could go pay the bills. The realm of her influence was the home, she was a homemaker. She took care of the kids. She was also an excellent seamstress, as I mentioned before. Sometimes she would make dresses for people she knew in the community. They would come to her and say “Oh I have this special occasion, can you make me this dress?” She would make a beautiful dress for someone she knew. That was my only time that I ever interacted with white people. That she had a handful of women patrons, if you will, for whom she sewed on special occasions. I remember my mother enjoying sewing and seeming happy when she was making something.
I haven’t thought about any of these things in years! In fact I very much like to work with my hands. I like to garden. I like to work with wood and design stuff. I did this whole remodel in our house and our backyard. Because I like to make things, I like to take ingredients, if you will, or products and create something different, which is also why I like to cook very much.

My mother, when my dad died I saw her struggle to learn how to drive. I remember, I was 18 at that time, and I remember thinking to myself “I will never be dependent on someone else. I have got to know how to do it for myself because I don’t want to be at a point in my life where I’m having to learn how to take care of everything from paying the house bill to buying insurance to learning to drive.” I think I became more independent after seeing how difficult this was for her. When I lived in Eastern Washington and I was a legal aid lawyer for farm workers I used to drive to Seattle and I would just always remember “I’m driving across a mountain range! By myself! My mother did not know how to drive and I’m driving across a mountain range.” Okay, I’m not a pioneer but that always felt like such an empowering thing that I was my own agent. That I didn’t have to dependent on someone to take me somewhere or to move both figuratively and literally.

I think my mother’s depression may have been what caused my father to encourage me to continue to be a good student. He did encourage me to go to college and he was very proud that I was one of the students that graduated in the top with an A average. Although I don’t think he had a sense of what was possible for me beyond the traditional jobs for women. I started out going to college at a local school 28 miles away and I thought I would become a teacher. A person who influence me although she didn’t know she influenced me was when I went to college I lived in a home that was owned by a women, a Mexican American woman, and it was a home for Mexican American college girls. She had been a pharmacist and she was now retired. She had a daughter who was a lawyer. Her daughter would come and visit and she would talk about her daughter the lawyer.
What year would that be?

This was 1967.

Her daughter, who died recently, and right now her name escapes me, Irma Rangel (see attached article) went on to become a Texas state legislator and someone of some renown for being one of the early Mexican American women legislators. I remember that was a big deal. For whatever reason I think her name was Mrs. Rangel, the lady who owned the house. I can probably dig up that information.

This was a woman who herself had been to college. She was a widow. She operated this house. It was a very beautiful home, kind of Spanish style home with maybe five bedrooms and Mexican American girls lived there and went to college. The university was 2 blocks away. That was where I lived my first year in college because my parents thought that I was too young to be outside of the watch of a family type structure. I think that was an influence, although I hadn’t thought about it, that I saw for the first time close up a woman who had had a career and was looking out for young women who were starting their path into being independent individuals and that her daughter was a lawyer and had a life of her own, and had a law practice somewhere. That was a big deal. That was my freshmen year in college. That was an influence I hadn’t thought of at all.

We’ve kind of tilled the soil here and turned up some things. There may be some other things will come to mind. I’m particularly interested in that period before you got into high school because I want to go back to high school in just a moment. If something comes up let us know in our future interviews.

On the high school level, you begin to talk about that a bit, it was an integrated high school which was different from you elementary school experience. I wonder if we can talk a little bit more about what that meant and what it looked like, what it felt to go from this segregated school to an integrated setting.
I'll start by telling a story that has influenced the importance of my name and how I pronounce it. When we went to...I was always Irma (Ear-ma) or Dolores, I was called by both names, not together but people used one or the other. When we first went to be introduced to the public school, the six or eight of us who were going to be graduating from St. Josephs, we went to the public school and we were taken to a classroom and we were asked to introduce ourselves. It was the first time I'd ever been in the company of a group of white kids and I said my name was Irma ("Ur-mah"). I saw my classmates look at me aghast that I had pronounced my name in a different way. They were merciless and teased me about it and I was very humiliated at the thought that I felt I needed to accommodate them.

By Anglicizing the pronunciation?

By Anglicizing my name. After that I became very insistent that I be called Irma ("Ear-ma") or some equivalent there of rather than Irma ("Ur-mah") because I realized that I wasn't going to have the support of my peer group with whom I had been with for nine years if I tried to be someone else. I don't know that I was trying to be someone else and I don't know that I gave any thought to how I was going to say my name. All I know is that when I got into that classroom and people were asked to say your name and introduce yourself that I said my name was Irma ("Ur-mah"). Every time people say my name, they don't understand when I pronounce my name and they say spell it and I spell it. They say "Oh, well, it's Irma ("Ur-mah")" and I say "Well, I pronounce it Irma ("Ee-rah-mah") in the Spanish pronunciation and the Romance language pronunciation and I would appreciate it if you would try to pronounce it that way if you can." To me it's about respecting other people's culture and having license to be who you really are. I feel like in my life since high school or since college I've straddled two worlds. I've navigated them quite successful. I would say I'm equally comfortable in both although I am always aware when I am the only person of color in a group. It is not an unusual situation to find myself in, as a lawyer especially, and as a lawyer who started practicing in eastern Washington I was the first Mexican American woman in the Eastern part of Washington to become a lawyer.
Back to high school, going to a high school that had white kids and Mexican kids was a very different experience. I think I previously said, Rebecca, that we were not friends, we kept separate existences. We had different social functions. There were the cotillions that white kids went to and then we had our bailes, our dances and our social functions. There was only one prom. There was never any mixing of the races. You would never have dreamed that a Mexican girl would go out with a white boy. The world really was divided into Anglos and Mexicans. There may have been two or three African American families in our community. Really, I didn’t even know where they lived. They didn’t live in the Mexican part of town. I did learn later that there was a small enclave of a few African American families but there were no Asians. The African Americans, maybe it was just one family, very popular kids, the boy was very athletic, the girl was very outgoing. The boy was in my class. He was an athlete. I think his name was Aaron Bonds.

Was the Catholic community integrated at the Churches?

The Catholic community, we went to an all Mexican Catholic Church. The Mexican Catholic Church, we went to the big Mexican Catholic Church, St. Joseph’s, which was where we went to school as well. The other Catholic Church, St. Elizabeth’s, was the white Catholic Church in the white part of town. It was totally segregated. The first chance was high school but really there was very little integration. You might have sat in the classroom next to a white student but you would never call that student and say “I missed class and I need homework”. I remember I worked on a project in high school in my English class and it was the first time I’d been to the home of a white person. I walked in and thought “Wow, what a beautiful house”. They had a swimming pool. We lived in a very modest wood frame house that had been added to and was not in a nice part of town. It was mixed residential and commercial because my dad had a barber shop next door. I walk into this house that’s so beautiful. This girl had her own bedroom and they have air conditioning and I thought “Wow.” That is when I first became aware of class differences. All the Mexicans lived in the part of town that didn’t have sidewalks,
that didn’t have nice parks. When they built a new swimming pool it was built in the white part of town. All these things began to click in my mind as “That doesn’t seem right. Why do they get all the nice parts and we don’t?” But up until that time I never really thought about it because this was my community and this is how we lived. I have to say that now, even to this very day, when I drive in my neighborhood or particularly when I’m driving on the Arlington in Berkley.

When you say your neighborhood, here in Northern California?

Yes. I live in El Cerrito which is in the San Francisco Bay area. It is close to Richmond. It is between the cities of Richmond and Berkley. It is when I am driving in my neighborhood, taking my son or going off on errands and I look around and I think “How can so many people have so much?” I still marvel at how many beautiful houses there are and how well people live. I think of the kind of community I grew up in where when we thought of rich people we were basically looking at lower middle class families although there were some families that had so much more because there were a few wealthy families that made money in the oil business. The home that I was describing is one of those homes. It’s the kind of home where today I wouldn’t think twice of going because I know people who have financial resources and live very well. As a kid that was the first exposure to the real discrepancies between the rich and the poor. I didn’t know we were poor because we weren’t lacking for anything. I grew up in a family where my parents never suggested to us that we were deprived in any way. We had a house, we had a car that worked, we had enough food, we had enough to help other people who had less than we did. I didn’t grow up with a sense of resentment about not having enough. In law school I had a classmate who grew up, Mexican American, who grew up in another state and she grew up in a much more middle class environment but she grew up with a sense of tremendous deprivation because her parents were always comparing themselves to the neighbors. In their family all the kids had to work to be able to make the house payments to live in a nice neighborhood. It was always “we don’t have enough, we don’t have enough, we don’t have enough”. I feel all the time, at least
in my personal life, that I'm so fortunate and that I'm rich. I have enough to do all the things that I need. What more could I want?

A sense of abundance is about attitude as much as it is about actual material.

Yes. Now, with respect to my organization! That's a different story.

We’ll get to that.

It’s hard to have a sense of abundance. But I’m very appreciative to my parents for giving us that sense of safety. That we were okay, we had what we needed to be okay. I never grew up worrying about whether we were going to have a roof over our head. I had a wonderful roommate when I lived in San Francisco and worked at MALDEF and he would tell me he grew up in a family with five kids, he was the oldest boy. His mother was a single [mother], the dad was not in the house, that the mother would leave for work and leave $2 on the table and say this is for dinner. He would go to the store and as a young boy he had to figure out the calculations of if I buy a dozen eggs and three potatoes is that going to feed all of us tonight? I never had that sense.

MALDEF for our tape here is...

MALDEF is the Mexican American Legal Defense and Education Fund, which is what brought me to California.

We will talk about that. I’m understanding that there were definitely subtle and perhaps overt pressures to have you choose between culture or assimilate and you made a choice not to be forced into that either or category. What influenced you? Do you remember any pivotal moment or event where that became crystal clear to you in any way?
I do have a story that relates to something very significant that happened in my childhood about language. That is I went downtown which was three blocks from my home. I walked there with my mother. My mother was buying fabric and a pattern to make a dress. The person who came to help her, the salesclerk, was a woman who was white. Often in our community the sales clerks were Spanish speaking Mexican American women but apparently none were available then. My mother in her broken English was explaining to this woman what she wanted and on the sideline were two white girls mocking my mother and making fun of her broken English. I remember walking up to them and said “At least she can speak two languages and she can get what she needs. I bet you only speak English, huh?”

How old were you?

I was about 8. I was quite affronted at the idea that some little girls felt, they were older than I was, that they had a sense of entitlement that they could make fun of a grown up. We were brought up in a way where you had enormous respect for older people. An older person walks in, you stand up, you shake their hand and you look in their eye. We had all these rules about how you absolutely had to respect older people whether you knew them or didn’t know them. I was quite taken aback that these girls felt they had the right to make fun of a woman. My mother must have been in her late thirties. To me she looked like an old person. I feel that at that time it was very clear to me I always wanted to speak more than one language. There was absolutely no value in not speaking Spanish. My parents always encouraged us to speak Spanish. It was never a question that we wouldn’t. When people moved away from South Texas, Mexican Americans, they moved to Austin, some came to California and then they would come back to visit relatives and it would be that the kids no longer spoke Spanish. We would all look at each other and say “Wow, that is so weird that you could be a Mexicano and not speak Spanish. What are these people thinking?” I remember both my parents saying “A person who speaks Spanish and English counts for two” because you can do the work of an English speaking person, you can do the work of a Spanish speaking person, you can communicate with many more people. It’s the biggest gift my parents gave me.
Beyond the pressures around language and assimilating around language, were there any other aspects of your ethnicity or culture that were challenged in some way or there were pressures to give them up or set them aside or somehow deny in order to achieve assimilation that you refused to do?

I don’t think so because there was so much pressure from our own community to not assimilate on the one hand and there was seemingly absolutely no interest in the white community in having us become part of them. We coexist but we did not have interactions. The only time you might have an interaction in the community was if you went down town and you dealt with a business person and then in high school if you were in the same class. I can tell you if I were to go back to my class reunion there is probably not one white kid that would remember that I existed because we did not form friendships. We did not work together except on a limited basis. We lived side by side. Of course since I went from 10th grade to 12th grade I didn’t graduate with my regular class so that’s one aspect. The class I would’ve graduated with, I’ve kept close to some of my friends there and they had their 20th high school reunion ended up being two reunions, one for the Mexicans and one for the white kids. The reason was when they put together a reunion committee the white kids wanted to have the reunion at the country club and the Mexicans kids said “Our parents never went to the country club. We weren’t part of that. We don’t want a reunion there.” They couldn’t come to any agreement so they had two separate reunions.

What year was that?

I graduated from high school in ’67 so this was the class of ’68 so it must have been in ’88.

So we’re talking not so terribly long ago.
Yeah, not so long ago. Now the country club is totally integrated. A very sad statement about what happened to make high school integrated in our community, I was talking to a friend who had much younger siblings than mine and I said to her “what do you think caused the integration of our schools” she said “you’re not going to like it when I tell you.” I said “What?” She said “Drugs, if you were a druggie all of a sudden it didn’t matter if you were Mexican or white. It was like you were the kids who smoked dope so you hung out together. That is what you had in common. You were the kids didn’t.”

The town is still fairly segregated but now there are far fewer whites. My sister and mother still live there so I go back to Alice, TX two or three times a year. My son’s been going every summer. He always comes back and remarks about how all of his cousins’ friends are Mexican. They don’t have any friends that are white or black. My son here has a group of friends that are from all ethnic and racial groups. That is very much a part of his life. For my nieces in Alice, Texas it is still a very segregated society.

**During high school when you were beginning to think about the future do you recall where you gravitating towards?**

I think I was going to become a teacher. I had no interest in medicine.

**Because of the math!**

Because of the math and that medicine would have meant “nurse”. Back then women really didn’t go to medical school. And affirmative action, I will talk about that later, had a big influence in my becoming a lawyer. When I was in high school and starting college that is what all of the Mexican kids who went to school were going to be. We were going to be teachers. It was rare that someone was going to be an engineer. My boy friend in high school, my senior year was going to be a pharmacist and he did become a pharmacist. Several of the people that I did go to college with at the local college 28 miles away did become teachers. The other thing was social worker or librarian. A couple of people became social workers but for the most part the few kids I went to school with who went to college they became teachers. I didn’t. I thought I was going to
become one. I got a degree in Political Science with no idea what I was going to do. Again it gets to the age issue, if you’re 19 years old and in your senior year of college it’s like “What are you going to do?” You continue going to school. That’s pretty much what kept me going to school. I had my peer group and I just kept going to school and opportunities came up for graduate school because of affirmative action and I went to graduate school. Then I decided I wanted to go to law school and opportunities came up because of affirmative action. That’s how I ended up becoming a lawyer.

I think we’ll end today’s session because we’re at a good breaking point having gone through the high school years. Is there anything else? Any other events, formative events, influential events or persons you can think of as we sit here right now up to that point? When we resume we’ll start with the college.

I had a high school teacher, Mr. Draper, who seemed so encouraging all the time. I think maybe that’s why I studied political science. I didn’t see many Mexican kids being encouraged about academic work. He always seemed very encouraging anytime I had questions or went to talk to him. He made me think about the possibility of being a political science teacher and studying the world of politics and policy which I feel that my work is part of.

I think that’s it. I have lots of thoughts about segregation and what it does to people.

Like what?

That in some respects growing up in an environment where you are fully accepted and you can see the full range of humanity within your own group with no judgment added – the dumbest kid is Mexican, the smartest kid is Mexican - you have a certain license to be who you are and not be judged by external factors. Where as if I had been at a school that was integrated I may have had a very different experience and never had the chance to be viewed as so successful. I may have been less successful because the competition may have been different. Kids reach their potential. Somehow or other I got the idea that
I was a capable kid in an environment that really wasn’t asking that much of me relative to what I see being asked of kids in private schools or in communities where people have high levels of education. I have this expectation of me that I could do whatever work was put my way.

On the negative side, if you grew up in a segregated community and you look at how much other people have relative to you, you begin to internalize that maybe you are less deserving than other people. Maybe you’re not good enough. I can tell you later on about issues about relationships, choosing who to marry or not marry. The whole question of hearing a message when marrying outside of the group, including the head of the GI Forum who was very much into promoting Mexican Americans, Dr. Hector Garcia, marrying a white woman. I remember hearing people in the community saying “If he loves Mexicans so much and is so concerned about us, why did he marry a white woman?” It’s an issue that has interested me for many many years about the choices we make and the partners we pick. What it says about what we need and who we are and what we want.

For many, many years I felt that under no circumstances would I be able to marry a man who was not from my community because it would send a negative message to people. I talk to my Chicana friends about this, we find ourselves asking each other when our kids are getting married or something like that “Who’d she marry?” or “Who is she in a relationship with?” and really what you’re asking is “Is it someone from our group or did they marry outside of our group?” I find myself asking my son “What kind of kids do you like?” and even with my son saying “What kind of girls do you like?” And then I said “I don’t know if you’re straight and then I’m going to ask you...” He said to me “Mommy, I am straight.” And I said “But I want you to know that if you aren’t it’s quite okay.” He laughs about that and says, “I know why you’re asking. The answer is I like all kinds of girls.” He knows that that is important to me and I’m married to a white man. To a Jewish guy who says that Jews aren’t really white. I say “I know what you mean that you are different and you have your own group identity. But in the world at large you are perceived as a white person and that has certain connotations.” I can tell you a
story next time we talk about when we were traveling in Africa and some friends who said that they had never thought of me as a minority, friends of my husband. They were just so surprised that I think of myself as a minority. That’s the whole story! Here we were in Africa a group of 14 friends traveling together and we spanned all racial groups. We were having many conversations about race and identity and fitting in and advancement and I remember Paul Craig saying, “I never in my life thought of you as a minority.”

What is his ethnicity?

He’s white. He’s a retired physics professor, a very thoughtful man. It’s just that he saw me in a way that has no context to who the other me is. He sees me with my husband at Berkley Rep. He sees me going to his home doing things. For whatever reason he never saw me in my role as part of this other community that I feel very connected to, that is the Chicano community. I was both aghast and insulted but then I thought he just doesn’t know.

What is the basis of the insult implicit in it?

The insult was “How could you not know? How could you not know me? You must really not know me at all.” Maybe even, gosh, if my husband is a good friend of yours and he hasn’t managed to convey to you that I’m not an average, run-of-the-mill, that he’s married to a white woman. He must have thought I’m just a white woman and I’m not. I’m Mexican American, a Chicana, with a whole different life experience. That what is so shocking to me sometimes, when I’m in the company of my friends who are white, who have grown up for the most part with relatively successful middle-upper income families, the surprise that I grew up so differently from them. We had a retreat once where we played this game Two Truths and A Lie and I said as one of the things that I had never known a white person until my junior year in college. I had never had a white friend until my junior year in college. People thought that was a lie. I said, “No, that was the absolute truth.” I just had no interactions with them.
It's interesting. Those are details that we don’t want to miss.

Interviewee: Irma Herrera of Equal Rights Advocate
Rebecca Westerfield of San Francisco, the Interviewer
This is August 17, 2007. This is a continuation of the interview with Irma Herrera.

This is a continuation of the interview with Irma Herrera. It is August 17, 2007. We are here in her offices in San Francisco. We talked last, we were getting ready to go into college during our last interview. Perhaps before going there, did anything else come to mind, any memories come to mind that you think might be helpful in understanding you and your ambition and your success in the profession. How you were influenced or informed as a young person before going to college.

I’ve had lots of thoughts about our prior discussion over the last week since we met but nothing specifically other than I feel that the environment in my family was one where we were concerned about other people. Taking care of other people and being generous of spirit and I think that very much influenced me. Seeing unfairness around me and beginning to appreciate, even unfairness as an elementary school, middle school student, I mentioned that I went to a parochial school that was segregated, that I thought another kid was treated more favorably than I was because her parents had more money and were better educated and were closer to the powers that be of the parochial school. That was such a tiny little parochial school and yet somehow I felt I was not viewed as capable a student as the other one by some mechanism of unfairness. Who knows, it was all subjective. I thought that’s not right for people to be judged based on criteria over which you have no control. As a little girl they would say I was an “abogada sin los libros”, “a lawyer with no training” because I did like to argue my points and was a persistent kid when I saw something that I thought didn’t make sense and I wanted to understand it. I remember asking the nuns “How is it that the Virgin Mary could be a virgin and have a baby?” That was not a popular questions. I was told that you had to just accept the teachings of the church. Also, why women couldn’t be priests. We girls could clean the
alter but we couldn’t be altar boys. I thought, that’s not fair, why couldn’t we be altar boys. All we get to do is clean the altar and shine various things. Beyond that, no, I don’t have any other specific thoughts but maybe others will come to mind.

Let’s move on to the college years. You spoke a bit about the living situation you moved into and how that influenced you. What else do you remember from those days that moved you forward or impressed you in some way? You were young at that time, you were 16.

Yes. Actually, my niece is just staring college next week and she is going to the same university I went to, which was called at the time Texas A&I which stood for Agricultural and Industrial. It was 28 miles from our home in Kingsville, TX. That was as far as my parents would let me go. My real goal was to go to school in San Antonio which was 150 miles away but it was perceived as “No that’s too far away and you’re too young.” Being 28 miles from home I could come home on the weekend. It was almost like a commuter school and it was a commuter school for many kids who went to college from nearby communities.

One thing that I have a strong memory of is Martin Luther King being killed, which must’ve been ‘68. That was my freshman year and I remember us all being glued to the TV and an enormous sense of sadness and loss. I don’t know that before then I had any big appreciation for the Civil Rights Movement or the oppression of African Americans. I should say that I’ve never been a TV watcher. Occasionally when I do watch TV I see that the impact of images is so different than hearing things or reading it in the newspaper. I don’t know what impact that had on my becoming a civil right lawyer. I remember being very struck by how awful it was that someone who was such a tremendous leader working towards something of great importance to people who deserve fair treatment was assassinated. Then, of course, you saw all these leaders and people working for civil rights. Ever since then I know that I was interested in civil rights. I don’t think I made the leap at that time that I would be a lawyer, I started out thinking that I would become a school teacher, which is what most Chicanas who did go
to college become. That was viewed as a very noble thing to do. My family respected teachers and thought that being a teacher was a good thing. I stayed at that school for two years.

And the school again?

It was called Texas A&I University, or maybe Texas A&I College in Kingsville, TX. I don’t know what the population of Kingsville is, maybe 30 or 40 thousand, it’s probably much larger. It is now a part of the Texas A&M system. I’ll just take it as a side note here that the University of Texas which is the most prestigious university in Texas and the Texas system was sued by MALDEF some years ago. I don’t think that was successfully resolved. Among the issues that were raised was how all of the decisions that were made by the regents, never was a university placed south of San Antonio. You talk about why is it that people remain with such little education, if you don’t have institutions around you and your family doesn’t have a culture of education you don’t see that as a possibility. Especially if you have parents that are protective of daughters because of the Mexican American culture. They don’t want you to go far away. Your choices are quite limited. I think of what it’s like to grow up low income or working class in a place like Chicago and New York or an urban area where you do see that there are actually colleges and universities. You may not think they are accessible to you but you might drive by them, you might hear of people who go to them. If you are living in a relatively rural areas that doesn’t have colleges and universities nearby I think it really limits. Now there are colleges and universities that are part of the UT system that are south of San Antonio. Texas A&I was very much a school that trained people in who worked in agriculture, engineering, which of course girls would never venture towards, and trains teachers.

After Martin Luther King’s death did you become involved in extra curricular activities or anything that promoted civil rights at that time? You’re still young.
I was very much a student and was pretty focused on my school work. I don't recall that I was active in any organizations. I stayed at Texas A&I for two years and when I was a junior I transferred to St. Mary's University. By then my dad had died and my mother was reluctant to have me go so far away. Far away was 150 miles.

St. Mary's University, was that a denominational school?

It is a Catholic university in San Antonio. It had a law school. I thought, wow, it has a law school but I don't know that I made the link at that time that I could be a lawyer. I knew it had a law school. I had decided to study political science although what exactly I was going to do with it in terms of being a teacher, I don't know that I had a very clear mind. Mind you I was just 18 years old. I have a son who just turned 15 and I was thinking that at his age I was starting my senior year in high school. He seems so young to me.

As young as you may have seemed to your parents at the time.

Exactly!

At St. Mary's you were a political science major. Were you involved in any extracurricular activities there?

At St. Mary's I was more involved in community service type things. I was part of a group called The Belles of St. Mary's. St. Mary's had been an all male school that had then become co-ed. We were more active then in the Chicano movement. There was a realization that Chicanos were also quite oppressed, that we didn't have our full civil rights. I had a college professor, Charlie Cotrell, who went on to become the president of St. Mary's University that I admired greatly and took numerous courses from him. The political science department was very much an activist department. More of my activism was towards the school and helping more Latinos, Chicanos as we were back then, access higher ed. I was involved in school politics and the department of political science much
more so than outside that. My political activism didn’t start until after I had gone to
graduate school and I moved to New Orleans and I was working there as an urban
planner. I got involved in the boycott of grocery stores, because of the Cesar Chavez
movement to unionize workers and have better conditions for farm laborers.

Let’s go back for just a moment to St. Mary’s. It is a private school so there is a
 tuition. How were you getting through?

I had some student loans. I had gotten a small scholarship from the church, the school I
had gone to. I got social security from my father who had died and I was still a minor. I
forget at what age social security

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Ok, so maybe by then I wasn’t getting social security. I didn’t spend a lot of money. I
didn’t have a car. I had some financial aid. I did have school loans. I hear about the size
of loans that kids have today, I just can’t imagine the sort of debt that people went into.
When I finished school I wasn’t indebted but I did have some loans and scholarships.

A financial aide package of some sort was key to you.

Absolutely.

Charlie Cotrell was a figure who was a great influence. Do you recall anyone else on
campus or off campus that influenced you or encouraged you during that period,
whether it’s a political figure or national figure or someone you knew at the school
itself?

I certainly had become much more aware through my participation through MECHA,
which is the...
We'll get to the spellings when we go off record.

Talk about political! MECHA still exists. I got my first child care giver through posting something at the MECHA office at CAL. Through MECHA I really became much more aware of Mexican American politics. The people who started La Raza Unida Party which was a third party that grew in Texas especially in rural communities to elect local officials. The person who started that organization was also at St. Mary’s. There was a whole group of activists that were thinking about, talking about and starting to act on political empowerment at the local level. San Antonio is a very Mexican American community. There was great awareness of the lack of political representation. Of course Henry Cisneros went on to become the mayor of San Antonio. Lots of people got elected to city counsel to various posts. There was a real sense of the need for political involvement at the local level. I can’t say there was anyone in particular but my peer group was very active in learning about and educating ourselves about political imbalance and political power and the need to create institutions. MALDEF had started in San Antonio. We were aware of that. I don’t remember if Vilma Martinez was at that time already the head of MALDEF, Mario Obledo likely was.

Also, at that time one of the reasons I was probably not more politically involved is I had a sister who was very ill. My sister died my senior year of college. Not only had I lost my father the summer between my sophomore and junior year, the following year my older sister who was in her early 20s became ill. She was married. She had not gone to college. She had gone to a secretarial training school and she had married her boyfriend from high school who was in the military. She began having a series of health problems which went undiagnosed and it turned out she had lupus. She died of lupus my senior year of college. That was a very difficult experience wanting to be there for my mother who lived 150 miles south of that. My sister lived in Ft. Worth which was north. When my sister became very, very ill my mother went to care for her and then my younger sister went to live with family friends, my brother was in the Army, or in the Air Force. This was during the Vietnam War still. I had a very trying family situation in which I
was seeking to be available to my mother, my younger sister. That occupied a lot of my psychic space.

When you think back on the Mexican American movement at that time, do you recall specifically who was inspiring the movement at that time?

Certainly we all knew of and greatly respected Cesar Chavez. We knew that there were lawyers working on improving, I can't tell you their names, but we knew that organizations like MALDEF and lawyers were challenging that Mexican American students were also growing up in segregated schools. We weren't getting appropriate educational support because many of us were speakers of another language. I always grew up speaking both English and Spanish. There was also an awareness that it was important for us to maintain our Spanish language. That was very much a part of our culture. Why did we need to give that up in order to succeed? Why weren't there opportunities for students to have bilingual education? All these things were tied together. I think this is when the seeds started being planted that maybe I could be a lawyer although I didn't apply to law school but I certainly had great admiration for the fact that people were doing these things. It was probably about this time that somebody from Alice, Texas, my hometown, went to Harvard Law School, who was Mexican American.

Who was that, do you remember?

Yes I do. Jorge Rangel, who became a judge. I went to the prom with his brother. His brother Roy is married to one of my childhood friends so I see them regularly. Jorge Rangel was a Mexican American student from our high school. He was a little older than we were. To my knowledge he was the first Mexican American Student Body President. Again, even at the local level all the positions of authority, even in school elections, were held by white kids. Jorge Rangel was the first Mexican American President of the school body. He went on to college, I don't know where he went, but he went to Harvard Law School. I think that's the first time I even heard about Harvard Law School. He wrote an
article about segregation in South Texas schools. The awareness began building of how we had an important role to play in the civil rights movement.

Back to college. In my senior year in college I met another student and I have to say I met him the day after I came back from my sister’s funeral. I fell in love with and married right after college. Another Chicano.

We’re back on the record. You were 20 years old.

Yes, my senior year in college. I turned 20 in March and I was graduating in May. As I was mentioning earlier I had a sister who became very ill and died from complications with lupus that March. Right after my sister died I met this other college student, a Chicano. He and I got married that fall. He was in graduate school. I finished undergraduate. That’s when affirmative action really started to kick in in that I really wanted to keep studying. I wasn’t getting a teachers credential. I started out thinking I wanted to be a teacher but I didn’t get a credential. I was barely 20 years old. I loved school. A friend of mine went on to graduate school and suggested maybe I wanted to apply to graduate school. They were looking for more Chicanos. This was a graduate program in Urban Studies and Urban Planning at Trinity University, also in San Antonio. I applied to that and was accepted. That was the first time the head of that department was an African American man. That was the first time I had Dr. Lewis. I can’t think of what his first name was. Dr. Lewis was the head of this department.

The department was...?

Urban Studies and Urban Planning at Trinity University. It was a very racially mixed group. I had a professor, Roberta Ramo she went on to become the president of the ABA. She was one of the professors. I believe her story is she was San Antonio because her husband was –

To tell you the–
Do you know her?

Of course. I'm sure that Roberta will be part of this project. I suspect we'll get the story of how she ended up being your teacher although she may not have realized that she was your teacher.

There would be no reason for her to realize that she was my teacher.

Roberta was one of your teachers.

She taught a class on law in social policy; I think is what it was called. She may have been the first woman lawyer that I met, if you will, and had any connection with on a daily basis as my teacher. That was a one semester course. I remember thinking “Wow, she's a lawyer and she's right here in front of us teaching.” I had the head of the department was an African American man. We all had enormous respect for Dr. Lewis. The group itself was very racially diverse. That was different too because at St. Mary’s University it was principally Mexican Americans and whites. At the graduate program there were a fair number of African American students as well.

I'm trying to get some sense about how many students were there in the program how many were African American? If you can make a guess, just curious.

Maybe a fourth? Maybe a fourth of us or more were Mexican American. I'll have to talk to my friend who was a year ahead of me. Margaret Guzman Robbins with whom I'm still in close touch with. It made a big impression. That was really Affirmative Action at work. Expanding opportunities and creating a broader pool of people who got to have more than a BA degree. First of all we’re fortunate that we got to go to college. So many of the kids we grew up with didn’t even finish high school or if they did that was the extent of their formal education. I was in this program for a year and then my husband
got a job opportunity for an internship program in New Orleans. So we moved to New Orleans. I went to work at an urban planning firm called Curtis & Davis.

Did you receive any sort of degree?

I didn’t. It was a two year program and one year was an internship. One year was classroom work and the second was an internship. I was able to set up an internship in New Orleans. I worked for an urban planning and architectural firm called Curtis & Davis that were the people who designed the Super Dome. I worked on a transportation land use project. At that point I was very aware that it had been a bad idea that I had gotten married so young. We were really not compatible. In part I felt a sense of academic competition with my spouse which didn’t feel comfortable. I wanted to keep going to school. I don’t think he was actively against that. His family thought that we should be starting a family. That was so far from anything I wanted to do at that time. We decided to part ways. We did separate and get a divorce. By then I was 22, I was at the ripe age of 22. I remained in New Orleans. It was a wonderful life. I lived in the French Quarter. It was also my first exposure to the gay and lesbian community. Before I moved to the French Quarter I lived in an apartment on Magazine St. in an apartment building where my neighbors, I didn’t know this because I was quite sheltered, but I had these really nice friends who lived next door and who I hung out with and it took me a while to figure out that they were a lesbian couple. That was the first opportunity to feel included in and comfortable in and even aware of a lesbian community. I used to hang out with them and go to lesbian bars with them. They were very supportive of me. They were just a wonderful couple. I stayed in touch with them for a number of years after I left New Orleans. I lived and worked in New Orleans. I ended up staying for three years. I didn’t work the entire time with Curtis & Davis. I completed my internship but I never wrote my masters thesis. That was the point at which I began to become more politically involved in the Chicano movement working on boycotts of grocery stores on the weekends. I began thinking that what I wanted to do was become a lawyer. I didn’t have a particular plan of how I was going to make that happen.
To put this in some historical context, why were you all boycotting the grocery stores?

Because they were selling grapes. The boycott movement of the United Farm Workers.

This is when the United Farm Workers was being led by Cesar Chavez.

This was 1972-75. I also had a really wonderful life. I had very diverse group of friends. It was the first time I lived in a community that was heavily African American, New Orleans. It was wonderful to have friends that were so different and had grown up in such different circumstances from mine. It was also the first time I’m aware of interacting with people who were Jewish and for whom being Jewish was really important. I remember that the guy who was my boss at Curtis & Davis was a man named Robert Tannen who was originally from New York. His wife was a reporter for the local news station. I remember thinking “Wow, that’s really neat, a woman news reporter.” They were very involved in the Jewish community. There was a very strong Jewish community in New Orleans. All of this was new to me. Where I grew up there were two kinds of people, you were Anglos or you were Mexican. There really was no distinction between the two. My eyes became wide open to a much bigger world than I had ever experienced. When I began to formulate a plan that I wanted to be a lawyer I also became aware that I probably needed to move because Louisiana has a different system of laws than the other 49 states. I worked with someone at Curtis & Davis who was a lawyer and had grown up in New Orleans. It’s funny, I haven’t thought of these folks in many many years.

Who was that, do you remember?

I remember his name was David. I don’t remember what his last name was. He was a lawyer and he had gone to some fancy East Coast, I don’t remember which one. I remember talking to him about the fact that I wanted to be a lawyer and he suggested I consider going to school outside of Louisiana. Then I got in contact with someone that
had been in the graduate program I had been named Ernesto. He was at the University of Notre Dame. That’s how I ended up at the University of Notre Dame.

**University of Notre Dame where?**

Is in South Bend, Indiana. When I started making a plan that I wanted to become a lawyer because I thought that lawyers had more power and could make change for communities. The civil rights movement was in its heyday and I would see leaders on TV who were lawyers. I thought that’s what I want to be. I want to be a lawyer. I like to study. I like to argue. People told me when I was little I like an untrained lawyer. So I called Ernesto, tracked him down and he said “Come to Notre Dame, we’re trying to build the number of Chicano law students.” I believe I only applied to two or three law schools. I was wait-listed at American University. I got into Notre Dame. I also participated the summer before law school in the CLEO Program, which maybe you’re familiar with. It’s a program aimed at preparing students of color or low income students to do law work.

**What year is this?**

This was the summer of 1975.

**Is that organization still around?**

That organization is still around. It is headquartered in Washington, DC. They are having some kind of big reunion. It’s a very worthwhile organization. I don’t remember how I heard about CLEO, maybe it was through my friend Ernesto. I do have lots of blank spots when I think back to that time. I remember applying to the CLEO Program and being accepted and going to the University of Houston in Houston, TX in the summer of 1975 and participating in the CLEO Program prior to my going to Notre Dame Law School.
Ok, back to our interview. We’re at the University of Houston preparing for law school. I do want to go back to New Orleans for a moment, though, to ask if you do remember any other incidences or experiences during that period, that you were in New Orleans because you were there 3 years, that really impacted you.

It became very apparent the disparities along racial lives. Even though the people that I worked with there were African Americans who were very well educated and who lived very comfortable lives but it was clear that it was a city of tremendous contrast with great wealth and great poverty. Also working on urban land use issues and seeing and looking at census tracks because that is a lot of what we were doing, trying to figure out growth patterns and transportation patterns and corridors and seeing census information and thinking “Wow, how could that be.” And making the connection that -

**How could what be? What was the census information showing?**

That some census tracks were 100% African Americans, some were white and there were great disparities in income. I connected that with how I grew up. How the Mexicans were poor and the whites were better off than we were. There was not wealth the way you have wealth in New Orleans or the Bay Area because people we thought were rich are comfortable middle class. At least growing up in Alice, Texas our sense of what rich was anyone who had a nice middle class house. It became very apparent there was such disparity between the rich and poor. Also New Orleans was not a city that had any kind of significant Chicano population. The population of Latinos was people from Central American, from Honduras, from Nicaragua many of whom themselves, at least a couple of them I remember having dealings with had been from the upper classes in their home countries and had fled because of political conditions. The group that I was involved with that was active in the Chicano grape boycott was more white and a few Central Americans but I didn’t have access to a Mexican American community. Being back in touch with Ernesto who’s Chicano and Mexican American and his encouragement for me to go to Notre Dame was really why I went there.
You went to University of Houston the summer before entrance of University of Notre Dame. As I understand it that was a preparatory...

It was a preparatory program. I believe it was six weeks long. They still have these summer institutes.

CLEO.

CLEO. I think it's called the Council for Legal Education Opportunities.

Everything was paid for. We lived in the dorms. We had genuine law professors from the University of Houston giving us classes in legal writing and basic legal concepts. What was most impressionable for me that summer was a sense that I was very capable. I didn't know what it would take to be in law school. I went in there and did quite well. I was offered a seat at the University of Houston law school where I had been at the CLEO Program they asked me if I would consider staying there. I ended up not because I had already committed to the University of Notre Dame. It was a very important training program and gave me a lot of confidence. This was particularly important because I had a very low LSAT score. I had a low score because I have never tested well. The first time I ever took a standard test was in high school and I think maybe I took 2. Back then at least in my experience I didn’t know that you could take training courses, that people studied. I showed up for LSAT totally unprepared. I don’t remember what my score was, I remember it was the lowest score of anyone accepted into University of Notre Dame. They had it printed, not your name, they had a range of GPAs and scores of the entering class. I remember thinking “Oh my god, how can that be that I had the lowest score of the people who got admitted?” This was knowledge only known to me. But I didn’t feel scared because I had already been told by law professors that I seemed to have a knack for understanding how you analyze cases how you write about them so I started out at the University of Notre Dame feeling like I could do the work. It always reminds me of when you look purely at standardized test or this supposedly objective criteria how you can end up excluding a lot of people who otherwise capable of doing the work.
You suspect both the relevancy of the test to the work as well as some underlying cultural biases in the test itself.

Yeah.

I moved to South Bend Indiana. I think it maybe it was the second time I'd been in an airplane. I arrived there. I'd never been to the school.

Were you on scholarship?

I did have a scholarship and some financial aid. I arrived at the University of Notre Dame the day before school started, found an apartment and proceeded to begin law school. There were six Chicano students in my class and there were a slightly larger number of African American students. We shared an office, La Raza and BALSA, the Black American Law Student Association. I immediately became active with the Chicano law students who would sit around and talk about the Chicano movement. I don’t know that we active beyond our wanting to recruit and make opportunities available to other students as well.

Let’s go back very quickly, in your CLEO class at I’m curious about the breakdown in racial composition, if you recall, or ethnic composition.

I think it was fairly well divided between Mexican American and African American. I don’t remember that there were any Asians or any whites or any body else besides these two groups.

When you went to University of Notre Dame with this group of other Chicanos, were there other, obviously there was Ernesto, were there significant numbers of Chicanos in the upper classes at the law school at that time?
No, there were just a handful of students, not very many. As I mentioned our class had 6. What was also interesting was there were a fair number of women. It was about 30% women.

So this is 1975.

This was 1975.

The fall of 1975. In the percentage of women in your entering class, was it significantly more than the percentage of women in the previous class? Do you recall?

I don’t know that the numbers differed. I know what was different about our class is that our class was older than the graduating class. They had a lot of students that had done other things and worked between law school, between when they finished college and law school. We had a grandmother in our law school class who had had a whole other career. She was grandmother who was maybe all of 45 or 50. At that time it was like, “Wow, Jenny’s a grandmother.” She would say that with great pride. We had a couple of students who had other careers. One guy had a PhD, had been a psychologist. We were older and more mature. We took less guff from law professors. We were kind of an unusual class which is maybe one of the reasons I was part of that class. I am always very mindful that if it were not for Affirmative Action programs and schools really reaching out to diversify their student body I never would have had the chance to become a lawyer. I liked law school. I never found it difficult. I had a job. I remember my first week of law school lining up a job because I had always worked and I felt I needed to work to have some extra income because my scholarship wasn’t going to cover everything. I applied for a job at the law library and I was told that they needed people to work at the law library particularly at 7 in the morning to reshelve books that were left over from the night before. I was told that first year law students were not allowed to work unless the dean gave you permission. I remember going to speak with Dean Link and saying to him that I want to work and needed to work. He said that is was really not
okay that first year law students didn’t work, that you needed to devote yourself to your studies. I told him well, unfortunately I do need to work and I think that I can do the academic work and also have a part time job. I worked at the library part time and I loved it. I love being in libraries. I think we talked earlier about our love of books and libraries. I loved that I would get there early in the morning and it was very quiet and I could reshel book and have time to just be on my own. I did that my whole first year, I worked that law library.

As you know Notre dame is a very big football school and I was never interested in athletics so I would donate my ticket. You could donate your ticket to members of the community. I would do that and then I got to work on Saturdays when there were football games. I could hear the band outside and the roar of the stadium. That was very exciting and yet I felt great that I got to be at the library. It was very quiet and I got to study. I wasn’t the only person who worked at the library. I also staffed the check out desk and so on football Saturdays I got the whole day to study because no one was at the library.

**During your law school years at University of Notre Dame, and you were there three full years?**

I was there three full years.

**Were there any professors that you recall that were inspirational to you or were there classmates, individuals that you recall...?**

I’m still close with some of my classmates, most of them women as it turns out. Some white, some Latinas.

*Tape ends*

...classmates again?
became a federal judge. She was one of the Clinton appointees early on in his administration. After law school she had gone on to be a public defender and then became a trial lawyer at a firm where she did a variety of things including a lot of white collar defense and then she was named to the bench. I’m in touch with her, not very often. We had a Ruth Chance Law fellow, which is a one year fellowship we have here at ERA, and she came to ERA after clerking for [Missing text] for a year in New Mexico so that was really great.

The other Chicana was Vicky Mendoza who practices law in Reno who I remain close friends with. I think we were very supportive of each other as were, in general, the women students. I belonged to La Raza Lawyers, there was also Women’s Law Association. One of the funny anecdotes from law school was that because the number of women had increased and this had been an all male law school - also the first woman to go to Notre Dame law school was a Chicana, amazing Grace, Grace Olivarez.

[Tape stops]

As we were messing around with the tape recorder I realized that another reason I was interested in Notre Dame, besides Ernesto saying it’s a great place, you’ll love it, we want to build the Chicano student body, is that they had at the law school a Center for Civil Rights and that Father Hesburgh, Theodore Hesburgh, had been the Head of the Civil Rights Commission and was a very well recognized civil rights leader who talked about discrimination and poverty and all of the that was very impressive to me.

When we’re talking about Theodore Hesburgh and you say Head of the Commission, that’s the Civil Rights Commission that was appointed by President Johnson after the riots in the late 60s. Is that correct?

That’s correct.
I was mentioning that Grace Olivarez was the first woman to graduate from Notre Dame Law School; she died quite a few years ago. She was from New Mexico and had been a community activist. I believe she met Father Hesburgh through the Civil Rights Commission and that Father Hesburgh invited her to come study law at University of Notre Dame when it was opening its doors to women. So Grace Olivarez, very well respected, I believe there’s a scholarship in her honor.

Back to the anecdote I was going to tell you - the number of women had increased at the law school and there was only one bathroom for women with very few stalls. They decided to expand the women's bathroom over the Christmas holidays. I believe this was my first year. When we returned to school the women’s bathroom was closed because the repairs were not yet done. There was a sign that said closed and go to Engineering Building next door.

And Indiana winters are not comfortable winters either.

That’s correct! You would get to school and I had never lived where it was cold so this was my first experience with winter and I remember in October around Halloween seeing my first snow fall and thinking how beautiful it was. I may have seen snow twice in my whole life and then I went to South Bend, Indiana where they have very heavy winters. It was really great for maybe about two days. It taught me a lot about how you can live under circumstances you never imagined yourself in.

But back to this anecdote, so the women’s bathroom was closed and we were required to go to the engineering building. There you were putting on your boots which you had taken off when you’d gotten into the law school and left somewhere. You had to put on your boots, walk over in the snow and the zero degree weather to the engineering building and use the bathroom and come back for class. The women were looking at each other and saying this is ridiculous, how much longer is this going to take? There was a men’s faculty bathroom so I declared we were going to use it. I remember I used it and somebody else stood guard. A professor came and was in need of the bathroom and
was told we were using it and they then made that the women’s bathroom for the duration. We decided why should we have to put our shoes on, while the men… Really there were no women faculty at that time at the law school. Our Research and Writing instructor was female but other wise all our instructors were male.

You asked if anybody was influential, I remember Professor Dutile calling people’s names and I asked him to pronounce my name in a different way and he was respectful of that. I think that I somewhat intimidated teachers when they called my name and I said it’s pronounced “Ear-ma” not “Ur-mah”. Tex Dutile was very accessible to students and just a very warm person. I have very found memories of him

Were you involved in any student activities other than La Raza at that time?

No.

Moot court?

I was involved in moot court that was the extra curricular activity that I did because I did like arguing and I did like writing. I really wasn’t aware at that time of the importance of law review or those things. It just was not part of what was of interest to us. We wanted to go to law school with a very clear aim. We were going to go out there, at least I was and it was true of the other Chicano students, we were going to go out there and do something for our community. What was important for us was getting through law school, doing well enough, graduating and going off to work

The idea of building a resume for a large law firm position was not on your radar screen?

I never gave it one second of thought that that might have been something that would be of interest. Thinking back on it I remember students setting themselves up to be federal law clerks and all of this. It was a world totally alien to me. I see it here at Equal Rights
Advocates because I talk to students and know what they're thinking of. I often get students who call me for advice on this or that. Those were not matters that concerned me in any way. All I wanted to do was get my law degree, do well enough in law school. I did well enough, I wasn’t on the law review or anything like that, I was the ___ and enjoyed that in my first year of law school. I remember feeling greatly encouraged because I didn’t have academic problems at all. I enjoyed law school. I didn’t find it difficult. I had this part time job so my life was pretty cozy. I had friends and I was active with a Chicano group. I knew the women and we were concerned about issues of women and fairness. My first summer after law school I went to work for Migrant Legal Services in Michigan. That was also a very interesting experience.

**Where in Michigan?**

I think the town is Benton Harbor, Michigan. It was just so interesting to learn about the migrant streams. Growing up in South Texas we knew that some people migrated to go do farm work. My family was stationary and didn’t. It wasn’t until I was in other parts of the country working on behalf of farm workers that I realized so many people came from South Texas and went all the way up to Michigan following various crops and then returned back to South Texas, usually parts of South Texas further south from where I lived that had more fruit orchards and other kinds of vegetables. In Benton Harbor I was a legal aid summer clerk, if you will. That was very interesting. I saw how useful it was that I spoke Spanish to be able to serve, even as a first year summer student, to able to talk to people about their problems related to not getting their wages or getting injured on the job and not knowing what to do about it and being an intermediary between the system and the rights that people have in communities that don’t have a voice for themselves. I got involved in migrant legal service at that time and of course it tied in with my activism around the grape boycott that it was people in California who were advocating on behalf of farm workers and I wanted to go and represent migrant farm workers. I felt it was really important for me to use my language skills towards social justice.
How long were you with the migrant workers?

I was there for a summer and then I went back to law school for my second year. Then my second summer I went to Seattle and I worked with Evergreen Legal Services which provided representation to farm workers in the Yakima Valley. I, however, was working in the Seattle office which was the state office. I worked with a guy, Mike Fox, who was very much a mentor to me and someone I have great respect for. He's now a judge up in Seattle.

Federal or state?

State. Michael J. Fox, just like the actor. Mike Fox was very encouraging of me and my interest in farm worker law. That I was Chicana and that spoke Spanish; Mike spoke Spanish and had worked with the UFW here in California.

I ended up in Seattle because my boyfriend in law school was from the Pacific Northwest and he had a job with the US Attorneys office his second summer of law school. I didn’t have a job. I was going to go to Seattle to look for a job because I wasn’t sure what I wanted to do. I had been in contact with the Migrant Legal Services office and I went in and interviewed and was hired to start the next day. I worked there that summer and then they offered me a job in Eastern Washington with Evergreen Legal Services representing farm workers. I went back to law school all psyched about completing my third year. That was my goal, to go back. I knew in the summer of my second year that I wanted to work on behalf of farm workers. I finished law school and moved to Washington and remained there for two years.

Great. This is a great stopping point for our next interview. Thank you for your time.

[Tape stops]
This is a continuation of our discussion. Irma Herrera when we left you had graduated from law school. You were out of Notre Dame. What was the next step?

I went to work at Evergreen Legal Services in eastern Washington State. The previous summer I had worked with Evergreen in Seattle at their headquarters, worked for the state legal services agency. I happened to have gotten a job with the man who was the director of the farm worker program. The farm worker program was in Sunnyside, WA, after a successful summer working in Seattle for Mike Fox, who is now a judge in Seattle, I was offered a job at Evergreen in eastern Washington. After law school I went to Washington State, spent the summer in Seattle studying for taking the bar and then moved to eastern Washington and lived in the town of Sunnyside, WA, population 16,000 / 15,000 so not much different than my home town in fact.

What exactly did you do there? What was the work there?

We were six lawyers in a Legal Services Office whose aim was to assist farm workers. That community had a large number of farm workers, some of whom were settled out families who had been there for a generation or two and others were still migrant workers who came in great part from South Texas and they might have worked the migrant streams. They might have worked some of the year in Texas and moved up through Colorado and ended up in Washington State where the big crops were apples, hops. I had never seen hops growing before. They are actually very beautiful because there are these long vines that are strung up in what look like telephone poles with wires and they string them up and they have that yeasty smell of beer. It's a very beautiful plant. They also
had grapes; there was a growing wine industry that was just starting in eastern Washington. Asparagus, mint. It was a very beautiful part of the world to live in when it was in harvest time and before harvest time because of all the blossoming of the trees. Our job, I'm describing the landscape, the job itself was to provide services to the farm workers who lived in those community. There were six lawyers in the office. I was the only Chicana, the others were all Spanish speaking. The office was new, it had just been started two years before.

What year are we in again?

This was 1978, 79, 80. This office was relatively new. California had had CRLA for many years, the California Rural Legal Assistance Program but Washington had not had anything of the sort so Legal Services Program decided that it would begin a program. They needed people who were Spanish speaking; all the farm workers at that time, I don't know if it is still the case, were Spanish speaking families. We had an office in this little town of Sunnyside, WA that saw people. We had certain days of the week when we had intake and people came and talked to us about everything from consumer problems, immigration problems, and unfair wage practices. It was not uncommon for workers to work an entire pay period and then suddenly for the INS to show up and raid the work place right before pay day as a way of getting free labor from people that may have been undocumented. Lots of injuries, people got injured as it is very dangerous work. We didn't take those cases but we helped them navigate. It was so clear by virtue of the education I had and the fact that I spoke Spanish that I was able to help people who otherwise had no clue about how you go find a lawyer, what agency you report to, that you even have a right to seek redress when you are injured at work. We worked on some very interesting cases. One of the cases that stands out for me involves a raid that was done by the INS of a group of men who were working on a Christmas tree planting operation. In the course of this raid they arrested all of these guys and deported them to Mexico. Among one of them was Jorge Gonzalez who was a US citizen. When he got caught up in that raid he was not allowed to show any proof of citizenship. Plus who among us carries their proof of
citizenship. You might have had your wallet. Jorge was 16 years old, young, got carried away. Off he goes to Mexico. He then had to work his way back by crossing the border illegally. He recounted that he had borrowed a vehicle, shall we say, to be able to go from the Arizona border back to Washington State. We represented him in a suit again the INS that involved his deportation. That was successfully settled. One of the funny things about it is that there is a corridor written about that.

What is that?

A corrido, that’s a Spanish ballad, it’s an art form of music, that someone wrote a Corridor de Jorge. We would hear it on the radio, because he became something of a folk hero. Someone who had been wrongfully deported and then came back to the United States and took on the INS. That was a kind of case we did. A lot of it was very mundane things, but it was interesting and very rewarding.

But things important to those people.

Very important to those people. One other example of a case was a consumer action. A man came in and his truck had disappeared. He thought someone had stolen it. We started with let’s call impound and see if your car has been impounded. Things that you and I could probably do just because we were born here, raised here, we know how the system works. He didn’t know the first thing. First he thought someone had stolen it, a member of another minority group because there was tension between these communities. Why are you assuming that your car was taken by “The Blacks” ... I was always challenging people and asking them to rethink their assumptions.

After some investigation it was determined that his car had been repossessed. Unfortunately he had been making his car payments but he was not including the little receipt that came with his payment book. This company that had financed his car had collected payments from him for months but they were unaccounted for and the guy lost his car. As a result of losing his car he lost his job because you can’t get to and from.
They were important cases to the individuals. I stayed two years and left, I think I maybe previously mentioned this. I decided to move from eastern Washington because I felt somewhat isolated from a bigger community. I am very close still with my colleagues from those days. We stayed in close touch. Two of them live here in the Bay Area, they are the reason I moved to the Bay Area. I decided that I really wanted to be in a community where there were more Latino lawyers, more of a peer group for me. I started looking for work and ended up getting a job offer with the Mexican American Legal Defense and Education Fund and came to San Francisco.

**Who was director of MALDEF?**

The director at that time was Vilma Martinez, who served for many, many years.

**What did you do at MALDEF?**

When I came to MALDEF in 1980, I was assigned to work both on voting rights and education law.

[Tape stops]

You worked with MALDEF and Vilma Martinez. What sorts of projects were you working on for MALDEF?

When I came to MALDEF I was assigned to work in two areas, one was voting rights and the other was education law. I worked on both and quickly discovered that it was very difficult to have any kind of expertise in two very different areas of law. I did try one case along with co-counsel in southern California, in Whittier, against the Whittier School District for the way their election system was set up and how it disenfranchised the Latino community, unfortunately a case which we lost.
I worked on developing some litigation in Yuma, Arizona, I worked with the granddaddy of them all, Joaquin Avila who went on to win a MacArthur Award and who's quite well known for his work on voting rights, he was a wonderful mentor. I realized after a few months that I thought it was not good for me to feel so split all the time. I've always had a great love of educational law that was the other work I was doing. I asked if it was possible for me to just work on educational law with Peter Roos, who was at that time Director of Educational Programs for MALDEF. I was allowed to do that. They were very exciting times at MALDEF. I was there during the Flyler vs. Doe case which involved the rights of undocumented children to free public education. The case had been won at the trial court and appellate level and was then pending before the U.S. Supreme Court. I got to work on Supreme Court brief; and got to see the case argued.

And again, I'm sorry, the plaintiff?

Plyler vs. Doe. Plyler was the had of the school district, I don't remember if it was in Tyler, Texas but it was it was somewhere in the eastern part of Texas. The State passed a rule that in order for undocumented children to attend schools their parents had to pay an attendance fee. MALDEF challenged it, said it is unconstitutional, you have an obligation to provide a free public education to anyone who lives within your district. To charge someone is to deny them the education. We won in that case. It did work its way up to the Supreme Court. It was a big landmark decision and it was very exciting.

May I ask what the vote count was on that?

For some reason I think it was 5-4. I'll need to look it up. Vilma Martinez was there at the Supreme Court and Peter Roos who was the lawyer who argued it and who was my direct supervisor. That was his second case in the Supreme Court; he had previously argued another education case, not while at MALDEF but he had done education law else where. He and I still remain close friends. He is semi-retired but anytime you dangle an interesting education case in front of him he gets involved. I developed a real passion for
education law. If you don’t have a decent education nothing else is going to go particularly well in your life in terms of the options you are going to have.

We were also involved in a number of desegregation cases that were still going on around the county. In particular one in Denver, CO the Keyes case. It’s called Keyes vs. School District Number 1. That case had been to the Supreme Court twice so it had a long history. The way MALDEF got involved was that we intervened on behalf of Spanish speaking children who we felt were not adequately represented in the desegregation efforts that were being ordered by the Court because their needs were not being addressed. We introduced a whole new element into the desegregation case where are you going to put these kids and what kind of services are you going to provide them? Given that you’re under an obligation to improve conditions for minority kids and these minority kids have different needs than African American kids. We were contacted by activists, teachers and parents in Denver to speak on their behalf. They were granted intervenor status. We were involved in that case for many, many years. We got to do a trial in Denver involving the availability of bilingual education. Actually it was -

This was in federal court?

This was in federal court.

Who was the judge?

I can see him so clearly. In the Plyler case it was Judge Justice. It will come to me when I’m not thinking about it. I can see him so clearly - he wore a cowboy hat and boots, he took his hat off in court. He was a very good judge, a really excellent, excellent judge. His name was Judge Richard Matsch.

While you’re on that subject, what makes an excellent judge?
What makes an excellent judge? He or she is always prepared, listens thoughtfully, respectful of all the parties even if he/she believes the position you’re arguing may not be the one that will win the day, smart, and with life experience, somebody who is in touch with the reality of the life of the litigants. That’s my idea.

**Good. So, you all had the case.**

We tried the case and we won. We got a big victory in so far as what the District had to provide to the children. They weren’t doing enough for limited English proficient kids. They had to set up certain kinds of bilingual education programs. The discouraging piece for me was that we were winning these cases but they were so poorly understood by the public. Public opinion was not in favor of providing bilingual education. The perception set forth in newspaper editorials was that these parents came to this country, but didn’t want to leave their country behind and they were putting their kids at a tremendous disadvantage. They don’t want their kids to learn English and you have these advocates coddling these children and standing in the way of progress. That was not our goal at all.

The goal of bilingual education has always been to use the vehicle that one has already, your native language, generally if you start teaching reading and writing it’s much easier to do this in the language the child already speaks. As you know whenever you learn another language the first thing you start working on your verbal skills. You may not know how to read things yet. Also as a matter of common sense and matter of principle it didn’t seem fair that we were asking kids not to speak their native language anymore. Why should you have to give up the language of your home when you really could teach people in two languages? The goal all along of bilingual education was to graduate children from schools who are truly bilingual and bicultural. That just has never caught on.

**By bilingual you mean exactly that, two languages not just exclusively one or the other so that they would use their home language as the launching pad for their education.**
Correct

I know from personal experience that bilingual education can be very effective because my son went to a bilingual school. I see it working very, very well. But there has to be a belief and a commitment from the administration, from the teachers, from the parents that this really can work, that it can be effective.

It was very discouraging that we were winning these cases yet there was so much misunderstanding and misperception about bilingual education. That’s how I got into writing. After winning this case in Denver and seeing all the bad press I decided I wanted to write an op-ed piece about it and I did and I sent it to the NY Times, and they published it. I thought this was easy so I think I’ll start a career as a writer. It’s not quite that simple but I had been thinking about leaving the practice of law for a time. I was somewhat frustrated by these things, the winning and not winning, winning a battle but not winning the war. I had the previous year I had gone to Europe for the first time in my life and fell in love with Italy and I had decided I was going to look for a way to spend time traveling. Shortly after this Keyes case was won I decided to make an exit plan for myself and I saved some money and went to Europe for a few months.

That was my time at MALDEF. I consolidated it enormously. It was a time of meeting some wonderful lawyers who have gone on to do all sorts of exciting things. I made very dear friends during that period of time. MALDEF has served as an anchor and launching pad for so many Latinos, not just in law but in other areas as well such as in fundraising/development. Someone that I worked with at MALDEF and who was later a roommate of mine is now the Vice President of the San Diego Community Foundation. My best friend I met at MALDEF was not a lawyer, she was an academic. MALDEF had, for a period of time, a program called Scholar in Residence. They would take recently minted PhD graduates and he/she would come to work at MALDEF for a year, maybe it was one or two years, to focus on some area of research related to the work that MALDEF was doing. In this instance my friend Susana had a PhD from Stanford in education policy. She was working with the education group as we considered what kind
of policies and programs were needed to make education more effective. She now runs an Institute at the University of Texas El Paso on improving education outcomes for low income children. It's the El Paso Collaborative for Academic Excellence.

And her name is?

Susana Navarro

How do you spell that?

N-A-V-A-R-R-O

Javier Becerra who is now a Congressman in Los Angeles. Javier Becerra was a law clerk.

[Tape stop]

MALDEF was the training ground for a very active Spanish community.

Absolutely and many of us stay in touch with each other. I should also say I have a long history with MALDEF. Even after I left in 1983 when I returned from Europe where I spent a few months I did start working as a writer but I would supplement my income by doing jobs at MALDEF. If someone was on leave I would go and work for three months. Or they needed someone to write an appellate brief I would go in and do it. My relationship with the organization was long standing and a very positive one. I'm a big fan of MALDEF and grateful for all that it has done for our community and for communities at large in this country.

What was going on in your personal life during this period time?

What was going on?
During this transition period. This writing period, this writing period lasted about three years?

Let’s see, well, I was single and I occasionally had a boyfriend. I have a very active and I have always had a very active social life. I have a lot of friends and like to get together with friends, mostly women friends but I have a few men friends. We would do all sorts of things together in San Francisco and around the Bay Area. I have friends in Europe also especially in Italy and that’s how I got to Italy. I did have a relationship with someone who was also in the writing world for a number of years. I would say pretty much for the three years I worked in writing I was involved with another writer.

Were you being published during this period?

I was. And I was writing though -

[Tape stop]

You were being published by?

I was writing through Pacific News Service which is here in the Bay Area. PNS’ goal was to publish people who were experts on a subject matter and had something to say to a broader community at large. PNS was founded by Sandy Close, and her husband, Franz Schurmann, a very well respected historian and also very talented writer. I’m mistaken. Orville Schell and Franz Schurmann are founders of PNS and Sandy Close became Executive Editor. As an organization, PNS has been supportive of many writers. Orville Schell, Dean of the School of Journalism nurtured and supported many young writers. Sandy introduced me to Richard Rodriguez who is a prominent Latino writer, quite controversial among Latinos because he’s anti-bilingual education, he’s anti-affirmative action. When I met him he was very kind to me and we developed some what of a friendship, although I haven’t seen him in many years. I had a contract with PNS to do two
articles a month. I did that and I occasionally wrote articles for other publications. The longest article was on amnesty for undocumented immigrants. You might recall there was a whole movement; I guess it was the sanctuary, not amnesty, the sanctuary movement. Jim Brosnahan from Morrison and Foerster was involved in a celebrated trial out of Arizona so I wrote an article on that for the LA Lawyer. Mostly what I wrote about was related to law, Latinos, cultural trends, societal trends. One article that stands out in my mind was pointed out that at the same time there was a movement to pass laws that prohibit and limit the use of Spanish in official agencies as a way to eliminate Spanish ballots and bilingual education. At that same time there was this huge increase in Spanish language advertisements. So there are bill boards all over the public arena in Spanish trying to convince you to spend your dollars. I found that just fascinating. I started doing research on that and did an article on the juxtaposition of those two things that you can't control the influence society has as people grow in a community and you need to respond to whatever those needs are. The world of commerce is doing that much more effectively than the world of government and how do you make people catch up. I wrote on that. I got to go on a trip with a friend mine who’s a photographer to Vancouver, British Columbia which is a very multicultural city to interview folks to see how in their society people were integrating and retaining their culture while still feel in Canadian.

Was there a substantial Hispanic community in Vancouver?

Not at all! My friend was Italian American. The focus of this, it was actually for an Italian magazine, the focus was on Italian Americans in Vancouver. I got to go on this trip and it was great fun.

So then you decided to go back into the practice of law and worked with a couple of different firms that I see on the resume. Generally at the same time as you were practicing, well this was the first time you were in a private practice that you had not worked for a non profit.
Correct.

How was it different for a Latina working in a practice here in San Francisco, if it was different? What was your experience, I should ask?

I had a very positive experience. I think in great part because I had someone who was very highly respected who took me under his wing and became my mentor and my friend. He is still my dear friend and that is Kurt Melchior. The reason I was at two different firms is that when I decided I needed to go back to practicing law it was purely a financial move. I was very much enjoying my writing life and I felt like I was on the verge of making the big break into the big magazines but you earn so little as a freelancer and I didn’t want to go work at a newspaper or a magazine. I wanted to write whatever I wanted to write about so I knew I wanted to be a freelancer. And at this time I had concluded that the relationship I was in was just not working and was not going to work. I shared a home with this guy and I thought part of the reason I stayed in this relationship is financial. I can’t really afford to go off and live on my own and that’s not a good reason. I don’t want to live this way. I decided I would go back to practicing law and make decent money. I would do it for two or three years. It was also at that time I had started working on a novel. My goal was to go work two years, save all my money and then come back and write the great Mexican American novel or shall I say another great Mexican American novel. Some are out there, I know. And so I went to see Dru Ramey.

What was Dru Ramey’s position at that time?

Dru was the head of the Bar Association of San Francisco already. I can’t even remember how I came to see Dru Ramey. Perhaps it was from my friends that I had known in eastern Washington. Nina Rivkind and Steven Schatz were very connected in the Bay Area. I don’t know how I ended up going to speak to Dru Ramey but I did. Oh, I do know, Vilma Martinez. I had a conversation with Vilma Martinez and told her that I was planning to go back to the practice of law but I wanted to go work where I could make more money than in public interest and why. She said call Dru Ramey. She knows
everything that goes on in the legal community. I did and I went and met with Dru Ramey. She said “Kurt Melchior is looking for someone to hire to work with him. He and I talked recently and he mentioned that.” I went and I interviewed with Kurt Melchior who at that time was with the Severson Law Firm. He had a commercial law practice, very broad, diversified practice, very well respected lawyer and a wonderful teacher and he hired me. He was just a wonderful teacher. He is truly a fantastic person. He’s probably approaching, I don’t know, 85 and he still has a full practice. I call him for lunch and when we have lunch he’ll say “I’m worried that I’m not going to have work, everyone who ever used to sent me work is dead.” Then the next time I call and it’s “I can’t, I’m on my way to New York to take a deposition. You know who I’m going to depose? The guy from Penn and Teller, well Penn!” He’s always involved in really fascinating cases. I worked with Kurt on various commercial matters. He was a wonderful teacher. He kept late hours. He would usually come in around 9:30 or 10 and almost always stayed at the office until 7 or 7:30. If you were willing to work late, as I was, between 5:30 and 7 you had the greatest teacher who was willing to spend as much time as you wanted talking about whatever it is you were working on. I made those my hours. I developed a great friendship with him. I learned a lot. When I went to a law firm I had reservations about whether I would work on things that would make me uncomfortable or that I would be compromised. I had very frank talks with Kurt about all of this stuff. I think in part he was a great believer in affirmative action and helping minorities because he himself fled Germany as a young boy. He wrote an article on affirmative action and white men some years back that was widely circulated. I don’t know where it was published; I know I saw it on the Internet. He really understood that people needed opportunities and that there is a system of good old boy networks that opens doors for one another that not everyone is privy to. I think because of those politics of his it made it very easy for us to work together. I never did work on anything that I felt was compromising. We weren’t repossessing cars or foreclosing on people’s property. We were involved in large commercial litigation deals that went bad. For the most part, what law firms do, is you have one big business suing another big business about a misunderstanding on a contract term. I did work on one very large case involving insurance coverage of property damage. When the big asbestos
cases were in the news school districts were required by some kind of abatement act, some asbestos abatement act, to tear up all the tile and all of the ceiling that contained asbestos. We represented a manufacture of tile who had used asbestos in part of its products, in the coverage lawsuit between the insurers and it was quite interesting. I learned then, and I think it's true now, that almost anything can be interesting.

Even insurance coverage!

Even insurance coverage! I found it fascinating!

Let me ask you this, during your experience as a practicing attorney and as a Latina here in the Bay Area generally, what was the terrain like, what was the atmosphere like in terms of acceptance, in terms of respect? Did you ever feel any form of discrimination? Was there any form of unconscious bias that you saw manifested in your view or were you accepted as any other lawyer?

I felt accepted as any other lawyer. There were not many Latinas in law firms at that time, maybe a handful. There were no Latinos at the firm at that time, period. Some came subsequently. I also had a protector who was a very powerful person, call that fortune, call the whatever, but I happened to have as my biggest supporter someone who carried a lot of weight at both the firms where he was. I got good assignments. I liked the work that I did; I felt that my colleagues treated me well and with respect. The thing is I never expected to stay very long but I kept staying. I stayed I think a total of five year. Although maybe two years into that we moved to another firm. I kept staying because the money was good. What happened to me is what happens to most people, I had expected to save all my money and instead I began to live within my means and concluded I no longer wanted to share an apartment so I got a place by myself. And then I needed a car, which of course I didn’t really need and before I knew it I was living within my means. Somewhere along this way I got married.

Do you remember the year?

65
I do remember the year. I got married in 1990. Then I didn't want to leave my job because we were trying to have a baby. I was always very honest with Kurt because I was somewhat conflicted because I liked working with him and them as a law firm but I never saw myself there for long term so what does this mean for partnership? And what does this mean and, well, all I can tell you is that I really like being here but I just don't see that I will stay here long. I probably will go back to public interest law, I don't know when. We worked very well together he knew that was my primary passion. I got married while I was working at The Nossaman Law Firm. Then because my husband and I were trying to having a baby I didn’t think it was a good time to make a move. Then at some point when having a baby was not as easy as we had thought it would be, I decided that I wanted to go back to public interest law. I asked if I could work part time so I could do other things on a part time basis. I was told no. I was told no because if I wanted to work part time so would other people. I really didn’t think much of it. I’ve had subsequent conversations about how this is the way in which firms keep women at a disadvantage. I just really didn’t think anything of it. I thought well, they don’t want me to work half time and nobody else here works half time so this isn’t going to be a workable arrangement. I did have a half time job with a nonprofit call META.

**META stands for what?**

Multicultural Education, Training and Advocacy. It is an organization that was founded by Peter Roos who had been my boss at MALDEF, and another colleague of his with whom he had worked at the Harvard Center for Law and Education many, many years earlier. When legal services changed its rules and could no longer represent undocumented people this organization was created and it did not receive legal services money so it could continue working on education cases that could involve children of undocumented immigrants. Its goal was to make public education accessible, available, excellent. They had an office in Boston and a little one here in San Francisco in North Beach. Peter had offered me a part time job. We were just chitchatting and I told him I was planning to leave and he said I need someone part time. That’s when I went to the
firm and said could I work here part time and they said no, if you want to everybody else will want to. So I quit and then they said can you stay part time for a while until we figure it out? It was most peculiar that I did continue working at the Nossama Firm on a part time basis for several months until I fully transitioned out and went to META. I learned a lot at a law firm. I encourage young people to get some firm experience if they can. I know it’s controversial in public interest circles. Often times they look down, we look down on people who had been at law firms. If you’re committed to public interest why were you at a law firm making all this money?

How interesting.

It is. I find it very short sighted and unfortunate but it is a very common view.

In other words working with a law firm raises a question of commitment in the minds of some public interest folks.

Without a question what I had going for me was that I had spent five years working in public interest before I went to work for a law firm. I had some credentials that predated my law firm practice but I can tell you as someone who runs an organization and hires people and who works with lawyers both here at my agency and at other agencies there is great suspicion of people who have worked at law firms.

And the suspicion is what exactly?

That you’re not really committed to the cause. If you were why didn’t you get a public interest job right out of law school? That you’re probably tainted by a defense mentality. Mind you I think it’s wrong thinking.

I get that I’m just curious about it. The taint is that you have a defense mentality, how does that get manifested? I could have some speculation about that but I’m
curious about how the public interest world could view that, or some folks in the public interest world.

That you will not be as strong an advocate as you need to be because you will be analyzing a case from a defense standpoint and looking at all the shortcomings and suggesting to your clients that their case is not good and credible. I think there’s value to having someone who’s worked on the other side. Anyway I’m a big proponent that we have to give opportunities to people who worked in any number of fields. I do encourage folks especially because the public interest jobs are few and far between. The other advice I give to people who go to law firms is do something to demonstrate your commitment to public interest while you’re at that firm. The first thing you need to do is find out who at your firm does pro bono, go and introduce yourself to her or to him. Tell this person you want to work with them, tell them what issues you’re interested in, ask them how to build a pro bono practice. If for whatever reason that doesn’t happen for you at your firm get involved with an organization, volunteering, serving on a board, do something outside of work even if it’s limited in hours to show that these issues are so important to you. Be on the La Raza organization, serve on their board. I digress. It is an important issue for people to think about that there is a certain amount of judgment and barriers you have to overcome if you’ve been in the private sector and you want to go into the nonprofit world.

You worked with META, the Multicultural Education Training and Advocacy group and then came to Equal Rights Advocates and you came there as I understand it in November of 95 and you’ve been here.

Ever since!

That’s wonderful.

Most of the time
On the winning days, that’s for sure. Let me ask you to talk a little bit about Equal Rights Advocates. I don’t want to turn this into a history of Equal Rights Advocates. But maybe we should do it this way, what was Equal Rights Advocates when you arrived and if there’s a difference what is it now? What was it like when you arrived?

[Tape ends]

October 26 interview, Irma Herrera. We’re talking about your Equal Rights Advocates organization for which you are the Executive Director. When you arrived in late 1995, I guess I’m trying to get some sense of how you saw the organization? What brought you to this organization and its work? Perhaps describe what it was doing at the time.

What brought me to the organization was I had been on the board of Equal Rights Advocates for several years so that’s how I knew the organization. I was working at META. I had not been in any women’s organizations. I had in law school been involved in the women law student organizations and the Chicano law student organizations so when I came to the Bay Area and to work at MALDEF I was much more involved in Chicano political world. This is always an interesting issue for women of color about where your energies are. No question within my own community advocacy I was always injecting what about women, how does this affect women when we make these decisions to do that and that. What is the impact on women? Although I didn’t have a history of working with women’s organizations somehow or other Nancy Davis several years earlier had arranged to have lunch with me. She wanted to talk to me about whether I would get involved with ERA.

_Nancy Davis was the Executive Director at the time?_

Yes, Nancy was one of the founders of ERA and was the executive director for twenty some years, I guess 23 if the organization is 33 and I’ve been here 10. Nancy Davis
solicited my participation in the organization and I joined the board of ERA and served in that capacity for a couple of years. Then Nancy announced she was leaving. It was a big shock because she had been here all those years. I was asked to serve on a transition committee that would help find a replacement for her. At the same time I was losing my job at META. I lost my job because we had reduced funding from the state IOLTA funds and I was the last hire. Interest rates had really plummeted.

Just, historical, IOLTA is Interest on Lawyers Trust Account. That’s where the interest on the escrow accounts held by attorneys is used for funding various legal services projects and organizations such as META. You were saying the interest rates were so low there weren’t that many IOLTA funds and that was affecting your funds at META.

What happened is when interest rates plummeted organizations that were getting $100,000 grant from IOLTA this year were told next year you’re going to get $25,000 or you’re not going to get funding at all. I had been the last hire; there were only three lawyers in the META office here in San Francisco. I learned that my job was going to be eliminated. Meanwhile I learned this as I was getting ready to take a case to trial. I knew I had to take this case to trial. To go back to my work at the Nossaman firm, I had convinced Kurt Melchior, very senior, experienced lawyer, and a young associate at Nossaman to try a case with me on behalf of kids who were being denied access to public school in Contra Costa County. I always kept in touch and involved with folks from my past. After that trial I had decided to take time off, since I had lost my job I had decided to take time off to go back and work on the great Mexican American novel. By then I was married, I had a two year old son, three year old son. That was the deal. Unfortunately my husband had a heart attack and was very, very ill and I felt quite insecure about not having a job. I was asked by the committee that was doing the ERA Executive Director search whether I would consider coming in as an interim director while the search was conducted because it became apparent it was going to take a long time. I had never been the executive director of anything. I didn’t know if I would be any good at it, I still don’t know. I accepted. I was interviewed. They did have a
position of interim director that they solicited applications for. I got it and I came to ERA, as you said, in November of 95. What was going on then was a lot of activity around Prop 209.

Can you?

Yes, Prop 209 was an initiative introduced by some conservative forces that had already succeeded at the University of California in eliminating affirmative action programs. This law which was put to the voters in the form of an initiative, forbade any kind of preferences on the basis of race, sex, it would prohibit any kind of affirmative action programs in government supported programs at any state, federal, local level. It was a really big deal. ERA had been a big proponent of affirmative action. ERA had published a book on how to create affirmative action programs in your work place. We were very concerned about the effect that passage of Prop 209 would have on women, women owned businesses, women in educational programs because we had seen affirmative action change the legal profession. It used to be, I think when Nancy Davis started law school, something like 7% of law students were women. Forty years later almost 50%, in fact one year it was 51% of law students were women. We know the reasons came about was because of affirmative action programs that got started and law schools said we need to bring in women and we need to bring in color. Prop 209 was looming and ERA was part of a very active group of leaders that was working to defeat Prop 209.

As a 501(c)3 organization many people think you can’t be involved in politics and lobbying and we can. We can’t be involved in supporting individual candidates but you certainly can work on initiatives related to your work. What ERA did was we, since our mission was working to improve conditions for women, we decided we would focus on educating woman about the importance of affirmative action to them. We created an entire campaign around affirmative action and the benefits it has provided women.
Actually we have a video we produced back then and a booklet. I should give it to you. We had presentations all over the place, mostly in Northern California, at times in other parts. I had a debate with Ron Unz at UCSF during a lunch time seminar talking about affirmative action. Ron Unz who went on to become, he’s one of these Silicon Valley billionaires who went on to become some kind of state official. I think he ran for governor the year everybody ran for governor. That was a big part of what was going on at ERA. It was also a period of transition. I think that when a leader of an organization leaves who has been there a really long time other people also start to think about do I want to leave, is it time for me to move on? There were some other departures. From the legal standpoint we had some very interesting cases. The case against the San Francisco fire fighters was still under consent decree and there were this and that that needed to be done. We had a case against the Petaluma school district on behalf of a young girl a teenage girl who had been subjected to merciless sexual harassment at the hands of fellow students and the teachers and administration failed to do anything. The girl was suicidal, didn’t want to go to school. Her parents ended up pulling her out of school. We sued and won and that was the first case that established that school districts had an obligation to address peer on peer harassment. There was no question that if a grown up, if a teacher, if an administrator, if the school custodian was harassing a student, sexually harassing a student that the school had an obligation to do anything. But it was not clear that the school was required to do anything when it was at the hands of a classmate. The general philosophy at that time was boys will boys, ignore it, don’t buy into it, the more attention you put to it the more it will escalate. That was a case that we won. Gosh, there were just lots of exciting things going on.

What was really clear is that in addition to the litigation we were very involved in public policy type of activities with the Prop 209 work. We were members of coalitions dealing with immigration reform, welfare reform. The Pallas case was going on.

What was the Pallas case?
This was a case against Pacific Bell for the way in which it computed pension benefits for women as they retire. We just had identical case against AT&T which we won in the 9th Circuit. ATT’s practice was as follows: if you worked for the phone company, and who was the big employer of women in the 30s, 40s and 50s, the phone company. If you worked for the phone company there was something called credited net service that controlled everything. It controlled when you could bid for promotions, transfers, vacation, when you could retire. The company made a calculation based on when you started working. If you took time off because of pregnancy the calculation was done in a different way. You did not get credit for the time you were out during pregnancy, or you got only partial credit, whereas if you were out with a back injury or a heart attack or a bad car accident you weren’t docked. What happened was that when the phone companies started merging and downsizing they made some very lucrative buy out deals with people. You could apply for them. Lana Pallas who had been at the phone company for a long time filled out her form and saw what she was going to get. It was several thousand dollars worth of benefits and she said “I’m taking early retirement.” Much to her surprise she was deemed ineligible because she had had two children and the two periods of three months that she was out weren’t counted so she lost out on this benefit. We realized that anyone who had a baby was in the same boat so we sued PacBell. That case went to the 9th Circuit found that it was a violation of Title 7 to continue using the old effective dates. The law did change; in 1978 the Pregnancy Discrimination Act was passed which was an amendment to Title 7. That law made it perfectly clear you could not treat pregnancy in any kind of different way.

That was in response to the Gilbert?

Um hm. Where the court had said there’s no discrimination on the basis of sex, it’s discrimination of pregnant people.

Exactly. That was a Rehnquist decision.
The practice changed within the phone companies but they left the old calculations intact. The 9th Circuit said when you decide today you’re going to use that old calculation you’re discriminating today. We’re not really applying these laws ex parte. It’s a very interesting application. Anyhow in the Pallas case we got a good decision from the 9th circuit and it led to a settlement of $26 million dollars for the women. That was a very wonderful win. Believe it or not we have the exact same case against AT&T right now. We just got a decision from the 9th Circuit affirming the Pallas decision. This is a 9th Circuit decision. It is headed for the Supreme Court, but who knows if the Court will hear it or not. If the court does not grant their petition for cert the case will surely settle because there are no disputed facts. We presented a record that said there are no disputed facts. This is what AT&T did; it either violates the law or it doesn’t. We are eager to have the Supreme Court deny cert so then we can settle that case. That was some of what was going on at ERA. We’ve always had law students here and that’s a very exciting part of our program because you get young women and men who have all sorts of ideas about how you solve some of the problems that come to our attention and often you think to yourself we’ve done that before and it didn’t work but you don’t say to them you just listen because they have new ideas, new energy. We had a Ruth Chance Law Fellow program which we still do. It is a one or two year position of a recently graduated lawyer who gets to work here with us assisting as a young associate and also working on our cases.

Let me ask you this, now you’ve had ten years experience as an executive director of a highly respected public interest group, do you see any changes in the public interest world? Are the issues still the same – funding, staffing, easier more difficult? What are the changes if any? Is money coming, let me get a more specific question for instance, is money coming more from individuals than government or public entities at this point? What kinds of things have changed if anything or is it still a hard road?

It’s still a hard road. I think what’s harder is that the blatant discrimination that existed at the time ERA was found and the earlier years isn’t so evident any more and that a lot of
discrimination occurs in much more subtle ways thus making it more difficult to prove. I’ll give an example although it involves a person from another country. We had some Chinese visitors here a couple days ago and I was describing the Wal-Mart case. I said Wal-Mart had a policy where in order to advance within the company you had to accept promotions in distant locations. The promotions were often made available to you with a weekends notice for you to decide and move. That this was a real barrier to women’s advancement and Sam Walton himself had said he had made a mistake by making this a requirement. The translator for the group that was visiting, a group of women from China, said why is that a problem, men were also required to move as often as women. Men and women were being treated the same. It’s true, you’re not putting a different requirement on women but because of different roles we play in society doing something that is the same is really precluding most of this population from advancing. How do you take what looks to people to be very fair and frame it in a way that sometimes a failure to accommodate or a failure to change the norm is discrimination? When you know that by following that norm you are closing the door on opportunity for large numbers of people. I think that’s what really hard right now it’s that discrimination is subtle, discrimination in many instances I think is even unintentional. People don’t think that they don’t want women to rise to positions of authority. People may not be aware that deep down inside they believe that women aren’t as serious about their jobs as men. That women may take a job and you invest a lot as an organization in that woman and then she’ll have a baby and quit and there goes that investment down the drain because she won’t come back to the work place. You may have a perception that a woman doesn’t need to earn as much because she’s not a primary bread winner. There’s lots of societal variables at play that we need to kind of explain, chip away at in order for people to see how discrimination manifests today. Another thing that’s really difficult because we have made such tremendous gains all around you, you look around you and you see the women anchor at NBC and they make $10 million a year. You see your local news person. We have two women senators in our state; the most powerful woman in Congress is from our District. So here in the Bay Area -
Being Nancy Pelosi and the Senators being Senator Dianne Feinstein and Barbara Boxer.

For example, in our area you see women in successful powerful positions all around. Our fire chief is a woman. Incidentally our fire chief was the second woman brought, maybe the fourth, the fourth woman brought into the fire department as a result of the lawsuit that ERA was part of to integrate the San Francisco Fire Department. There are really wonderful things; we see the fruits of our labor every day. Back to seeing women in positions of power and authority, a woman Fire Chief in San Francisco; a woman DA; a woman Police Chief; the head of the Golden Gate Transit District which is a huge organization responsible for the Golden Gate Bridge, for ferry service, for all kinds of things, also a woman. So we have given the impression that equality has been achieved. Lots of people will say is there even a need for an organization like this? One of our board members was having a mammogram one day and got into a conversation with the technical person administering it and was asking her what keeps her busy and she said “Women’s rights? Why do we need an organization like that anymore? I thought we'd accomplished everything we set out to do?” We have made so many advancements and yet there are persistent barriers when you look all around you. Law firm partnership rates still 18%; the Congress, I don’t know the numbers right now but a disproportionate number of men; any legislative body. Right now the San Francisco Board of Supervisors I believe has only one woman and there have been times where it was 50% women. We still see women not going into the sciences; we see women not advancing in corporate board. We also see that the vast majority of low wage workers are women. The lowest paid people in the United States are Latinas followed by African American women. The doors of opportunity are not open wide enough. An organization like ERA is still very relevant. Hard to find money, partly because of that perception. You go to any foundation in the United States and it’s often very heavily female. They might have a female president, senior vice president. At some level I think that they too believe that we have achieved the equality we were once looking for and that we’re still looking for. One thing that has changed is that ERA gets far less money from foundations than we used to. Foundations are very reluctant to fund litigation. Something else that we did is
some year into my tenure here we decided, the board, that we were too diffused in our focus. We were spending too much time doing policy and not enough doing litigation. That had financial consequences because when you do litigation eventually you get attorneys fees but if you’re spending the bulk of your time because you get foundation grants doing policy work, if those foundation grants dry up you don’t have your reserve of attorneys fees that you’re bringing in from cases. We decided to refocus our attention on litigation several years ago. It’s become harder to find foundation money. Our growth of individual money, we’ve had some growth of individual money but we’ve also had the experience we have a hard time asking for money in big amounts. The organization always thought of itself as somewhat grassroots and was almost even embarrassed that it needed money to operate. Women are uneasy asking for money. When I talk to people we’re considering for the Board and they’re in the business sector I say to them this job can be helpful to you in many ways, one you will network with women who are doing interesting things and who may open doors for you. Secondly by going out and asking for money on behalf of ERA you will get more comfortable selling yourself because I’ll be you need to sell yourself in whatever you do. You’re a partner at a law firm; you need to bring in business. Women have had a certain level of timidity about asking for money. We’re working to change that by asking women to consider bigger and bigger gifts. We have many long, long term members who have been giving us $250 since they started working for $30,000 a year and today they’re earning $250,000 a year and they still giving $250. Wanting to educate people about why their money really matters to us is something we’ve taken very seriously. We need to do more of that.

What I’m hearing is the Equal Rights Advocates still believes the work world is not accommodating the realities of women’s lives particularly regarding issues surround family structure, educational opportunities, etc. Is that right?

Yes, although I pause because the word accommodation -

Good litigator! You’re absolutely right.
Joan Williams, the author of a very influential book, the name escapes me right now, does not like us to use the work accommodation because she says there's just an assumption that this is the norm and we have to change the norm. The book is called *Unbending Gender*. The norm of the ideal worker is a person who goes into the work world either right after high school or right after college, works continuously for 40 years, never takes time off, is available to work over time, is available to work nights and work is front and center of his or her life. If you are a parent that model, just by definition, you will not succeed. You will not be an ideal worker and you are at a disadvantage. Her view is that we need to change the discussion. It's not that we are asking for accommodation it's that we're asking that the workplace be restructured in a way that takes into account that people live differently than the model that was created. The model may have been a very good one in the 1930s and 40s for people in the professional class where you had a male breadwinner and a stay-at-home spouse. I think that model has never worked for poor people where women often were in the work place. Anyway I think I'm going further than we need to on that note.

No, no, I think it is a very important point because what I'm hearing you say is that what Equal Rights Advocates saying we want to make restructuring a legal requirement in order to ensure equal protection and quality of opportunity.

Yeah and part of what we're doing, Rebecca, along with advocates all over the country is the introduction of laws that aren't the ideal law we would have today but it's this whole notion of incrementalism. If we have family leave laws, like the Family and Medical Leave Act that passed the Congress and has been in effect 15 years or so, we want guarantees that you should have the right to take time off from work and have a job when you get back. Ideally we'd have paid leave for everyone who needs it because of medical reasons either because of medical reasons or because they have become parents and have a child they want to bond with. We have some clear ideas of how we would change the legal structure to make those changes part of the law but it's a long, slow tedious process getting us there because as a society we are very loathe to get away from this
individualistic, I'm responsible for providing for my family or having everything, I don't need a societial or governmental hand out to make my life as a worker easier.

**At the risk of being charged with a leading question let me ask you this, you’ve made the observation that we have all of these women in very significant positions of power. Is it your view that the women’s movement has not paid enough attention to class distinction?**

Oh boy. I think the women’s movement sometimes gets short shrift.

**Short shrift or short sighted?**

Short shrift that it has not done more for low income – I may have been using the word incorrectly.

**No, you were right.**

That because its leadership has principally been white women or women of privilege whether the privilege was through birth right or through your own education, yeah, a disproportionate number of women are white and from the upper class but I think the women’s movement has fought for better laws to protect women at all levels. Is there more that we can do, that needs to be done? Absolutely. Do we need to be involved in issues about immigration and minimum wage? Yes. And I think the women’s movement is involved in that.

**Let me ask in a different way then, do you believe that women who are now in positions of power, this is a grossly general question but let's try it anyway, do you believe that there is a consciousness about the reality of women who are not of middle class? Do you think there’s a sensitivity to that?**

Among middle and upper class women?
That are in the work place, who are in positions of management? Or do you think there's no need for consciousness raising?

Oh there’s definitely a need for consciousness raising. One thing that women do bring to positions of authority when they do rise to high levels is their own experience which usually involves in some way having been treated as less than, even if you were from a middle or upper income family. Almost everyone has some experience of being treated poorly because someone didn’t believe you could do it. I think that human beings being what they are that there are a lot of people who rise to positions of authority and they’re really glad they got there and they don’t care who helped them to get there, there they are and they got theirs and if other people don’t get theirs it’s their own damn fault, I made it on my own. And there are lots of people who have tremendous sympathy, awareness that they’re there and need to be in the service of other people who haven’t had the opportunity yet to achieve. The next piece I’m writing for my blog is going to be about an article that I read that appeared in the American Sociological Review. It was a large study of census information that demonstrates that the wage gap between men and women decreases in organizations that have women in high level management (but not middle management).

[Tape stops]

I’m sorry we’ve been trying to take care of your cough and in between having conversation but we were also talking about the term unconscious bias.

I was saying that Joan Williams of the fame of Unbending Gender greatly dislikes the term unconscious as she dislikes accommodation because she says if you’re not conscious of something people won’t hold you accountable. How can a jury find you accountable, or a supervisor, for discriminating if it’s at an unconscious level? She prefers the use of the word unexamined bias. We all have unexamined biases and part of the leadership of the work force is to help its employees and senior managers understand
the way in which bias works. There’s a big move afoot to be able to bring this into the courts because generally including discrimination you have to prove intent. You’re not going to have people say I’m not going to promote you because you’re a woman and you might have a baby some day while you work here with me. A person may not even be aware that he or she holds the belief that this person is probably not a good choice for those very same reasons because they just haven’t thought it through. It hasn’t been surfaced and examined. She likes unexamined bias.

Let me ask you this, what keeps you going now?

What keeps me going is that so many women work so hard and against such great odds and really want the world to be better for their kids. That we still need to challenge practices, we still need to challenge laws to respond to the lives of people in the work place. We also have some excellent laws but if they’re not enforced what’s the point in having them? My view is that I have the good fortune of having had a good education, a law degree, a bully pulpit, ability to write and express and advocate on behalf of folks who aren’t able to do it for themselves and because I do speak another language I feel I am a go between. I can bring valuable information from part of my life and my professional world to a group of people who otherwise doesn’t know. One of the things that I really like to do that I don’t do often is go out and do some community trainings, meet with every day people and talk to them about did you know there’s a law that allows you to take 6 weeks off with partial pay to take care of your sick spouse or partner or parent. Or if you have a new baby that you can take time off to bond and that your spouse or partner can also take another 6 weeks at partial pay. There so much need and desire for knowledge. One of my colleagues here, Angie Perone just did a training at Arriba Juntos which is, let me write it for you. Arriba Juntos is an organization that serves the Spanish speaking Latino community, they’re only a few blocks away from here and periodically we’ll go do trainings on sexual harassment for their participants. Most of the folks who participate in these are people who are transitioning into work. It could be transitioning from homelessness, a welfare to work program.
Angie just did a training and she said there was a Spanish speaking Mexican man maybe in his 50s who after the program said I hope you’re taking this information to young people because I didn’t know these things. We’re just explaining the basics of some of the law. I love it when we go to talk to young Latino males or African American males about sexual harassment. I don’t believe it is our job to just educate the women. People who do the harassing are usually men. Especially men who come from other countries who don’t know there is a different social norm, that may have been acceptable where they’re from is not okay here. Yes, an employee has the obligation to provide its work force information it needs in order to have a discrimination free place for all its employees but they often don’t. So I really love taking what I know and conveying it to the ordinary person. What keeps me going is being a parent and having a son and wanting him to grow up in a world where people have greater opportunities and being very distressed at the growing disparity between the rich and poor in this country and that overwhelmingly the poor people are people of color. As a person of color I care very much that opportunities continue to be available and we have tremendous limitation with the erosion of affirmative action. That really made a difference in my life. I would not be sitting here talking to you if there had not been affirmative action programs. I would probably be a school teacher in South Texas which would be a fine thing to do but I also got to do something else that I think gives me greater chance to reach larger numbers of people.

On the days fundraising’s not going well, just got an adverse ruling from the court, it’s a foggy, gray San Francisco day, where do you go?

I know there were times when the founders of this organization didn’t have a salary because there wasn’t enough money to go around. I remember that this organization was started by four young women who didn’t know better [to be afraid of the unknown] and who had no experience running or setting up a business and I say to myself we’ve kept it going this long and we’ll keep it going no matter how hard it is. The fact that hundreds, thousands of people come to us for help keeps me going. I know there will be a better day. I remember those moments when I felt the importance of the work that we did. I’ll
recount one of them. I may have told you before because I used this example, some years back we had a woman temp, a secretary, a Filipina, who came and rang the doorbell. I was in the office early and I let her in and introduced myself and I told her we’re Equal Rights Advocates, I’d like to tell you a little bit about our organization. She said I know about your organization because my pension was adjusted and made bigger on account of the lawsuit you brought against PacBell.

She had been a legal secretary through her whole career at the phone company. She was someone who had had two children as a young woman while working at PacBell so when she retired she got her pension and then we won this lawsuit low and behold the pension benefit was increased. She worked as a temporary legal secretary here for a while but that was just such a wonderful story to see the impact you have on peoples lives. When you do these kinds of cases, class actions, you don’t know most people. You know your class representatives but you don’t know how your work is touching people around the country. It feels really good. I feel wonderful when I go to talk to community groups. I feel great when I get emails like I did this morning from a young Latina who’s a senior in high school. She needs to do a project. She learned somewhere about the Wal-Mart case and she wants to know if I would work with her on her senior project. She’s not going to take a lot of my time but she needs somebody to be a mentor and I think that’s great. That I am there and able to touch someone who maybe will be influenced to be a lawyer in ten years. It keeps me going.

I think it’s perfect that we end on this note at this point because you’ve talked about how the history of this organization has kept you going and this is a historical project, as you know. Thank you. Thank you for everything. We’ll end on that note.