

La Voz de Esperanza

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paz y
justicia

On the Cover:
Chicana Super Hero,
Citlali, exhibit &
installation
at the Esperanza
through January 2002



Inside: an overview & update on the lawsuit, reflections on 9-11, San Antonio water in jeopardy, la historia de Chipita Rodriguez, y más...

La VOZ de Esperanza

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Opinions expressed in La Voz are not necessarily those of the Esperanza. We advocate a variety of social, economic & environmental justice issues.

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We ask that articles be visionary, progressive, instructive, & thoughtful. Submissions must be literate & critical; not sexist, racist, homophobic, violent, or oppressive. Articles may be edited for length. All letters in response to Esperanza activities or articles in La Voz will be considered for publication. Letters with intent to slander individuals or groups will not be published.

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Our Chosen Path: Esperanza v. The City of San Antonio

by Amy Kastely

Note: I was a member of the legal team working for the Esperanza. However, I am not representing the Esperanza as I write this essay. Instead, I am putting forth my own views about the case and its significance.

*A chicken is being sacrificed at
acrossroads, a simple mound of
earth, a mud shrine for Esbu,
Yoruba god of indeterminacy,
who blesses her choice of path.*

-Gloria Anzuldúa,

Borderlands / La Frontera, p. 80

The Esperanza case is the first case in the United States addressing issues of race and ethnicity in public arts funding. It is the first case asserting a right of cultural integrity for minority communities within U.S. law. The case challenges the U.S. long-standing resistance to recognition of cultural rights and establishes a foothold for further work to strengthen the cultural rights of indigenous and minority communities.



Background and Current Status of the Lawsuit

In 1997, the City of San Antonio arts funding for the Esperanza, and two of its sponsored organizations, the San Antonio Lesbian & Gay Media Project and VÁN, was eliminated after a series of public and private attacks. In 1998, the three organizations filed suit in federal court against the City of San Antonio, alleging violation of the First and Fourteenth Amendments to the U.S. Constitution and of the Texas Open Meetings Act.

In August, 2000, a trial was held before Judge Orlando García. This trial was limited to whether the City had violated the Esperanza's rights; a further trial on remedies would be held only if the City was found liable. In an 85 page decision issued on May 15, 2001, Judge García found that the City had violated the Esperanza's right in all of the ways alleged in the original Complaint. Judge García then asked the parties to agree on the appropriate remedies for these violations. The Esperanza negotiating team, including Esperanza Board Co-Chairs Gloria Ramírez and Josie Méndez-Negrete, VÁN collaborator Penny Boyer, and Esperanza Director Graciela Sánchez, went through months of negotiation, with two separate mediators. Finally, the City agreed to monetary damages, a consent decree requiring the City to respect the rights of applicants for arts and cultural funding and requirement for the City to establish criteria and

VOZ VISION STATEMENT: *La Voz de Esperanza* speaks for many individual, progressive voices who are gente-based, multi-visioned and *milagro-bound*. We are diverse survivors of materialism, racism, misogyny, homophobia, classism, violence, earth-damage, specicism and cultural and political oppression. We are recapturing the powers of alliance, activism and healthy conflict in order to achieve interdependent economic/spiritual healing and *fuerza*. *La Voz* is a resource for peace, justice, and human rights, providing a forum for criticism, information, education, humor and other creative works. *La Voz* provokes bold actions in response to local and global problems, with the knowledge that the many risks we take for the earth, our body, and the dignity of all people will result in profound change for the seven generations to come.

procedures in advance of when the applications for funding are due and lastly, attorneys' fees.

These remedies have been proposed to Judge Orlando García. If Judge García approves these remedies, final judgment will be entered against the City and the City will be ordered to compensate the Plaintiffs and comply with the consent decree. If Judge García does not approve these remedies, a second trial will be held on the limited question of remedies.

Events Leading to the Lawsuit

Through countless hours of deposition testimony (in 23 depositions) and numerous witness interviews and thorough review of thousands of City documents, we learned the complex history of the 1997 defunding decision. We learned of convergent efforts, both in and outside of City government, to defund and thereby to weaken (or shut down) the Esperanza.

The Esperanza has been active and vocal in its advocacy on behalf of those injured by all forms of oppression from its beginning in 1987. The organization has been involved in numerous controversial issues, including advocacy for the rights of workers, anti-war protests, organizing for low-cost housing, demonstrations against the Klu Klux Klan, and the like. Throughout its history, the Esperanza has worked hard to maintain a cooperative relationship with City government, recognizing that City officials are not the source of oppression against the people of San Antonio, although they have often been the agents of oppressive forces.

In 1994 Esperanza helped to organize the Coalition for

Cultural Diversity, a group that effectively challenged the lack of diversity of San Antonio's publicly-funded cultural institutions. These efforts resulted in much controversy, public commitments to change by political and civic leaders and then backroom deals to maintain existing patterns of funding. Some City Council members were angered that Esperanza brought attention to the unfairness in the City's arts funding. Emboldened by the success of the anti-affirmative action movement, some decried the Esperanza for raising issues of race, ethnicity, class, and sexuality in connection to funding.

The Esperanza became known inside City government as a group that would challenge the ways in which City funding

avored Anglo interests and discriminated against Latino and African-American communities. Moreover, the Esperanza could mobilize hundreds of people for public protest, letter writing campaigns, petition-signing, and the like. For City officials - particularly those concerned with public election - the Esperanza was a trouble-maker. In the following year, 1995, some City Council members attempted to eliminate the Esperanza's city funding, but they could not garner the support of a majority. The City did substantially cut grants to the Esperanza, including project grants for MujerArtes and the Youth Media Project, but the Esperanza was not yet entirely defunded.

In 1997, Howard Peak, who had been a new Council Member during the cultural diversity controversy, was then elected Mayor. Mayor Peak took the position that the Esperanza should not receive city funds, because the Esperanza's work and vision was political and not artistic. It now seems clear that Mayor Peak guided the defunding of the Esperanza, including encouraging the involvement of the right-wing (personally appearing on conservative radio talk shows to encourage opposition to the Esperanza), garnering support for the defunding from a network of conservative white gay men and securing the unanimous agreement of Council in a closed meeting at City Hall late in the evening before the September 11, 1997 vote. Throughout, Mayor Peak's position was that the



Esperanza team of lawyers

Esperanza's social justice programming is political and that art is not political, and therefore that the Esperanza does not qualify for "arts" funding.

Esperanza's Response to the Defunding

The Esperanza community struggled for almost a year about how to respond to the

1997 defunding. It was difficult to survive - in addition to the City funding, the City withheld our state funding, some local private foundations rejected our funding applications because of the adverse publicity, and some individual donors were frightened off. So the Board, staff, and community worked hard to find emergency funds and to cut spending on surviving programs. Moreover, the politics of the defunding were difficult to address. We had been attacked by an unlikely alliance among City officials, conservative white gay men, and the Christian right-wing. We had been defunded by a City Council that was majority Latino. And further, the media and city officials had emphasized the lesbian and gay film festival as the reason for the defunding, thereby driving a wedge between the

Esperanza and other progressive arts and social justice organizations, who were frightened by homophobic attacks. We knew both the power of the homophobic wedge and irony of its role in City politics. Not only were the Mayor and City Council willing to fund the Alamo Gay Men's Chorale, but Dennis Poplin, coordinator for the Lesbian & Gay Media Project was advised by the City Department of Arts and Cultural Affairs that the Media Project would be funded if it broke its association with the Esperanza.

The more we learned of the actual events leading to the defunding, the clearer it became that the Esperanza's co-sponsorship of the Lesbian & Gay Film Festival was only one of several factors in the defunding decision. Equally, if not more important was the Esperanza's work on cultural diversity. Equally, if not more important was the Esperanza's dedication to presenting work of artists that challenge class, race, and gender privilege. This work is "dangerous" because it may offend people of whatever race who enjoy class and gender privilege; it may offend people of whatever sexuality who enjoy race and class privilege; and so on.

The targeting of the Esperanza was successful not merely because some of the Esperanza leadership are lesbian, but because some leaders are out lesbians of color. The risk in doing multi-issue organizing is that you are vulnerable to multi-directional attack. The danger for people who work fully and honestly is that they will be subject to multiple forms of bias and abuse.

One of the first responses of the Esperanza was to join with other arts organizations and to create the Arte es Vida campaign. The campaign focused on the importance of art to the lives of individuals and communities and asked people to send post-cards to the City Council to express their support for public funding for the arts. As a direct result of this campaign, arts funding rose in the City Council's list of priorities from 42nd (in 1997) to 10th (in 1998).

Meanwhile, during 1997 and 1998, Esperanza community members met in a series of weekly and then monthly meetings. Participants in these meetings worked hard to analyze the defunding in the context of on-going progressive struggles in San Antonio. María Berriozábal shared insights from her ten-year experience on City Council, and took community members on an "economic tour" to emphasize the lasting social, economic, and cultural effects of City governmental decisions. Petra Mata and Viola Casares talked about their experiences in organizing Fuerza Unida and the frustrations they endured in their lawsuit against Levi Strauss. Dulce Benavidez shared the lessons she learned as organizer of the San Antonio Lesbian and Gay Assembly. Linda Morales and Terry Ramos talked of their experiences as AFL-CIO organizers working with Boeing workers. Mike Sánchez reported on his discussions with members of the carpenters' union, and numerous other people shared their

experiences and insights.

The Esperanza community considered the possibility of filing suit against the City of San Antonio, and considered the risks of such action, particularly because we were aware of the costs and diversions of legal action experienced by the Civil Rights Movement in the 1960s. Through these discussions, the Esperanza community decided to file a lawsuit only if the legal claim would not distort the truth of the defunding and if the litigation could support a focused organizing and community education campaign.

By the spring of 1998, however, the Esperanza community had reached a consensus. We would file a federal lawsuit alleging an unconstitutional targeting of the Esperanza and we would undertake the Todos Somos Esperanza campaign, with door-to-door organizing, cafecitos throughout the city, teatro de la calle, and a variety of formal and informal platicas and programs focusing on the importance of culture to the survival of oppressed communities and the obligation of government to support and protect the cultural expression of all of the city's communities. The significance to long-term national and international struggles for cultural rights of minority communities was also important.

Central to the defunding of the Esperanza was the City's lack of support for cultural expression in Latino and Black communities and its pervasive promotion of white, European-derived cultural norms and practices. The Mayor and City Council responded to Esperanza's advocacy for Latino and African-American cultural rights by targeting it for defunding. This targeting was successful because of the power of homophobic attacks against the Esperanza. In both public and private justifications for the defunding, the Mayor insisted on the idea that art and politics are distinct. This idea of art is itself a product of European-American, middle- and upper-class cultural traditions and is quite different from the understanding of art in Latino communities in the U.S. and throughout Latin America.

The City's insistence on a separation between art and politics is an insistence on European-American culture to the exclusion of other cultures. Distinguished art historian Tomás Ybarra Frausto, who appeared as an expert witness, explained: "Latin American art was born out of political struggle. As countless academics and artists have written, Latin American art for the last hundred and fifty years has been predominantly characterized by intense social concern. While much of European art has focused on the individual experience or on experience between the genders, the most important works of Latin American literature and much of its painting are concerned with social phenomena and political ideals. Art has been a critical vehicle for exploring social and national identity, political violence, racial and national integration both in Latin America and by Latinos in the U.S."

Prior to 1995, courts in the U. S. routinely dismissed any

claim regarding government arts funding. Most judges assumed that discretionary subsidies, which governments are not required to provide, were not subject to Constitutional review. This assumption was discredited in 1995, when the Supreme Court decided *Rosenberger v. University of Virginia*, which involved discretionary funding for student organizations. In addition, judges assumed that decisions regarding arts funding are inevitably subjective and therefore beyond rational review. This assumption was discredited by *Finley v. NEA*.

Four artists – the "NEA 4" – brought suit in 1990 challenging the denial of their applications for grants from the National Endowment for the Arts. After the NEA reversed the denials, the case proceeded to the Supreme Court on a limited Constitutional challenge to legislation requiring the NEA to consider issues of "decency" in the evaluation of arts funding applications. The Supreme Court ruled against the four artists and found that the "decency" provision was not unconstitutional on its face (although the

on artists or communities of color. Perhaps this was because the NEA-4, as white artists, were not directly impacted by racially and culturally-based views of decency and obscenity. Perhaps it was because the law did not readily recognize such claims or because, as white people, the lawyers did not see those issues.

In the Brooklyn Museum case, the attacks on the individual artist, Chris Ofili, a Black Englishman who used traditional African forms and materials, clearly raised issues of race and ethnicity. Yet the white lawyers who represented the Brooklyn Museum chose not to raise those issues in the litigation and the media coverage largely ignored them.

Unlike *Finley* and the Brooklyn Museum, the *Esperanza* case was shaped by the *Esperanza* community, including the Board of Directors, the Executive Director, the staff and the several hundred people who met regularly during the weeks, months, and years following the defunding. The community insisted that the lawsuit set forth claims that

accurately reflected the actual events and political dynamics that led to the defunding. Most importantly, the *Esperanza* community insisted on explicitly addressing the dynamics of race, class, and ethnicity as well as the issues of sexuality that led to the defunding. The *Esperanza* was targeted by the same impulses of control and exploitation that have led to white domination in San Antonio for generations. And for many in the *Esperanza* community, it would have been a betrayal of the struggles of our mothers and grandmothers to have silently endured these assaults.

The lawyers working with the *Esperanza* were challenged to shape claims and arguments that would accurately reflect the complexity of the defunding, including the race and ethnic dimensions. This was

difficult, because the law of racial discrimination was severely limited by Reagan-era decisions. Further, the right to free speech, the center of First Amendment law, has been defined and elaborated as an individualistic, even class-based, privilege. The words to describe a group's right of cultural expression and cultural integrity barely existed in First Amendment law.

When we researched the legal precedents, we were tempted to tell the defunding story as a simple case of anti-gay governmental action, because that claim has been successfully raised under free speech provisions. Moreover, that was the advice offered by national groups such as the ACLU, People for the American Way, and the National Campaign for Freedom of Expression, and LAMBDA Legal Defense. As lawyers we are shaped by existing legal discourse and so it was difficult to find ways to speak the *Esperanza's* experience. In addition, we knew that the



Press Conference announcing filing of lawsuit 1998

Court cautioned that it would be unconstitutional if applied in a discriminatory manner). Most importantly, however, the Supreme Court said that arts funding decisions are subject to Constitutional protections.

The *Esperanza* lawsuit was the first case filed after the *Finley* decision and it is the only case so far addressing issues of race and ethnicity in public arts funding. This is not because public arts funding does not impact artists and communities of color, but rather because prior to the *Esperanza* case, the law did not clearly recognize such claims and, perhaps, because lawyers have not pressed for recognition of such claims.

In *Finley*, for example, the four artists were all white, and the controversies focused on nudity, sexuality, and religious symbolism. The white lawyers representing the NEA-4 did not address the potential impact of the "decency" provision

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PGA VILLAGE PROPOSAL: ENDANGERING OUR WATER

By Maria Antonietta Berriozábal



en el río;
atoyatl= río, co=lugar.
ATOYAC

Editor's note: As we go to press the headlines of The San Antonio Express-News on December 1, 2001 blare with the headline: Wildlife chief says PGA plans at risk. A subheading follows: City developers haven't contacted him about endangered species. Risking our water sources with any type of development is a danger to all species, humans included.

Currently the City Council has under consideration a development agreement between the City of San Antonio and Lumbermen's Investment Group involving a PGA Village Development to be built on 2,855 acres over the Edwards Aquifer Recharge Zone near Cibolo Creek. This was made possible through enabling legislation that, if approved by City Council, would give economic incentives to a private developer for said project.

The PGA Village proposal before the City Council is bad news on two counts. It promises to take us down a well-worn path of failed economic hopes and dreams while eroding the hard-won consensus our city developed a few years ago through the Council-appointed Citizens Water Committee.

Today, as many of us in the community find ourselves once again working hard to prevent a bad economic decision and to protect our water, it may be helpful to revisit our recent history.

Bad News for the Aquifer

In 1997, after many months of work, the Citizens Water Committee, which included people representing the diverse and often divergent interests of the city's business and civic communities, succeeded in breaking the gridlock that had existed for years around water issues. We created a framework for meeting our future water needs.



verdura que crece a orilla del río;
atl=agua, ténli=orilla o labio,
quilitl=verdura comestible.
ATENQUILLO

The long-term strategy and framework recommended by the Citizens Water Committee and adopted by the City Council and SAWS contained two essential components: 1) optimize and protect the Edwards Aquifer and 2) develop new sources of water.

The proposal to build a golf course with its dangers of polluting our aquifer is a break from the promise made to the people of San Antonio that their water would be protected.

The public mandate that San Antonians want their water protected is unequivocally clear: In two elections over the proposed Applewhite reservoir, when community groups were extremely under funded against a well-financed campaign in support of the initiative, the people voted down Applewhite both times. In the last bond election when several proposals were defeated, the only proposal that passed was the one dealing with protection of the aquifer by the purchase of land.

This is not a good deal for the citizens of San Antonio for a number of reasons.

* Foremost is the intensified degradation of our water supply with pesticides, herbicides, and fertilizers from the three golf courses proposed as part of the project. In 1994, there was a citizens effort to ban golf courses from permitted uses over the Edwards Recharge Zone, but this did not become law.

* Because of the aforementioned enabling legislation the developer can collect taxes to build infrastructure that would normally be paid for by the developer.

* San Antonio has experienced frequent droughts requiring water restrictions. We already have 56 golf courses. We should not grant tax incentives to build additional golf courses. These require an enormous supply of water. Our water supply, even supposing the addition of new sources of water, should be reserved for better uses.

* The inclusion of a sewage treatment plant to be located over the Edwards Recharge Zone as part of this proposal is a risk for our water supply.

* This is one more case of a government subsidy directing growth to the already over developed north side of San

Antonio with its traffic congestion, pollution and more endangerment of our water supply.

* There are also other environmental concerns dealing with the natural habitat involved in the site.

Since the land is outside the city limits, the developer has threatened to build 9,000 single-family homes over the recharge zone. Hence, our elected officials indicate that the PGA Village would be a lesser danger because it would require certain government overview because of the public subsidy. In other words, it is the lesser of two evils.

Bad News for Our Economy

For over 20 years, San Antonio has followed an economic development strategy of granting heavy subsidies to the tourism industry. To drive that economy, various City Councils have voted to make major investments of public funds and to take numerous other actions with the aid, at times, of enabling legislation from Austin.

Among its investments in this strategy, our city has provided:

- * special public incentives for Sea World;
- * tax abatements for Fiesta Texas (a critical vote because it made further tax abatements easier to be granted and because the abatements were granted for development over the Edwards Aquifer);
- * sales taxes to build the Alamodome – most vulnerable now with the Spurs impending move to a new, also publicly subsidized arena; and
- * numerous other tax abatements to hotels.

Each of these projects brought promises of great benefits for our community. As we continue to wait for the promised benefits, there are some basic lessons we have learned from our history with tax abatements:

- 1) They bring us low-wage jobs.
- 2) It is very difficult to hold businesses accountable for what they promise in return for the tax abatements (the case of American Airlines is but one of many examples).
- 3) They drain public coffers, siphoning off monies that should be spent on infrastructure, maintenance, education and other public needs throughout our city.

For years, many of us in the community have argued that our economic development strategy ought to focus on investing in human development instead of tourism. The criticism of this approach has always been that it takes too long to reap its

benefits. But we must ask ourselves: If we had started to diversify our economy in the early 1980s, how far along would we be on this path today, 20 years later?

We have to begin sometime.

In recent years, there has been a glimmer of hope that we might actually commence to walk along this path. Some of our public officials and key business leaders have begun to add their voices to those of community groups in pushing for a strategic investment in human development to assure an educated and prepared workforce. There is a growing recognition that our economic future will never be strong if we do not educate our children and prepare adults for employment. We need to develop the local pool of workers for jobs in the bio-sciences, engineering and various high technologies.

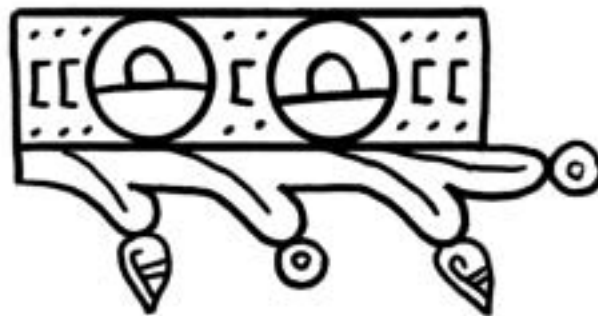
During recent Council deliberations dealing with a \$2,000,000 allocation to the Convention and Visitors Bureau for additional marketing, several Council members spoke of having

to look at things differently because of September 11, acknowledging the impact on our economy. For San Antonio, the hesitancy of travelers to fly and the economic recession will continue to have a serious and negative impact on our city's tourist economy.

The question about which path to take now becomes more sharply framed: At a time when the hospitality and tourism industry has become so vulnerable, is continued investment in tourism the best way to spend our tax dollars? Or has the time finally come for San Antonio to begin walking down a different path – one that will lead to investing in human development to safeguard our long-term economic future.

One thing is clear in this debate. The proposed PGA Village is yet another project that takes us down the same failed road of dreams of economic wealth never-come-true – a road that also happens to run right over the recharge zone of the source of water that sustains us all, our lives and our economy.

This issue was discussed in an executive session of the City Council recently. It seems that under the leadership of Mayor Ed Garza, the City Council will ask the developer for a study on the project's effects on the Edwards Recharge Zone. This has slowed down the process and provided time for citizen input. But there is still no one on the Council saying that the vote should be a simple no.



ixtlahuacán

lugar de llanuras;

ixtláhuatl=llanura, **can**=lugar.
(representado por: **ixtli**=cara (*ojos*),
tláli=tierra, **atl**=agua *del río*)
IXTLAHUACÁN DEL RÍO

Editor's note: On November 11, Unidos Por la Paz, a coalition of peace and justice organizations marched in support of alternatives to war. The march was the culmination of weeks of discussion and planning which took place at the Esperanza and throughout different sites in the city. The following articles touch on various perspectives regarding the September 11 attacks and the ensuing war. Also included are two of the speeches offered at the Peace Rally on November 11, 2001.

Will the REAL Patriots Please Stand Up ?

By Frank Valdez

"This conjunction of an immense military establishment and a large arms industry is new in American experience... We recognize the imperative need for this development, yet we must not fail to comprehend its grave implications. In the councils of government, we must guard against the acquisition of unwarranted influence, whether sought or unsought by the military industrial complex. The potential for the disastrous rise of misplaced power exists and will persist."

- Former President & Dwight D. Eisenhower, Farewell broadcast 1/17/61

On Friday, September 28th a group of about 150 people gathered at the Esperanza to discuss the tragic events of September 11th in New York City and Washington, D.C. After listening to a panel discuss the events of September 11th and where the responsibility lies for the upcoming war, individuals in the audience also spoke. While no one condoned the criminal acts of the terrorists, it was correctly pointed out of the U.S.A's many terroristic activities against the people of Chile, Cuba, El Salvador, Guatemala, Honduras, Iraq, Iran, Japan, Lebanon, Nicaragua, Panama, Puerto Rico, South Africa and Vietnam amongst others.

From the discussion generated we must remember the following points:

1) Terrorism is a criminal act no matter who it is directed against. No civilized nation can condone it. Real liberation fighters or revolutionaries NEVER resort to the use of terrorism, especially against children.

2) Considering how Bush made it to the White House, no self respecting American should be willing to fight any war under his direction. His presidency is bogus as is his reason to wage war. As Cuban President Fidel Castro said: "It is difficult to determine who is more fanatical in this conflict."

3) For the federal government and corporate controlled media to repeatedly state that the tragedy of September 11th was "a surprise" and "not expected" is a lie!

Osama Bin Laden has been threatening death and destruction against the U.S. for many years. He has been under the constant surveillance and scrutiny of the CIA and other U.S. intelligency agencies. How could the planned attack on the World Trade Center and the Pentagon not be known by our intelligence agencies?

Given the track record of the CIA, I have little doubt that it would not hesitate to use the victims of the September 11th



tragedy as sacrificial lambs to give Bush an excuse to initiate war. NEVER FORGET THAT WAR IS BIG BUSINESS!

4) We must also remember that this conflict is NOT about good versus evil. It is all about who will control the production of oil in the Middle East. The question is are we willing to be as suicidal for the oil monopolies as the fanatics are for the Jihad?

A fanatic is a fanatic and suicide has never been an option for me. Also Bush needs this war to divert attention from his disastrous economic policies after he gave his wealthy friends their tax breaks. Bush is going to raid our Social Security funds in order to bail out the nation from his generous act of welfare for the rich!

5) Opposing another immoral, undeclared war set up solely to defend the interests of American corporations is not disloyal, it is not sedition, it is our duty and right under the Constitution to do so! Yes, despite U.S. Attorney General Ashcroft's desire to suspend our rights, we still have the right to disagree with the policies and actions of the government. To fail to do so would be morally reprehensible and truly unpatriotic. Those of us who choose to question our government and demand accountability are



the REAL PATRIOTS. Our allegiance should be to the U.S. Constitution, not the flag. People who blindly follow the leadership of these warmongers are NOT patriotic, just stupid.



Frank Valdez is a veteran labor, peace and civil rights activist. Peace march photos by Anthony Okolie.

Endagering our Water, continued from page 7

There is great value in a strong "No" vote. Such vote by the City Council would be a powerful message for the future. Any developer wanting a subsidy, particularly over the recharge zone, would find a different political environment. As local columnist, Carlos Guerra, has suggested a No vote would give much needed leverage to the City Council in dealing with developers. Some citizens have proposed that the city purchase the land and others have gone so far as to say that the City Council could use the city's eminent domain powers and condemn the land. In addition, many of us feel that current local and state laws already in place to protect the Edwards Aquifer are not being fully implemented. In other words, the City Council could creatively find other options. Developers should not be the ones to frame this issue.

But the final vote should be, "No." Tax incentives for projects that bring low-wage jobs and risk polluting our water must stop.

In light of these realities, I joined other citizens before the City Council recently to voice my concerns. Hopefully, other voices will continue to join this debate. Call, e-mail or write your Council representative and ask him or her to vote no on this urgent issue. Water continues to be the most volatile and divisive issue in San Antonio. Citizen input is vital.

September 11 has changed everything. It's time we stopped subsidizing an uncertain tourism economy and began investing in a sure thing: our own people.



María is a former San Antonio councilwoman and has been a long time community advocate. In 1995 she attended the Beijing International Conference for Women as an official representative of the Organization of America States (OAS). As an elder statesperson María's involvement in community and politics is highly sought after.

ayahualólco
en la curva del rio;
atl=agua, yahualólli=enroscada, co=lugar.
AHUALULCO DE MERCADO

Condices antiguos borrowed from *Altepetócaatl* published Tlahcuilco in Guadalajara, Mexico.

Empire and Republic

by Tom Keene

Peace march, San Antonio, Texas
Veterans Day, November 11, 2001

As American citizens we are endowed with a double heritage, a double history. We find ourselves under two opposing systems, two conflicting visions, two differing sets of values, each trying to grow at the expense of the other. These two ways of American life are the way of American Empire and the way of a Democratic Republic. Each has called us and continues to call us in a different direction, to a different destiny. Empire called us to take this land for ourselves and put Native Americans on reservations. Empire called us to take half of Mexico, Puerto Rico, the Philippines, and Hawaii.

Empire calls us to domination. It set up the CIA to overturn democratic governments in Iran in 1953, in Guatemala in 1954, in Chile in 1973, in Nicaragua in the 1980s. Empire calls us to pay for the fattest military on planet earth and then tells us we can't afford a system of national health insurance.

But we also have a heritage of a democratic republic with a different calling, a better vision. Whereas empire calls us to be subjects of empire, a democratic republic calls us to citizenship. Where empire depends on violence to have its way, a democratic republic works non-violently. Where empire has to keep secrets from its subjects and whenever it pleases lies to its subjects, a democratic republic demands truth from its elected leaders and throws out the liars. Where empire declares itself a law unto itself and ignores international law at its pleasure, a democratic republic builds its foundation on law and demands equality of the law's protection for all its citizens.

Our president calls us to a war on terrorism, to destroy terrorism wherever it exists. But this president does not mean for America to destroy the terrorism of American empire. As a servant of empire, our president is blind to the fact that in 1986 the World Court condemned the USA for crimes of international terrorism against the democratic republic of Nicaragua. He is blind to the killings of innocent civilians by covert interventions of the American empire: 3,000 Chileans, 50,000 Nicaraguans, 80,000 Salvadorans, 200,000 Guatemalans, a million Cambodians. He is blind to the half million Iraqi children who died already for lack of food, medicine and clean water. He is blind to the 2 million Vietnamese civilians killed in a war

that was pronounced a mistake by its chief architect, Robert McNamara.

What our president calls us to- is to make war on the terrorists we don't control. If he really wants to end terrorism he can lead us in stopping the terrorism of American empire which we do control. But he won't. And that brings us to why we are here today.

We are here for peace. And the way to peace is the way of our democratic republic. It is a hard way, based on international law and respect for the community of nations. But it is a way that works. The violent way of empire does not work, it merely scatters the seeds of more violence. Empire is like the guy whose only tool is a hammer and who looks at every problem as if it were a nail. To attack terrorism the way our president is doing is like hitting the head of a fully matured dandelion with a golf club.



As citizens of a democratic republic, we are called to construct a government of the people, by the people and for the people, and to deconstruct the forces that would have government of the people by empire and for empire. We are called to work for a vision of a nation whose government serves the common good of its people and the planet. We are called to be a people dedicated to establish justice, insure domestic tranquility, provide in a lawful way for the common defense, promote the general welfare of all our citizens, and to pass on the blessings of liberty to our children and grandchildren.

We who march for peace have a dream, a dream of a nation that makes peace in the world instead of war and destruction. We ask ourselves, WHAT IF?

What if...America became a true democracy, where no one's vote counted more because of their campaign contributions?

What if... America became a people who took care of ourselves the way a family does, a nation that evokes from our citizens according to the ability of each and provides to our citizens according to the needs of each?

What if...we the people took responsibility for our use of the public airwaves, which belong to us anyway, so that radio and TV served the needs of people instead of delivering audiences to advertisers?

What if...we became an economic democracy where every family had equal access to health care, education, to public service without having to go the rich for money to run for office?

What if... we let go of empire's obsession to dominate and control the world with nukes and aircraft carriers and instead put all that good tax money to use feeding the one to two thousand kids who die of hunger every hour, every day, every year on this planet?

What if... we stopped putting energy into being the worlds number one arms seller and put our creativity to work modeling for other nations how to serve the well being of all humanity?

We can. And we will, as soon as we stop serving empire and start serving people by building a nation that is a democratic republic not just in name but in reality.



Tom Keene was a paratrooper with the U.S. Army during the Korean War. He is a poet and activist. He is a founding member of the Justice and Peace Commission of the Catholic Archdiocese of San Antonio and chairs sub-committees on the death penalty and criminal justice reform. He is a member of Pax Christi and served on its National Council. He is also a member of Pax Christi's Anti-Racism Team working to dismantle racism in that organization.

Tom Keene is a former professor of religious studies at Our Lady of the Lake University and holds graduate degrees in Applied Theology, Religious Studies and Psychology. He has published a book of his poems, titled THE WATERS OF BECOMING.

Editor's note: The photo essay which follows focuses on some of the September 11 victims who worked in the Twin Towers, many of whom worked in food services or maintenance in the Windows on the World restaurant.



While in Manhattan, I began photographing some of the thousands of flyers placed by families of missing persons (especially those with names like my vecinos in San Antonio) following the tragedy at the World Trade Center. These pleas for information - handwritten, photocopied or computer-generated - soon changed from hopeful optimism in the midst of shock to mournful sidewalk memorials as the enormity of loss of life emerged. With images of faces after faces taped and stapled on walls, telephone poles and bus stops, I walked for blocks slowly realizing the incredible number of people - people like each of us with families, loved ones, distinct haircuts, tattoos, wedding rings, favorite clothes, smiles and dreams of tomorrow - who are gone.

George Cisneros

HELP US LOOK FOR ANTHONY PEREZ

AGE-33 D.O.B 3-31-68 EMPLOYER:Candor Fitzgerald E-Speed, had ID Badge. Was on 103rd FL ONEWorld Trade Center. 6'7" 180 LBS.Brown hair and eyes. No birth marks or tatoos.Wife-MaryGola-Perez (516) 656-0289 Parents-Antonio&MariaPerez(516)889-8374. Wearing docke pants-grey pullover.



Daniel Lopez
(718) 383-0216

Missing FDNY Eng.Co#5 #3925

MANNY



DELVALLE

PLEASE CALL 212-9246279/718-325-6560

MICHAEL TRINIDAD
PLEASE CONTACT
ANACETE MARTINEZ
if anyone has
seen him
Please call (203) 267-6670 Jane
(917) 678-0276
(516) 377-5971

*We remember you,
dear loved ones*

HELP! Windows on the World Tower 106+107



Manuel Emilio Mejia
IF SEEN Please Contact

The Following Numbers:
(212) 740-0496
(212) 795-8768



- 5'4" 125 lbs.
- 31 years old
- Brown Eyes, brown hair w/ auburn highlights
- Was wearing black skirt suit

Please contact with any news you may have.

Claribel Hernandez

Missing from WTC. Tower 1. Attending conference on the 106th floor. Last heard from at 9am telephoned from staircase on the 100th floor. Sybase employee, accompanied by Gabriela Waisman.

Please contact with any information:
Eslyn Hernandez (husband): 718.305.2165 - e-mail: eherna@rcn.com or hamandert@telcel.com

Pages:
Marib
Carlo
Gianni
Mobil

M I S S I N G

ELENA LEDESMA



Age: 37; Dark Skin; 5'-6"
Brown Short Curly Hair

Worked for Marsh & McLennan together with Martin (Italian) on the 99th Floor Tower 1

If you have any information; please Call (718)384-6114 or email us at:

Lilamurda@aol.com. or T: 718.610.6114



9.11.01

PLEASE!
IF YOU SEE THIS PERSON
Emerita DeLaPena

Height 5'2"
Weight 135lb
Age 32
Hair Color Black
Eye Color Brown



WTC #2
Fiduciary Trust
90th floor
Clothing Black top Light blue

PLEASE CALL 718 657-2740

Gianni
2001



photo by George Cisneros

9-11: a call for introspection

by Hossam Aboul-Ela

democratically elected Prime Minister Muhammad Mossadeq because he had the gall to nationalize local oil production. The counter-coup that reinstated the Shah was actually documented in a memoir by the CIA operative who engineered it. Over a quarter of a century, the Shah imprisoned, disappeared, and tortured innumerable Iranians, yet successive Republican and Democratic administrations remained his staunch ally until the day the Iranian citizenry overthrew him. Then when some Iranians turned their postrevolutionary zeal into denunciations of the US, our media and political leaders wondered what their beef was.

The attacks of September 11th were horrid and indefensible crimes, and we have a right to be protected from their like. But our government has responded to cruelty with cruelty, making its priority the destruction of Afghani citizens, instead of the protection of its own.

When we talk about the United States' record of disregard for human rights, democracy, and equality in the Arab and Islamic worlds, we do so by no means to justify the 9/11 attacks, nor even to explain a direct cause for the radical fundamentalism manifested in that tragedy. Rather, we seek to shed light on all aspects of a complicated problem that our leaders have dealt with in a simplistic manner. The US's official antagonism toward Arab humanity creates problems in the aftermath of such events as our government seeks to build coalitions with countries whose people distrust us, and as local demagogues seek to exploit that distrust. But even more importantly, our foreign policy in the Arab and Islamic worlds undercuts our moral authority at home and abroad and puts us in conflict with the basic principles of respect for human rights and liberties upon which our country was founded.

When we speak of the history of America's involvement in the Middle East, we speak of a history of cynical intrigue in service of corporate oil interests. In 1953 our CIA engineered the overthrow of the popular

Throughout the 80s, we provided weapons and military equipment to both Iran and Iraq as they fought out the longest conventional war in human history. In the war's final stage our government changed its policy and threw its full support behind Iraq, arming Saddam Hussein with the weaponry that we would be destroying only two brief years after the war with Iran ended. When our government embarked on Operation Desert Storm our President declared "we have no beef with the people of Iraq; it's the government of Iraq we are fighting." When I remember that proclamation I shudder for the people of Afghanistan to whom President Bush addressed the exact same remark before we embarked on Operation Enduring Freedom. Ten years after the end of our war against Iraq, the United Nations estimates that half a million Iraqis have died as a result of the American-sponsored embargo against working and middle class Iraqis.

Over the past fifty years, our government has been a consistent, unwavering, and unquestioning supporter of Israel. Our unquestioning stance has endured as Israel's army has waged wars and/or invaded neighbors in 1948, 56, 67, 73, and 1982. We have asked no questions as Israel has occupied not only the West Bank and the Gaza Strip, but also at various times parts of Egypt and Lebanon, and to this day a section of Syria. In 1982 when Palestinian refugees were slaughtered by a right


wing Lebanese militia in the camps of Sabra and Shatila, in an area controlled by a platoon of the Israeli Army commanded by current Prime Minister Ariel Sharon, we turned a blind eye. When Israeli historians uncovered evidence in 1995 that the Israeli army under the direction of former Prime Ministers Yitzhak Rabin and Ehud Barak had executed Arab POWs in 1967 and 73, we asked Arabs to not dwell on the past. And when a UN review commission issued a finding that the Israeli army had purposely blown up a refugee shelter in southern Lebanon in 1996, US ambassador Albright responded by engineering the removal of then Secretary General Boutros Boutros Ghali. These are only a few typical examples of Israel's unrestrained domination of Arab peoples. Yet we have responded by increasing our levels of military and economic aid to that country, until it receives 3 billion dollars of American aid annually, more than any other country in the world. Still, when a small minority of Palestinians respond to the exploitative claims and actions of the local demagogue of the moment, we scratch our heads and wonder, "why do they hate us?"

In the aftermath of 9/11 our president answered that question, by saying that in every generation those who

hate freedom have attacked America. Well, I have a different perception of history. Our country was founded on principles of freedom, equality, and human rights, but in every generation, it's been left to a minority to fight for these principles to be put into practice: a minority of abolitionists to fight for freedom for slaves, a minority of suffragists to fight for voting rights, a minority of Civil Rights activists, feminists, and advocates for the rights of immigrants, gays and lesbians, and all peoples of color to fight for equality in our legal system and our society. Now as we call for a foreign policy that respects the principle of human rights and equality for the poor and innocent in the villages of Afghanistan and around the world, we speak as a minority, but let us not be silenced, because the principles about which we speak are right and just, and they are the principles upon which this country is based.

Our country was founded on principles of freedom, equality, and human rights, but in every generation, it's been left to a minority to fight for these principles to be put into practice...

And this land was not made for the corporate and government elites. This land was made for you and me.

 Hosam was born in Alexandria, Egypt and raised in Texas. He currently teaches world literature at the University of Houston and has translated several Egyptian novels into English. Hosam is involved with many progressive causes in the Houston area.

PASAJES

And un fuerte abrazo de la comunidad de Esperanza a Yvonne Cherena Pacheco who recently lost her loving "Papi." Siempre has estado en nuestro corazón.

We also wish to extend condolences to Juanita Luna Lawhn, San Antonio College professor and Esperanza supporter and collaborator for the recent loss of her husband.

Un fuerte abrazo y pésame sincero de parte de la Esperanza a la familia de María R. Salazar and JoAnn Castillo longtime members of the Esperanza familia. María, a former staff member lost her grandmother, Juanita García Sánchez in October of 2001.

JoAnne endured the loss of her maternal grandmother, Nicolasa Flores Rodríguez, in February of 2001 and lost her father Pedro Castillo on October 28, 2001, who died peacefully amongst his loved ones. With candles and flowers surrounding his casket at home the family bid him farewell.

A special wish for peace and comfort to Gloria Castillo, JoAnn's mother who has been a constant support in the lives of María and JoAnn and was a loving wife to Pedro.

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formalities and practicalities of a courtroom trial would not allow us to tell the entire history of the Esperanza defunding. Every legal case requires that reality be simplified. We worried that if we simplified the story enough to prove our case, we would risk losing the complex truth.

Moreover, the core group of three lawyers who worked to shape the claims – Carol Bertsch, Mary Kenney, and me – are all white. Although Carmen Rumbaut, a Cubana, and Chicanas, Elvia Arriola and Ilene Garcia provided helpful guidance at the beginning and the trial team included Latinas, Isabel de la Riva, Denise Mejia, and Judy Saenz, (together with Lynn Coyle, a white attorney), most of the analysis, research, and drafting was done by white lawyers. We did not see the issues of race and ethnicity as clearly as other members of the Esperanza community. Because of this, we had difficulty knowing how to analyze the information we were collecting and how to present the evidence we had discovered.

Moreover, as we worked on the case, the Esperanza's lawyers experienced a level of distancing and disrespect that was unfamiliar. This was most clear when we attempted to work with young white lawyers from the National ACLU. Although we were far more experienced than they and although we had been working on the case for two years before they worked with us, the young lawyers treated us as if we simply did not understand the law or the legal process. They not only resisted our efforts to shape the legal claims to reflect the Esperanza's experiences, but throughout they acted as if we simply had not thought about the case and as if we simply did not understand the world. We were being treated as brown and black people are treated. Because we did not distance ourselves from our clients, we were treated as outsiders, in need of education and guidance. Through this experience and others like it, one can see the tremendous pressure on lawyers of all races to separate themselves from their poor, working class, lesbian or gay, black, or brown clients. Sadly, lawyers often give in to these pressures.

Finally, it was difficult to tell the story of the Esperanza defunding because of the wedge that had been driven

between the Esperanza and other arts organizations and between the Esperanza and other Latino and African-American organizations. The virulence of homophobic attacks frightens everyone. Moreover, the racism in many exclusively lesbian and gay organizations causes many progressive groups to step away from issues of sexuality. In San Antonio, organizations that have supported the Esperanza's cultural organizing were fearful and unwilling to challenge the City's defunding of the Esperanza. Media coverage emphasizing right-wing attacks on the so-called "homosexual agenda" of the Esperanza aggravated these fears.



Press Conference First Day of Trial (2000)

Despite these difficulties, the Esperanza community worked with the legal team to shape the lawsuit to reflect the actual story of the defunding and to name the racial and ethnic significance of the City's arts funding decisions. The lawyers who worked with the Esperanza community came to understand the power of grassroots discussions of law and justice. Through the sometimes painful process of listening, agreeing, and disagreeing, we came to a much deeper understanding of race and ethnicity and the many differences among us. The community focused the lawsuit on issues of cultural integrity and held

to this focus through the Todos Somos Esperanza campaign.

Todos Somos Esperanza

The Todos Somos Esperanza campaign raised issues of public funding for cultural arts for discussion throughout the city. Thousands of people engaged in or with *cafecitos*, *platicas*, street theater, yard signs, community meetings, bumper stickers, the community mock trial, and the evening vigil before the trial. The issues raised by the defunding were actively discussed by people in their homes, on the street, in community meetings, and neighborhood gatherings.

The vitality and visibility of the Todos Somos Esperanza campaign was crucial to the lawsuit. The discussions engendered by Todos Somos Esperanza informed the legal strategy at every stage of the litigation. During the trial, the courtroom was packed with Esperanza supporters, elders and youth, gay and straight, women and men, brown, black, and white people.

We were lucky to have been assigned to Judge Orlando García (assignment of judges is done randomly). Judge García was raised in San Antonio and served as a state legislator prior to his appointment as a federal judge. Although reputed to be tough on lawyers, he is also known as intelligent, skillful, and hard-working. It was helpful that Judge García has a deep understanding of San Antonio and the importance of culture to the Mexican-American community. At the beginning of the trial, the first witness, Eduardo Diaz, used the word "quinceñera" and quickly translated for himself: "that means a fifteenth birthday celebration." Judge García smiled and instructed the witness: "This is San Antonio," he said, "I don't think you have to translate."

The next witness, Esperanza Executive Director Graciela Sánchez, identified herself as an out lesbian, a woman who had grown up working class in San Antonio's westside. Graciela used numerous Spanish words as she testified about the work of the Esperanza, speaking in a bi-lingual weave that is familiar among Latinos in San Antonio. Judge García listened closely and the courtroom was filled with the power of Spanish spoken openly, without translation, in the formal atmosphere of a federal court. Graciela testified to the judge and to the community members. The determined, engaged presence of community members was essential to that moment.

Later in the trial, the community witnessed as Mayor Peak testified to his belief that art and politics are necessarily distinct. When asked whether a program like MujerArtes, in which low-income women learn to tell their stories through the art of ceramics, is an arts program or a political program, Mayor Peak responded that it could be either one, "depending on the program and what the purpose is, and what the people are that go through that program." At that moment, a collective gasp arose from the back of the courtroom as members of the community reacted to the unexamined racism in the Mayor's statement.

With members of the Esperanza community present for the trial, the focus of Todos Somos Esperanza on issues of cultural integrity and public protection for cultural practices remained at the center of the legal strategy. And the visible interest of community members in the lawsuit brought home to the judge the importance of the case.

Reflections on the Importance of Cultural Rights Such as those Raised in the Esperanza litigation

Throughout the world, minority communities are struggling for rights of cultural expression and cultural self-determination. Indigenous groups, including the peoples of Chiapas, traditionally oppressed groups, including Black South Africans, and minority groups, including the Tibetans, have fought for international recognition and realization of their cultural rights. Within international law, a human right of cultural integrity is increasingly recognized. This right requires that the cultural identities of minority groups be preserved and developed and that nations support the

economic, social, political, and cultural institutions necessary to ensure the survival of minority groups.

Sadly, the U. S. has opposed efforts for international recognition of cultural rights. Indeed, the U.S. is one of only a few nations in the world that have refused to ratify the International Covenant on Social, Economic, and Cultural Rights, which includes a strong statement of these rights. The United States' opposition is based on the view – elaborated by Presidents Reagan and Bush – that human rights do not include group-based activities or any claim to public resources. As of this year, approximately one-hundred and forty-three countries have ratified the Covenant on Social, Economic, and Cultural Rights, including Mexico, Canada, most of South and Central America, and indeed most of the world. Unfortunately, the United States has refused to ratify the Covenant.

The Todos Somos Esperanza campaign has brought issues of cultural rights to a new focus in San Antonio. The Esperanza case takes a significant step towards recognition of cultural rights within U.S. law. As it has done so many times before, the Esperanza community joined together, with recognition of our many differences, and worked with strength, insight, and vision for a better world.



Amy Kastely is a professor of law at St. Mary's University here in San Antonio and serves as the lead lawyer for the Esperanza case against the City of San Antonio.

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Chipita Rodríguez in Irish-Texan Folk Memory

by Rachel Jennings

Editor's note: This special offering on Chipita Rodríguez offers an interesting insight into the intersections of culture and society in 19th century Texas. It also makes present day connections to the Karla Faye Tucker execution. Both Jennings' article and the accompanying article in Spanish expose the need for more research and recovery work in the history of women, particularly women of color.

In 1863, Chipita Rodríguez, a Mexican-American woman from the South Texas town of San Patricio, was hanged for axe-murdering John Savage, a trader on the Confederate Cotton Road to Mexico who frequented her small roadside inn on the banks of the Aransas River. Rodríguez is remembered in legend as the first woman to be "legally" executed in the state of Texas.¹

Since there were no eyewitnesses, modern scholars have found it impossible to determine if Chipita Rodríguez committed the murder. While she pled "not guilty" to the murder, she did not testify on her own behalf.

In Rachel Bluntzer Hebert's ballad-like poem, *Shadows on the Nueces* (1942), the author comments on Rodríguez's imposing silence. The narrator of the poem comments that "silence . . . betrayed" Chipita Rodríguez. Even on the gallows, in fact, she remained "passive-silent-resolute." Possibly, Rodríguez chose silence as the best means to resist Anglo efforts to distort her words. Still, angered that her own Irish-American ancestors silenced Rodríguez, Rachel Hebert provides her with a "voice."

Chipita Rodríguez's grave, Hebert laments in her preface, "is unmarked and forgotten. This poem has been written that she may not lie unsung." Having neither the testimony of the central historical protagonist nor complete archival records, Hebert must rely extensively upon the legends and ghost stories of San Patricio. These folk narratives convey the shame of those who condemned Rodríguez to die based on strictly circumstantial evidence. Such remorse reflects a largely unconscious awareness that race and colonialism had contributed to the guilty verdict against Rodríguez.

Believing, perhaps, that her female subject position allows her to understand Rodríguez's plight, Hebert recounts Rodríguez death with bold authority. Foregrounding the Irish backgrounds of the nineteenth-century colonists in San

Patricio, Hebert's account does not provide a "voice" for Rodríguez so much as reflect upon the historical development of Hebert's own white female identity.

As a resident of San Patricio, Chipita Rodríguez lived in a community that had been settled by mostly Irish Catholic immigrants before Texas statehood or the annexation of Texas from Mexico by the United States. These immigrants had been provided with land grants by the Mexican government because of their Catholic religion and the hope that their colony could function as a buffer zone between the more populated regions of Mexico and the Anglo Protestant settlements of the north. The tendency of the Anglos to segregate themselves and resist a Mexican identity made the Mexican government nervous.

During the Texas Revolution of 1836 and the U.S.-Mexican War of 1846-1848, however, the Irish-American community of San Patricio came to side with the Protestant Anglos. Having asserted their "American" identity and "whiteness," these Irish-Americans came to manifest white supremacist attitudes toward the Mexican-American population of their South Texas region. Since many of these Irish-Americans owned slaves (whom Hebert refers to with the term darky in her re-creation of nineteenth-century Anglo vernacular), racism toward Mexican Texans was simply a final affirmation of a white identity already firmly established.

When Chipita Rodríguez was accused of robbing and murdering John Savage, she was brought before a grand jury whose foreman was the sheriff who arrested her. The

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La polémica pena a Karla Faye Tucker

by Larry Bingham

Chipita Rodríguez, la última mujer ejecutada en Texas, fue ahorcada el viernes 13 de noviembre de 1863.

Los historiadores siguen escribiendo libros sobre ella, los niños piden que les cuenten su historia, y los empleados del tribunal del condado de San Patricio conservan a mano los pocos registros que quedan de su juicio.

Mientras se acerca la fecha de ejecución de Karla Faye Tucker, presa por asesinar con un hacha, la leyenda de Chipita recuerda que las actitudes ante la ejecución de mujeres no han cambiado.

El historiador Keith Guthrie, autor de La leyenda de Chipita, entrevistó a media docena de descendientes de los personajes de la historia, después entrelazó sus memorias con el contenido de los registros judiciales y compuso la historia. Dice que la historia de Chipita fue así: Era una adolescente cuando su familia dejó México y se trasladó a Texas. Su madre murió antes de que cruzaran la frontera, y su padre fue muerto en un combate por la independencia de Texas.

La narración retoma un tiempo después, a orillas de un río, donde Chipita atendía un apeadero para viajeros. La guerra civil se acercaba a la colonia pionera de San Patricio. Las fuerzas de la Unión habían bombardeado Corpus Christi a solo 25 millas de distancia.

Un comerciante de caballos llamado John Savage estaba reuniendo caballos salvajes para llevarlos a San Antonio y venderlos a los soldados confederados. Una semana después de haberse encontrado con Chipita, Savage estaba muerto.

Misterios

Su cuerpo fue descubierto en el río, cerca de la cabina de Chipita. Le habían abierto la cabeza con un hacha.

El asesinato se produjo en un momento en que a San Patricio le preocupaba que los soldados de la Unión pudieran atacar en cualquier momento. Los problemas raciales entre estadounidenses y mexicanos se prolongaban todavía después de la guerra de la independencia.

Chipita fue acusada de asesinato en primer grado. Juan Silvera, que vivía del otro lado del río, fue acusado de colaborar con ella. Una leyenda afirma que Silvera era el hijo de Chipita; otra leyenda dice que era su amante. Guthrie dice que no encontró pruebas de ninguna de las dos hipótesis.

Los descendientes le dijeron a Guthrie que la acusación de asesinato se proponía asustar a Chipita para que dijera quién había sido el verdadero asesino. Pero Chipita no dijo nada, sólo: "No soy culpable".

El juicio duró un solo día. El jurado dijo: "Teniendo en cuenta su edad y la prueba circunstancial contra ella, recomendamos que la corte tenga piedad de ella". Pero el juez Benjamin Neal la condenó a muerte. Silvera fue condenado a cinco años de trabajo en la cárcel. A ella la ahorcaron el 13 de noviembre.

La leyenda dice que nubes negras ocultaron el sol en todo el Golfo de México.

Las historias son tan fantásticas que Chipita eclipsó a las otras dos mujeres ejecutadas en Texas antes que ella. El historiador W.T. Block, de Nederland, Texas, descubrió que una esclava llamada Jane, probablemente Jane Elkins, fue ahorcada el 27 de mayo de 1853 en Dallas, acusada de haber asesinado a un hombre blanco, probablemente su amo.

Block encontró también datos sobre otra esclava, conocida como Lucía, que fue ahorcada cinco años después de Jane. Lucía fue acusada de matar a golpes a su dueña Marie Dougherty, que administraba el hotel Columbia en Galveston.

En los años 30 empezaron las visiones del fantasma de Chipita, una mujer que se desliza sobre el río Aransas. En 1942 Chipita fue la heroína de un poema épico de las mujeres de Galveston.

Los diarios recordaron la historia en el 1000 aniversario de su ahorcamiento, llamando la atención de Irma Rangel, que llegó a ser la primera mujer latina elegida para la legislatura de Texas.

Las desprolijidades legales del caso de Chipita perturbaron a Rangel: el sheriff William Means, que investigó el asesinato de Savage y acusó a Chipita, fue el líder del jurado que la condenó. Algunos de los hombres del jurado y hasta los abogados involucrados en el juicio eran objeto de acusaciones. El abogado de Chipita nunca apeló el veredicto, y el motivo nunca fue satisfactoriamente explicado.

Rangel, junto con el senador Carlos Truan, convenció a los demás legisladores en 1985 de aprobar una resolución que reivindicó simbólicamente a Chipita.

El libro de Guthrie salió en 1990. La Universidad de Texas presentó en 1993 la ópera Chipita Rodríguez.



Traducción de Marta Vassallo
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Chipitia continued from page 18

townspeople of San Patricio hurried her trial and attempted to lynch her before the scheduled execution date. After a hasty conviction, the townspeople attended and assisted at her hanging. Having rushed to shame themselves, the community eventually expressed remorse for their thoughtless act of vengeance. Due to the circumstantial evidence against the defendant as well as her age and gender, the jury recommended leniency; the judge, however, insisted upon the death sentence. Later, efforts by the community to reduce the sentence failed.

Very few people associated their feelings of guilt with racism or to a broader pattern of racist violence in South Texas. Still, the legends about Chipita Rodríguez reflect the political ambivalence of a community that unconsciously regrets its wholesale acceptance of a "white" identity at the expense of Mexican Americans.

Hebert's laborious effort to provide Rodríguez with a "voice" suggests the poet's need to ameliorate her own sense of white guilt. Ironically, Rodríguez's "voice" itself turns out to be "white." According to both local legends and Hebert's *Shadows on the Nueces*, Rodríguez entrusted her personal and familial legacy to a white woman, Kate McCumber, before her death. After many years, McCumber unburdened herself of the secrets to which she was sworn and thus provided historical redemption for Rodríguez. Ultimately, if true, McCumber's long silence functioned not to protect Rodríguez but to reinforce Anglo hegemony and protect the Irish-American community from affirmation of its own guilt.

The significance of McCumber's long-suppressed tale lies not in its power to undermine anti-Mexican stereotypes or in its frank account of Anglo-Texan responsibility for the racial lynchings of the past. Rather, as McCumber's daughter, representing the next generation of Anglos, "eagerly" exclaims, "Chipita's mystery" will "always be a page / Read by lovers of Texas history." Represented by such historians and folklorists as Walter Prescott Webb and J. Frank Dobie, the Anglo-Texan tradition of folkloric scholarship historically has been both colonialist and ethnocentric. If absorbed into this tradition, McCumber's contribution to "Texas history" almost certainly will be a distortion of Rodríguez's original account

Still, according to Hebert, Irish-American women were the only defenders of Rodríguez before her execution. "Full of Irish intuition," the persona says, "They declared her

innocent." While alluding to Irish "intuitive" understanding of oppression and injustice, Hebert mistakenly assumes women's universal values and concerns.

Thus, although she decries Rodríguez's death, Hebert does not view Rodríguez as the victim of a racial lynching. Rather, Hebert suggests that Rodríguez could have received justice if she had not protected the true murderer, another Mexican. According to local folklore, this murderer was her out-of-wedlock son by a white father, whom Hebert compares to "a fox, a beguiling thief." After the birth of Rodríguez's son, according to Hebert, the father returns "to snatch him away like cattle / When as calves they are stolen and branded. / Love was the weapon used by the trader / when he deceived her and then turned raider." In describing the white man as a treacherous thief, Hebert pointedly reverses Anglo stereotypes about Mexicans.

Indeed, the comparison of the white man to a cattle thief suggests that Anglos rather than Mexicans have been the primary "bandits" and criminals in South Texas. As Américo Paredes writes, "The Mexican's cattle were killed or stolen. The Mexican was forced to sell his land; and if he did not, his widow usually did." White men, then, literally stole cattle and land from Texas Mexicans.

Because she compares Rodríguez's traitorous lover to a cattle thief, one might conclude that Hebert both expresses anti-patriarchal solidarity with Mexican women and critiques the colonial violence endemic to nineteenth-century South Texas. Assuming that the sexual encounter between Rodríguez and the white man was a voluntary romantic tryst, however, Hebert blames Mexican women for the sexual violence committed against them.

When she is arrested for the murder of John Savage, Chipita Rodríguez neither reveals the name of her son's Anglo father nor turns in her guilty son. While miscarriages of justice did occur in nineteenth-century South Texas, Hebert implies, Mexican "silence" in the face of such injustice exacerbated the problem; indeed, in remaining "silent" about her son's history, Rodríguez colludes with the Anglo male in the betrayal of Anglo women. Seemingly, Mexicans' cooperation with Anglo authorities could have prevented many wrongs, including the "wrong" against Anglo men's spouses.

Ultimately, Hebert's account of the relationship between Rodríguez and the white man does not subvert the Anglo narrative of Texas history so much as replicate a





conventional, racialized theory of violent criminality as embodied in the couple's son. Having witnessed her son kill John Savage, the anguished Rodríguez realizes that "mixing blood" makes "fiendish creatures." This reference to the son's "mixed blood" is odd, of course, when one considers that the vast majority of Mexicans are descended from both Spaniards and Indians. As a Mexican, Chipita Rodríguez, too, would most likely have had "mixed blood." Tellingly, though, Hebert opens her poem with a genealogy of Chipita Rodríguez and her father that suggests a "pure" Aztec ancestry. Indeed, one learns, Chipitita and her father are descended from Cuauhtémoc, the Aztec chief who resisted conquest at the hands of Hernán Cortés. Thus, Hebert's defense of Chipita is not at all an assertion of solidarity with Mexican mestizos. Ultimately, Hebert's association of mestizos with "fiendish" behavior undermines and thus psychologically enables her earlier frank criticism of Anglo treachery and violence.

Hebert's conflicted view of Mexican Americans is instructive in de-romanticizing a popular conception concerning the "natural" alliance between Irish-Americans and mexicanos in Texas. No event symbolizes this alliance more than the sacrifices of the San Patricio Battalion in the U.S.-Mexican War. The San Patricio Battalion consisted of Irish soldiers who had deserted the U.S. army in order to fight for Mexico. Singled out for extreme punishment when they were captured by U.S. forces, the soldiers in the San Patricio Battalion were victims of anti-Catholicism and Anglo-Saxon nativism. As Michael Hogan observes, lucky San Patricios were those who "died in battle. Others who survived to be captured by the American forces were brutally whipped and branded. Forty-eight of them were executed."

Not all Irish-Americans, however, responded uniformly to the ethical dilemmas posed by the U.S.-Mexican War. While some Irish immigrants took up the Mexican cause against U.S. territorial aggression, other Irish immigrants joined the U.S. military as a means of obtaining employment. Striving for upward mobility, Irish immigrants clearly veered between resisting imperialist oppression and attempting to gain acceptance within the U.S. imperialist state.

Similarly, while the early Irish colonists accepted their identity as empresarios on the Mexican frontier, they increasingly recognized that their economic and political self-interest lay in identifying with Anglo Protestant settlers. In the eastern United States, Irish-Americans' adoption of

"whiteness" occurred as a racist backlash against African-American labor "competition." In the Southwest, Mexican Americans frequently represented the racial Other. In 1863, Chipita Rodríguez's execution reflected Irish-Americans' adoption of a "white" identity in the Southwest.

As a white folklorist, Rachel Bluntzer Hebert felt profound ambivalence toward the Mexicans of South Texas. Just as many English settlers had learned to love the Celtic culture of Ireland, Hebert grew up with a deep affection for Mexican people and culture. Like her fellow South Texan, J. Frank Dobie, she learned Spanish while playing with Mexican children and eventually majored in Spanish at the University of Mexico and Columbia University.

Hebert proudly belonged to both the local chapter of the Ancient Order of Hibernians, which would have a membership of Catholic Irish-Americans, and the Daughters of the Republic of Texas, which was dominated by descendants of early Anglo Protestant settlers. This seemingly contradictory pair of allegiances perhaps mirrors Hebert's wish to convey paternalistic goodwill toward Catholic Mexicans while also maintaining her identity as a civic-minded Anglo-Texan. Rather than being a gesture of cultural kinship or solidarity, the fusion of Irish-American and mejicano narratives in Hebert's *Shadows on the Nueces* camouflages colonial violence.

1 Actually, Jane Elkins, an African-American slave, was executed in May, 1853 (Underwood 654-655). In 1998, Karla Faye Tucker was the next woman after Rodríguez to be executed in Texas.

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Rachel Jennings is the current James A. Michener Publishing Fellow at the University of Texas Press. Her book, *Eulogy for Davy Crockett and Other Poems* (LaNana Creek Press), is forthcoming. Rachel has also been an active participant in the *Todos Somos* Campaign as part of Teatro de la Calle.

Notas Y Más

Brief notes to inform Voz readers about events, issues and happenings. If you have an item to announce, send it to La Voz de Esperanza, 922 San Pedro, San Antonio, TX 78212. The deadline is the 12th of each month.

Westfall Branch Library, 6111 Rosedale Court continues its free bilingual reading series in 2002. On Tuesday, February 19, at 7 pm. Dr. Norma Cantu will moderate a discussion on the book, *The Aguero Sisters* by Cristina García. Call 344-2373.

AUDRE LORDE FELLOWSHIP FOR WOMEN OF COLOR WRITERS/ ACTIVISTS

The Union Institute Center for Women in collaboration with **Norcroft Writing Retreat** awards an all expenses paid month long residency retreat and \$1,000 stipend to a woman of color writer/activist each year. The award is named in memory of **Audre Lorde**, the poet and essayist whose life exemplified the meshing of world-changing thought and action.

Application deadline is December 21, 2001 Contact Diana Onley-Campbell: 202/496-1630 or dcampbell@tui.edu

WOMEN AND SOCIAL CHANGE IN MEXICO

January 5 - 18, 2002 For all women interested in learning about the women's movement and social change in Mexico through the study of language and cultural exchange. The 2 week program includes roundtable discussions, guest speakers, field trips, museum visits, videos, and encounters with women's groups. Contact the Women's Program Coordinator, Araceli Navarrete at infor@cetlalic.org.mx or visit www.cetlalic.org.mx

Women's Place. Transitional Roles of Women in the 21st Century will take place at Jackson Auditorium on the Texas Lutheran University campus in Seguin, TX. February 21 and 22, 2002. The conference will feature, among others, Ema Pérez on *Decolonizing Chicano Women's History* and Jean Franco on *Bodies in Distress, Feminism in the Era of Globalization*. Contact: Aida Cragno: 830-372-6086 or e-mail: acragno@tlu.edu

Tierra y Libertad, a Reality Tour to Chiapas, Mexico, hosted by **Global**

Exchange is being offered for January 5-11, 2002. It offers participants the opportunity to learn about indigenous cultures, land issues, and the latest developments politically and ecologically throughout this highlands region. Cost is \$750 The Global Exchange also is offering the **World Social Forum 2002 Delegation** trip, a Reality Tour to Porto Alegre, Brazil from January 31 to February 5, 2002. Participants will meet key people in NGOs that work in issues that affect the Brazilian social and environmental movements. The delegates will also take part in the 2002 **World Social Forum** in Porto Alegre For applications contact: <http://www.globalexchange.org/tours/forms.html> or call toll-free at 1-800-497-1994. People of color are highly encouraged to apply. A limited number of partial scholarships are available.

Editor seeks erotica for and about African-American Lesbians in the form of poetry, essay, short story, interview, etc. Limit 5000 words **Deadline is Feb. 28, 2002**. Send submissions to is: **Afro-Sappho Press**, Editor Juin Charnell, PO Box 2054, St. Paul, MN 55102-0054.

Eakin Press announces the publication of *Red Boots & Attitude* by Diane Fanning and Susie Kelly Flatau, two Texas authors. The book showcases the fiction, creative non-fiction and poetry of 34 established and emerging Texas Women Writers. Cost is \$29, hardcover and \$24 paperback. It is available by calling 1-800-880-8042 or at www.eakinpress.com Three dollars from the sale of each book will go to breast cancer organizations.

Mexico Solidarity Network and **Global Exchange** are mounting a program to provide accompaniment for Mexican human rights activists whose lives have been threatened since the **Digna Ochoa** assassination. Contact Global Exchange at 415-255-

7296. Due to space limitations we were unable to include an update in this month's on the assassination of Digna Ochoa, a Mexican human rights lawyer. Updates on this and other news from Mexico can be found at <http://www.mexicosolidarity.org> The Mexico Solidarity Network is a coalition of over 80 organizations struggling for human rights, economic justice and democracy in the United States and Mexico. Comments can be sent to: msn@mexicosolidarity.org

Project Pride premeirs their *Faces of the San Antonio Lesbian Community 2002 Calendar*, Wednesday, December 12, 2001, 6-7:30pm, Esperanza Center, 922 San Pedro. Meet the women, see the pictures, buy a calendar, contribute to the scholarship fund. Call Joy 379-1980 or email projectpride@hotmail.com



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Community Meetings

ELLAS, Latina Lesbian organization. Call for meetings and information, 210-473-0217.

San Antonio Lambda Students (SALSA) meets the last Wednesday of the month at the Central Library, 6th floor, 7 – 8:45 pm. Call 732-4300 & ask for Lambda Students.

San Antonio NOW meets the first Monday of each month at the Resource Ctr, 121 W. Woodlawn. Call Maggie Cronan, 673-8600.

Voice for Animals meets the first Tuesday of each month at 7 pm, Brook Hollow Library, 530 Heimer, call 737-3138.

Parents/Friends of Lesbians/Gays (PFLAG) meets the first Thursday of each month at 7 pm at the Resource Ctr, 121 W. Woodlawn, call 351-0395.

Amnesty International #127 meets the fourth Thursday of each month at 7:30 pm at Ashbury United Methodist, call Ernani Falcone at 681-8370.

Society of Friends meets every Sunday at 10 am at Friends Meeting House, 7052 N. Vandiver, SA TX, 78209, call 945-8456.

Proyecto Hospitalidad Liturgy meets Thursdays at 7 pm at 325 Courtland, call 736-3579.

Circle of the Re-Formed Congregation of the Goddess meets the third Thursday of each

month at 7 pm at the Esperanza, 922 San Pedro, call 822-9105.

A Multicultural Worship Service is held Sundays at 11 am at **Spirit of Life Lutheran Church**, call Rev. Jennifer Kivikko at 826-8771.

DIGNITY S.A. holds mass every Sunday at 5:15 pm at St. Ann's Convent, call 735-7191.

Voice for Animals meets the first Tuesday of each month at 7 pm, Brook Hollow Library, 530 Heimer, call 737-3138.

Habitat for Humanity holds Volunteer Orientation the first Tuesday of each month at 1st Presbyterian Church, 404 N. Alamo, at 6 pm.

Xicana Xicano Education Project meets every Monday at 6 pm at the Bazan Public Library, 2200 W. Commerce St. Call the voice mail at 348-3872.

The **peaceCENTER** invites community members every Tuesday from 7 – 9 pm to discuss, exploration, and commitment to nonviolent peacemaking, 1443 S. St. Mary. Call 224-HOPE or <http://www.salsa.net/peace>

The **Anti-War Coalition** meets the first Monday of the month at 6pm at the Esperanza, 922 San Pedro. There will be a special meeting December 17, 6pm to discuss the **MLK** march. Call 228-0201.

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The following people and organizations were the heart and soul of the Todos Somos Esperanza campaign which inspired the outcome of the Esperanza lawsuit. They have made immeasurable contributions to the Esperanza community and to la buena gente de San Antonio. Heartfelt thanks to our supporters whomever and wherever you are.

Katherine Acey Arturo Almeida Gloria Anzaldúa Imelda Arismendez-Morales Elvia Arriola Philip Avila Steve Bailey Gertrude Baker Roberta Barnes Teresa Barajas Felipe Barajas Julie Bauer Vangie Bazan Ann Beeson Dulce Benavidas Karine Berghauser Joe Bernal Janie Berrera María Antoinetta Berriozábal Carol Bertsch Donna Blevins Paul Bonin-Rodriguez Penny Boyer Robert Bray Sharon Bridgforth Jorge Burwick Bett Butler Julio Caballero Antonio Cabral Nick Calzonciti Theresa Canales Esmeralda Cardenas Rey Cardenas Elizandro Carrington Christine Carvajal Danny Carvajal Viola Casares David Zamora Casas Rick Casey Antonia Castañeda Veronica Castillo JoAnn Castillo Patricia Castillo Yvonne Cherena Pacheco Francisco Cid Malena Gonzalez Cid George Cisneros Cat Cisneros Sandra Cisneros Anita Cisneros Pamela Clapp Constance Clear Yasmin Codina Laura Codina Kocht Codina Ed Codina Carol Costan Lynn Coyle Gustavo Cragnolino Aida Cragnolino Mary Ann Cruz Annette D'Armato Lisa de la Portillo Isabel de la Riva Antonio Diaz Micaela Diaz Leno Diaz Elsa Diaz Eduardo Diaz Siboney Diaz Joel Dilley Ron Dodson Julianne Donnelly Jaynisual Duhart Tom Edmonson James Evenoff Ed Fehelig Alicia Fernandez Roberto Flores Dina Flores Liz Flores Ana Forcinito Gill Foundation Tomás Ybarra Frausto Dudley Joan Fredrick Maria Elena Gaitán Graciela García Suzy García Elise García Graciela García Alegria García Ilene García Angie García H. Esperanza Garza Danny Geisler Placido Gomez Barbara Renaud González Patricia González Miguel Pablo González Paul Goode Dan Graney Mike Greenberg David Greene Andrea Greimel Vicki Grise Danny Gruenbeck Sandra Guerra Raphael Guerra Luz Guerra Danny Guerrero Ellen Gursinsky Adar Reyes Gutiérrez Gabriela Gutiérrez Jameila Reyes Gutiérrez Magnus Reyes Gutiérrez Celeste Guzman Barbara Hammer Peter Haney Marjorie Heins Araceli Herrera Christopher Hoffman Sterling Houston Dolores Huerta Robert Huesca Marco Iniguez Michael Ingraham Jim Isaman Rachel Jennings Lilian Jimenez Maggie Joseph Claudine K. Brown Al Kaufman Olga Kaufman Mary Kenney Robin Kessler Susan Klein Gara LaMarche Jody Lane Maureen Leach Marion Lee Yolanda Leyva Ruth Lofgren James López Rebecca López Antonio Maciel Arturo Madrid Imelda Maldonado Herminia Maldonado Michael Martínez Debra Martin Evi Martínez Elizabeth Martínez Pablo Martínez Petra Mata Domingo Mata Kate McLachlan Paul Medillin Denise Mejia Lisa Mellinger Monica Méndez Josie Méndez-Negrete Louis Mendoza Luis Mercado Deb Meyers Jennifer Middleton Mary Lou Miller Dianne Monroe Cherrie Moraga Hector Morales Linda Morales Rina Moreno Jason Morteo Michael Muñiz Dolores Zapata Murff Lloyd Murff Jorge Negrete Ruby Nelda Perez Bart Nichols Elsa Duarte Noboa Julio Noboa Ben Olguin Riña Oliver Jan Olsen Mariana Ornelas Moises Ortiz Cruz Ortiz Amalia Ortiz Paula Owen Mary Ozuna Craig Pannel Ed Peña Cynthia Pérez Lourdes Pérez Alejandro Pérez Jorge Piña Kamala Platt Dennis Poplin Martha Prentiss Veronica Prida Luz Maria Prieto Unity Puente Gloria A. Ramirez Marissa Ramirez Terry Ramos Sherry Rantz Chad Reinstein David Reyes Estella Reyes Juanita Reyna Alice Kleberg Reynolds Rogelio Riojas Cristal Riojas Mauro Robins Pedro Rodriguez Mike Rodriguez Roberto Rodriguez Jose Rodriguez Angel Rodriguez-Diaz Norma Martinez Rogers Jeff Rooney Grace Rosales Rudy Rosales Loretta Ross Carmen Rumbaut Judy Saenz María Salazar Manuel Solis Leticia Sánchez Enrique Sánchez raulrsalinas Graciela Sánchez Mike Sánchez Isabel Sánchez Bernard Sánchez Gustavo Sánchez Beva Sánchez-Padilla Judith Sanders-Castro Sorita Sandosham Peggy Shaw S.T. Shimi Elda Silva Jennifer Simmons Barbara Smith John Stanford Mary Helen Tamez Juan Tejada Sharyll Teneyuca Lee Terán Cristela Treviño Carmelita Tropicana Magdalena Trujillo Jane Tuck Sheila Valdez Nicki Valdez Frank Valdez Enrique Valdivia Peter Vallecillo Mary Vasconellos Deborah Vasquez Genevieve Vaughn Arturo Vega Fransisco Velasquez Brad Veloz Mike Villareal Fernando Villegas Barbara Villegas Luis Wilmot Liliana Wilson Lisa Wong Terry Ybanez Ivy Young Astraea Funding Exchange Albert A. List Foundation National Campaign for Freedom of Expression Nathan Cummings Foundation People for the American Way Public Welfare Foundation Andy Warhol Foundation

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