



# El Malcriado

THE VOICE OF THE FARM WORKER

10¢

Monday, July 1, 1968

Delano, California

Volume 11, Number 9

IN ENGLISH

## Their Reaction to Non-Violence

FOR STORIES

ON VIOLENCE

AGAINST THE

UNION, SEE

PAGES 2, 4,

5, AND 14.



VANDALS

DESECRATE

CROSS

Vandals sawed down the cross at the Union's Forty Acres last week. The desecration followed two attempts by persons unknown to set fire to the cross. The cross marks the site of the Farm Workers Shrine, not yet built, and was the scene of numerous masses and religious ceremonies such as the Easter sunrise service pictured below.





# Strike in Coachella

There's a new twist to the labor situation in Coachella, according to UFWOC legal department staffers.

"Slave labor still exists here," was one comment.

According to reports, every one of the struck growers has at one time or another used the system of repacking. When grapes come in from the fields improperly packed, inspectors dump them out of the boxes and people are recruited, without pay, from the fields to repack them. Those who refuse lose their jobs.

No one knows exactly how many workers have walked out of the vineyards in the Coachella in the last couple of weeks, but more than 1,000 have stopped long enough to sign statements supporting the Union.

Many hundreds of others have left the fields quietly, and the walkout has slowed the picking considerably, despite the unlimited supply of wetbacks and green card strikebreakers available across the border.

Sixteen grape growers have been struck in the brutally hot section of the desert in the Indio-Coachella area. (Temperatures during the 10 hour workday range from 110 to 120 degrees.)

Among the ranches struck are those of David Freedman, Richard Glass, Coachella Vineyards, Coachella Imperial Distributors, Bagbasarian, Carahagan and others.

Early grower predictions said the harvest would be completed by Thursday, June 27, but growers have pushed the figure back to July 4. Union spokesmen said they cannot see how the harvest could be finished before July 10 or later.

Violence against the pickets followed the usu-



al pattern, according to telephoned reports. UFWOC organizer Roberto Bustos was reported to have been injured when his car was struck from the rear by a county sheriff squad car.

An unidentified farm worker en route to Texas who stopped in Coachella to aid the strike was struck by a pickup truck while on the picket line, it was reported.

UFWOC legal research assistant Peter Williamson was injured Tuesday when an annoyed Freedman Ranch official wrenched a "No Trespassing" sign from the ground and began swinging it like a battle axe.

Williamson said charges would be filed against the official, known as Stanley Jacobs.

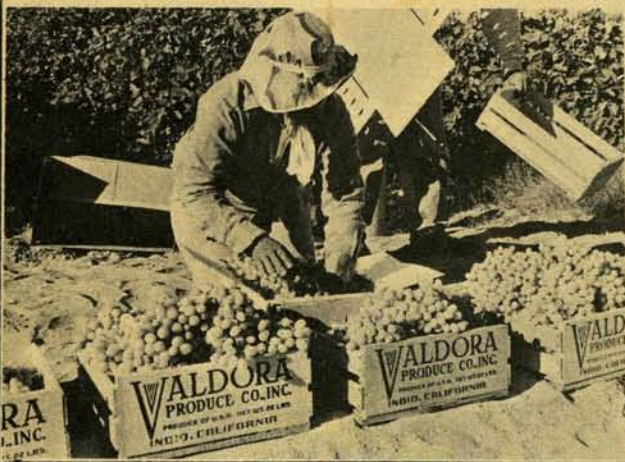
Organizers and staff of the Delano office dispatched to aid the Coachella strike are sleeping on the floor of a room above the Union office.

Sleep appears to be a rarely-afforded luxury, and donations of food and cash were urgently needed as of Tuesday night.

"The picket line has more than 300 people on it, but it would be larger if we could help people feed their families," César Chávez told El Malcriado. "I know that more of the workers who leave the fields would stay to help us if they were not in such desperate need already. I know our supporters will not fail us now. They have always come through when we needed them," he said.

Observers said the harvest is going to be 700,000-800,000 packages (22-lb. boxes) under last year's. "We visited one 40-acre field of Thompson Seedless," an official said, "and they've just raisins on the vine."

Federal District Judge Hall of Los Angeles recently restrained the government from enforcing



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regulations against illegal strikebreakers.

Before the order was issued, the Immigration made a field check and found no illegal workers.

A week before, they had checked Mexican laborers in the Palm Springs area nearby, and approximately 80 illegals were picked up. Union offi-

According to CRLA attorney Jim Lorenz, "We estimate that between 40,000 and 80,000 wetbacks cross the border every year. The *braceros* have been cut off, but the wetbacks have taken their place. The feds say they're doing everything possible about the situation, but it's a revolving door. They catch them and deport them, then they go out and do the same thing with the same people the next month."

The "green card" is Immigration Service form I-151. Supposedly issued to aliens who settle in the United States as permanent residents, the card is in fact given to commuters who come to the U.D. on a daily or seasonal basis, providing a ready and inexhaustible supply of scabs.

One CRLA attorney referred to the "incompetent law enforcement of the Immigration Service, which allows foreign workers to come into the United States and force resident workers onto welfare rolls."

"Wetbacks are being used as farm workers in large numbers, and the border patrol is doing almost nothing about enforcing the law on their entry," Lorenz said.

While the strike continues, growers still try to ignore the existence of the farm worker movement. Despite the Union contracts with some of the world's largest wine and table grape producers, growers claim the movement does not represent the workers.

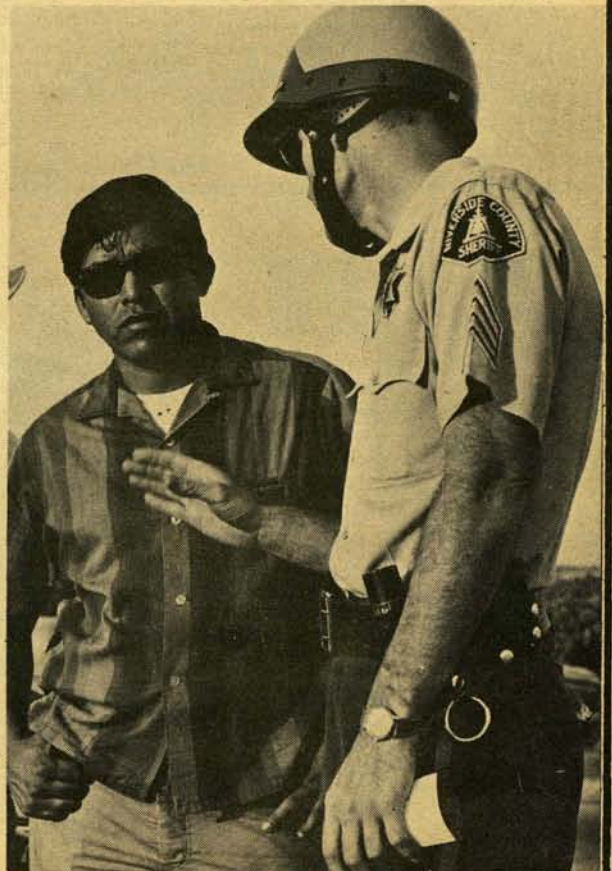
Mike Bozick, president of the growers' association in Coachella told one reporter, the only labor dispute evident is a group of professionals who are roaming the country roads screaming at the workers."

"That statement is patent nonsense," wrote a reporter dispatched by a national news magazine to cover the strike in Coachella.

The boycott, more effective than ever before, continued to tighten up. The city of New York, where 20 percent of the California table grape crop is normally sold, officially endorsed the boycott last week.

In a copyrighted story, the growers' trade newspaper *Produce News* reported last week:

"Industry spokesmen at Coachella admit that the refusal by some retail chains to handle California grapes in accordance with union demands has affected grape shipments."





# VIOLENCE AGAINST THE UNION

## SCABS FINED FOR ATTACK

A Giumarra employee, a former employee, and their wives were convicted of disturbing the peace and three were found guilty of assault against UFWOC members in a three-day trial which ended Monday, June 24.

The trial covered a savage attack last August, when UFWOC strikers Manuel Vieyra, Juan Molina, Pascual Barrientes and volunteer Bill Taylor were picketing Giumarra's packing shed in Edison, California, about 40 miles south of Delano.

The thugs convicted were Jerry Stone, a Giumarra dock loading foreman; Larry Shadden, who worked for Giumarra last year; and their wives, Thelma Stone and Linda Shadden.

According to trial testimony, Vieyra, Molina, Barrientes

and Taylor were picketing the shed about 2 AM, when a car pulled up to confront the pickets.

Reportedly without provocation, a woman jumped out of the car, hit Taylor, and began pulling his hair. Vieyra came to Taylor's aid, and was promptly attacked by one of the men. Immediately all four occupants of the car attacked the pickets. Security guards arrived and shouted, "Break it up!"

Police were called, it was reported, and the license number of the car was recorded. The occupants were identified within five minutes.

It took from August, 1967 until June, 1968 for the case to come to trial.

According to defense testi-

mony, some "unknown" Mexican man about 28 years old attacked one of the women, causing the melee. The unknown man was never identified, and his presence was unknown to the victims of the scab attack.

Sentences were light considering the nature of the attack by Giumarra's henchmen. Despite contradictory statements by defense witnesses and frequently changing statements by the same persons, total fines for the four were only \$450.

Three of the attackers were fined \$100 each, and the fourth paid \$150. Part of the sentences were suspended pending good behavior, court observers said.

## CONTRACTOR MUST PAY \$2,500 FOR HITTING STRIKER

BAKERSFIELD, June 26--Damages to the tune of \$2,500 were awarded UFWOC organizer Mark Silverman by a Bakersfield Judge today, after a trial which proved Silverman had been attacked and beaten by Giumarra contractor Valeriano Juárez on May 16.

Silverman told the court, that the beating occurred in front of Juárez's house, located at 2512 Nelson Street in Bakersfield.

Silverman and partner Nick Jones of the Migrant Ministry were standing in front of the house talking to "sympathetic" scabs when, Juárez approached in a "belligerent" manner, according to Silverman's statement.

"Do you want my photograph?" asked Juárez.

"Sure, if you want to give it to me," answered Silverman.

Further testimony in the trial showed that Juárez then spoke to Silverman with a closed hard fist. The slender organizer was knocked to the pavement with a second blow.

Silverman said he phoned the Kern County Sheriff's office, where Deputy E. Leavelle was

dispatched. Juárez's family and Giumarra scabs were the only other witnesses to the incident.

EL MALCRIADO SAYS: We congratulate newly appointed UFWOC attorney David Averbuck and Brother Mark on their victory.

Maybe there is hope of justice from the courts. The United Farm Workers Organizing Committee opposes violence with order, and this is just one more example of the way labor contractors are used to operating.



Valeriano Juárez



# The Trial Of The Texas Rangers

The trial of 12 Texans accused of conspiracy to deny UFWOC members of their constitutional rights began in Brownsville on Tuesday, June 11.

The 12 defendants, six Texas Rangers and six Starr County officials, were in court to answer charges filed by UFWOC last year, after the Rangers and growers snuffed out a strike of melon-pickers.

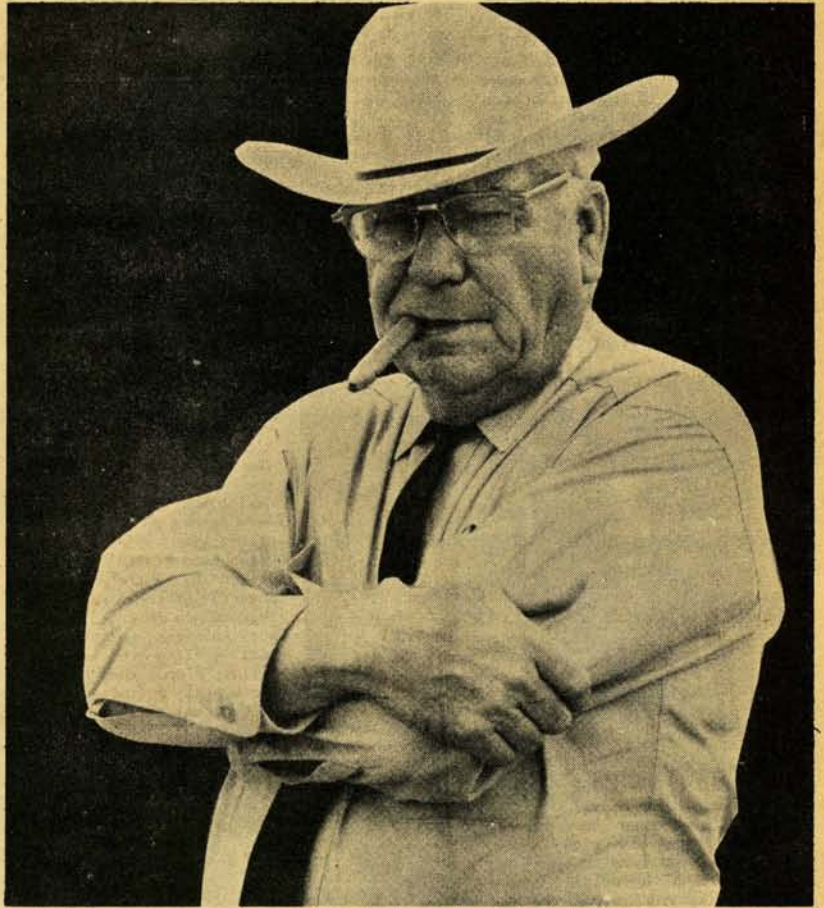
The suit also challenges the constitutionality of six Texas statutes which have virtually annihilated all strike efforts in Texas. Last year, trains carrying scab melons were "guarded" by cops with machine guns mounted on railroad cars.

A.Y. Allee, captain of the Texas Rangers, answers only to the governor of Texas. "They can strike from now until doomsday," he was reported to have said. "I don't care as long as it's done peacefully. I'm not prejudiced." Between May 11, 1967 and June 1 of that year, there were 43 arrests of strikers. The period coincidentally was the time when the Rangers were in Rio Grande City, center of the strike area.

Among the many arrested were Gilbert Padilla, vice president of UFWOC and leader of the Union in Texas, and the Rev. James Drake, administrative assistant to Cesar Chavez.

Starr County, in the Rio Grande Valley in Texas, is the center of a large agricultural area which specializes in melons. At the time that the strike began in the late spring, the workers were receiving as low as 65 cents an hour for their labor. The United Farm Workers Organizing Committee responded to the needs of the workers, and began to organize them. When the local authorities saw that the workers might win the strike, they called in the Rangers, who holed up in the Hotel Ringold, a cheap hostelry in Rio Grande City, and cruised the unpaved streets with their unmarked cars carrying RKK license plates.

The trial is expected to continue next month.



*Captain A. Y. Allee of the Texas Rangers. Allee was personally responsible for dozens of arrests of strikers in Texas during the melon strike of 1966-1967, and brags of beating up strikers Magdaleno Dimas and Benny Rodriguez. Allee is on trial with 11 others charged with conspiracy, to break the strike and deny the strikers their civil and legal rights.*



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# RAFFERTY AGAINST POOR PEOPLE

Max Rafferty



DELANO, June 24--Max Rafferty came to Delano today. State Superintendent of Public Instruction and Republican candidate for the US Senate, Rafferty told assembled growers "As a teacher I do not know enough about agriculture, that is why I came here, to learn more about it."

Rafferty emerged after a closed luncheon with growers to say, "I can see no shred of legality to what is going on...When a local strike fails, there is no reason to carry the fight to the East coast."

Rafferty said that his noontime discussion with the growers was confined to automation, the boycott, and farm labor.

The Republican candidate was also quoted by reporters at Delano "airport" as he prepared to leave for Sacramento. "I was surprised at the small percentage of migrant farm workers you have in this area, and the rapid strides which are being made with automation," Rafferty said.

When pressed to comment further on the effect of the strike, Rafferty blurted out that the last three grape crops have been picked and he had concluded from that the UFWOC strike was a failure.

Max called a proposed federal bill to place agricultural workers under the National Labor Relations Act was a "transparent political gesture."

EL MALCRIADO SAYS: Maxie was elected to the post of State Superintendent of Public Instruction despite the opposition of California Teachers' Association and most other organized groups of educators.

In a state that could elect movie actors governor and senator, however, that's not so sur-

prising.

Now Maxie is teed off because UFWOC is participating in a secondary boycott. Well, what other means does he suggest for us to rise above \$1.40 per hour wages?

The scabs pour across the border to pick the grapes, and the Great American Republic uses the poor of Mexico to break the strike of the poor in this country.

We're excluded from coverage by the National Labor Relations Act, so we get none of the benefits or protection of the Act, but Maxie thinks we should be limited by its prohibitions.

The strike has failed, the man says. If the strike has failed, who negotiated the contracts with DiGiorgio, Perelli-Minetti, Christian Brothers, Almadén, Gallo, and the rest, if not UFWOC?

Has Maxie heard about the new contract with Schenley, negotiated after the expiration of the first contract this month? Does he know of non-Union ranches that provide a guarantee of \$1.90 per hour to their workers, with pruning on a \$2-plus hourly rate instead of the old piece-rate speed-up system?

When you have nothing sensible to say in a campaign, you turn to the nervous Conservatives and promise to be their friend.

We have news for you, Maxie. The late Senator Kennedy swept Delano, and future elections are going to show that it is the workers who are the majority around here, not the few growers who have grown rich over the years off the sweat of a once-ignorant group of dark-skinned laborers.

## GROWER CAUGHT CHEATING WORKERS

A Federal Judge in Greenville, Mississippi has sanctioned payment of \$50,000 in back wages by a wealthy plantation owner to about 200 tenant employees. It is a case that clearly shows how rich farmers benefit from government subsidies while exploiting the poor.

Joseph Roy Flowers of Mattson, Miss., was found guilty of charging his Negro laborers as much as \$70 for wooden shacks without plumbing, \$150 a year for wood for heating purposes, and \$3 to buy cotton sacks to use in picking cotton.

During the proceedings, his FHA appraisers revealed that the rental costs for 158 housing units occupied by the 200 tenants and their families

should have ranged from \$3 to \$12, with a median of \$6. A Labor Department study showed that the typical house is in poor condition, is on a 1/8-acre lot, has four rooms and 750 square feet of floor space.

Monthly rent and other deductions made by Flowers were designed to circumvent minimum wage provisions of the Fair Labor Standards Act. Under a 1966 amendment the act extended coverage to farm workers of employers who used more than 500 man-days of farm labor in a quarter of the preceding calendar year. It became effective Feb. 1, 1967.

Evidence in the case indicates Flowers made no deduction from his workers' pay for rental and other costs before

the effective date of the amendment covering farm workers.

About 400,000 farm workers in the nation are covered by the amendment, but Labor Department economists say they do not know how many receive housing and other facilities as part of their pay.

EL MALCRIADO SAYS: This is an important case that shows how similar cases must be handled through the use of government research facilities. The main problem is to expose people such as Flowers as to their practices through the years. Eventually all exploited workers who have made rich men out of the growers must be paid decent wages and have only legal amounts deducted from their checks.



# DIGIORGIO WORKER GETS \$252

Mrs. Rosy Mims Long, a worker at DiGiorgio Corporation in Lamont, is \$252 richer this week, thanks to the Union contract with DiGiorgio and the United Farm Workers, which helped her stand up for her rights.

Mrs. Long worker for DiGiorgio all through the 1967 season, but in late September, 1967, her husband had family troubles and had to go back East. Mrs. Long asked the DiGiorgio supervisor if it was alright for her to go back East with her husband. He agreed to give her a leave of absence.

When she returned to Lamont this winter, there was no work, so she filed for unemployment insurance. DiGiorgio officials now claimed that Mrs. Long had quit her job, and was not eligible for unemployment compensation. (DiGiorgio workers, by the way, are the only farm workers in California who get unemployment insurance, thanks to the Union contract with DiGiorgio.)

Mrs. Long got discouraged and had actually given up hope of collecting her unemployment funds, but the Union didn't forget. With the help

of the California Rural Assistance and attorney Bill Daniels, the case was taken to court.

Last week the judge ruled that since Mrs. Long had asked her supervisor if she could leave, she had not quit but merely taken a leave of absence. He said that she should get \$252 in unemployment compensation. Mrs. Long, who hadn't even attended the court, was mighty surprised and happy to get that extra check. That \$3.50 a month in Union dues seems pretty small when compared to the benefits of being a Union member!

## POVERTY PROJECT: PLASTIC PADS

## a news summary of the war on poverty

*The war on poverty boys are real proud of their new migrant housing. As long as it's only supposed to last "a couple years" they've decided to use plastic as a building material.*

*Well, plastic is probably as good as unfinished plywood, also a popular material for migrant housing.*

*Here's the story as it appeared in an official Office of Economic Opportunity newsletter:*

OFFICE OF ECONOMIC OPPORTUNITY - JUNE 10, 1968

AN OEO MIGRANT housing project in California will receive an Honor Award, the nation's highest professional recognition for architectural excellence, from the American Institute of Architects during the AIA Convention in Portland, Oregon, June 24. Twenty winners were selected from 377 entries by a jury of six nationally known architects. The diversity of winning entries ranged from a high school gymnasium to the academic and residential elements of a college, from a swimming and tennis facility to an electrical receiving substation, from a migrant master plan to an Expo '67 pavilion and from a restored library to a 31-story civic center.

The project is the Migrant Master Plan, Indio Camp, Indio, California. The Architects were Hirshen and Van der Ryn of Berkeley. The Architect's description of the project:

"The problem was to provide extremely low-cost temporary shelter, sanitation, education, child care and related community facilities for migrant farm workers and their families in 'Flash Peak' harvest areas scattered throughout California. Under this Office of Economic Opportunity program, 19 temporary communities have been constructed. They have evolved from minimal, but adequate, demountable shelters of paper and plastic construction with communal bathing and toilet facilities, to the recently completed camp in Santa Cruz County which provides clustered dwelling units with private outdoor space (expandable for future use) and individual washing, sanitary, and cooking facilities."

The Jury Comment: "Very ingenious thought on trying to solve a problem of a temporary structure for migrant workers that is to last only a couple of years. Employs materials which architects in this country really haven't discovered -- plastic. A very pleasant treatment."





**\$1.90 AN HOUR MINIMUM**

# New Schenley Contract Signed

A basic hourly rate of \$1.90 per hour was the principal feature of a new contract with Schenley Industries signed last week in Delano.

The new rate is 15 cents higher than the previous rate, and so far as we know, is the highest paid any farm workers in the continental United States.

Also announced by Ranch Committee Chairman Paul Vargas were pruning rates of \$2.10 per hour for hand pruning and \$2.25 per hour for pruning with the recently introduced pneumatic pruning rigs.

Pre-strike wages were \$1.25 per hour, so wages have risen 70 percent in the the last three years.

In addition to the regular wages, the company agreed to pay 10 cents per hour for each worker into the Health and Welfare program, which will provide fringe benefits for retirement, medical and dental care, and similar assistance to the workers and their families.

Piece rates for the picking will average \$3.25 per hour. The full table of wage rates in the

contract is as follows:

|                | New Rate | Old Rate |
|----------------|----------|----------|
| Crew Leader    | \$2.25   | \$1.95   |
| Truck driver   | \$2.05   | \$1.85   |
| Tractor driver | \$2.05   | \$1.85   |
| Irrigator      | \$1.95   | \$1.80   |
| Laborer        | \$1.90   | \$1.75   |

Vine tying will bring \$2 per hour or 2- $\frac{1}{2}$  cents per vine, whichever is more. HAND PRUNERS WILL EARN \$2.10 per hour and machine pruners will draw \$2.25. The former rate for pruning was \$1.65 per hour plus \$1 or \$1.50 a row.

Wages at the Poplar ranch have been increased up to 30 percent in some cases, so that workers there will make as much or more as workers on the Delano Schenley ranch. Previously, workers at Poplar complained that because of the quality of the grapes, they were earning less than workers in Delano.

The contract contains 30 sections. Here is a summary of some of the most important provisions.

1. **RECOGNITION.** The Union is the sole bargaining agent for the workers.

2. **UNION MEMBERSHIP.** After 10 days employment, workers must join UFWOC.

3. **SUCCESSOR CLAUSE.** The contract shall be binding upon the parties and their successors. This protects the workers in case the ranch sells its land to another company. The new owners would still be under Union contract.

4. **HIRING.** No work shall be assigned without first consulting UFWOC and informing them number of workers needed, type of work, starting date, and length of job. UFWOC must reply within 48 hours after which the employer can procure workers from other sources. Former time required was 72 hours but dispatching techniques have improved and since the wages are so good at Schenleys there will be no shortage of workers.

6. **DISCRIMINATION.** Neither party will discriminate on the basis of race, creed, color, religion or natural origin.

7. **SENIORITY.** Seniority will be based on the length of service. The company will keep track of all seniority lists. The Union formerly had this responsibility. Now the Union will check the company's list.

8. **OVERTIME.** Employees working more than nine hours receive 25 cents per hour extra.

13. **REPORTING AND STANDBY TIME.** An employee required to report for work and who is furnished no work or less than four hours work shall be paid at least four hours wages.

14. **DEDUCTIONS.** Itemized wages and deductions will be furnished by employees. Deductions must be authorized by worker or provided by law.

15. **HOUSING.** Prohibits discrimination in housing.

16. **TOILETS.** One for every 35 employees in the field.

18. **ABSENCES.** Granted for army duty, sickness and valid excuse.

20. **GRIEVANCES.** Company supervisor and Union steward will try to settle disputes first; if unsettled after 24 hours goes to Union office and company office; after two days to personnel officers, and finally to Federal Mediation and Conciliation Service for arbitration.

A grievance committee of five workers defends the workers and tries to cool things down before they become too involved.

21. **HOLIDAYS.** Full pay on Christmas, New Years, July 4. Any worker working on these days or Labor Day, Good Friday, or Thanksgiving receives time and a half.

22. **VACATIONS WITH PAY.** 48 hours after one year, 96 after two years, and 144 after ten years. To qualify, any employee must have worked 1600 hours during the previous year.

23. **STRIKES.** No strikes or lockouts.

24. **PICKET LINES.** Any worker may refuse to cross UFWOC picket lines. Workers cannot be forced to do work of strikers of another company.

29. **BEREAVEMENT PAY.** To attend the funeral of a deceased member of the immediate family, workers will have three days off with pay.

The contract will be in effect from June, 1968 until June, 1970.



## HOW THE WORKERS AND THE GROWERS REACH AGREEMENT

The first Schenley contract was signed in June, 1966. The union had been on strike against Schenley since September, 1965, and after a bitter eight-month picket of the fields and nation-wide boycott of Schenley liquors, Schenley Industries agreed to recognize the Union.

The first contract provided for a \$1.75 minimum wage for the workers, the best wage for any farm workers in the world outside of the contracts in Hawaii.

In June, 1967, the contract was renewed for another year. Things had gone very smoothly the first year, and both the company and the workers were pleased with the results.

This month, the workers decided that they wanted a raise. The company also wanted a few changes in the contract, and there was some dispute over the effects of automation, principally in regard to the introduction of time-saving pneumatic pruning shears.

The workers and company officials sat down at a table and began discussing contract changes. Negotiations began on June 17 and continued almost every day through June 25.

There was no strike or work stoppage. The Company avoided a "Take it or leave it" attitude, and each side made an effort to understand the other's point of view.

The workers were represented by the Ranch Committee: Paul Vargas is the chairman, and Brothers Guadalupe Alviso, Daniel Sanchez, Frank Oros, and Miguel Garza are the members of the committee.

Assisting the committee were Manuel Sanchez, director of the Union hiring hall, and Sister Dolores Huerta, vice president of the Union in charge of negotiations and contract administration.

The company was represented by George Berry, Col. Al Burton, Roy Harris, and L.L. Penefield.

EL MALCRIADO SAYS: This is the way labor and management should deal with each other, with mutual respect and consideration, on a rational and humble basis. The Giumarras and the Pandols and Zaninovitches and Biancos who claim they will never sign a contract are hurting themselves as well as their workers.

When will they learn?

VIVA LA CAUSA!



Schenley Ranch Committee members Daniel Sanchez, Paul Vargas, and Guadalupe Alviso discuss the new Schenley contract with U.F.W.O.C. Treasurer Antonio Orendain.



# "OUR ONLY ROAD:

# SOCIAL REVOLUTION"

*"The people have only three roads to liberation from their wretched state. The first two are the tavern and the church; the third is social revolution."*

--Bakunin

by Antonio Orendain  
Treasurer, UFWOC

We farm workers have for many years tested and lived with the first two remedies, believing that our employers and the government would begin to do their duty.

Today, with the assistance of these two remedies, and watching the government's inactivity, we begin the journey down the third road.

The churches are on our side, so our minds are at peace, and we know that our cause is just.

They can't scare us any more; they can't take anything away from us anymore, because they haven't left us anything to take. They have our lands; they took our culture; they enslaved us with their miserable salaries.

The government has plenty of good intentions, but good intentions pave the road to hell, and the government is careful not to step beyond the intention stage.

All we have left is social revolution. The phrase is a bad one, because they can interpret it the way they want to. In other words, *revolution* can be made to mean *slaughter*, for that is our heritage. The history of Mexico is full of examples: they sold arms to all buyers, regardless of who was going to be killed, only so that the gold would cross the border in a northerly direction -- even if the blood was dripping with blood.

No, Mr. Rancher and Mr. Boss, and Mr. Govern-

ment Official, that's not the kind of revolution we're talking about. It's a social revolution, one of ideas. We're not out to get our leaders killed on the battlefield for your benefit.

We want guidance from our leaders; we want them to prove to us the superiority of their ideas over those which run the system today.

Now is the time for them to listen, and for us to decide our destiny before it's too late. Remember that the negotiating table resolves more disputes than brute force.

The *patrones* and the government better remember "that revolutions cannot be carried out by minorities. Energetic and intelligent as the minority might be, revolutions these days require more than that. You need the cooperation of a majority--a massive majority." (--Jean Juarez.)

We are this massive majority--a little disorganized, yes, but with a tremendous thirst for justice. The hours will seem like years to us until we can reclaim what they have taken from us.

We're up there ready to fight--but it is going to be a social struggle. Daily more and more men join us. The rotten state governments and city halls don't frighten us any more. In Delano there is decay down to the roots; we wonder sometimes if blind Justice hasn't taken off her blindfold.

Our bones lie in jail on the stupidest charges. It was in the Delano jail that I learned of the existence of a race called "Mex." I never learned about that in school or anywhere else, for that matter. Only here am I labelled "Race:Mex.," and only because I want to put a price on the sweat of my brow.

The government won't frighten us anymore. As Max Stirner wrote:

"The men of future generations will conquer as rights that which we have not yet even felt as a necessity."

## A New Type of Summer School

Summer vacation has come for strike kids in Delano, and a group of volunteers have organized a day camp program. Operating at the Pius X Hall of Our Lady of Guadalupe Church, the program meets from 8:30 AM to 4 PM daily, according to Mrs. Guadalupe Murgurfa Nava.

Sponsored by the Migrant Ministry, the camp has an educational program which covers Mexican history, art, and folklore. Among the world leaders to be discussed are Zapata,

Villa, Martin Luther King, Ghandi Malcolm X and the leaders of the Farm Workers movement, Mrs. Murgurfa said.

A swimming program is included under the direction of a trained water safety instructor. Craft programs in pottery and painting are also scheduled.

The upper elementary class is planning a play about the death of Emperor Montezuma, a historical event shrouded in mystery.





## CATHOLIC BISHOPS

## ENDORSE GRAPE STRIKE



right of collective bargaining in vineyards in that area.

Signing the statement were James Francis Cardinal McIntyre, archbishop of Los Angeles; Archbishop Joseph T. McGucken of San Francisco, and Bishops Francis J. Furey, San Diego; Harry A. Clinch, Monterey; Timothy Manning, Fresno; Floyd L. Begin, Oakland; Alden J. Bell, Sacramento; Leo H. Maher, Santa Rosa; and Hugh A. Donohoe, Stockton.

The bishops called on Congress to pass legislation extending the National Labor Relations Act to farm workers.

Referring to the farm workers' situation, the June 6

statement continues, "We have witnessed chaos and human suffering all too clearly to judge otherwise."

"Both government and private agencies have given no more than token response to their cries for help," they said. "Many farm workers and their families continue to exist in the most direful poverty."

Echoing the sentiments of people people involved in the farm workers battle, the statement concluded, "There will be no peace in the fields until we recognize the contradiction between this inherent dignity and the actual poor living conditions existing for many of these farm worker families."

"We cannot in good conscience allow another year to pass without effecting social justice for the farm workers," said a statement recently signed by the Catholic Church's two California archbishops and seven bishops.

Farm workers, the statement said, are "seeking the same basic right accorded to almost all other workers in the U.S."

The statement of the bishops specifically endorsed the most prominent of the strikes, that of Delano farm workers who have been battling since 1965 for the

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EL GRITO is a quarterly journal of Contemporary Mexican-American Thought that generates alternatives to the ideological and pedantic writings of "experts" on Mexican-American life. Volume 1, Number 1, Fall 1967: Out of print, a collector's item.

Volume 1, Number 2, Winter 1968 contains an Editorial on Teaching English to Mexican-American children and how this is used on students as a demoralizing weapon; an expressionist history of Mexican-Americans titled "Goodbye Revolution-Hello Slum" by Octavio Romano; "Rural Community Development" by Ernesto Galarza; poetry; and two excellent portfolios on the art of Salvador Roberto Torres.

Volume 1, Number 3, Spring 1968 contains an Editorial on views of the future; "Tierra Amarilla" by Tony Rey (Albuquerque, New Mexico); "The Coming of Zamora" by Philip D. Ortego (Las Cruces, New Mexico); VIET NAM! -The Art of Esteban Villa (Stockton, California); "Vietnam Veteran" by Bob Barron (San Jose, California); "Vietnam and the Legality of Involvement" by Philip J. Jimenez (Berkeley, California); "En defensa de los Tacos" by Paco Sol (Oakland, California); "Reflections of an Inarticulate Childhood" by Orlando Ortiz (New York City); "22 Miles" by Jose Angel Gutierrez (San Antonio, Texas); "Dean's List" by Josue M. Gonzalez (Austin, Texas); a spread on the Chicano Press Association; and the statement issued by César Chávez on the death of Martin Luther King.

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## Labor Department Charges:

# Justice Dept. Perpetuates Injustice

The U.S. Labor Department tore into the Justice Department in an unprecedented report received in Delano last week.

"Unless far-reaching administrative action is taken and taken soon, there is a real and immediate danger that a solution will be sought in the streets with grave national and international repercussions," the Labor Department report said.

The attack came after a joint Justice-Labor Departments task force came to Delano in May to investigate the use of illegal foreign labor to break the UFWOC strike.

It was expected that the joint committee would file a joint report, but "pronounced, irreconcilable differences" forced the two departments to make individual reports.

The Labor Department report said that between February 1 and April 30, there were approximately 627 illegal aliens and a total of 56 deportations as a result of Border Patrol efforts on behalf of the Justice Department.

UFWOC officials have stated that these findings prove their contention that the Immigration and Naturalization Service was not doing an adequate job of seeking out violators and clearing the area of illegal strike-breakers.

(The Department of Justice controls the Immigration and Naturalization Service, which in

turn operates the Border Patrol, known as "La Migra" to the Spanish-speaking farm workers.)

Labor Department officials agreed with the Union's claim, and substantiated reports that the Immigration Service is biased against both the Union and Mexican-Americans, and is failing to enforce current laws. They recommended an "extensive employee training program to eradicate any attitudes of bias or prejudice against Mexican-American farm workers."

The Justice Department report went on to state, "At issue are the basic relations of the U.S. government, and specifically Administration toward a minority group which is asking redress of accumulated grievances in an era of social revolution."

It is not known whether the Texas Grower in the White House has read the comments about the attitudes of his administration.

The Labor Department report charged that Immigration Service investigations of the illegal workers have been "rather superficial...It was apparent that the Union's allegations had merit..."

Summarizing the issue, the Labor Department report said "the striving of a minority group--the Mexican-Americans-- who have suffered odious economic, political and administrative discrimination for many years."

## JUSTICE DEPARTMENT FAVORS SCABS OVER TOURISTS

The Treasury Department says it is worried about the balance of payments and has tried to discourage American citizens from travelling abroad or spending money abroad. The Government has proposed a 30 percent tax on all spending over \$15 a day by American tourists travelling abroad.

Meanwhile, the Justice Department and its Immigration Service have approved unlimited export of American currency to Mexico by Mexican citizens who work in this country. Many Mexican citizens live in Mexico and work in the United States. They take an estimated 87 percent of their earnings back to Mexico, where American dollars have more buying power. Mexican citizens who come to the United States for the harvest and return in the winter also take millions in American dollars back to Mexico.

In addition, the Justice Department has refused to investigate charges that 90 percent of the temporary "Green Card" immigrants do not file income tax returns as required by

law. While legitimate "Green Card" immigrants, those who move to this country and live here, have as good a record as anyone in obeying the laws, the temporary "immigrant" (who actually never intends to settle here) flagrantly ignores the laws and his legal responsibilities.


The Justice Department, in


legalizing this new back-door *bracero* program, appears much more guilty to contributing to the balance of payments problem than American tourists. And by condoning the Green Carders' violation of the laws, the Justice Department sets a sorry example for "law and order."

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# GROWERS STALL ON UNION WELFARE FUND

FRESNO, June 27--Failure to decide whom will administer the newly formed Agricultural Employees United Farm Workers Health and Welfare Trust Fund resulted in a new breakdown of negotiations today.

An agreement setting up the fund was signed at 10:30 AM, but heated discussion lasted until 6:30 PM when the meeting ended abruptly.

Five UFWOC representatives and five representatives of the companies under contract with the Union had met to decide on administration of the health and welfare fund. Most Union contracts call for a ten cent per hour payment to the fund over and above wages.

Observers said trustees representing the growers maintained the fund should be administered by consulting firms and professional administrators.

Union officials argued for hiring a single administrator who would work under the Union, and they suggested the growers hire a "watchdog" if they felt the Union was not to be trusted.

Mrs. Dolores Huerta, UFWOC vice-president in charge of negotiations, told EL MALCRIADO the growers had stalled for more than seven months on previous negotiations. She said earlier disagreements centered around the growers' demand for a separate fund for each company, which Union officials vetoed because of duplication of administrative costs.

The fund eventually will provide medical retirement, and similar benefits for Union members.

Representing the Union at the Negotiations Thursday were

Brothers César Chávez, Larry Itliong, Anthony Orendain, Phillip Veracruz, and Sister Huerta, all members of the Board of Directors.

The directors reported that all but two of the companies has been paying the ten cent levy since early 1967. Di Giorgio started with a \$25,000

payment and has been paying five cents per hour. Perelli-Minetti pays \$18.35 per workers each month.

A date for resumption of negotiations has not yet been set, Mrs. Huerta said. All money paid into the fund up to now is being held in trust pending final agreements.



## BENITO ALAVA



### REST IN PEACE

Union members were shocked and saddened to learn of the death of Benito Alava, 68, of Delano, who died last week after a short illness. Alava had been an active member of the Union since the first days of the strike, when he walked out of Bianco Vineyards. He had been on the picket line until a few days before his death, and had not warned any of his friends of ill health.

Alava is survived by his wife, Marcela Alava, who is living in the Philippines, and a daughter, Mrs. Tomasa Eriz, of Delano. He also has a sister, Feliza Biteng, of the Philippines.

EL MALCRIADO SAYS: We join with the family of brother Alava in mourning his loss. He was a brave and loyal member of the Union, willing to make the ultimate sacrifice in aid of his brother workers.

### SUMA LANGIT NAWA ANG KANYANG KALULUWA

Nalungkot na lubos ang lahat ng kaanip sa UFWOC sa madaling pagpanao ni Ginoong Alava ay isang matapat at masipag natumutulong sa Welga mula ng umalis sa ubasan ni Bianco Vineyards. Siya nagtiis pang mag trabaho (sa picket line) bago nag kasa-kit, at hindi nakapag paa-lam na siya na sa hospital.

Ang naulila ay ang asawa na si Marcela Alava, at isang anak na si Mrs. Felisa Biting nasa Pilipinas. Isang anak na si Mrs. Tomasa Eriz ng Delano.

Si Mrs. Alava ay marahil makaparito sa huling hantungan ng kabiyaak.

ANG MALCRIADO nagsasabi sa lahat ng kaanip na lubos nakikiramay sa na ulila, dahil siya ay isang matapat matiisin sa paghihirap ng samahan mag asaka UFWOC.

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## MALCRIADO EDITOR ATTACKED BY COP

A man in civilian clothes who claimed to be a policeman brutally attacked the editor of EL MALCRIADO on the afternoon of Sunday, June 15.

The assailant, who later identified himself as Captain H. Gilbert of the Delano police department, attacked David M. Fishlow as he attempted to photograph the arrest of UFWOC Treasurer Antonio Orendain, who was being booked on charges of "disturbing the peace" at a picnic in Delano's Memorial Park.

Fishlow's camera was "confiscated" by Gilbert, who issued a scrawled receipt with inaccurate information on it. The receipt was written on a plain sheet of paper, and appeared to be a somewhat unofficial document.

The editor was treated immediately after the attack by Dr. James McKnight, director of the Rodrigo Terronez Memorial Clinic. Dr. McKnight reported that Fishlow had only

just been released from the hospital, where he was confined with first, second, and third degree burns on his back, abdomen, legs, right arm and shoulder.

Fishlow sustained injuries to the right arm and shoulder as a result of the attack. He reported that his assailant came up to him as he was taking pictures and shouted "What the hell do you think you're doing?"

The man, who was wearing a sport shirt and cotton slacks, then grabbed and forcefully threw him against a closed door, which opened and he fell through.

The attacker then grabbed the camera, breaking the strap, and took it away.

Numerous witnesses, including Father Mark Day, OFM, and Richard Chavez, brother of UFWOC director Cesar Chavez, reported the incident occurred about 2:30 p.m. at the Delano police station.

Fishlow said he was unaware of the identity of his assailant. A press photographer on and off since he was 17 years old, the editor said he was in the public waiting room of the police station when the attack occurred. It is customary in police stations for registered press photographers to be permitted access in such areas.

Fishlow carries a press card issued by the California Highway Patrol, but said Gilbert asked for no identification before he began the attack.

EL MALCRIADO SAYS: We're glad to see how much hatred the Delano cops have for our newspaper. That proves we are telling the truth about them, and they do not like it.

We hope the courts will look fairly on this incident and protect our rights. EL MALCRIADO is a small newspaper and a poor one, but we will continue to report the news.



### MIXED UP KID

GILBERT RUBIO, a mixed-up young man, is now calling himself a "Man Against Chavez." He is a former Union member who was asked to leave the Union under rather strained circumstances. He now drives around in a ritzy new Pontiac, and brags about his private conversations with Giumarra and the growers. He thinks he is a pretty big man. We feel sorry for the punk. He's sold out his family, his brothers, his friends, and now he serves the growers.

### FLAG BURNING

THE LOVE GENERATION--José Mendoza of Bakersfield and an unidentified Delano woman burn a UFWOC flag in Fresno. The scabs were out in force to picket a conference on the Problems of the Spanish Speaking Americans called by Bishop Timothy Manning of Fresno for Saturday. That night a 25 foot cross on the Union grounds in Delano was burned and then cut down by persons unknown.





The strike of the United Farm Workers Organizing Committee against Giumarra farms will be a year old this month. Readers of EL MALCRIADO are well familiar with the Giumarra name by this time, but we are still asked from time to time...

## WHO IS GIUMARRA?

The Giumarra family controls two separate corporations and a third business which is organized as a partnership.

Giumarra Brothers Fruit Company is the partnership, and the revenue from its operations, centered in a stall at the Los Angeles wholesale produce market, is more than \$1 million.

California ranches owned by Giumarra total about 20 square miles.

The Giumarra Brothers Fruit Company also owns and operates the Giumarra Vineyards Corporation, the family's biggest company.

Giumarra Vineyards Corporation has sales of more than \$12 million annually, and it employs 2,500 workers during the peak season.

The payroll tops \$2.5 million, but we can assume that a raise to \$1.75 per hour would cost the company a total of \$625,000, or about a 25 percent increase.

According to the *Congressional Record* for June 19, 1967, Giumarra received \$264,882 in farm subsidies for not growing cotton in 1966. In 1967, it seems, Giumarra grew less cotton than in the previous year, so the feds gave him \$278,721. That might help pay the cost of a decent wage for the workers.

Giumarra Fruit Company is in partnership with Central Development Company of Nevada, it is reported, and also with the Calzona Box Company, which makes loans to small farmers.

Frank Yoshikawa owns five acres of strawberries in Watsonville, California. Giumarra Fruit loaned Yoshikawa \$1,500 at 6 percent interest, upon the condition that he would market his berries through Giumarra.

When Yoshikawa couldn't make his payments, Giumarra took him to court, asking for the \$1,500 plus \$90 interest plus \$7,200 lost sales commission and \$2,750 legal fees. The total is 667 percent over the original principal.

The case is recorded as #685752 in Los Angeles County Superior Court.

Giumarra's tremendous marketing volume helps it set prices. It can underbid anyone and make up the difference by volume. Because of its quality pack, thanks to the skill of Mexican and Filipino and Anglo farm workers, it usually receives \$1.00 to \$1.50 more per lug.

Giumarra's own labels (though he uses dozens



of phonies borrowed from other growers) are Arra, Uptown, GVC, Grape King, Mr. G., and Honey Bunch.

According to court records, George Giumarra Jr., at the age of thirteen, had the following assets in 1958:

Dividend from GVC, \$10,000

Balance in one bank account, \$15,761

200 shares of GVC

45 shares of Mass. Investors Growth Stock

213 shares Bank of America

500 shares Republic Pictures

200 shares Food Machinery and Chemical Corp.

These figures are recorded under Kern County Probate #15183.

EL MALCRIADO SAYS: Giumarra typifies the immense corporate establishments which UFWOC has been fighting during the last three years in search of decent wages and living conditions. In the Giumarra situation, a family and its properties control the lives of about 2,500 farm workers.

Giumarra refuses to recognize the UFWOC as a bargaining agent for the workers. It continues to hire strike-breaking scab workers and to try to ignore the strike.

The time is long overdue for Giumarra to see its field workers as human beings and recognize their right to organize for the protection of their rights.



Cops supervise  
Giumarra's harvest.



# BAKERSFIELD FARMWORKERS RALLY

More than 800 farm workers attended a Union rally in the hall of Guadalupe Church in Bakersfield on June 26. The meeting opened with a prayer and talks by two long-time residents of Bakersfield, Bonifacio Chafrez and Charlie Orona.

The meeting warmed up with a report on the progress of the strike by César Chávez, who had driven up from the Coachella picketline that afternoon. Dolores Huerta announced the provisions of the new Schenley contract, which had just been signed the day before.

A group of local workers put on a comedy called "La Tremenda Corte" which they had written about a trial of scabs. The *Teatro Campesino* of Del Rey sang and performed three acts.



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## List Of Shame

At the rally in Bakersfield June 26, Jessica Goves called for a definition of a scab or strikebreaker. Mrs. Juana Salvia, a local worker, proposed the following:

"Un gusano baboso que come a sus hermanos," or a "slimey worm which eats its brothers."

The Bakersfield workers then drew up a list of the ten worst scabs in Bakersfield. The shameless ten are

JOSE HERNANDEZ  
JOSE CHAVEZ  
JESUS SERNA  
RAMON CAMACHO  
MARIA BONILLA  
FEDERICO GONZALES  
REYES ACERO  
ABEL ARIANO  
ALBERTO CAMACHO  
VALERIANO JUAREZ