
The Union, Community Organizing, and Civil Liberties: Clinton Jencks, *Salt of the Earth*, and Arizona Copper in the 1950s

By Christine Marin

They called him “*El Palomino*,” as in “*Mira, hay viene el Palomino!*”/Look, here comes Palomino!” Just as the Palomino horse is distinguished by its gold, yellow or cream coat, and its beautiful silver or white mane, Clinton Jencks, with his shock of smoothly combed blond hair, stood out among the brown-skinned, black-haired Mexican American workers in Arizona and New Mexico who struggled with him to build their Mine-Mill unions in the 1950s.

Clinton Jencks, labor union organizer and leader, was born in 1918 in Colorado Springs, Colorado, the son of a postal service employee with a strong labor consciousness. Jencks recalls that, as a young boy, he and his father took food baskets to striking miners who faced evictions from their company homes. Upon graduation from high school, Jencks worked at the John Deere company. He later attended the University of Colorado, where he obtained a Bachelor of Science in Economics in 1941. During the World War II period, Jencks served in the Army Air Force and saw action in the Pacific as a navigator of a B-24 squadron. He earned four battle stars, seven air medals, and the Distinguished Flying Cross.

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After the war, Jencks became active with the American Veterans Committee (AVC) and became president of its Rocky Mountain chapter in Denver. Through his work with the AVC, Jencks devoted himself to veterans’ issues, such as fair housing, employment, and health care, and sought to bring an end to racial and ethnic discrimination. It was also during this time that Jencks found work as an acid plant operator at the American Smelting and Refining Company’s Globe Smelter in Denver, and became an active member of the International Union of Mine, Mill, and Smelter Workers (Mine-Mill or IUMMSW) Local 557. In 1947, the union hired Jencks as their business agent and sent him to Bayard, New Mexico to work with the Amalgamated Bayard District Union of Mine-Mill, Local 890, a predominately Mexican American union. For some years, Local 890 struggled to overcome job and wage discrimination, unsafe working conditions, and accusations of communist leanings at the Empire Zinc Company in Hanover, New Mexico, a subsidiary of the New Jersey Zinc Company. In 1950, Jencks helped Local 890 stage a fifteen-month strike, the famous *Salt of the Earth* action, against Empire Zinc. In early 1951, Jencks was elected president of Local 890. During the strike and at a picket line at the mine’s entrance, Jencks and other strikers were arrested by local law enforcement authorities on June 12, 1951. He was jailed and placed in solitary confinement for a period of sixteen months.¹

After his release, Jencks encountered Paul Jarrico, a Hollywood screenwriter who had worked at the Howard Hughes RKO studio. Jarrico had recently been blacklisted by Hollywood for refusing to reveal his alleged ties to the Communist Party and for not revealing the names of others who were also



Clinton Jencks with union members of Local 890, IUMMSW, Bayard, New Mexico, 1951, at the height of the Salt of the Earth strike. From Left to Right: Ernesto Velasquez; Clinton Jencks; Pablo Montoya; Fred Barreras; Cipriano Montoya; Vicente Becerra. (*Clinton Jencks Papers*, Chicano Research Collection, Department of Archives and Manuscripts, University Libraries, Arizona State University, Tempe, Arizona.)

suspect of being party members.² Jarrico was vacationing in San Cristobal, New Mexico and was looking for some story ideas for new film projects. Jencks related to Jarrico the events of the Empire Zinc strike and the plight of Mexican American miners and their families who struggled for their civil rights in the company town of Hanover. Jarrico found the story compelling, so he contacted Hollywood friends to help him produce it independently. He also asked Jencks to help him write a script based on the Empire Zinc strike. Jencks agreed, and the idea for the pro-labor film came to fruition. In 1953, Jarrico filmed the motion picture, *Salt of the Earth*, in the Silver City-Bayard, New Mexico area, and then released it for distribution in 1954, amid political controversy and anti-communist violence. The film was later denounced on the floor of Congress for its "Communist influence," and was later blacklisted by Hollywood, which blocked its distribution outside the United States. All of those associated with the film, including Clinton Jencks and his family, were accused of helping to make an "un-American" film

that promoted communist ideas. Red baiters further claimed the film would be used as a propaganda tool by "subversives" whose intent was to overthrow the American government.

On April 17, 1953, Clinton Jencks was arrested, charged, and indicted with allegedly falsifying his non-communist Taft-Hartley affidavit. The affidavit, which Jencks signed on April 28, 1950, was required of all union leaders under enforcement of the Taft-Hartley Act of 1947. He was accused of having lied when he denied being a member of the Communist Party and when he denied any affiliation with communism. The International Union of Mine, Mill, and Smelter Workers rallied around his defense and mounted a massive effort to help Jencks, but to no avail. His chief accuser was Harvey Matusow, a

paid Federal Bureau of Investigation (FBI) informant and a Communist turned-undercover agent for the FBI. The so-called "Jencks Trial" took place in 1954 in El Paso, Texas. Matusow stated in the trial that Jencks had ties to the Communist Party, charges that were later proven to be untrue. In his 1955 publication, *False Witness*, Matusow admitted that he had lied about Jencks, later reminding prosecutors of his lie when Jencks appealed for a new trial. On October 26, 1955, the U.S. Court of Appeals in New Orleans affirmed the guilty verdict against Jencks. In a 1957 landmark decision known as the "Jencks Case," the United States Supreme Court declared Matusow's charges invalid, and declared Jencks innocent of all charges linking him to the Communist Party. Jencks was now a free man.

In 1964, Jencks earned a Ph.D. in Economics from the University of California at Berkeley. That same year, he was hired as a Professor of Economics at San Diego State University, where he taught until his retirement. He is now Professor Emeriti, San Diego State University, and in 2000 resides in San

Diego.

In 1994, the Department of Archives and Manuscripts, Arizona State University Libraries, Tempe, acquired the *Clinton Jencks Papers* from Professor Emeritus Jencks. The following year, I arranged and processed the collection.³ The Clinton Jencks Papers contain information about his labor organizing activities with the International Union of Mine, Mill, and Smelter Workers in the Southwest from 1950 to 1957. They also consist of IUMMSW memorandums, newsletters, newspaper and magazine articles, and printed matter about Jencks' activities as International union representative of Amalgamated Bayard District, Local 890. The collection includes information about the fifteen-month Empire Zinc strike in Hanover, New Mexico, led by Mine-Mill's Local 890. Also included in the collection is information about the "Jencks Case," the 1954 trial in El Paso, where Jencks successfully fought false charges brought against him by an undercover FBI informant who believed Jencks was a member of the Communist Party. The collection extends from 1950-1957, and has been divided into five series: **JENCKS CASE; MINE MILL DEFENSE FUND; UNION LOCALS; EMPIRE ZINC STRIKE; and UNION NEWSLETTERS.**

The **JENCKS CASE** series consists of memorandums written by John Clark, president of Mine-Mill from 1953-1956. This correspondence urged union members to support the legal defense of Clinton Jencks, who was falsely accused of being a member of the Communist Party. The series also includes newspaper articles about the Jencks trial and case from 1953-1955. In addition, the series consists of printed matter circulated by the Jencks Defense Committee, which describes the legal proceedings and events in 1954 concerning the so-called "Jencks Trial." Also included in the series is a copy of the legal document attested to by Harvey M. Matusow, the self-acknowledged communist and under-cover FBI informant who confessed to lying in his testimony about Clinton Jencks' ties to communism, and which was cited as the reason why the Jencks case was declared invalid by the U.S. Supreme Court in 1957.

The **MINE MILL DEFENSE FUND** is a series

of memorandums written by various union officials calling for the financial support of the legal defense of Clinton Jencks. In these documents, it is clear that union leaders encouraged their members to generously donate to Jencks' defense.

The **UNION LOCALS** series consists of International Union of Mine, Mill, and Smelter Workers union correspondence and newsletters of Locals in Ray-Sonora and Morenci, Arizona; Bayard, New Mexico; and El Paso, Texas from 1951-1955. Newsletters describe events, such as labor disputes; the Empire Zinc strike; and contract negotiations between unions and management. Some of the newsletters are bilingual in text, written in English and in Spanish.

The **EMPIRE ZINC STRIKE** series consists of information about the strike of Mine Mill Local 890 at Hanover, New Mexico against the Empire Zinc Company, a division of the New Jersey Zinc Company, during the period from October, 1950 to January, 1951. Also included is information about the pro-labor motion picture, *Salt of the Earth*, filmed near Bayard, New Mexico in 1953, and released in 1954, and which depicts the events surrounding the Empire Zinc strike.

The **UNION NEWSLETTERS** series consists of Mine-Mill union newsletters and bulletins from 1954-1955 of affiliates in Ray, Arizona and Denver, Colorado. Union contracts and wages for workers as they relate to the Ray Mines Division of the Kennecott Copper Company are discussed.

Clinton Jencks' presence among Arizona copper workers was established in January, 1948, when he was president of the Bayard, New Mexico District Union of Mine, Mill, and Smelter Workers Local 890. He and his wife, Virginia, came to Douglas to meet with Phelps Dodge Copper Corporation's Mine-Mill workers and their families. He helped workers from the Phelps Dodge Council, comprised of representatives from Arizona's Mine Mill Locals in Morenci, Bisbee, and Douglas to formulate their goals and objectives, and to build strategies against Phelps Dodge management, who threatened to disrupt their union organizing activities and efforts. Primarily, the Council sought "joint negotiations with other unions in Phelps Dodge plants, and to build a

substantial strike fund in every local union."⁴ Just two years earlier, in 1946, the Phelps Dodge miners were supported in their strike against the company with funds raised by the Miami Miners Union Local 586, and so it seemed logical for workers to contribute as much as they could to other Locals' strike funds in order to help workers through difficult economic hardships.⁵

Organized labor was formally initiated in the Miami, Arizona area in 1942. This labor movement stemmed from the national trend toward unionization, which was sweeping the country at this time. Before unions were organized in Miami, Arizona's copper industry labor relations were often handled by an employees' committee. The committee was comprised of four workers elected from various departments, and representatives from the company (i.e., Miami Copper Company, Inspiration Consolidated Copper Company, and the International Smelting and Refining Company). They met once a month and discussed labor-management problems. Workers were usually Anglo American workers, those who did not speak about those issues regarding Mexican or Mexican American workers' issues: issues such as the dual-wage system of work and pay; racial and ethnic discrimination in the work place and reflected in the pay scale; *propinas*, or bribes the Mexicans and Mexican Americans had to pay Anglo American foremen without justification in order to keep their jobs and avoid being fired. Exploitation of Mexican and Mexican American workers was common. Although there were several attempts to establish ideal working conditions, there was little or no success in these efforts.⁶ Clinton Jencks was not a stranger to this history of unfair labor conditions for Mexican and Mexican American workers in the mining industry. Through his work as a Mine-Mill labor organizer, he learned that events similar to those occurring in Miami, Arizona were also taking place in nearby locations such as Morenci, Bisbee, Ray, Sonora, and Ajo in Arizona, and Santa Rita in New Mexico.

In 1953, Mine-Mill Local 915 of Sonora began a



Clinton Jencks and his wife Virginia, with their children, Michael and Linda, Denver, Colorado, 1953. (*Clinton Jencks Papers*, Chicano Research Collection, Department of Archives and Manuscripts, University Libraries, Arizona State University, Tempe, Arizona.)

community effort to bring an end to company housing segregation imposed by the Kennecott Copper Company against its Mexican and Mexican American workers. For example, when Kennecott extended its open-pit mine too close to housing where Mexican and Mexican American families lived, blasting caused extensive and dangerous cave-ins. In the process, eighteen Mexican American families' houses were damaged beyond repair. Forced to leave their homes, many of these families barely escaped with their lives. One family with seven children moved to a two-room shack and had to set up beds outside. Other families moved in with relatives or with neighbors and friends. Company housing was available in nearby Ray, where twenty company houses were empty. However, Kennecott refused to allow these Mexican American families to move into Ray, reserving the homes exclusively for Anglo Americans. The refusal to allow Hispanics to live in Ray brought to a head the smoldering resentment of the Mexican and Mexican American community of Sonora, despite some sympathy for their plight among some of the Anglo Americans in the mining town.

Mine Mill Local 915 stepped in to try to resolve the issue and to bring an end to the company's long-

standing housing discrimination policy in Ray and Sonora. The union called community meetings to discuss the situation in Sonora. Soon, a committee was formed comprised of Mexican American and Anglo American organizations, such as veterans' clubs, church clubs, and men's and women's clubs from both Ray and Sonora. Together, they formulated a set of four demands sent in letters to Kennecott officials, and sanctioned by Mine-Mill Local 915: 1) provide immediate housing in Ray for all displaced Mexican American families from Sonora; 2) build new housing for workers in Sonora and in Ray; 3) clean up the town of Sonora and get rid of the open sewers near homes there, thus eliminating a longstanding health problem for the Mexican and Mexican American families, who had been ignored by Kennecott officials; and 4) put an end to the segregation of Mexican Americans and Anglo Americans and eliminate Kennecott's segregationist housing policy.

Two months passed and there was still no response from Kennecott concerning the demands stated in the letters of Local 915. The copper company delayed responding to the union's demands, resulting in a difficult time of hardship for the families who had been displaced by the cave-ins, and who had moved in with other family members, neighbors, or friends in Sonora.⁷ Local 915 finally received a letter from Kennecott officials on August 8, stating that the company agreed to build eighteen houses in Sonora to replace those destroyed as a result of the ground settlement adjacent to the pit. Kennecott also agreed to hire a building contractor to survey the housing situation in Ray and Sonora, and that it would make available water and sewage disposal facilities in the area. Most importantly, however, Kennecott agreed that any new housing built in Sonora or Ray would be made available to all company employees on an equal basis regardless of ethnicity and nationality.⁸ Such results, however, would not be implemented by Kennecott in Ray and Sonora until a year later, in 1954. But the year-long wait for results did not discourage the communities of Ray and Sonora from continuing with their efforts to create change in their towns. Kennecott's concessions meant labor and moral victories for both Mine-

Mill Local 915 and the Mexican American community of Sonora. It is important to note that these victories were won by a cooperative effort on the part of Anglo Americans and Mexican Americans in Ray and Sonora. Such community cohesion was strikingly similar to cooperative efforts forged by the Anglos and Hispanics of Hanover, New Mexico during their communal strike in 1950-1952 against the Empire Zinc Company. In each instance, Anglo Americans and Mexican Americans worked together through their union and their communities for common causes that benefited both groups.

In 1953, Clinton Jencks worked with Mine-Mill representatives Maclovio Barraza of Arizona and Vicente Becerra of New Mexico to organize miners at the Coronado Copper and Zinc Company operations in Dagoon, Arizona, in Cochise County. Within two years, Mine-Mill Local 926 would enter successful contract negotiations with the company, placing Clinton Jencks at the forefront of union leadership.⁹ That same year, 1955, Jencks served as Unity Council Coordinator for the Mine-Mill International and worked with other organizers to raise funds to support Arizona's Mine-Mill Local 915, Ray-Sonora, and the International Brotherhood of Electrical Workers (IBEW) Local 22380, Hayden and Ray, in their strike against the Kennecott Copper Company.¹⁰ A major issue in the strike was Kennecott's position on wage differentials among its workers in Arizona, Nevada, Utah, and New Mexico. They refused to pay all workers the same wage, and would not agree to give workers the same increase in wages. On this issue, Kennecott refused to budge. Officials maintained that copper output and working conditions in each of their divisions and locations varied and were subject to change due to unforeseen conditions. For these reasons, Kennecott said that their position regarding wage differentials was justified. In effect, this meant that each Local had to negotiate for its own wage increases and implementations. By August, the Kennecott strike was over, and the new contract negotiations for Arizona workers reflected their new wages as \$13.02 per eight-hour day. In New Mexico and Utah workers were to earn \$13.18 per eight-hour day.¹¹ Clinton Jencks' reports to Mine-Mill Local 915, Ray-Sonora

workers, in which he announced the results of negotiations with Kennecott, are filled with details and news about the strike. They were widely circulated among union members, and Jencks consistently wrote of hope for a favorable end to the strike.¹²

Jencks' warm labor relations with the copper workers of Arizona was evident in other examples during his service as a labor union representative for the IUMMSW. This was most evident from 1953 to 1955, when Jencks was fighting Justice Department charges of his alleged communist links, which if found to be true, would have implicated him for lying on his Taft-Hartley non-communist affidavit.

The IUMMSW established a Jencks Defense Fund to help Jencks in his legal efforts to fight the false charges against him. Locals throughout the Southwest organized fund and letter writing committees to help him clear his name, and pledged financial monthly contributions for his defense. The president of Miami Miners Union, Local 586, Robert Barcon, among others, wrote a letter to U.S. Attorney General Herbert Brownell, asking him to dismiss the indictment against Jencks and to drop all charges.¹³ Prior to trial, Jencks went on a tour of the Locals of the Southwest in order to tell his story of how and why he was indicted. In Arizona, he met with Locals in Miami, Morenci, Bisbee, Winkelman, Hayden, Ray and Sonora.¹⁴ He used his own situation as an example of how easily the work of trade unions could be destroyed by anti-labor forces, and urged all members to support their union and work together to fight the forces that threatened to destroy the labor movement and the gains made by unionists to protect the rights of the working class. Above all, Jencks stressed the need for worker unity, regardless of the outcome of his trial.

This message was most evident at the Mine-Mill Southwest Conference held in November 1954 in Tucson, Arizona. Arizona Locals hosted union delegates from El Paso, Texas, and from Carlsbad and Bayard, New Mexico. Juan Chacón and Robert

Kirker, representing Local 890, spoke of their strike against the Empire Zinc Company. Clinton Jencks thanked delegates for supporting him during his legal difficulties.¹⁵

To the Mexican American copper workers of Arizona, Clinton Jencks symbolizes their struggle to build unions that represent their social, cultural, and economic concerns as laborers, and as American citizens. Their struggles for equality and dignity paralleled Jencks' own experiences as a union member, and those of their union brothers and sisters who initiated the Salt of the Earth strike in Grant County, New Mexico, against the Empire Zinc Company. Jencks' legacy, and that of the men and women of Grant County and their labor movement, is still visible in Arizona. In Tucson, for example, the Salt of the Earth Labor College, a community labor school founded in 1992 by working class labor and union activists, offers classes, sponsors community forums and workshops, and supports the AFL-CIO's efforts to organize the men and women who struggle to earn a fair wage in the right-to-work state of Arizona.¹⁶

The Salt of the Earth Labor College is celebrating the fiftieth anniversary of the Empire Zinc Strike as well as the making of the film, *Salt of the Earth*. The working class college began its observation in March of 2000 with an International Women's Day program, and has planned an all-day program for November 19, 2000 in Tucson. Plans are also underway for a gathering at Silver City, New Mexico to commemorate the labor victory won by Empire Zinc strikers of Mine-Mill Local 890, who struck at Hanover from October 1950 to January 1952. Their victory, as well as the victories won by labor unions elsewhere, continue to serve as an inspiration to working people worldwide. Their labor battle serves as an inspirational benchmark for others struggling to achieve social justice and civil rights for racial and ethnic minorities, for women, and for the inalienable right to organize in opposition to oppressive corporations and governments.

Notes

1. For more on the Salt of the Earth strike and the history of the making of the film, see Jack Cargill, "Empire and Opposition: The 'Salt of the Earth' Strike," in Robert Kern, editor, *Labor in New Mexico, Unions, Strikes, and Social History since 1881* (Albuquerque: University of New Mexico Press, 1983), 183-267; and James J. Lorence, *How Hollywood, Big Labor, and Politicians Blacklisted a Movie in Cold War America: The Suppression of Salt of the Earth* (Albuquerque: University of New Mexico Press, 1999).
2. See Lorence, *How Hollywood*, 16-17, 47, 50, 51, 56, 57, 104, for Jarrico's role in making *Salt of the Earth* and his relationship with Jencks.
3. I wrote the introductory narrative for the Jencks finding aid, which appears in this paper on pages 1-4.
4. "A.S. & R., Phelps Dodge Councils Prepare for Coordinated Wage, Contract Drive," *The Union*, 2 February 1948.
5. "Miami Miners Aid PD Strike," *The Union*, 13 May 1946.
6. Personal interview with Otto Santa Anna, 17 June 2000; Pat Chansley, et. al, editor, *Copper Book (Miami, Arizona: Miami Copper Company, 1963)*, 23.
7. "18 Families in Sonora Homeless After Cave-Ins," *The Union*, 18 May 1953; "915 Gets Action on Bad Housing," *The Union*, 17 August 1953.
8. "Ray-Sonora Locals' Campaign for Decent Housing in Sonora Brings First Results," *The Union*, 24 August 1954.
9. "We Win Election At Arizona Mine," *The Union*, 17 August 1953; *Clinton Jencks Papers*, (Mss. 137), Box 1, Folder 10, "Local 926, Coronado Mine," Chicano Research Collection, Department of Archives and Manuscripts, University Libraries, Arizona State University, Tempe, Arizona.
10. "Se Reactiva Concilio Unidad en Ray-Hayden," *El Sindicato*, 1 Agosto 1955.
11. "Mine-Mill Continues Local Negotiations in Ray," *Strike News*, 22 July 1955; "Company Fails to Apply National Settlement Here," *Strike News*, 13 August 1955; "Mine-Mill Fights Against Chiseling," *Strike News*, 16, August 1955; "Mine-Mill Wins Again for Ray," *Strike News*, 18 August 1955.
12. "International Union of Mine, Mill, and Smelter Workers, Report on Negotiations with Kennecott Copper Corporation, Ray, Arizona, With Ray-Sonora Copper Workers Union, Local 915, May 25, 1955, report submitted by Clinton Jencks; "Summary Report of 8 June 1955, Negotiations Between Kennecott and Local 915, International Union of Mine, Mill, and Smelter Workers, by Clinton E. Jencks, International Representative, IUMMSW," *Clinton Jencks Papers* (Mss. 137), Box 1, Folder 9, "Mine-Mill Local 915, Ray-Sonora," Chicano Research Collection, Department of Archives and Manuscripts, University Libraries, Arizona State University, Tempe, Arizona.
13. "Barcon Asks Justice Dep't. For Justice," *The Union*, 27 July 1953.
14. "Southwest Local Unions Support Jencks Defense Against Frame-Up," *The Union*, 14 September 1953.
15. "We'll Fight Harder Than Ever Says Southwest Conference," *The Union*, 22 November 1954.
16. "Salt of the Earth Labor College," (Ce EPH ECO-44 Ariz.), Arizona Collection, Department of Archives and Manuscripts, University Libraries, Arizona State University, Tempe, Arizona.