

# A SOCIAL HISTORY OF FARM LABOR IN CALIFORNIA

*With Special Emphasis on the United Farm Workers  
Union and California Rural Legal Assistance*

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# FOREWORD

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“**A** Social History of Farm Labor in California” recounts the histories of two organizations — the United Farm Workers Union (UFW) and California Rural Legal Assistance (CRLA), both of which made important contributions to modern thinking about social change movements. Proceeding in chronological fashion in nine chapters, the study is chock-full of insights about parallel, but at times conflicting, social movements.

Headed by the iconic leader Cesar Chavez, the UFW drew national attention with its inspired activism seeking to end the shameful working conditions for farm labor. A civil rights leader rivaled in his generation only by Dr. Martin Luther King, Jr., Chavez relied on community organization in seeking to create a mass — not just a labor — movement to secure far-reaching social change.

The study also chronicles the emergence of CRLA, a legal services organization funded by the federal government as part of President Lyndon Johnson’s great “War on Poverty.” Through creative use of the law, CRLA hoped to spark the transformation of the lives of California’s rural poor.

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The UFW and CRLA operated against a very different backdrop than many other reform organizations of the era, which made their efforts to change society all the more challenging: “Unlike the Jeffersonian ideal of the small family farm, . . . California’s agricultural system is based on large tracts of land and an abundant, flexible labor supply to work them. The labor supply established and maintained in the system consisted of persons of color held in a subordinate position within a wage labor hierarchy.” (p. 485)

In providing a comprehensive history of farmworkers in California, “A Social History of Farm Labor in California” chronicles in compelling fashion the emergence of the UFW and CRLA. The study considers the many challenges to the UFW’s efforts to organize farmworkers, which was especially difficult in California with its history of large tract farming. But the real story is that the UFW sought to do much more than simply to organize labor; it hoped to mobilize a social movement and galvanize a generation.

In looking at CRLA, Casper Flood discusses the emergence and limitations in securing enduring social change through an arm of the federal government’s legal services program. Federal legal services funding came with strings attached, limiting the legal activities of organizations funded by the Legal Services Corporation and barring the organizations from involvement in politically sensitive cases.<sup>1</sup> CRLA, for example, could not represent labor unions. (p. 426). That restriction, of course, created a natural divide between CRLA and the UFW, with Cesar Chavez desiring CRLA to, in effect, be the UFW’s lawyer.

“A Social History of Farm Labor in California” offers a blow-by-blow account of the battles between workers, growers, and unions in California agriculture through 1984. It cogently explains the political, social, economic, and legal dynamics leading to the emergence of the UFW and CRLA and the subsequent complex, intersecting trajectories of the two organizations. To summarize:

With the Civil Rights Movement at its peak, . . . the UFW introduced new ethnic and religious elements into the [farmworkers labor movement], and CRLA, with its legal tack, reinterpreted and invigorated basic liberal values. These two groups were successful as no other

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<sup>1</sup> See Legal Services Corporation, LSC Restrictions and Other Funding Sources, <https://www.lsc.gov/lsc-restrictions-and-funding-sources>.

group or combination of groups had been, but their attempted partnership failed. They, too, came into conflict with one another (p. 486).

To fully understand the terrain encountered by the UFW and CRLA, we learn about the history of California's unique agricultural industry, with large farms evolving naturally from the hacienda system historically in place in Mexico. Ensuring the availability of farm labor has been a constant challenge to agricultural production in the fertile fields of the West. Over the years, different groups of exploited laborers — from Native peoples to African Americans to Chinese, Japanese, Filipino, Mexican, and other immigrants, as well as Dust Bowl refugees from Arkansas and Oklahoma — at various times have populated the labor force of the fields in California history.

Casper Flood further documents how growers organized among themselves to protect common economic and political interests. Growers created groups such as the California Farm Bureau, Agricultural Labor Bureau of the San Joaquin Valley, and the Associated Farmers of California (at 319). Some of these groups exist to this day and, among other things, lobby for favorable governmental treatment.

## THE UFW

Many contemporary readers no doubt will be especially interested in the analysis of the rise and fall of Cesar Chavez and the UFW. Casper Flood summarizes the early success:

Chavez, leader of the [UFW], managed to channel the farm workers' discontent and chronic unrest into a sustained social movement that won legal recognition, bargaining rights, contract benefits, and political leverage for farm labor in California. With shifts in national political alliances and the emergence of new political actors in the 1960s, Chavez managed to broaden the issues involved in the farm workers' movement and to put them before a national audience (p. 306).

Chavez famously gained the support of Robert F. Kennedy, later martyred during a run for president in 1968, for the farmworker cause.<sup>2</sup>

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<sup>2</sup> See generally STEVEN W. BENDER, *ONE NIGHT IN AMERICA: ROBERT KENNEDY, CESAR CHAVEZ, AND THE DREAM OF DIGNITY* (2015).

In putting the UFW in the national spotlight, Chavez's organizing strategy undoubtedly will be the subject of study for generations. "The ideology which animated the [UFW] cannot be separated from the person and philosophy of Cesar Chavez, his upbringing, his religious faith, and his experience as a community organizer . . ." (at 393). Religion, race, and community organization are not the ordinary staples of labor unions. Among the distinguishing features of the UFW's social movement were the appeal to religion, such as Chavez's fasts (at 387) and the union's extensive use of "the Mexican patron saint of the campesinos, *La Virgen de Guadalupe* . . ." (at 380). Ultimately, "UFW ideology was challenged by claims that Chavez and the UFW were leading a social movement, not a legitimate labor struggle, and were incapable of efficient administration of the contracts they had won . . ." (at 397).

The law influenced the UFW's organizing efforts. The New Deal's National Labor Relations Act<sup>3</sup> protections did not apply to agriculture and farm workers, which made the organization of labor extremely difficult. Chapter 8 discusses the institutionalization of unions, which has had pros and cons, through the 1975 California Agricultural Labor Relations Act,<sup>4</sup> which dramatically changed labor relations.

The battle between the insurgent UFW and the conservative, pro-Richard Nixon International Brotherhood of Teamsters is a story for the ages. The prolonged fight prominently featured larger-than-life Teamster Presidents Jimmy Hoffa and Frank Fitzsimmons. With a reputation for aggressive — some might say ruthless — tactics, the politically conservative Teamsters long sought to organize farmworkers and were generally preferred by the growers to the more militant UFW.

As was the case with respect to management and labor, race was a dividing line between the warring unions. The UFW and Cesar Chavez expressly and exuberantly appealed to the Mexican-ness of the labor force and its Catholic roots. Forged in a different time and place for workers of a different background, the Teamsters did not. Indeed, one UFW leader bluntly described the racial divide, referring to the Teamsters as a "white man's union," (p. 418), a far cry from the Chavez-led UFW.

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<sup>3</sup> Pub L. No 74-198, 49 Stat, 449 (1935).

<sup>4</sup> Cal. Lab. Code §1140 et. seq.

Immigrant workers were often a central issue in union/management relations. Growers used immigrant workers to break strikes. At the same time, the UFW claimed that workers from Mexico brought to the United States under the Bracero Program<sup>5</sup> drove down wage scales for farm workers. Undocumented immigrants also were accused of undermining union efforts to organize workers. At the same time, although at times seeking to reduce immigration, the UFW aggressively sought to organize immigrant farm workers. The dual roles played by immigrant labor — in undermining the union cause and as potential union members (p. 494) — continues to this day.

To add to the drama, “A Social History of Farm Labor in California” chronicles how the local, state, and federal governments interact and, at times, engage in conflict. Local police at times helped to break strikes, through the enforcement of labor injunctions entered by the courts or brute force. Consider one memorable violent episode in the community of Arvin:

During a fight that pitted growers using gun butts against strikers with grape stakes, a shot was fired and a Mexican worker fell dead. “Growers claimed that a striker perched in a tree nearby had fired the shot that killed the worker. Police arrested several strikers on murder charges and others for rioting. The charges, however, had to be dismissed when an investigation revealed that no striker had a gun in his possession” (at 344) (footnote omitted).

## CRLA

Almost immediately upon its creation, CRLA found itself embroiled in turbulent class struggle. After enjoying initial success in helping the rural poor through the courts, CRLA fought the administration of conservative California Governor Ronald Reagan, who sought to dismantle CRLA as a thorn in the side of growers. The federal government in the end rejected that effort. As legal services champion Sargent Shriver claimed, if Governor Reagan’s effort to dismantle CRLA was not rejected, “we might as well turn the country over to the John Birch Society,” an ultraconservative organization (p. 444).

One surprising omission in Casper Flood’s study of CRLA was any discussion the role of Cruz Reynoso, a historical figure who later served

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<sup>5</sup> See generally KITTY CALAVITA, *INSIDE THE STATE: THE BRACERO PROGRAM, IMMIGRATION, AND THE I.N.S.* (2010).

on the California Supreme Court. Reynoso headed CRLA when Governor Reagan was dead set on eliminating the law reform group; Reynoso vigorously led the fight to save CRLA, which remains an important legal services provider serving (and civil rights advocate for) people in rural California.<sup>6</sup> That fight for survival was an important chapter in the history of federal legal services in the United States.

In looking at both the UFW and CRLA, “A Social History of Farm Labor in California” touches on the ongoing debates about the best way of securing social change. There were internal fights within CRLA about whether the lawyers should consider whether resolution of a particular lawsuit would be better, or worse, for the overall movement for social change. For example, a good legal settlement might not be the best outcome for the overall political movement. This created conflict with the UFW and Cesar Chavez: “Chavez began to realize that the lawyers’ first loyalty was to their ideas of professionalism, not to the work of the UFW” (p. 438).

Along those lines, some CRLA lawyers thought that legal services organizations should focus on doing the best for their clients in individual cases, not larger political movements. Others thought that “impact” cases promoting deeper social change were preferable. This debate about the goals and intent of legal services continue through to this day.

## CONCLUSION

“A Social History of Farm Labor in California” offers valuable insights into the continuing struggle over labor in the fields of California, efforts at social change, and the interrelationship between law and politics in achieving that change. The study will no doubt be an important resource for students of the history of the UFW and CRLA, two extremely important social reform organizations of their era.

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<sup>6</sup> See Michael Bennett & Cruz Reynoso, *California Rural Legal Assistance (CRLA): Survival of a Poverty Law Practice*, 1 CHICANO L. REV. 1 (1972); Kevin R. Johnson, *Justice Cruz Reynoso: The People’s Justice*, 10 CAL. LEG. HIST. 238, 239 (2015); Jose R. Padilla, *California Rural Legal Assistance: The Struggles and Continued Survival of a Poverty Law Practice*, 30 CHICANA/O-LATINA/O L. REV. 163 (2011).

## PREFACE

I would like to thank Editor-in-Chief Selma Moidel Smith for the decision to publish my dissertation after all this time — thank you, that is, for an unexpected pleasure. In re-reading the manuscript, I realized how many days, weeks, months of my life I spent reading archived articles in newspaper offices in small towns in rural California, interviewing growers, lawyers, and labor activists, poring over sources in UC Berkeley's rare books collection, and just taking in the view as I drove from place to place in the Central Valley, Imperial Valley, etc., searching for information. And, I recall the kindness and generosity of Administrator Michael Bennett, who gave me access to CRLA's files. The sense of purpose I had then has come back to me as a series of pleasant memories.

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