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### FALLON STATUE OPPOSED MAYOR, HISPANICS AT ODDS AGAIN

**DATE:** March 22, 1990

THOMAS FARRAGHER, Mercury News Staff Writer  
**PUBLICATION:** San Jose Mercury News (CA)

**EDITION:** Morning Final

**SECTION:** Local

**Page:** 1B

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Fallon, an early mayor whose home on West St. John Street will be converted into a historical museum, has been cast in bronze for a statue to be placed on a traffic island just north of Plaza Park. According to a city history, Fallon raised the Stars and Stripes on July 14, 1846, after angry natives had cut it down during the Mexican-American War.

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McEnery, who has written a fictionalized account of Fallon's exploits, said Fallon is worthy of a perch on Market Street because he "represents the assimilation of this valley." The mayor said Fallon never killed or plundered. "He was my kind of soldier," McEnery said.

Esther Medina, executive director of the Mexican American Community Services Agency, said Fallon is a legitimate part of San Jose's history. "Our biggest concern is that the history of the Mexican influence here has not been properly recorded or been given anywhere near equal importance," she said. "It hasn't even been acknowledged."

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Kathy Chavez Napoli, who called herself a spokeswoman for a coalition of community and cultural groups founded after the flap over McEnery's abandoned plan to take over the Spanish-language Studio Theatre, said there is widespread disapproval of the **Fallon statue**. It will be discussed, she said, during a 6:30 meeting tonight at Mother Olson's Inn, 72 North Fifth St.

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### HISPANICS DEPLORE MCENERY'S STATUE CHOICE

**DATE: March 23, 1990**

**EDITION: South County**

**Page: 6B**

THOMAS FARRAGHER, Mercury News Staff Writer  
**PUBLICATION: San Jose Mercury News (CA)**

**SECTION: Local**

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### FALLON UNDER FIRE A PUBLIC REVIEW COULD HAVE AVOIDED A CONTROVERSY OVER THE PLAZA PARK STATUE

**PUBLICATION:** San Jose Mercury News (CA)

**DATE:** March 25, 1990

**SECTION:** Editorial

**EDITION:** Morning Final

**Page:** 6C

THE statue of Capt. Thomas Fallon raising the American flag over San Jose should take its place as planned in Plaza Park. But for some, it will be less a reminder of history than a symbol of the Hispanic community's long-simmering distrust of City Hall that is boiling over in Mayor Tom McEnery's final year in office.

The city's clumsy attempt to buy the Studio Theatre and close its Spanish-language movie house brought everything to the surface. Hispanics were outraged, and McEnery backed off from the plan.

But then the **Fallon statue** came up. And now we have another protest that could have been avoided if things had been done differently at the start.

The problem isn't with honoring Fallon, an early mayor and a favorite character of McEnery, who wrote a book about him. But the statue shows Fallon as a soldier and glorifies the defeat of Mexico, a sensitive matter for Mexican-Americans.

Mary Jane Solis-Robledo, a member of the city fine arts commission, said the militaristic pose would have been a red flag to her if she'd seen the design -- but it never went before the commission. It was the first public art produced under redevelopment, and the project developer and the city decided what to buy, with the city council's approval. The same deal gave us "Figure Holding the Sun," the colorful monster in front of the Museum of Art.

McEnery argues that the statue commemorates an important event that took place just yards north of Plaza Park.

Hispanic protesters say we wouldn't raise a monument to the defeat of Japan. But such memorials do exist in the United States, not to mention monuments to our victory over England in the Revolution.

Still, it is apparent that the statue offends some sensibilities. If there had been some broader review of the design three years ago, including people from different cultural groups, a debate at that time would have prevented the controversy that erupted last week.

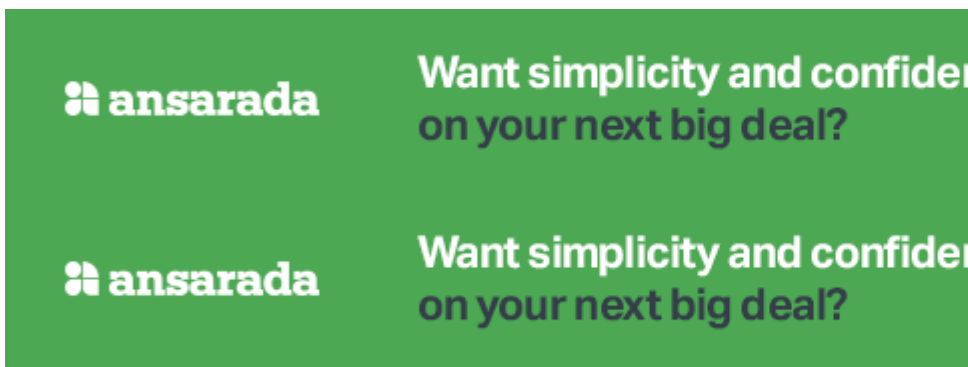
The city is working on a committee process to choose public art. Better late than never. It should include ordinary folks, too, not just art buffs, since what appeals to them is not always what appeals to the rest of us.

Art by committee can be boring, a waste of money. Great art is often controversial. At the same time, a work subsidized with city money should not offend one large segment of the population. A public review process should prevent that from happening.

And if it compromises quality -- well, we have mixed feelings about the public art that's turned up so far anyway.

If it hadn't been for the Studio mess, the **Fallon statue** might have slipped quietly into the park this spring. The protests likely to greet it now will serve as a reminder to City Hall that decisions made in isolation too often have unexpected effects that obscure the best of intentions.

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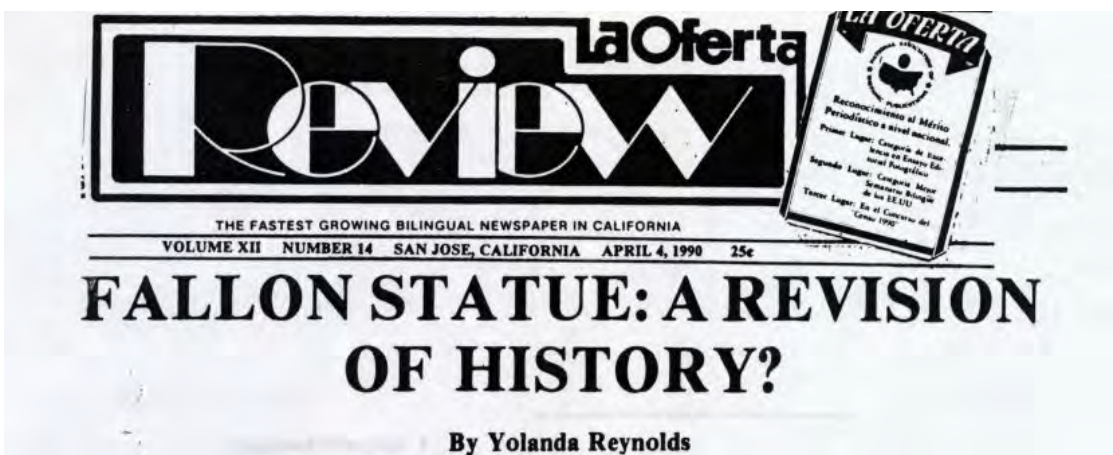
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# Fallon Statue: A revision of History?

April 4, 1990

By Yolanda Reynolds



A statue of Captain Thomas Fallon on a horse in military garb and raising an American flag over San Jose, is on its way to this city. It is to be located at Plaza Park directly across from the Fairmont Hotel.

A Mercury News editorial states that it (the placement of the Fallon statue) "should take its place as planned in Plaza Park." Contrary to this opinion, within the Mexican American community, there is an increasingly vocal opposition gathering against this position.

The Newspaper Offer.

Javier H. Salazar, Director of the Aztlan Academy of Ethnic Heritage has condemned

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the proposal statue and its public display in Plaza Park, a park in the center of San Jose. He and his group are particularly offended by the conceptualization of Fallon's role in San Jose's history.

Salazar says that it is a racist memorial because it depicts and commemorates the initiation of the hostilities and abuse that occurred to the Californios and Mexicanos following the Mexican American War.

Salazar's rationale for his strong opposition to the erection of the statue in San Jose detailed in a news release by the Aztlan Academy dated 22, Jan. 90. They listed ten points including the following:

- The City of San Jose's monument will commemorate a time in which Mexican-Americans began to occupy a place on a lower rung in American society.
- This monument will commemorate the establishment in effect or by design of legal systems and bureaucratic processes which deprived Mexican-Americans of many of their civil rights.
- This monument will commemorate unscrupulous Anglos becoming "pioneers" and the Mexican who resisted them, the "bandidos."

For others, the statue also presents problems. Historical buffs are baffled by the selection of Fallon, who was neither the first Mayor under the Spanish or Mexican flag nor was he the first Mayor under the American flag. Fallon was not the first person to raise the American flag, a Mr. Stokes did that. Fallon was Mayor of San Jose one year from 1859-1860. Fallon had married a Castro of the powerful Californio family living in San Jose and lived in the community for a number of years. He did raise the American flag in San Jose before California fell to American hands.

Javier says that it would have been satisfactory to have instead shown Fallon with his wife, who was a Californio and their children, who were Mexican-American. That too, is fact rather than the proposed emphasis characterizing Fallon as a conqueror, an image that is very likely to be inaccurate.

For others there is a question of the use of public money. There have been reports that the statue in fact is costing \$1,350,000.00 far more than the originally announced \$445,000.00.

Another issue is the hiring of Mrs. Swig's firm, RCS as the art consultant for the statue projects. The Swig's hotel development firm had already received an estimated \$35 million in subsidies from the citizens of San Jose. Contracting with RCS for consultation raises questions relative to conflict of interest.

It has been reported that an informal group consisting of Mayor McEnery, Redevelopment head Frank Taylor, and Roselyn "Sissy" Swig of RCS Full Source Art Consulting Co. and also wife of Richard Swig (one of the Fairmont developers) selected Fallon to be memorialized with this statue.

The City, to the approval of many of the arts, instituted a policy whereby 1 percent of the costs of a major development had to be spent in public art.

The money for the Fallon statue comes from the \$920,000.00 that was determined in the San Antonio Plaza Disposition and Development Agreement (DDA) to be required to be spent on "public art."

Of this amount, \$445,000.00 was for the Fallon statue, \$225,000.00 was spent on a sculpture located in the main lobby of the Fairmont Hotel and



\$220,000.00 for the “Figure Holding the Sun,” the sculpture in front of the Museum of Art.

According to the Mercury News, the selection of this sculpture did not pass review by the Fine Arts commission; a Citizens advisory group that advises the Mayor and the Council on fine arts matters. Many find this avoidance of the citizens advisory group to be difficult to accept particularly since this is the first time that the City has made a major attempt to support the purchase of public art.

The Fallon statue was approved by the San Jose City Council on June 30, 1988. The Fallon statue and the other art projects appeared on the agenda under the heading “Status Report: 1 percent Funding Art Program – San Antonio Plaza.”

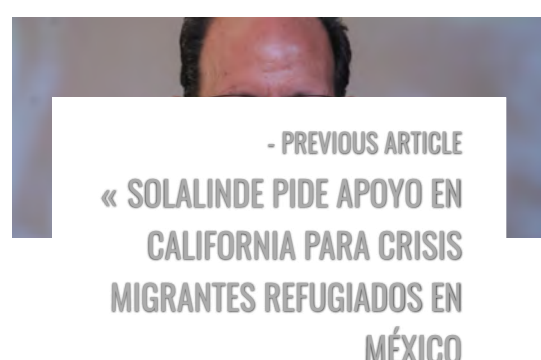
Mr. Salazar has written many letters to city officials relative to the Fallon statue. He wrote a letter dated Feb. 22, 1990 to Vice Mayor Blanca Alvarado protesting the Fallon statue and soliciting her office’s support in exploring “a last resort avenue to negotiate this matter (the Fallon statue) through the administrative process.” Vice Mayor Blanca Alvarado responded to Javier with a proposal she and Mayor McEnery jointly presented at the March 15 Redevelopment Agency Board meeting, which listed a package of some seven projects but did not mention the issue of the Fallon statue.

Exactly where the statue is to be located is a matter of concern. Historians have pointed out that there are legalities that should be addressed if the statue were indeed placed directly in the Park Plaza, because this is Pueblo land and was deeded for public use during the Spanish colonial period by the King of Spain to the people of San Jose, and is subject to special regulations and law.

Under the Treaty of Guadalupe Hidalgo, the agreement made at the conclusion of the Mexican-American War, these grants were to be honored by all following legal American governmental entities.

The Fallon statue is currently scheduled to be discussed at the May 3, 1990 Redevelopment Agency Board meeting. For further information or to express your opinion, call either Mayor McEnery at 277-5237 or Javier Salazar at the Academia at 298-7478.

The Aztlan Academy of Ethnic Heritage has organized a meeting to take place at the Executive Conference Room, Hospital & Health Care Workers, Local 3250, 453 West San Carlos Street in San Jose, on April 5<sup>th</sup> at 7:00 p.m. to discuss this matter.



BENDICEN EN MIAMI UNA ESCULTURA DEDICADA A LA MIGRACIÓN COMO SÍMBOLO DE HOSPITALIDAD



LA FED SERÁ “PACIENTE” EN EL APOYO MONETARIO POR EL DAÑO AL MERCADO LABORAL

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MÉXICO, CHILE Y GUATEMALA, ENTRE LAS SEMIFINALISTAS AL ÓSCAR INTERNACIONAL

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REGRESAN LOS LATIN AMERICAN MUSIC AWARDS

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### WOULD YOU LOOK AT THAT SOMETIMES THE REAL ART IS IN GETTING THE POLITICIANS AND ARTISTS TO AGREE ON WHAT SAN JOSE'S IMAGE SHOULD BE

**DATE:** April 29, 1990

DOROTHY BURKHART, Mercury News Art Writer

**PUBLICATION:** San Jose Mercury News (CA)

**EDITION:** Morning Final

**SECTION:** Arts

**Page:** 16

MAJOR cities can be identified by their public art. St. Louis has its arch, marking it as the gateway to the West. Grand Rapids, Mich., has its Calder, now the city's cultural logo. And San Jose? Well, it used to have David Bottini's "Great Planes Study No. 7," one of the city's first pieces of public art -- until the 7,000-pound sculpture was destroyed during construction of the Fairmont Hotel.

But despite that initial misstep, San Jose has jumped on the fast track of public art. Sculptures and other works are springing up in public spaces across the city, indoors and out. From Stephanie Scuris' twisting, shining steel poles on Almaden Boulevard to Tom Holland's spiraling, flamboyant construction thrusting skyward at the State Building on Second Street, art is everywhere.

It might be a mural; it might hang on a wall or sit on a pedestal. Whatever its form, public art graces buildings, plazas and parks, adding color, brightening the landscape, humanizing the harsh facades of the sleek office towers punctuating downtown.

Public art can represent the diversity of the nation's 12th- largest city, and set its tone. It can say that San Jose is serious about art and culture, the things that set a vital city apart.

But does the art that's been installed, and the art that's being planned, do this?

Opinions are mixed. "It's an amazingly eclectic, visually rich array at this point," says Stephen French, chairman of San Jose State University's Art Department. "There's excellent contemporary sculpture, ordinary, indifferent corporate works and some deadly stuff."

On the other hand, Stanford art history Professor Albert Elsen describes San Jose's public art program as "dead between the ears." Elsen attended several meetings of the art selection committee for the downtown transit mall before resigning in disgust.

"They could have had something unique, seven blocks of interesting sidewalk on the history of the city. It could have become the most interesting mall in the United States and they blew it. Mountain View is more imaginative than San Jose."

Whatever you think of it, public art -- thriving, variegated, controversial -- is here to stay. City officials estimate they will spend \$3 million on art over the next three years. And that money represents an incredible opportunity.

(hbox)

Calling a sculpture, painting or tapestry "public art" doesn't necessarily mean it's been paid for with public dollars.

The developers of privately financed building projects aren't required to spend money on art. But if they do, they aren't subject to any city review of their selections. One result: Tom Bennett's controversial, banal golden nude, "Secrets," in the Market-Post Tower (known as the Gold Building).

"When there's no public money involved," says David Allen, assistant director of the city's Art in Public Places program, "there's no public review process determining what goes on public display. If they're paying for it and it's going on their property, we don't intervene, providing it doesn't violate any sign code."

But in San Jose, the biggest patron of art is the city itself. Since 1986 a percentage -- currently 2 percent -- of the total cost of taxpayer-funded construction projects with budgets over \$500,000 has been set aside for the purchase of public art. Most of the roughly \$2 million already spent, says Allen, went to the Convention Center -- for Danish artist Lin Utzon's tile mural facade and for tile floors designed by other artists.

City officials already know what they'll be doing with some of the \$3 million they expect to spend in the next three years.

(check) The downtown transit mall has a \$600,000 art budget. One of the pieces on the mall will be a memorial to Japanese- Americans interned during World War II, by San Franciscan Ruth Asawa. Funding for Asawa's environmental piece, says Allen, is coming from a combination of city, county and private sources.

(check) The new Terminal A at San Jose's International Airport has a \$170,000 budget for three art works. Buster Simpson of Seattle gets \$100,000 for a central suspended piece; local artists Maria Alquilar and David Middlebrook get \$35,000 each for murals. The works will be installed late this spring.

(check) The city expects to spend another \$750,000 for art for the Convention Center interior. The artists included are all from the Bay Area: Sam Hernandez, Manuel Neri, Nathan Oliveira and Therese May. May is being paid \$36,000 for a large wall quilt.

When private developers are involved in projects partially underwritten by the redevelopment agency (the Fairmont Hotel and Fairmont Plaza, for example), they must allot part of their budget for art. But the amount the developer spends on art is negotiated with the Redevelopment Agency, and that figure is private. The agency, says Allen, "attempts to establish an art budget for the project."

(hbox)

When public money is being spent, the processes by which sites for art and artworks themselves are selected are complex, painfully slow and full of compromises.

In the past, publicly funded art works were tied to the specific construction sites being levied. But last year the rules were changed, and now the city can use "2 percent" money for works placed at any site being financed with redevelopment funds.

Once city staff members have decided a site needs art, Allen of the Art in Public Places Program starts looking for artists appropriate for the project. He culls names from a variety of sources, including a registry of artists maintained by the city. He then presents candidates to the Art in Public Places Advisory Panel, a relatively new body that will be weaving the tapestry of public art in San Jose.

Currently, these power brokers are Fine Arts commissioners Pierre Prodis and Nancy Wiener; the Redevelopment Agency's head architect, Thomas Aidala; I. Michael Danoff, director of the San Jose Museum of Art; San Jose State's French; and two community advocates of historical preservation, Ed Mosher and Patty McDonald, who were selected by Mayor Thomas McEnery. When artists are being selected for certain projects, such as the airport or parks, representatives of those city departments join the panel.

From the names Allen submits, as well as others who might come up during the selection process, the panel chooses an artist. Their choice is subject to review; for works of art costing less than \$20,000, the approval of the city manager (for city projects) or the redevelopment director (for Redevelopment Agency projects) is needed. For more costly art works, a board with members from the City Council and the Redevelopment Agency has veto power.

This system of review, although not perfect, is an improvement on the past. As recently as 1988, when art works were first being considered for the Convention Center, ad hoc committees were formed for different sites and their choices could be spiked behind the closed doors of the top levels of city government. San Jose State Professor Erin Goodwin-Guerrero, who helped select Convention Center artists, was frustrated by the selection loop. "In the process there are many aesthetic compromises; the process is good as long as the individuals who are administering it have integrity. That process is compromised sometimes for political reasons."

McEnery and redevelopment director Frank Taylor have pushed their own agendas at times, says former Mayor Janet Gray Hayes. Several years ago Hayes, a member of the board of trustees of the San Jose Museum of Art, and Albert Dixon, then interim director of the museum, wanted to see a model of the now- controversial statue of Capt. Thomas Fallon slated to be installed near the museum. (The statue honors one of McEnery's favorite historical figures, the captain who claimed San Jose for the United States during the Mexican-American War and later served as mayor.) When they asked the Redevelopment Agency to see a model, they were put off, she says. When they finally saw it, it was already commissioned. "They (the Redevelopment Agency) want no input, no discussion," says Hayes. The choice of the Fallon sculpture, confirms Allegra Gallery's Russell Moore, "seemed to be a behind-the-scenes, closed-door decision."

Under the new process, artists chosen by the Art in Public Places panel can still be vetoed by people higher up in city government. But what has been an ill-defined selection process is now taking shape, says Allen. The goal "is to have each project go through an established review process. That process will actively seek community input."

(hbox)

Allen hopes to get San Jose's arts community involved in the city's public art programs.

To help do this, he plans to open an Art in Public Places Gallery early next year. It will be on Market Street at the east end of the convention center, in what will be the offices of his Art in Public Places program.

The purpose is education and communication. Allen foresees an ongoing exhibition program devoted to community awareness of other public art and urban design programs as well as San Jose's.

Savvy public art experts know people need to be involved in what is being placed on their turf. If McEnery had consulted the Hispanic community before pushing ahead with the erection of the **Fallon statue**, perhaps the present accusations that he is insensitive to their interests could have been avoided. San Jose has a once-in-a-lifetime opportunity to turn its downtown into a grand, hospitable landscape, with a beauty that appeals to everyone. Smart planning, good funding and a selection process immune to self-servicing maneuvers can result, five years down the road, in a special place, both aesthetically and symbolically.

"We're not there yet, but why not?" asks San Jose Museum of Art director Danoff. "My dream is that when visitors from around the world arrive in San Jose our public art will impress them with its world-class quality and its reflection of a dynamic, innovative and diverse community with a rich history." (box)

**Caption: PHOTO: Louise Nevelson's 'Frozen Laces II,' above, is starkly striking but PHOTO: perhaps the best that can be said about Laddie John Dill's facade, left, is that it's unobtrusive.**

**PHOTO: About \$2 million has already been spent on the art for San Jose's Convention Center.**

## **COVER PHOTO**

### **Art in the Open?**

**Public spaces, private disagreements -- San Jose's search for cultural icons (Color)**

**PHOTO: 1. Tom Bennett, "Secrets," 1986. Market-Post Tower. \$100,000. Flamboyant, cliched and offensive all describe garish golden bronze of a female nude. Trophy art, lobby decoration. (Color)**

**PHOTO: 2. Italo Scanga, "Figure Holding the Sun," 1988. Fairmont Plaza, between San Jose Museum of Art and Fairmont Hotel, at Market Street. Haunted by the graphic clatter of Jean Dubuffet, this cheery, brightly colored, raucous hunk of steel is not only too small for its site, it seems unsure whether the environment wants it. Not one of Scanga's better sculptures. (Color)**

**PHOTO: 3. David Bottini, "Civic Stage Set," 1989. Lawn on Park Avenue at the Exhibit Hall. When Bottini's 20-foot-tall, 7,000-pound, \$5,000 steel sculpture ("Great Planes Study No. 7") was literally trashed at the Fairmont Hotel construction site, red-faced folks at the city's Redevelopment Agency commissioned another work. This one's a lot better than the first Bottini, but it cost the agency \$25,000. (Color)**

**PHOTO: 4. Robert Graham, "Fountain Figure," 1986. Federal Office Building, First Street. Small, serene female figures humanize an impersonal building, but 'tis a pity they're undersized. They get lost in their environment. (Color)**

**PHOTO: 5. Brian Holt, "Dance Synthesis," installed 1988. Center for the Performing Arts. Supposedly a tribute to dance, this slick, white marble, anatomically grotesque sculpture is an unfortunate parody. (Color)**

**PHOTO: 6. Stephanie Scuris, "Untitled," 1970. Almaden Boulevard at Santa Clara Street. Donated by Eastridge Shopping Center to the city. Here's an example of how attractive and effective bland, corporate sculpture can become when properly sited. In its new home, Scuris' sweeping sculpture of twisting stainless steel poles helps transform a nondescript traffic island into a grand entrance to downtown. (Color)**

**PHOTO: 7. Jean Wolff, "La Tour," 1983. Mitsubishi Bank Plaza, 55 Almaden Blvd. If this soaring, silver corporate adornment was squished, it could double as a hood ornament. (Color)**

### **8. Center for the Performing Arts:**

**Beniamino Bufano, "California Bear." Curvy and playful, it belongs in Happy Hollow Park or at the Children's Discovery Museum. Cute, but not a serious piece of sculpture.**

**Kenneth Matsumoto, "Untitled." Elegant stone and concrete piece looks like a doughnut standing on end, its edges softened by the landscape setting.**

**Nino Perizi, "Untitled," 1976. Black steel abstraction on a pedestal.**

**Arnaldo Pomodoro, "Il Cubo," 1971. Formulaic. A wall relief by Pomodoro is in the lobby at 60 S. Market.**

**9. Louise Nevelson, "Frozen Laces II," 1980. Sixty South Market, lobby. A superb modern steel sculpture-in-the-round, painted in a single color -- black -- to unify its complex shapes.**

**10. Roslyn Mazzilli, "Les Amours," 1985. 95 S. Market, 2nd floor atrium. Consciously seeking the decorative, Mazzilli's rhythmic, aluminum, post-modern hued confection graces the space it inhabits.**

**11. Lin Utzon, tile mural facade of the Convention Center, 1989. Cookie-cutter design divorced from spirit of the city.**

**12. Nathan Oliveira, "Site No. 10 Almaden," 1988. Curves around the lobby wall of 10 Almaden. This handsome painting includes snippets of typical Oliveira motifs -- feathers, kites, spiraling ribbons -- conveying the artist's response to its location.**

**13. Alfred E. Alquist State Building courtyards, Second Street:**

**Laddie John Dill, abstract wall relief, 1982. Cold glass geometry clings to the skin of the building and fortunately blends into the wall.**

**Tom Holland, "Macadoo," 1982. A stunning, spiraling three-dimensional aluminum construction, rising from the earth like some flamboyant behemoth.**

**Stephen De Staebler, "Syracusa," 1983. Serene ceramic standing figure inhabits its space eloquently, a symbolic relic that recalls monumental figurative sculpture of antiquity.**

**14. Downtown's first major sculpture garden sprouted amid concrete, marble and glass at Park Center Plaza. Bronze, steel and aluminum sculptures by John Barnett, John Battenberg, Mircea Goreniciu, Alan Osborne and Harry Powers still look good, countering the monotony of the office buildings.**

**MAP. Downtown.**

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## Archive Search Result

### HISPANICS DEMAND TO SPEAK SHOWDOWN VOWED OVER FALLON STATUE

**DATE:** May 9, 1990

MALINE HAZLE, Mercury News Staff Writer

**PUBLICATION:** San Jose Mercury News (CA)

**EDITION:** Morning Final

**SECTION:** Local

**Page:** 1B

Complaining that city officials have stalled their protests about the controversial Thomas **Fallon statue**, a trio of Hispanic advocates Tuesday signaled a showdown with Mayor Tom McEnery when they promised to bring an emotional crowd to next Tuesday night's city council meeting.

The three pleaded with Mayor Tom McEnery to schedule them for next week's agenda, but McEnery refused, saying that several people already have been notified that the hearing on historical and cultural issues has been set for June 7, two days after the city's primary election. That's not soon enough, said Kathy Napoli, one of the three. "You were notified in January about the problem. . . . You want it heard after the (June 5) election because this is a political hot potato," Napoli charged.

The \$820,000 statue, which is to be installed at Plaza Park, depicts Capt. Fallon, who was a mercenary soldier, on horseback raising an American flag over San Jose during war with Mexico.

Fallon later served briefly as one of San Jose's first mayors, and McEnery has written a fictionalized book about him.

Hispanics complain that the statue is an insult to them and to the city's Mexican heritage. And the statue has become a symbol for other issues, like affordable housing, downtown gentrification and a perceived lack of city attention to Hispanic cultural pursuits.

"How can I make it clear to you that this is a potential confrontational situation? . . . They are emotional . . . they are insulted," Napoli said at Tuesday's council meeting. "How would you like it, as an Irishman, if we put a statue of William the Conquerer downtown?"

"It wouldn't bother me," the mayor replied quietly.

Pascual Mendivil, another representative of the Pueblo Unido de San Jose Coalition, said the group has tried for months to air its feelings before the council. He said representatives asked for council help, tried to follow the rules, and were put off several times.

"January to June is too long. . . . We cannot wait any longer," Mendivil said. "We will be here on the 15th."

When McEnery said it was impossible to change the meeting date, Napoli noted that the Sunday's crash near the Reid- Hillview Airport got onto the agenda in 24 hours.

"We clearly have your point," McEnery answered tersely. "I think it's (the date) been set, and I think it's something the council agrees on."

McEnery said he may be out of town next week.

**Caption: PHOTO: McEnery**

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## Archive Search Result

### BUSY BEE HAS MAYOR LOOKING FOR NEXT STING

**DATE: May 13, 1990**

**EDITION: Morning Final**

**Page: 1B**

PAMELA KRAMER, Mercury News Staff Writer  
**PUBLICATION: San Jose Mercury News (CA)**

**SECTION: Local**

To San Jose Mayor Tom McEnery, she may have seemed at first like a pesky insect buzzing around his head.

But community activist Kathy Chavez Napoli doesn't just buzz. Sometimes, the mayor has learned, she stings. For instance, she was the loudest voice in the Hispanic community's recent outcry against McEnery's proposal to seize the Spanish-language Studio Theater as a home for the San Jose Repertory Company. The mayor backed down.

Now, she's a key leader in the charge against McEnery's pet plan to erect a statue of Thomas Fallon, who made his name by raising the American flag over San Jose during the Mexican- American War.

The mayor is swatting furiously.

"I think she's drawn to television lights like a moth to a light," he says blithely.

Napoli responds in a tone on par with the mayor's:

"Then I'm there in good company with him."

McEnery: "When there's work to do, I never really see Kathy."

Napoli: "He inherited everything -- he never had to work."

McEnery: "Frankly, I don't know who she represents. No, she represents a group called 'anxious to be interviewed.' "

Napoli: "He's king of the egos."

At first glance, Napoli seems unlikely for this sparring role with the mighty mayor. There can be a lot of the girl- next-door feeling about her.

"I don't think I've done anything," she says. "There are so many committed people out there that I admire so much that have been here for 10, 20, 30 years putting in their time, fighting for the community at all different levels."

But it quickly becomes apparent that Kathy Napoli is neither naive nor an insignificant player.

"She has certainly captured the support and loyalty of a number of people in the community," says Councilwoman Blanca Alvarado. "There are . . . people who consider her an articulate, eloquent representative of their point of view."

Others are put off by Napoli's harsher side, revealed in her sometimes acerbic confrontations with the council and ominous warnings that the community could rise up in violence if it feels ignored by civic leaders.

She is tough. And whatever her motivation is -- a search for attention or a search for justice, depending on who you ask -- Napoli's passion is strong.

Alvarado first encountered that passion during a prolonged debate several years ago over abandoned cars in San Jose. Napoli, part owner of an auto recycling business, fought vehemently to keep the city from giving business to a big, out- of-town operation instead of smaller local shops.

"Consciously or subconsciously," Alvarado says, it may be that Napoli "still feels aggravated by what she might feel was displacement of auto wreckers in the city."

But Napoli, 37, points to other, earlier displacements that may have helped shape her passion.

For starters, there was her great-great-grandfather, Kientpuash, a leader of the Modoc Indians. Better known as Captain Jack, he led his tribe against the U.S. Army in the Modoc War in the 1870s.

"Because he was fighting for his land, he was called a renegade, and hung," she says. "Really, it was the settlers stealing the land."

A native of San Jose, Napoli said she grew up in a poor neighborhood on the East Side until her family was ordered out to make room for Interstate 280.

"I know the feeling of lack of empowerment, of being displaced. I know it first-hand," she says.

Now a resident of Morgan Hill, Napoli says she is trying to help others who lack power.

"I feel that if I'm fortunate enough to be successful, then it's my responsibility to hold out a hand of support to other people -- not kick them down because I have my own place."

That feeling, she said, has drawn her to issues ranging from the debate over whether San Jose should have an arena -- another McEnergy project -- to how the Jackson-Taylor neighborhood should be revitalized.

Early this year, that attitude prompted her to make an issue of the city's plans to turn the Studio Theater movie house into the new home for the San Jose Rep. Napoli and others said it was just another attempt to show Hispanics the door out of downtown.

From the Studio debate mushroomed the **Fallon statue** argument.

"It's offensive to the Hispanic community," Napoli said of the statue proposed for Market Street downtown. According to a city history, Fallon raised the American flag on July 14, 1846, after angry natives had cut it down during the Mexican-American War.

"The way it's depicted in the statue, it's conquest," Napoli said. "We cannot afford in today's world to celebrate conquest. . . . It goes against what the flag represents."

**Caption: Mercury News File Photograph**

**Kathy Chavez Napoli pickets future statue site**

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### FALLON: THE MAN BEHIND THE SAN JOSE STATUE CONTROVERSY

**DATE: May 15, 1990**

JOANNE GRANT, Mercury News Staff Writer

**PUBLICATION: San Jose Mercury News (CA)**

**EDITION: South County**

**SECTION: Local**

**Page: 4B**

To his fans, most notably Mayor Tom McEnery, Thomas Fallon was a "remarkable" early citizen who raised the U.S. flag in San Jose during the U.S. war with Mexico.

To his critics, Fallon symbolizes the early oppressors, warring against the Mexicans.

To a Santa Cruz historian, the transplanted Irishman was "a saddle maker by trade and a ladies' man by choice."

But to most San Joseans, Fallon probably has been best known as the original owner of the dilapidated house on West St. John Street that until recently was home to Manny's Cellar, a popular restaurant and bar.

That is, until the statue. City officials, especially McEnery, want to install in Plaza Park an \$820,000 statue of Fallon on horseback, raising the flag. The very fact of the statue has drawn heated protests from Hispanics, who say it is an insult to them and to the city's Mexican heritage. The mayor says the protest is political and comes from a handful of people who don't know the city's history.

Who was Fallon? And why should he get such special recognition from San Jose? Historical records are sketchy, indicating that his early contributions to California probably weren't too substantial. But an examination of available material reveals at least part of Fallon's story. Some of it is contained in "California Cavalier," a fictionalized account of Fallon's life that McEnery published in the late 1970s.

'A roving disposition'

Born in Ireland, Fallon emigrated to Canada as a "mere youth," according to his obituary. He stayed there until 1843, learning the saddlery business. But, "being of a roving disposition," he began a westward trek. He joined up with Col. John C. Fremont along the way and eventually reached Santa Cruz, where he settled in 1844.

Two years later, as more Americans arrived in California, friction escalated between them and the Mexicans who already lived here, as well as between those Mexicans and their home country.

As things heated up and Americans began raising the Bear Flag or the Stars and Stripes in various California settlements, Gen. Jose Castro issued a proclamation calling on the Mexicans to wipe out the invaders.

Fallon apparently wanted to get in on the action. He left Santa Cruz with 22 men, "expecting to assist in the capture of the Pueblo of San Jose in the name of the U.S.," his obituary reported.

His group stopped about five miles from San Jose, however, when they learned that Castro and 300 men were nearby. But as Fallon's group waited for reinforcements, Castro learned of American successes against Mexico and gave up and left.

On July 11, Fallon and his men entered San Jose and learned that at least one American flag had already been raised -- and removed. He sent for another, and when it arrived, as the story goes, he hoisted it over the courthouse on July 14, 1846.

Back to Santa Cruz

A few days later, he left and joined his old traveling partner, Fremont, in Southern California. When the war ended with the treaty of Guadalupe Hidalgo on Feb. 2, 1848, Fallon returned to his home in Santa Cruz.

After a side trip to the gold fields, Fallon went to Texas in 1852, remaining there until 1854, when he returned to Santa Cruz for a short time before moving to San Jose.

Some time between adventures, Fallon married for the first time -- to Carmel Lodge, daughter of a Mexican mother, Martina Castro, and an Irish father. The marriage helped boost his fortunes. Carmel, with her seven siblings, shared in her mother's 35,000-acre Santa Cruz County land grant when it was divided in 1850.

It appears certain that by 1855, Fallon had settled in San Jose, where he opened a saddle shop on Pacheco Street, an alley that no longer exists. He also began building his home, described by one historian as "what was then considered the finest mansion in the pueblo. . . . The grounds were spacious and were planted in fruit trees and flowering plants."

#### Seventh mayor

In 1859, Fallon became the seventh mayor of San Jose, winning with 232 votes to best his nearest competitor, who had 174. His state-of-the-city speech called for more fire equipment, road repairs, a second police officer, building a fence to separate girls from boys on the playground at a local elementary school, better control of roving dogs and doing something about the debt left from San Jose's brief tenure as the state capital.

He did not seek re-election, but in 1862 he made an unsuccessful run for the state Senate. In 1867, he won the office of county treasurer.

But Fallon apparently had a wandering eye, and late in 1876, his wife filed for divorce. At the time, the pair reportedly had six children living at home. After the divorce was granted on Feb. 3, 1877, one Margaret McBride, said to be an object of Fallon's affections, filed a \$50,000 lawsuit against Carmel Fallon for defamation of character.

Fallon remarried, but that union also ended in divorce. He then moved to San Francisco, where he had invested in property. He died Oct. 26, 1885, of kidney failure after a long illness. At the time of his death at age 67, he was appealing his loss in a lawsuit brought by a widow who claimed he broke his promise to marry her.

His life caused his obituary writer to comment, "Poor old Tom, despite his great wealth, the declining years of his life were anything but pleasant."

#### Council meeting

Critics of the **Fallon statue** have vowed to push for a discussion of the matter at today's city council meeting. But the matter is actually on the agenda of the redevelopment agency on June 7.

Anyone interested in offering an opinion may attend that meeting at 1:30 p.m. in the council chambers at City Hall, 801 N. First St.

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### PUT THAT GUY ON THE HORSE SOMEWHERE ELSE

**DATE: May 15, 1990**

Barbara Vroman column

**PUBLICATION: San Jose Mercury News (CA)**

**EDITION: Morning Final**

**SECTION: Editorial**

**Page: 7B**

BACK where I come from, you'd never get in trouble for putting up a statue of a guy on a horse. There the problem was with a local philanthropist who gave cities big hulks of expensive art in wild, mechanical shapes -- malicious gifts, I always assumed, which the cities felt obligated to display in prominent spots.

People would gawk and shake their heads. Who picked that? What is it? It's not art, that's for sure. Why don't we just get a statue of a guy on a horse?

But in San Jose, Figure Holding the Sun -- the colorful giant that looks like it was designed by a maladjusted first- grader -- went up in front of the art museum with nary a whimper from the masses. Here, it's the guy on the horse that's got everybody mad.

But the debate over Capt. Thomas Fallon's statue has nothing to do with art and, I suspect, little to do with the statue itself. Mayor Tom McEnery thinks it has something to do with history, but he's wrong. At least not the distant history of Fallon's time. More recent history, the past decade or so, is more like it.

The **Fallon statue** is supposed to go on the traffic island at the north end of Plaza Park. Back in 1987 when it was commissioned, there was no official procedure for selecting public artwork, but it's easy to see why the captain was chosen. Tom McEnery loves him, that's why. He wrote a book about Fallon, and he rescued the captain's house from ruin.

Fallon planted the American flag in San Jose, just as the statue shows, after the area had seesawed between Mexican and U.S. control a few times. The Mexican-Americans protesting the statue say it's that act, proclaiming victory over Mexico, that makes the statue offensive. They wouldn't mind the guy on the horse if he'd just get rid of the flag -- an idea that really galls McEnery.

Fallon was a self-styled captain from Santa Cruz who rallied a makeshift militia to "liberate" San Jose -- which proved unnecessary, since the Mexican army left before he arrived. Later he moved here, built the mansion on St. John Street that the city is restoring, and became the seventh mayor of San Jose.

All told, I'd say he was a pretty lightweight hero, although he certainly was a character, with his succession of wives and corollary problems with women. That may qualify him for a memorial in California, although not necessarily the most prominent spot at the city's center.

But is the statue as outrageous as Mexican-Americans say?

McEnery says planting the U.S. flag is an important moment in San Jose history, and it ought to be commemorated along with other events from the city's past.

He's right. The United States is full of monuments to our victory in the Revolution, but people from England don't resent the Liberty Bell. We've raised monuments to the defeat of Germany and of Japan, yet Japanese-Americans don't picket the statue of the flag-raising at Iwo Jima.

So McEnery concludes he should go ahead and put the **Fallon statue** in Plaza Park. But on that point, he's wrong.

Opposition to the statue may not be entirely rational, but the emotions surrounding it are too strong to be ignored.

Hispanics feel they've been left out of the new downtown, and they're right. The new buildings are pleasant but bland designs; they hold no hint of this area's heritage. The public art? Even people who like Figure Holding the Sun wouldn't argue that it symbolizes our Hispanic origins. The public area of the Fairmont got some arts funding, and look at it: typical neo- classical pastel-opulent hotel chic.

And what did the city commission for its convention center entrance? A Danish tile mural that looks like an airplane disintegrating in midair. The wonderful Children's Discovery Museum is by a Mexico City architect, but you'd never know that from the design.

Add to this the fact that lots of poor, Hispanic folks were evicted to clear the way for the Convention Center. And then, the last straw -- the Studio Theatre.

Hispanics were justifiably outraged last winter when McEnery announced the city would take over the Studio for a performing center, ignoring the popularity of the Spanish-language movie house. City officials backed down on that, but Fallon's statue was about to be delivered, and the anger quickly shifted. I think it will stay focused on the statue until Hispanics come to feel that they are a part of the new San Jose. That won't happen overnight.

McEnery says it's just a few rabble-rousers who oppose the statue. That may have been true at the outset, but not any more. I'm convinced that most local Hispanics resent it.

And I suspect that many non-Hispanics, like me, resent it too. I love Plaza Park. I want it to be for everyone. It must not become home to a statue that offends so many people.

Vice Mayor Blanca Alvarado wants to put the statue in front of the Fallon house when it's restored, and then commission another piece of artwork for Plaza Park. That makes sense. The Fallon house will be part of a park that will include the Peralta adobe and, eventually, a Mexican museum, so its surroundings will put the captain in perspective.

It's one thing to dislike a piece of public artwork, but it's another to be personally offended by it. San Jose should not install a statue in its central park that, for whatever reason, offends so many of its citizens. It would be crazy.

We can do better in Plaza Park. Heck, just plant more flowers. Or, better yet, let's keep the empty pedestal there -- a symbol of the work that remains to be done to make all of our cultures and ethnic groups feel a part of the new San Jose.

**Caption: Fallon's house as depicted in a historical atlas of 1876**

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### STATUE DRAWS A CROWD FALLON PROTEST PACKS S.J. MEETING

**DATE: May 16, 1990**

MICHELLE GUIDO, Mercury News Staff Writer  
**PUBLICATION: San Jose Mercury News (CA)**

**EDITION: Morning Final**

**SECTION: Local**

**Page: 1B**

More than 200 people packed the San Jose City Council chambers Tuesday night -- many of them there to protest the city's plan to erect a statue of Thomas Fallon, calling it a slap in the face to the Mexican-American community.

"This symbolizes all of the negative things that (Mayor Tom) McEnery has done to the Chicanos in this city," said Antonio Martinez, a San Jose resident opposed to the statue. "It's like the last straw. Chicanos feel like they are being driven out of this town."

The **Fallon statue** topic was not on the council agenda, and McEnery reminded those in the audience that the council would not take any formal action until its public meeting June 7. Still, more than 20 people waited for a turn to express their concerns.

"Would you go deep into the heart of the South and build a statue of the leader of the Ku Klux Klan?" asked one speaker. "Would you go into a Jewish community and erect a statue of Hitler? To the Mexican community, this is the same thing."

The **Fallon statue**, sculpted by artist Robert Glen, has been the object of dissent for months among city Hispanics, who decried it as a biased tribute and "a militaristic celebration of war." Fallon made his name by raising the American flag over San Jose during the Mexican-American War.

Critics say McEnery sidestepped reviews by city public art groups and rammed the statue through without public comment.

McEnery, who has written a fictionalized account of Fallon's exploits, has said the bronze statute "was worked out in conjunction with a private developer and due process of the redevelopment agency."

And he defends the \$820,000 statue, scheduled to be placed on the traffic island at the north end of Plaza Park, as depicting an important part of city history -- the moment the U.S. flag was raised over the city during the Mexican-American War.

However, some groups say the statue is so offensive to the city's Mexican community that they won't be surprised if it is defaced or even torn down by protesters.

One speaker at the meeting referred to Fallon as a thief and a coward, and described the statue as a "disgrace to the city."

Vice Mayor Blanca Alvarado has called for a compromise that would place the statue in front of the Fallon House, the mayor's former home on West Saint John Street that is undergoing renovation as a historical museum.

McEnery had wanted to postpone any public discussion of the statue until June 7 -- two days after the city's primary election. But Hispanic advocates said they had no intention of waiting that long.

The group complained that the June 7 agency meeting was scheduled for 1:30 p.m. -- a time when most people are at work. In a memorandum distributed Monday, the agency changed the meeting time to 7 p.m.

Glen's sculpture is 1 1/2 times life size and will depict Fallon astride a horse, raising the flag as a compatriot looks on.

According to Clyde Arbuckle's History of San Jose, angry natives cut down the Stars and Stripes the first time it was raised in the city. But when Fallon, the city's seventh mayor, raised it July 14, 1846, it stayed.

Also at Tuesday's meeting, the council heard an update on the airport master plan.

McEnery said at the start of the meeting that he knows that expansion of the airport is of great concern to nearby residents, but that the airport should be a size that would properly serve the future of San Jose.

Pete Carrillo, a candidate for the council's District 3 seat, proposed a five-point plan to combat airport noise pollution in the areas surrounding the airport.

Included in his proposed plan were suggestions that the council impose stricter curfews on commercial airline flights and increase the city's noise mitigation boundary area.

Members of the Airport Master Plan Advisory Committee said that the city already has spent more than \$75 million in land acquisition to clear a significant part of the areas immediately surrounding the airport to lessen the noise impact.

The committee will return to the council in late summer to make more complete recommendations.

**Caption: PHOTO: Fallon**

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### MCENERY AIDE BANS REPORTER FROM BRIEFING WEEKLY'S PART-TIMER BARRED BECAUSE SHE'S AN 'ACTIVIST'

DATE: May 19, 1990

MALINE HAZLE, Mercury News Staff Writer

PUBLICATION: San Jose Mercury News (CA)

EDITION: Morning Final

SECTION: Local

Page: 1B

A part-time reporter for a local Spanish-English language newspaper has been banned from attending a press briefing with Mayor Tom McEnery because she has lobbied against placing the controversial Thomas **Fallon statue** in downtown San Jose.

Yolanda Reynolds, a 55-year-old downtown resident who also opposed McEnery on the downtown sports arena, said McEnery's staff is barring her from the Monday meeting with Hispanic journalists because she has publicly opposed the statue, most recently at an emotion-charged city council meeting last Tuesday night.

Reynold's paper, La Oferta Review, said it would boycott the meeting in protest.

"I'm very unhappy," said Publisher Mary Andrade. "If she is not let in, we won't be there."

Ironically, Andrade was one of those consulted by the mayor's office several weeks ago when the meeting -- which is designed to provide on-the-record information specifically to representatives of the Hispanic community -- first was planned.

Two Spanish-language television stations, channels 14 and 48, and representatives from El Observador are being asked to participate in the meeting.

"I think some people have forgotten that this is the United States and we have rights as citizens," Reynolds said Friday afternoon.

Reynolds, who has lived downtown for 26 years, has worked part time for La Oferta Review for a little over a year. The weekly newspaper publishes some articles in English and others in Spanish. Reynolds writes in English.

Reynolds also has been a persistent critic of McEnery on several issues, including a plan to convert the Studio Theater, which shows Spanish-language movies, to a home for the San Jose Repertory Theater. McEnery announced that plan in his January state-of-the-city address and then was forced to abandon it by community pressure.

Andrade said she got two calls from McEnery's office Friday -- one to tell her about the press briefing, and a second time to tell her that Reynolds was not welcome to attend.

In the second call, Andrade said, McEnery press aide Maribel Alvarez told her that "the mayor doesn't want Yolanda there because she's an activist . . . somehow implying that she wouldn't be objective."

The publisher said Reynolds, who has written on a variety of topics for La Oferta, "separates her two roles very well."

Jan Berry, the city's spokeswoman, said it was she who decided to bar Reynolds from the meeting. She said she would make the same decision about any reporter who had lobbied the city on any topic.

"Yolanda is quite an active lobbyist. She has addressed the full council and the mayor's staff. I just don't believe a reporter can be objective and take that kind of outspoken position on an issue," Berry said. "We invited Mary (Andrade) to send any other reporter. . . . We welcome any other person."

The \$820,000 **Fallon statue**, which is to be installed near Plaza Park, is the latest rallying point of a group of Hispanic residents and business people who say it is a biased tribute to a man who made his name by raising the American flag over San Jose during the Mexican War.

McEnery, who wrote a fictionalized book about Fallon, defends the statue as representative of an important part of city history.

Berry said she did not consult with the mayor in making her decision to bar Reynolds.

"It was a staff-level decision not based on whether Tom likes or doesn't like someone."

Berry said McEnery staff members, including chief of staff Dean Munro and senior staffer Greg Larson, were present when she made the decision.

"I said my piece, and no one dissented," she said.

**Caption: PHOTO: Mayor Tom McEnery**

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Page: 1B

A part-time reporter for a local Spanish-English language newspaper has been banned from attending a press briefing with Mayor Tom McEnery because she has lobbied against placing the controversial Thomas **Fallon statue** in downtown San Jose.

Yolanda Reynolds, a 55-year-old downtown resident who also opposed McEnery on the downtown sports arena, said McEnery's staff is barring her from the Monday meeting with Hispanic journalists because she has publicly opposed the statue, most recently at an emotion-charged city council meeting last Tuesday night.

Reynold's paper, La Oferta Review, said it would boycott the meeting in protest.

"I'm very unhappy," said Publisher Mary Andrade. "If she is not let in, we won't be there."

Ironically, Andrade was one of those consulted by the mayor's office several weeks ago when the meeting -- which is designed to provide on-the-record information specifically to representatives of the Hispanic community -- first was planned.

Two Spanish-language television stations, channels 14 and 48, and representatives from El Observador are being asked to participate in the meeting.

"I think some people have forgotten that this is the United States and we have rights as citizens," Reynolds said Friday afternoon.

Reynolds, who has lived downtown for 26 years, has worked part time for La Oferta Review for a little over a year. The weekly newspaper publishes some articles in English and others in Spanish. Reynolds writes in English.

Reynolds also has been a persistent critic of McEnery on several issues, including a plan to convert the Studio Theater, which shows Spanish-language movies, to a home for the San Jose Repertory Theater. McEnery announced that plan in his January state-of-the-city address and then was forced to abandon it by community pressure.

Andrade said she got two calls from McEnery's office Friday -- one to tell her about the press briefing, and a second time to tell her that Reynolds was not welcome to attend.

In the second call, Andrade said, McEnery press aide Maribel Alvarez told her that "the mayor doesn't want Yolanda there because she's an activist . . . somehow implying that she wouldn't be objective."

The publisher said Reynolds, who has written on a variety of topics for La Oferta, "separates her two roles very well."

Jan Berry, the city's spokeswoman, said it was she who decided to bar Reynolds from the meeting. She said she would make the same decision about any reporter who had lobbied the city on any topic.

"Yolanda is quite an active lobbyist. She has addressed the full council and the mayor's staff. I just don't believe a reporter can be objective and take that kind of outspoken position on an issue," Berry said. "We invited Mary (Andrade) to send any other reporter. . . . We welcome any other person."

The \$820,000 **Fallon statue**, which is to be installed near Plaza Park, is the latest rallying point of a group of Hispanic residents and business people who say it is a biased tribute to a man who made his name by raising the American flag over San Jose during the Mexican War.

McEnery, who wrote a fictionalized book about Fallon, defends the statue as representative of an important part of city history.

Berry said she did not consult with the mayor in making her decision to bar Reynolds.

"It was a staff-level decision not based on whether Tom likes or doesn't like someone."

Berry said McEnery staff members, including chief of staff Dean Munro and senior staffer Greg Larson, were present when she made the decision.

"I said my piece, and no one dissented," she said.

**Caption: PHOTO: Mayor Tom McEnery**

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## Archive Search Result

### MCENERY'S OFFICE LIFTS BAN ON REPORTER

**DATE: May 22, 1990**

MALINE HAZLE, Mercury News Staff Writer

**PUBLICATION: San Jose Mercury News (CA)**

**EDITION: Morning Final**

**SECTION: Local**

**Page: 1B**

Mayor Tom McEnery's office reversed itself Monday, allowing a reporter for a Hispanic newspaper to attend a press briefing even though the mayor's staff had earlier barred her because she has actively lobbied against the Thomas **Fallon statue**.

Mary Andrade, publisher of the weekly La Oferta Review, had threatened to boycott the briefing for Hispanic journalists after a member of the mayor's staff told her last Friday that part-time reporter Yolanda Reynolds would not be allowed to attend.

Reynolds, a longtime San Jose resident who has opposed the mayor on a number of issues, including the downtown arena, was barred because, she "is quite an active lobbyist" and "I just don't believe a reporter can be objective and take that kind of outspoken position on an issue," the city's public information officer, Jan Berry, said on Friday. Berry said the decision to bar Reynolds was hers, not the mayor's.

On Monday morning, Andrade hand-delivered a brief letter asking McEnery to meet with her or verify in writing that he approved the ban against Reynolds. Instead, minutes before the briefing was to begin, McEnery's chief of staff, Dean Munro, spoke with Andrade and Reynolds and told them Reynolds would be allowed to attend.

Munro did not apologize, Andrade said, but said that the situation had been blown out of proportion.

Outside, in the mayor's office lobby, about a half-dozen representatives of the Hispanic community joined reporters from other Spanish-language newspapers and television stations who were there for the briefing.

When the doors to the mayor's office were opened to the reporters, the community people tagged along and eventually monopolized much of the 90-minute meeting with complaints about the \$820,000 statue and McEnery's relationships with the Hispanic population.

At the briefing, McEnery offered no apology to Reynolds, but in answer to a question from another reporter, acknowledged that closing her out of the meeting had been a mistake "because it took the focus away from what was important."

He said she had been barred because "I disagree with reporters now and again . . . but generally they refrain from shouting in my face."

Hispanics have complained, and did again on Monday, that a militaristic-looking statue commemorating the American takeover of San Jose during the Mexican War is a slap in the face.

McEnery responded that there are plans for a statue to honor Mexican-Americans and ticked off a number of other plans and accomplishments.

"We're trying to strike a balance . . . if we can get over this obstacle," he said.

McEnery was asked about a variety of other subjects, including Reid-Hillview Airport and the anti-drug program, Operation Crackdown.

But repeatedly, the community representatives brought the discussion back to the statue.

At one point, one of the dozen news media representatives in the room interrupted and asked if the press, too, might ask some questions.

McEnery defended his interest in the statue by saying he is "the first person in this office who has ever given a damn about the history of the city" and once appeared to be wavering in his determination to see the **Fallon statue** at the Plaza Park site, as planned.

"I don't care, in a final sense, whether the statue is there or a block away or two blocks away," he said.

But later, saying he was "very concerned about divisiveness and hurt feelings," he added, "I haven't made my mind up that it's (the statue is) a divisive thing. . . . I'm going to do what's best for the city."



## Archive Search Result

### S.J. MAYOR PUTS OFF ERECTING STATUE PANEL WOULD DECIDE ITS FATE

**DATE: May 26, 1990**

**EDITION: Morning Final**

PAMELA KRAMER, Mercury News Staff Writer  
**PUBLICATION: San Jose Mercury News (CA)**

**SECTION: Local**

**Page: 1B**

San Jose Mayor Tom McEnery late Friday backed down from his insistence that a statue of early San Jose Mayor Thomas Fallon be erected in Plaza Park.

In an uncharacteristic retreat, McEnery proposed that the city create a committee to resolve the controversy surrounding the statue, which some Hispanic activists have denounced as a slur on their Mexican heritage.

The statue depicts Capt. Fallon -- a favorite historic figure of the mayor's -- raising the stars and stripes over San Jose in 1846 after control over the area had shifted between Mexico and the United States several times.

More broadly, the committee proposed by McEnery would develop a comprehensive plan for historic art reflecting the wide range of cultural influences on the city's development. At the time the city decided to erect the **Fallon statue**, which now stands finished in Italy, there was no process for reviewing art that received public funding. Initially, it was intended to be a privately funded statue.

McEnery said his committee proposal was intended to resolve the Fallon controversy and to get the city on track with other historic artworks that will put Fallon in context.

"The focus of the past few weeks has been on one sculpture rather than on an overall historic art program," he said in a memo released Friday.

In an earlier interview, the mayor said, "My intentions have always been that everything, through the city's history -- Native American, Spanish, Mexican, early American and the modern period . . . ought to be properly commemorated and remembered."

The mayor has come under harsh criticism for his support of the **Fallon statue**, with some activists predicting that the monument would be torn down by Mexican-Americans offended by its depiction of "a military victory over the Mexican township of San Jose."

McEnery on Friday maintained his position that the flag-raising is an appropriate event for commemoration but said it should be seen in the context of the breadth of historic art that ultimately will be developed.

"The history of San Jose has been neglected for decades on decades on decades," McEnery said. The mayor added that he hoped the community interest in city art, stirred by the Fallon controversy, would continue after it is resolved.

In his memo to the city council, McEnery proposed that the committee consist of two members of the city's fine arts commission; two representatives of a committee that advises on art in public places; two representatives from the city's Committee for the Past; one representative from the historic landmarks commission; and four to six community members "who reflect San Jose's strong cultural diversity and who have demonstrated interest in history or public art." Its members would be appointed by the fine arts commission.

The committee would resolve the Fallon controversy by August and develop a priority list of other historic people and events that should be commemorated. The recommendations would proceed to the fine arts commission and the Committee for the Past before going to the city council.

**Caption: PHOTO: Thomas Fallon**

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### CULTURAL DIVERSITY IS AMERICA'S HALLMARK

**PUBLICATION:** San Jose Mercury News (CA)

**DATE:** May 29, 1990

**SECTION:** Editorial

**EDITION:** Morning Final

**Page:** 8B

This is in response to Marta Duncan's May 17 letter concerning the famous Thomas **Fallon statue**. She states that those against the statue are trying to create a pluralistic society and that is not what the "American dream" is about. In fact, that is exactly what America is about.

A pluralistic society promotes and encourages the retention of the unique cultures found in America, but at the same time recognizes that we all share a political, economic and language system.

This country is unique in that the cultural makeup is not homogenous. Our history has been one of immigrants -- 99 percent of our population is immigrants or descendants of immigrants who came here within the past 400 years. This is probably the reason why this country is so successful.

In 1855, Walt Whitman celebrated the United States in his writing as "not merely a nation but a teeming nation of nations."

One of our problems has been in perceiving American ethnic groups as a "problem." We have often failed to appreciate and recognize the legitimacy of the contributions, values and ideals of all people in the development, preservation and enrichment of our democratic society.

It is important that our goal not be to mainstream all people to be just like us, but to encourage the cultural diversity that has always been part of what is American.

The very fact that this statue provokes such intense feelings in many Hispanics should signal to Mayor Tom McEnery that a compromise is in order. I agree with Councilwoman Blanca Alvarado that the statue should be placed in front of the Fallon House. In a community so culturally diverse as ours, we need to be more sensitive and aware of managing differences, not adding more fuel to the fire.

-- Lillie Negron-Tokumoto

San Jose

ISRAEL, NOT U.S., SHOULD TAKE IN SOVIET JEWS

The United States is not giving Israel \$400 million to house Soviet Jewish immigrants, as J. David Pleins states (Commentary, May 20).

The reality is Congress voted to extend to Israel some \$400 million in loan guarantees enabling Israel to seek loans from private banks at a lower interest rate. It's something like signing a promissory note, and with Israel's perfect repayment record there should be no cause for concern that we taxpayers will be stuck with the bill.

Pleins admits that even though "numerically, few Soviet Jews opt to go to the occupied territories" Soviet Jews should nonetheless be settled in the United States rather than Israel. Such an assertion is an implied questioning of Israel's right to exist as a sovereign nation with all the rights of an independent state to free immigration to its shores.

The United States is annually accepting some 50,000 Soviet refugees, most of whom are Jews, plus tens of thousands of non-Jewish refugees from other parts of the world. There are only so many refugee slots available.

With American society already troubled along ethnic and racial lines, we don't need the additional tensions that would result from minority groups competing over limited slots.

Israel was founded as a lifeboat for Jewish communities in distress. Other refugees don't have such a lifeboat, other than the United States. It would be unfair to lock out non-Jewish refugees just to pacify the chauvinism of an Arab world that still does not recognize the moral right of a non-Arabic people to sovereignty in the Middle East.

-- Amy Schiff



Campbell

#### DEMOCRATS' RACE DOMINATES MEDIA

I read the Mercury News every morning. I listen to National Public Radio every day driving to and from work. I usually watch the evening news on television. I am up on the news provided.

A few days ago, I read in the Mercury News that 55 percent of the voters are undecided on the mayoral race. I am quite surprised that the number is so low. I, for one, don't know who is running, though I do remember seeing an article in the Mercury News a few weeks ago summarizing each candidate.

Also, who, aside from Dianne Feinstein and John Van de Kamp, is running for governor? Are there any Republicans? Are there any other Democrats? I haven't seen or heard any coverage on any of the races except for the two lead Democrats.

Is this my fault for not being informed? I don't think so. As I stated, I am up on the happenings in the news.

Rather, I blame the press for not making this an issue. The election of our leaders is, to say the least, an important issue. Yet the only coverage in the news is that of the Democratic gubernatorial race.

Maybe if the public was better informed, we would have a more knowledgeable public and a citizenship more apt to turn out for election.

-- J. Mike Hedblom

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#### ALL MUST FIGHT ANTI-SEMITISM

David M Kutzmann's question, "Do Jews have cause for fear?" (Perspective, May 20) can only be answered yes.

Only when you and I, black, white, yellow, young and old, do all we can to stop anti-Semitism, will Jews have nothing to fear. Think of how great the world would be if all would know and practice the meaning of the Hebrew greeting "shalom" (peace).

-- Larry R. Paschoal

Los Gatos

Moffett's neighbors

say no to amateurs

In response to a letter suggesting that Moffett Field be converted to civilian air traffic, I suggest that the private plane owners and pilots buy up the homes around Reid-Hillview and move there.

In 20 years of living in Moffett's flight pattern, I cannot recall any crashes into a residential area, but I vividly recall the crash of a small plane into my son's schoolyard and one into the orchard behind our house. We residents of Sunnyvale do not plan to exchange the professional pilots of the Navy for a bunch of Sunday amateurs. So, read our lips, pilots: no private aircraft over Sunnyvale or at Moffett!

-- Constance M. Jones

Sunnyvale

#### FORCE CONGRESS TO TACKLE DEFICIT

It now looks like the cowards in Congress are going to defer any action to resolve the serious deficit problem until after the November elections. The American public should be outraged.

I suggest that if the Congress does not work on the deficit now and implement corrective action, then the public should vote out of office in November all incumbent members of the Senate and the House who are running for re-election. -- David G. Campbell

San Jose

**Caption: DRAWING: Bob Newman -- Newsday**

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## Archive Search Result

### CULTURAL DIVERSITY IS AMERICA'S HALLMARK

**PUBLICATION:** San Jose Mercury News (CA)

**DATE:** May 29, 1990

**SECTION:** Editorial

**EDITION:** Morning Final

**Page:** 8B

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**Caption: DRAWING: Bob Newman -- Newsday**

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### GROUP CRITICIZES MCENERY PROPOSAL FOR FALLON STATUE

**DATE: May 30, 1990**

**EDITION: Morning Final**

MALINE HAZLE, Mercury News Staff Writer

**PUBLICATION: San Jose Mercury News (CA)**

**SECTION: Local**

**Page: 2B**

The battle of the **Fallon statue** escalated again Tuesday, when a group of residents that has opposed the monument called a press conference to lambaste Mayor Tom McEnery's plan for dispelling controversy with a new committee.

Representatives of Pueblo Unido de San Jose Coalition called McEnery's plan "a ruse and a numbers game." They urged expansion of commissions and committees to reflect the city's ethnic groups proportionately.

McEnery announced Friday that he wants a committee to decide whether the \$820,000 statue of one-time mayor Thomas Fallon should be placed at Plaza Park downtown.

The statue, which depicts Fallon raising an American flag over San Jose in 1846 after the war with Mexico, stands finished in Italy.

McEnery said he hoped that the committee would resolve conflicts over the statue and develop a list of other historic events and figures to be commemorated.

He said the committees should consist of two representatives each from the city's committee for the past and fine arts commission; one representative of the historic landmarks commission; and four to six community members.

But that is not good enough, said Kathy Chavez Napoli, who has opposed the statue for months.

Napoli said she is distressed that the mayor is "setting the framework" for the future of the statue by saying community representatives on the new committee should be appointed by the fine arts commission.

Another group member said doing so would be "stacking the deck."

Napoli said, "We're still not included. . . . He's just reshuffling the same people."

She said her group questions whether the statue should be installed anywhere. Several other members of the Hispanic group backed Napoli up Tuesday, including Javier Salazar, who has been critical of the **Fallon statue**.

Later Tuesday, McEnery said his staff had talked to Salazar before announcing the plan on Friday, and he had expressed approval.

"I had envisioned a very representative committee . . . with people like Javier Salazar on the committee," McEnery said. "I think this is a very fair way to deal with a controversial issue."

The city council, sitting as the city's redevelopment board, will discuss McEnery's proposal at a June 7 meeting.

**Caption: PHOTO: Mercury News File Photograph**

**Model of Fallon statue superimposed on site**

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## Archive Search Result

### SUPPORT STRUGGLING ARTISTS, NOT EQUESTRIAN STATUES

DATE: June 6, 1990

PAULINE BICK

PUBLICATION: San Jose Mercury News (CA)

EDITION: Morning Final

SECTION: Editorial

Page: 7B

AT one time, I was chiefly amused when public taste collided with that of persons who buy art with public funds, as when San Jose workmen hauled away an expensive metal sculpture, thinking it was scrap.

The mishap prompted a Scott Willis cartoon in the Mercury News of a milk carton promising a large reward for the sculpture's return. I also thought San Jose's committees might be doing a better job than San Francisco's in steering between drably conventional or pretentious work, and the genuinely innovative avant garde. I had in mind the San Francisco sculpture resembling a giant piece of coal, popularly known as "Banker's Heart."

I can still sympathize with the committees to an extent.

Today's public is not as reluctant as any official body to admit that it knows little about art or that its preferences might be biased, and it's ready to protest what it doesn't like.

And this is understandable, in view of the prices paid for public art. It's true, the average art purchase wouldn't pay for many Pentagon hammers, let alone strategic bombers fated to be declared obsolete tomorrow, but art has always been a safer target than the military.

Anyway, rather than too hard, I now believe in many cases the funding committee's job is too easy.

For one glaring example, obviously not enough people were consulted about the **Fallon statue**.

Aside from the important fact the subject is infamous with the large Hispanic minority and unknown to almost everyone else, surely none who's traveled widely in this country can argue we need another equestrian statue, especially one with a price tag of \$820,000 -- and that's tax dollars.

I don't often speak of the "good old days," but some aspects of the bad old days are worth remembering.

During the Depression, many struggling artists got their start under the Works Progress Administration, especially in mural painting. I doubt if they got paid much, but it kept them from starving. They displayed a variety of styles and their work was appreciated by the public more than most art is today.

A number of WPA artists became widely respected in the art world later.

Believe it or not, many talented artists have trouble earning a living today. I think the money proposed for this one man on horseback would be better spent on a hopeful selection of artists who are just emerging, who are neither famous nor infamous, and who present a spectrum of viewpoints and racial-ethnic backgrounds.

**Caption: DRAWING: Ib Ohlsson**

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### STATUE IS LIGHTNING ROD FOR CRITICISM OF MAYOR HISPANICS: PLAN IS SYMBOL OF PROBLEM

**DATE: June 7, 1990**

**EDITION: Morning Final**

PAMELA KRAMER, Mercury News Staff Writer  
**PUBLICATION: San Jose Mercury News (CA)**

**SECTION: Local**

**Page: 1B**

They're shaking their heads over at City Hall: Who'd have thought a statue commemorating the 1846 raising of the stars and stripes over San Jose could lead to . . . to this.

But it has. It has led to pickets at the downtown Plaza Park statue site. It has led to vocal and sometimes vitriolic presentations to the city council by Hispanics who say they are offended that the statue depicts a "militaristic" episode of U.S. conquest over their Mexican ancestors. Another meeting is scheduled tonight before the redevelopment agency.

The statue of Capt. Thomas Fallon also has crystallized a nagging question: Does the statue's development say something about how city hall, and Mayor Tom McEnery in particular, treats Hispanics as the city comes into its own?

"In my judgment, the mayor's relationship with the Hispanic community isn't his strong point," said Pete Carrillo, a candidate in the November runoff for the downtown city council seat. "I think that the **Fallon statue** is symbolic of a much larger problem, and that has to do with the process of inclusion."

Counters Councilwoman Shirley Lewis: "I don't think that you can say in any way that Tom deals with the Hispanic community any differently than he deals with any community."

It's a squishy issue. It's so squishy that both Lewis and Councilwoman Susan Hammer, in interviews during their campaigns for the mayor's office made a point of saying that -- yes, they share much of McEnery's vision for the city, but they tend to involve more people in the decision-making process.

"There is merit to a complaint that . . . a larger, broader section of the community was not consulted with respect to public art," said Fernando Zazueta, a San Jose attorney.

"I think it (the Fallon controversy) is more symbolic of the frustration many apparently have felt in dealing with Tom, that they had no say-so in the development of the downtown to speak of," Zazueta said. "They're having these frustrations boil over. That happens to be the lightning rod."

Some vocal activists have turned the statue into a very personal issue, launching attacks on McEnery's integrity. The response from the mayor's office has been unusually defensive.

McEnery is striving to put the **Fallon statue** in context, pointing out that it is part of a broader historic art program he supports. He also is stressing his record with the Hispanic community -- from setting up youth programs to improving city services.

At the gala opening of the downtown Children's Discovery Museum last Saturday, the mayor went out of his way to emphasize that, given the area's settlement by people from Mexico and given its proximity to that country, it is fitting the museum was designed by a premiere architect from Mexico.

And in a rare move, McEnery in May backed away from his insistence that the **Fallon statue** be located in the heart of downtown, proposing instead that a varied committee decide what should be done with the statue.

That shift represents a dramatic change from his initial position: That just a small group was kicking up the fuss over the statue.

"I'm always upset whenever anybody's feelings are severely hurt," McEnery said. "That's certainly been the case here."

Though the possibility of a negative reaction to the statue likely never occurred to McEnery early on, it certainly has his attention now. And while a mix of bewilderment and frustration may have delayed his response to the problem -- even as it festered -- he is acting on it now.

"I think the actual **Fallon statue** controversy itself is a reflection of McEnery simply not thinking out the symbolic significance of that kind of artwork," said Bob Brownstein, an aide to Santa Clara County Supervisor Susanne Wilson and a political observer.

"You can be a sensitive person and make that kind of mistake, just because there's too much going on with life and death services," Brownstein said. "You don't pay attention to something that is not a substantive thing, but it turns out to be a symbolic issue, and it comes back to haunt you."

McEnery and Redevelopment Director Frank Taylor say the **Fallon statue** wasn't even the mayor's idea, to begin with. No one claims to know exactly whose idea it was, though Taylor said it apparently grew out of a small committee -- a developer, a consultant and Taylor -- that selected all the art work accompanying the Fairmont Hotel, the Silicon Valley Financial Center, the Pavilion and San Antonio Plaza.

At the time, there was no process for reviewing and selecting artwork funded by the public-private partnership that is being used for the **Fallon statue**.

While McEnery did argue against the committee's initial recommendation that all of the art be modern, and while Fallon is a favorite figure of his -- he wrote a fictionalized biography of the captain -- the mayor says he did not propose the statue.

He also points out that the **Fallon statue** is just one part of a larger art program intended to represent other aspects of San Jose's development.

Said Lewis: "I think that people have a right to be concerned about whether there has been adequate process and recognition and involvement of the Hispanic community. But I don't think anyone can question Tom's honesty or integrity."

Meeting tonight on statue's fate

San Jose's redevelopment agency will meet at 7 p.m. tonight to discuss the fate of the controversial statue of Capt. Thomas Fallon. The meeting will be held in the city council chambers, 801 W. Mission St., San Jose.

**Caption: Mercury News File Photograph**

**A model of the Fallon statue is shown superimposed on the Plaza Park site.**

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### S.J. MAYOR RETREATS ON STATUE COMPROMISE PLAN CREATES FALLON PANEL

**DATE: June 8, 1990**

**EDITION: Morning Final**

**Page: 1B**

THOMAS FARRAGHER, Mercury News Staff Writer  
**PUBLICATION: San Jose Mercury News (CA)**

**SECTION: Local**

Capt. Thomas Fallon, who raised the Stars and Stripes over San Jose 144 years ago when the United States was at war with Mexico, lost his niche in the city's central park Thursday night.

In the face of a public uproar, the San Jose City Council unanimously supported Mayor Tom McEnery's face-saving plan that backs away from a commitment to erect a statue of a horse-borne Fallon on a traffic island north of Plaza Park. The monument has offended the city's Hispanic community.

A lengthy debate delayed the vote, however. A parade of opponents, some in native dress, condemned Fallon and what he stood for, arguing that he has no place in modern San Jose.

"Melt it down!" some shouted during a marathon meeting at City Hall. Others promised to tear down the bronzed likeness of Fallon, the city's seventh mayor, if it is erected.

"What you're doing is opening up old wounds here," Robert Castro, who kept rhythm on drums during a lively demonstration by Aztec dancers, lectured McEnery. "What you're doing is creating tension. And I think you're insensitive to the community."

Others said Fallon represents an important part of the city's history and properly deserves a conspicuous spot downtown.

But McEnery, who had led the charge for the monument, was out front in the retreat, too.

"I believe good comes out of intensity and, in some cases, pain and suffering," McEnery told the audience of more than 350, most of them opponents. "I hope we can go forward from this evening working on all the things that we have in common."

The council ratified McEnery's compromise plan, creating a committee to resolve the controversy surrounding the statue.

The **Fallon statue**, sculpted by artist Robert Glen, with accessories cost taxpayers \$711,000. It has been the object of dissent for months among city Hispanics, who decried it as a biased tribute and "a militaristic celebration of war." Fallon made his name by raising the Stars and Stripes in 1846 over San Jose during the Mexican-American War.

Critics say McEnery sidestepped reviews by city public art groups and rammed the statue through without public comment.

McEnery, who has written a fictionalized account of Fallon's exploits, has said the bronze statute "was worked out in conjunction with a private developer and due process of the redevelopment agency."

City Historian Clyde Arbuckle said Thursday night that Fallon had been unjustly criticized with "ugly" adjectives. "He doesn't deserve that," Arbuckle said. "When he raised the flag here, he was not a professional soldier. He was acting on orders. The act of raising the flag should not be considered an insult."

While defending the statue as depicting an important part of city history, McEnery had struck a more conciliatory tone lately, saying: "I'm always upset whenever anybody's feelings are severely hurt. That's certainly been the case here."

Vice Mayor Blanca Alvarado has called for a compromise that would place the statue in front of the Fallon House, the mayor's former home on West Saint John Street that is undergoing renovation as a historical museum.

The proposed committee would develop a comprehensive plan for historic art reflecting the wide range of cultural influences on the city's development. At the time the city decided to erect the **Fallon statue**, there was no process for reviewing art that received public funding. Initially, it was intended to be a privately funded statue.

What it cost

Here is how much taxpayers paid for the statue of Thomas Fallon and its associated costs:



Design, engineering and reconstruction of traffic island, \$395,000.

(box)Statue, \$205,000 (private costs were an additional \$240,000).

(box)Granite cladding for pedestal, \$111,000.

(box)Total: \$711,000.

Source: City of San Jose

**Caption: Angela Pancrazio -- Mercury News**

**Aztec dancers from group Tezkatlipoka perform Thursday to sway council against erecting Fallon statue**

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### CRITICS SHOULD MATCH MAYOR'S MAGNANIMITY

**PUBLICATION:** San Jose Mercury News (CA)

**DATE:** June 12, 1990

**SECTION:** Editorial

**EDITION:** Morning Final

**Page:** 6B

The most recent suggestion made by San Jose Mayor Tom McEnery of turning the **Fallon statue** controversy over to a review committee is an appropriate and diplomatic gesture to resolve an unfortunate confrontation that has agitated certain members of our Hispanic community.

A wonderful maxim in the law states, "Reasonable minds can differ." People for and against the statue no doubt consider themselves to be reasonable and prudent individuals.

In this case, there are those who take offense at the placing of a statue of Fallon for a variety of reasons. They and other interested people in the community should participate in deliberations concerning the placement of this and other commemorative statues and historical plaques being planned for public areas of San Jose.

For some people, the **Fallon statue** is not a racist monument. Rather, it is a historical one that rightly celebrates the raising of the flag over San Jose. This was done throughout the Southwest when Mexico lost much of its land to the United States in the disastrous war, which ended on July 4, 1848, with the signing of the Treaty of Guadalupe Hidalgo.

Perhaps if the emphasis were on the historical fact of the flag raising, and if it were viewed less as a statue honoring Fallon, there might be less opposition. After all, the flag is not the subject of criticism in this instance.

Clearly, however, there are well-intentioned, decent people who interpret the statue of Fallon as a symbol of the documented oppression and racism experienced by many Mexicans after the Mexican-American War.

In a more idyllic, earlier era this statue probably would have presented no problem. It is obvious Mayor McEnery has not proposed and did not intend for Captain Fallon to be held in such a negative light, but the fact that some individuals perceive a negative aspect to the statue is sufficient reason for review of its placement.

Jimmy Breslin, Andy Rooney and Jimmy the Greek, among others of more recent account, did not intend to offend anyone by certain of their reported comments. The fact remains that many readers and constituents of these individuals did take offense and it was appropriate that such offending comments were retracted.

Mayor McEnery shows magnanimity in referring the Fallon issue to a committee for review rather than insist on its placement as previously announced and leaving it to his successor in office to continue what has become an unfortunate issue of ethnic polarization.

By the same token, his critics can be equally magnanimous by participating in the process suggested by the mayor so that this matter can be resolved and the energies and funds taken up by this controversy directed toward more productive goals.

-- Fernando R. Zazueta

San Jose

STATUE OFFENDS MORE THAN HISPANICS

Many citizens of San Jose are opposed to the **Fallon statue**. The Mercury News has correctly mentioned the opposition of the Hispanic community and has asked the mayor and city council to consider the feelings of this large portion of San Jose citizens. This is a valid reason for reconsidering the placement of a statue which represents the oppression of the Mexican people. However, there are many other important reasons to scrap the statue.

The statue is an affront not only to the one-third of the population who are Hispanic, but also to all San Joseans who do not want this city to promote images that glorify or condone racism, aggression, oppression or militarism.

It is also an affront to all who feel that a democratic process, which considers the needs and feelings of all San Joseans, should be followed before commissioning public works of art. Members of all minority groups and anyone who cares about fairness to people of all races, ethnic groups and cultures should be concerned about the process that allowed such a work to be commissioned without community input. If this

process is repeated, it could easily result in other monuments which would likewise disrespect the dignity and cultural history of any of the other ethnic groups represented in San Jose.

We of the Coalition to Undo Racism Effectively hope that the **Fallon statue** will not be erected as planned, and that local politicians learn that, in every decision, the implications for the dignity of all persons must be the first priority.

-- Lori Abrahamsohn

Chair

Coalition to Undo Racism Effectively  
MAYBE THIS WILL PUT IT INTO PERSPECTIVE

As an American citizen of German ancestry I am not offended by statues of Gen. John Pershing whose troops defeated the Kaiser and the Imperial German Army in 1918.

If I were, I would probably return to Germany where it is highly improbable that one would see such a monument.

-- N.L. von Herrennoch und Egger

Los Gatos

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**DATE:** June 12, 1990

**SECTION:** Editorial

**EDITION:** Morning Final

**Page:** 6B

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Los Gatos

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### IN SEARCH OF A PEDESTAL MAKE SURE THAT ARTS INSIDERS ALONE DON'T DECIDE THE FALLON STATUE'S FATE

**PUBLICATION:** San Jose Mercury News (CA)

**DATE:** May 30, 1990

**SECTION:** Editorial

**EDITION:** Morning Final

**Page:** 6B

BETTER late than never, San Jose Mayor Tom McEnery has backed down on his plan to put a statue of Capt. Thomas Fallon in Plaza Park. Instead, he'll let a committee decide what to do with the statue, which shows the captain planting the American flag in San Jose during the Mexican War.

What a relief. For a while, it looked as if the mayor was going to let this conflict monopolize his last year in office. McEnery made it all much tougher than it had to be. For months he denied there was a problem, claiming just a handful of Hispanics objected to the statue -- but that was ridiculous. A few people called attention to it, but once the word got out, the Hispanic community was at least uneasy, if not insulted.

Hispanics say the Mexican War was no grass-roots revolution by Californians against Mexico, but a U.S. war of conquest. Yes, says McEnery, but planting the flag still was an important moment in San Jose history, worth commemorating.

McEnery is right, if you stick to facts and ignore emotion. But you can't ignore emotion. You can't put a statue in Plaza Park, the heart of the city, if it offends close to a third of the population.

The committee McEnery proposes will have about half its members chosen from arts and civic groups, and the rest will be people "who have demonstrated interest in history or public art." It better include some of the activists who have opposed putting the **Fallon statue** downtown, but responsibility for that cuts two ways. The city must invite its critics, and the critics, having made their point, now should be willing to become part of the solution.

Coming on the heels of the Studio Theatre disaster, the Fallon controversy revealed a discontent among Hispanics that has smoldered for years. Hispanics feel left out of the new downtown. Were that not so, Capt. Fallon could have slipped into Plaza Park virtually unnoticed. As it is, he rubbed an old wound raw.

Now McEnery's committee has to heal that wound. And that won't happen if it ends up as a committee of insiders.

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### DISSIDENTS, TOO INCLUDE ON THE COMMITTEE REVIEWING STATUES SOME WHO DISAGREE WITH THE CITY

**PUBLICATION:** San Jose Mercury News (CA)

**DATE:** July 10, 1990

**SECTION:** Editorial

**EDITION:** Morning Final

**Page:** 6B

NOT much goes on in San Jose politics during July. Most of the politicians, including Mayor Tom McEnergy, are out of town. The city council doesn't even meet. But one issue is likely to stay alive, maybe even heat up.

The Fine Arts Commission is about to choose the committee that will decide the fate of the homeless **Fallon statue**.

The committee was proposed by McEnergy to decide what to do with the statue of Capt. Fallon planting the American flag here after San Jose was swiped from Mexico. Hispanics object to the statue, so the mayor backed down on placing it in Plaza Park.

Among criteria for committee members is "a record of service" to the community, which may be good, depending on the definition of "service." Some of the statue protesters have been active as dissidents, but most have not been regulars on city committees.

Yet that dissident view is essential on this Historic Art Advisory Committee. If it's not represented, then the members might as well leave town with the politicians and relax for the summer. Their work will be a waste of time, and the protests will only resume in the fall.

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## San Jose's Latinos Howl About Plans for a 'Conquest Statue'

By HAROLD MAASS

JULY 14, 1990 12 AM PT



TIMES STAFF WRITER

**SAN JOSE** — Today's anniversary of the 1846 raising of the American flag in San Jose will go unmarked by speeches or parades--but it will not pass unnoticed.

Verbal fireworks have blazed for months as news spread that city leaders had decided to put up a bronze statue commemorating the little-known event in the Mexican-American War. It has proven to be a political *faux pas* of monumental proportions.

Capt. Thomas Fallon's ride into San Jose to raise the flag was a relatively insignificant footnote in the conflict that gave the United States control of California and much of the Southwest. But local Latino leaders say plans to immortalize Fallon in bronze represent a major slap in the face to San Jose's 180,000 Mexican-Americans.

A West Coast Perspective.

**\$1/8 weeks**



group called El Teatro de los Pobres. “But the real issue is not **SUBSCRIBE** to do with the Fallon statue?’ The issue is, ‘What went wrong with the art selection process and who is responsible?’ ”

An angry community movement has galvanized around the Fallon statue dispute, calling for better minority representation in city government. But, as one local historian put it, some of the monument’s supporters see the whole debate as “much ado about very little.”

The Pueblo Unido de San Jose Coalition of 19 community groups charges that Mayor Tom McEnery and other politicians who chose to remember Fallon are insensitive to the concerns of minority ethnic groups that make up more than half the city’s 750,000 population.

McEnery says that’s not true, and that the Fallon statue is just a small part of a San Jose history revival that includes a new educational program in the city’s schools and efforts to remember the area’s past from pre-Columbian days through the periods of Mexican and U.S. government.

A West Coast Perspective.

**\$1/8 weeks** <sup>x</sup>

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Although Fallon was no great soldier--he was not enlisted in the Army, but volunteered to carry a flag over from Santa Cruz after U.S. soldiers planted one there--he later settled in San Jose and entered local politics. He served a year as mayor, and married a woman from a prominent family of mixed Mexican and European heritage.

“There’s much discussion and misinformation about Fallon,” McEnery said. “But he was probably part of the beginning of assimilation in our area. In a lot of ways, he’s a very good example of the mixing of cultures.”

That’s not the point, critics said.

“The very few people are making the decisions for the larger community, and there’s no sensitivity there,” said Pueblo Unido member Kathy Chavez Napoli. “Instead of any recognition that we have valid concerns, we get labeled as rabble-rousers.”

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A West Coast Perspective.

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Latino and other ethnic group protests have prompted the San Jose City Council to drop plans to place the statue in a prominent location on a triangular traffic island near Plaza Park. Council members agreed to form an arts committee to decide where to put the larger-than-life likeness of the flag-toting Fallon and another rider. The statue itself cost \$440,000, half to be paid by the city's Redevelopment Agency, half by a downtown developer. The cost of putting it on a refurbished traffic island was projected at close to \$1 million, to be split similarly.

Another part of the committee's job will be to develop a list of art subjects from all periods of San Jose's history, said John Lusardi, assistant to the executive director of the San Jose Redevelopment Agency. The Redevelopment Agency, which is made up of City Council members, plans to include more historic works in the city's public art program.

The new panel, the Historic Art Advisory Committee, will include eight members representing major ethnic groups of the community and seven representatives of existing city arts committees. The group will draw up a plan to give city residents a greater say in how the city spends money on art in the future, Lusardi said.

But there still are those who don't want the Fallon statue--on its way to San Jose from Italy where it was cast--no matter what. Some believe that the bronze adventurer will fall victim to vandals if he shows up in the city at all. The Redevelopment Agency, however, still is hoping to see the monument safely in place.

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A West Coast Perspective.

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“The agency hopes the Fallon statue will go up somewhere in the city,” Lusardi said. “It’s still a work of art and a historic piece.”

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### S.J. COMMITTEE SEEKS HELP PLANNING FOR HISTORICAL ART

**DATE: July 18, 1990**

Mercury News Staff Report

**PUBLICATION: San Jose Mercury News (CA)**

**EDITION: Morning Final**

**SECTION: Local**

**Page: 5B**

San Jose residents who want to help resolve the issues surrounding the controversial statue of Captain Thomas Fallon must get their applications for a new committee in by Friday.

Besides its role in the **Fallon statue** controversy, the committee will be asked to produce a list of events and historical figures that ought to be commemorated by public art.

After protests from Hispanics, the city backed away from a commitment to erect the equestrian statue of Fallon, accompanied by another soldier, and called for a committee to study the issue.

Fallon raised the American flag over San Jose in 1846 as California was being wrested from Mexico. He later served as mayor.

Critics complained that the tribute to Fallon is a biased one and the statue would stand as "a militaristic celebration of war."

Applications for seats on the committee should be made to the San Jose Office of Cultural Affairs, 291 S. Market St., San Jose. The phone number is (408) 277-5144.

The committee will have 15 members, and there are eight openings.

Letters explaining why the applicant feels qualified to serve, with a resume of cultural involvement and community service, must be delivered by 5 p.m. Friday.

Committee members must live and work in San Jose. Meetings will be in August and early September.

**Caption: DRAWING: Capt. Thomas Fallon**

**... Will he get a statue?**

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### RESIDENTS SOUGHT TO HELP SETTLE FALLON ISSUE

**DATE: July 18, 1990**

**EDITION: Morning Final**

**Page: 1**

LELAND JOACHIM, Mercury News Staff Writer  
**PUBLICATION: San Jose Mercury News (CA)**

**SECTION: East Extra**

San Jose residents who want to help resolve the issues surrounding the controversial statue of Captain Thomas Fallon must get their applications for a new committee in by Friday.

Besides its role in the **Fallon statue** controversy, the committee has an additional job that city Fine Arts Director Yankee Johnson thinks may turn out to be equally, if not more, important: producing a list of events and historical figures that ought to be commemorated by public art. In addressing the Fallon controversy, Johnson sees the committee having three choices:

(check) It could recommend the city put the statue on a traffic island north of Plaza Park, as Mayor Tom McEnery and the Redevelopment Agency proposed.

(check) It might recommend locating the statue elsewhere in the city.

(check) Or the committee might recommend that the city not accept the bronze statue, which has been completed and is awaiting shipment from Italy.

"If that is the choice, we would have to get a better understanding of what the legal implications are," Johnson said.

It is possible, he said, that the city would lose the entire \$711,000 spent on the statue, including \$244,000 contributed by developers of the Fairmont Hotel, if it elected not to install the statue.

"The committee will have to look at the legal responsibilities and the social and political implications" of not accepting the statue, Johnson said.

After protests from Hispanics, the city backed away from a commitment to erect the equestrian statue of Fallon, accompanied by another soldier, and called for the committee study.

Fallon raised the American flag over San Jose in 1846 as California was being wrested from Mexico. He later served as mayor.

Critics complained that the tribute to Fallon is a biased one and the statue would stand as "a militaristic celebration of war."

Some who addressed the council were concerned about the process, complaining the Fine Arts Commission had been bypassed when the statue decision was made. Others were concerned about the "version of history" expressed by the statue, Johnson said. Some felt it embodied an outright racist attack on Hispanics, incorporating an imperialist view of manifest destiny and American expansion at the expense of the Mexican people.

There were those who favored the statue in the Plaza Park location. And some people said they don't want it there, but thought another location would be all right.

Applications for one of eight seats on the new committee should be made to the San Jose Office of Cultural Affairs, 291 S. Market St, San Jose. The phone number is 277-5144.

The committee will have 15 members, but seven will be filled as follows: Two from the Fine Arts Commission, two from the Plan for The Past Committee, which produced a previous report calling for placement of public art honoring historic figures, two from the Art in Public Places advisory panel that reports to the Fine Arts Commission and one from the Historical Landmarks Commission.

Letters saying why the applicant feels qualified to serve, with a resume of cultural involvement and community service, must be delivered by 5 p.m. Friday. Johnson said an ideal committee would be about one-third Hispanic, about half from non-Hispanic European countries and a lesser representation from Asian and black communities, with all the members possessing a good understanding of the contributions of their own cultures.



Committee members must live and work in San Jose. Meetings will be in August and early September.

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### 15 MEMBERS NAMED TO S.J. HISTORIC ART COMMITTEE PANEL SET TO TACKLE STATUE DISPUTE

**DATE: August 4, 1990**

JUDITH GREEN, Mercury News Arts Writer  
**PUBLICATION: San Jose Mercury News (CA)**

**EDITION: Morning Final**

**SECTION: Living**

**Page: 3C**

SAN Jose's new historic art advisory committee -- created primarily to decide the fate of the statue of Capt. Thomas Fallon -- is now complete.

The committee, which takes the controversy off the hands of the city council, has 15 members. Seven were appointed by other city commissions and eight selected by the San Jose Fine Arts Commission after intensive interviews with 43 applicants this week.

The **Fallon statue** is not the committee's only charge, but it is the panel's first item of business. It will occupy the agenda for the rest of the summer, said Yankee Johnson, the city's fine arts director.

Johnson said the committee would hold public hearings to air all sides of the **Fallon statue** controversy and probably would recommend disposition of the \$820,000 sculpture in September.

"We have more than one history," he said, "and this is the nub of the dilemma around the **Fallon statue**: How do we go about commemorating the past while respecting people's differences and remembering that we are one community?"

"It's an issue that goes to the heart of the American experiment."

The statue has been called an insult to Mexican-Americans by members of San Jose's Chicano community. Fallon, an Irish adventurer and mercenary, raised the U.S. flag over San Jose, then a Mexican township, at the end of the Mexican War in 1846. The committee will consider whether the city should install the statue, and where the statue should go if it does.

Appointed members of the commission are: Alex Stuart, attorney, and Jerrold A. Hiura, dentist, of the fine arts commission; Pierre Prodis, architect, and Patty McDonald, interior designer and community advocate for historic preservation, of the public art selection panel; Leonard McKay, San Jose historian, and Chuck Buckley, maintenance and safety supervisor for the Archdiocese of San Jose, of the plan for the past committee; and Colleen Cortese, San Jose historian, of the historic landmarks commission.

Stuart, who chairs the fine arts commission, also chairs the historic art advisory committee.

Members selected Wednesday by the fine arts commission are: Dennis B.K. Fong, owner of the d.p. Fong Gallery; Aaron Harris, program manager at ROLM Systems and a member of the city planning commission; Evelyn Martinez, convention planner and historian of early California; Ben Menor, aide to county Supervisor Ron Gonzales and president of the Asian Heritage Council.

Kathi Chavez Napoli, community volunteer and outspoken critic of the city's multicultural policies; Charlotte Powers, curriculum coordinator for the Santa Clara County Office of Education; Patricia Martinez-Roach, teacher, member of the Community Development Block Grant and minority affairs commissions; and Javier Salazar, financial consultant, director of Aztlan Academy, which presents Latino performing arts.

The committee's first meeting will be at 7 p.m. Monday in council chambers, San Jose City Hall, 801 N. First St., San Jose. For information: (408) 277-5144.

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## Archive Search Result

### S.J. MAY CAST ASIDE STATUE CAPT. FALLON MONUMENT RANKLES SOME HISPANICS

DATE: August 25, 1990

CINDY EBERTING, Mercury News Staff Writer

PUBLICATION: San Jose Mercury News (CA)

EDITION: Morning Final

SECTION: Local

Page: 1B

He's sculpted. He's bronzed. He's paid for.

But the statue of Capt. Thomas Fallon -- who raised the first U.S. flag over San Jose in 1846 amid warfare with Mexico -- remains homeless, sitting in a foundry in Northern Italy.

He may sit there awhile -- perhaps forever -- if some members of the city's newly formed History Art Advisory Committee have their way, a signal that the city's statue flap, which drove Mayor Tom McEnery to uncharacteristic retreat earlier this year, is far from over.

The art advisory panel will conduct a public hearing Monday night at which committee members will collect facts about Fallon, an early San Jose mayor, from five area historians.

The 15-member committee appointed in June is supposed to decide by Sept. 5 the fate of a statue that has offended some of the city's Hispanic community, who say it depicts a militaristic episode of the U.S. conquest of part of Mexico. More than half the committee, however -- Fallon foes and Fallon friends -- are convinced they will not meet that deadline.

"It's not a realistic time line," said Kathi Chavez Napoli, a longtime statue opponent. "It's really premature to decide anything. It's a political time line. . . . (McEnery) wants to get it resolved before he gets out of office. Nothing in this city gets decided in a month."

Even those who are not firmly against the **Fallon statue** are not sure the committee will resolve anything soon.

"I just don't think it will happen," said Leon McKay, a city historian who declined to state his position on the statue. "There are too many discrepancies about Fallon. (Our) committee is too divided politically."

McEnery, who has defended the statue as marking an important moment in San Jose history, said he would decline further comment until the committee makes its decision.

According to advisory committee Chairman Alex Stuart, his board has four options: reject the statue; place it, as planned, on a traffic island north of Plaza Park; put it elsewhere; or accept the statue now and store it until the committee finishes its work.

Committee members say there is not enough time to quickly solve a controversy once so hot it sparked pickets, protests and heated rhetoric. Emotions still run high on both sides, they say.

Another sticking point is that some committee members believe the panel should first draft recommendations about how the city selects historical figures to be commemorated in public art projects.

Napoli and at least two other members -- Javier Salazar and Patricia Martinez-Roach -- want the **Fallon statue** left in Italy or stored in San Jose until they can draft a list of worthwhile statuary options.

Others disagree.

"Let's face reality," McKay said. "The statue is made. The money is spent. Now we have to decide what we're going to do with it."

Meanwhile, Salazar has charged that the committee appointment process was biased. Salazar, who led early opposition to the statue, and his staff at Aztlan Academy of Ethnic Heritage have filed a complaint charging the Fine Arts Commission with discrimination.

A four-member ad hoc committee assigned to select eight people to represent the city's "ethnic diversity," Salazar said, did not put everyone through the same interview process and failed to reach out enough to the black and Filipino communities.

"I can't imagine a better way the city could have put together 15 members that reflect the cultural diversity of this city," said Fine Arts Commission Director Yankee Johnson, who said the committee includes seven whites, four Hispanics, a black, a Filipino, a Japanese-American

and a Chinese-American.

IF YOU'RE INTERESTED

The city's History Art Advisory Committee will conduct a public hearing about the **Fallon statue** at 7 p.m. Monday in the city council chambers, on the second floor at City Hall, at North First and Mission streets.

**Caption: PHOTO: Mercury News File Photograph**

**A model of the Fallon statue superimposed on the Plaza Park site.**

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**Caption: PHOTO: Mercury News File Photograph**

**A model of the Fallon statue superimposed on the Plaza Park site.**

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## Archive Search Result

### NO FLAG-WAVING FOR THOMAS FALLON FORGET STATUE, HISTORIANS SAY

**DATE: August 28, 1990**

CINDY EBERTING, Mercury News Staff Writer

**PUBLICATION: San Jose Mercury News (CA)**

**EDITION: Stock Final**

**SECTION: Local**

**Page: 1B**

Calling itself a jury, the committee deciding the fate of the statue of Capt. Thomas Fallon left no stone unturned Monday night as it questioned six area historians about the captain's life.

Were his kids raised Catholic or Episcopalian? Why did his wife really leave him? Where was he really born? And why is no street named after him, as the city did with other historic figures?

Most of the historians -- even if they disagreed on minor points -- didn't think Fallon's raising of the American flag over San Jose was so historic that his statue deserved to be in Plaza Park.

"In all my research I couldn't give the man three cheers," said Joe King, who prepared 30 pages of his research for the committee. "It'll be very hard to figure all this out by Sept. 5. If you do, you are a miracle of a committee." "Are we going to have a statue in the heart of the city of a man who was a two-liner in the history books?" Art Warburton asked, as many members of the crowd clapped.

After hearing the historians' perspectives, the History Art Advisory Committee spent three hours listening to about 30 residents, the majority of whom urged the members to reject the **Fallon statue**.

"A symbol placed in the heart of the city should be one we can all be proud of," said Steven Cole. "The fact that putting this up would cause a large part of the community to drive by and be angry is reason enough to oppose it."

Several statue opponents suggested that the artwork -- still sitting in a foundry in Northern Italy -- be melted down, given to Ireland since Fallon was Irish, or put in Mayor Tom McEnery's living room.

"It's the mayor's obsession," said Sofia Mendoza. "Let him have it. . . . I'll even deliver it myself."

The 15 committee members have 10 days to digest all the opinions, including a volume of more than 200 pages detailing the controversy surrounding the statue, which has outraged many Hispanics who say it depicts a militaristic episode of the U.S. conquest of part of Mexico.

But Fine Arts Director Yankee Johnson and art advisory committee Chairman Alex Stuart seem confident that there will be a decision by the Sept. 5 deadline.

"We didn't really hear anything new tonight. Many of these people had spoken before the city council," Johnson said. "I don't think there were any new revelations. We just need to deal with the things we keep hearing and decide."

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## Archive Search Result

### STATUE WITHOUT A PEDESTAL WHERE THE FALLON STATUE BELONGS ISN'T CLEAR

**PUBLICATION:** San Jose Mercury News (CA)

**DATE:** August 29, 1990

**SECTION:** Editorial

**EDITION:** Morning Final

**Page:** 10B

SOME members of San Jose's History Art Advisory Committee think they'll have trouble meeting their Sept. 5 deadline to decide what to do with the statue of Capt. Thomas Fallon that the city commissioned to go at the north end of Plaza Park.

But there's one easy decision that could be made by the deadline. The statue does not belong in that park, at the heart of the city. Not when it clearly offends San Jose's Hispanic population.

Where the statue should go is not as simple, and there's no reason to rush it. There are not a lot of empty statue pedestals going begging in San Jose.

The city has paid an artist in Italy more than \$200,000 for the statue of Fallon raising the American flag after the Mexicans retreated from San Jose. Fallon, who later became mayor, is part of the city's history -- although not as important a part as the statue might imply -- so there ought to be a place for the monument somewhere.

The committee should rule out the Plaza Park site now because it's absolutely inappropriate and because the city should start figuring out what to put on that half-finished traffic island instead of Capt. Fallon. (And this time, it won't be one or two people making the decision. Count on it.)

Then the committee should take its time setting criteria for the selection of historic art and, ultimately, deciding where to put the **Fallon statue**.

It would be nice to get the controversy behind us. Certainly Mayor Tom McEnery would prefer that. He is the captain's number one fan and the statue's strongest defender. But this remains such an emotional issue that a hasty decision is likely to bring as much protest as the original plan to plant the statue downtown.

Let the committee take its time.

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## S.J. ARTS PANEL NOT READY TO PUT FALLON ON PEDESTAL

**Author(s):** STEVE JOHNSON, Mercury News Staff Writer **Date:** September 7, 1990 **Section:** Local

The controversial statue of Capt. Thomas Fallon belongs somewhere in downtown San Jose, but not in Plaza Park, and it should stay in storage until other artworks commemorating the city's multicultural heritage are commissioned, a local arts committee has recommended.

The 15-member Historic Art Advisory Committee's recommendation late Wednesday was an attempt to fashion a compromise on the statue, whose creation has rankled Hispanics and others in San Jose.

While some city officials have favored placing the artwork in a prominent spot at the north end of Plaza Park, some community activists consider it derogatory toward Hispanics and have flatly opposed its installation anywhere in the city.

Council decides fate

The committee's recommendation now goes to the city council, which ultimately must decide what to do with the \$711,000 bronze of Fallon, an early California adventurer and later mayor who raised the first U.S. flag over San Jose in 1846 during the Mexican War.

If the council accepts the committee's ideas, it's not clear how long the statue would remain in storage. That all depends on how long it would take to develop the other multicultural artworks that the committee recommendation linked to the **Fallon statue's** future. The city also would have to come up with more money for those additional artworks.

The committee is expected to take the next six to eight months to come up with a list of possible artistic subjects that would reflect the city's cultural roots.

Another matter that remains unclear is where the **Fallon statue** -- which has been pushed by Mayor Tom McEnergy -- would go downtown. The committee is expected to study that issue as well and to make recommendations.

Be more sensitive

In tying the statue's future to the development of other multicultural artworks, the committee was trying to send a message to the city council to be more sensitive to the artistic needs of various ethnic groups, said committee member Jerry Hiura.

"If they (city leaders) want to see Fallon," he said, "then they're going to have to come through with the funding mechanism and the process that will bring about the other memorials."

Some members of the advisory group, however, were not happy with the recommendation.

"It's very disappointing," said Kathy Chavez Napoli, who is American Indian and Mexican-American, and has been one of the statue's most vocal opponents. She said the three meetings the committee held on the sculpture weren't nearly enough to adequately hash out its implications for the city.

"We need to have more discussion," she said. "I think it's too rushed. It seems very inappropriate to make decisions like this on such short notice."

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### FALLON STATUE HOMELESS SAN JOSE COUNCIL TO DECIDE HIS FATE

**Author(s):** MALINE HAZLE, Mercury News Staff Writer **Date:** November 20, 1990 **Section:** Local

San Jose, the city that has waited 144 years to commemorate a flag-raising that barely made it into the history books, may have to wait a few years more to see the \$820,000 tribute to flag-flier Thomas Fallon.

Five years more to be precise.

That's because it could take that long to choose, commission and complete four more works of art designed to take the sting -- and the controversy -- off the **Fallon statue**.

The city council tonight will be asked to approve a series of recommendations that would provide a downtown site for the statue -- but not until the other works are completed some time before the end of 1995.

"I don't think anybody could ever have predicted this," acknowledged Alex Stuart, who chaired the Historic Art Advisory Committee, which came up with the compromise. The group was assembled by Mayor Tom McEnery, a Fallon historian, after the **Fallon statue** flap escalated last spring.

Originally, the city's Redevelopment Agency, which paid for the statue, wanted to put it in Plaza Park near the Fairmont Hotel.

But some Hispanic residents were outraged and insulted that officials wanted in such a prominent location a militaristic- looking statue commemorating the American takeover of San Jose during the Mexican-American War.

And some historians hinted that the flag-raising was little more than a historical footnote. Fallon later served briefly as one of San Jose's first mayors.

McEnery, who several years ago wrote a fictionalized biography of Fallon, contended that the statue was an important tribute to an entire period of city history. He temporarily defused the controversy by setting up the committee.

After more than 40 hours of public testimony, meetings and study, the 15-member committee honed the original Fallon plan and is recommending that the 18-foot-tall, 22-foot-long bronzed horse and rider be installed at Pellier Park, a tiny triangle of city land near the Peralta Adobe. From there, Fallon's flag -- which reaches almost 40 feet into the air -- should be easily visible from the nearby \$1 million Fallon House restoration.

The committee also has suggested four more works of historic art -- two depicting figures or events before 1850, preferably in the Indian and Spanish periods; one based on figures or events between 1850 and the end of World War II and one from the post World War II era. Along with the **Fallon statue**, they would be unveiled simultaneously.

But still, the controversy rages.

Kathy Chavez Napoli, one of the original Fallon foes and a committee member, is upset because she and two other Hispanic committee members were "outvoted on key issues every time."

Napoli, who has argued that the statue does not belong anywhere downtown, said she and her supporters will be out in force tonight. Some plan to suggest that the statue be de- Fallonized.

"They could take the name off and change the face," suggested Yolanda Reynolds.

McEnery said he's not surprised by the rumored protest.

"We'll listen politely to their points of view and then move the city and the historic arts program forward," he said.

Stuart hopes the mayor is right.

"This committee cannot take it back -- we need to get going" on the other art works, Stuart said.

Meanwhile, the **Fallon statue** is sitting just where it has been for nearly a year: at the foundry in northern Italy where it was cast.

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### FALLON STATUE ALIGHTS COUNCIL APPROVES SITE IN PELLIER PARK

**Author(s):** MALINE HAZLE, Mercury News Staff Writer **Date:** November 21, 1990 **Section:** Local

Thomas Fallon will be riding into San Jose again -- perhaps sooner than a city art committee had recommended.

After more than two hours of discussion Tuesday night, the San Jose City Council unanimously approved a plan to place the controversial statue in Pellier Park near the Peralta Adobe downtown. The council also promised to pay for art works representing other periods in the city's history, although no one is certain where the money will come from.

The decision followed months of acrimony over placement of the piece -- arguments laced with accusations of ethnic slurs. The controversy erupted early this year as the statue neared completion in Italy.

A bronze work 1 1/2 times life size, the statue originally was to have been erected at Plaza Park, across from the Fairmont Hotel.

But some Hispanics complained not only that the statue subject -- Fallon on horseback -- was chosen without taxpayer input, but that the event depicted was insulting and militaristic, representative of American oppression of Mexicans. Fallon, who later was elected mayor, raised an American flag over the city 144 years ago after the Mexican-American War.

Tuesday night, Fallon opponents also complained that the Historic Art Advisory Committee established to resolve the problems had been stacked against them.

"Before you you've got a political compromise . . . a sweet deal," complained committee member Javier Salazar.

He and two other committee members, Kathy Sanchez Napoli and Patricia Martinez Roach submitted a minority report that urged the council to postpone selection of a statue site and set up criteria the city would use to judge all historical artwork, including the **Fallon statue**.

They believe the Fallon incident is not historically significant enough to meet those standards.

But the council said it was time to move on.

"History is imperfect, as we are all imperfect. I offer no apology for the activities of Europeans during early California history," said Councilman Joe Head. "Native Americans are critical of both Mexicans and Spanish . . . how do you deal with these things as they twine through history?"

Head said his vote was "not a vote for the canonization of Fallon," but a vote for a sculpture commemorating the joining of California and the United States. Mayor-elect Susan Hammer agreed.

"The statue is cast," she said. "I don't want to spend any more time and money rehashing the process used to select the statue. I'm impatient. I don't want to wait another five or six years."

The \$820,000 statue was chosen by a group that included Redevelopment Agency Director Frank Taylor and his chief architect, Rosalyn Swig, of the family that owns the Fairmont, downtown developer Kimball Small and City Historian Clyde Arbuckle.

The Fallon controversy prompted establishment of the Historic Art Advisory Committee, which will review all future historic arts proposals.

In approving the new location for the statue, the council rejected another committee proposal to delay the unveiling of the **Fallon Statue** for up to five years until at least three more historic pieces are completed.

Instead, the council approved Deputy City Manager Dan McFadden's plan for a study of storage and insurance costs that will be finished by January. McFadden said the costs could be prohibitive.

In addition, McEnery and Hammer will attempt to find money to pay for the other historic art. There was some discussion about using Redevelopment Agency money once intended for four "gateway" sculptures leading into downtown.

Original designs were commissioned and paid for, but then scrapped because they did not meet council expectations.

Some \$250,000 has been allocated for work on a new southern gateway that will depict a scene from the city's Mexican heritage.

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### FALLON STATUE OK'D FOR PELLIER PARK IN SAN JOSE

**Author(s):** MALINE HAZLE, Mercury News Staff Writer **Date:** November 22, 1990 **Section:** Local

Thomas Fallon will be riding into San Jose again -- perhaps sooner than a city art committee had recommended.

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### FALLON PLUS FOUR MAY DEFUSE S.J. ARTS FLAP

**Author(s):** NICK ANDERSON, Mercury News Staff Writer **Date:** June 15, 1991 **Section:** Local

If debate over a city's history is a sign of maturity, then San Jose has aged considerably in the year since a statue of an early 19th-century mayor was proposed as a heroic centerpiece for its downtown.

Now, while the bronze figure of Capt. Thomas Fallon bringing the Stars and Stripes to San Jose sits shrouded in an Oakland warehouse, city officials, arts activists and historians have come up with four more commemorative subjects in a plan to defuse the Fallon flap and please those who view his statue as an affront to Hispanics.

The subjects, produced by a citizens' committee after months of hearings, are:

(check) "The Ohlone way of life," referring to Santa Clara Valley's first settlers.

(check) "The founding of the Pueblo San Jose de Guadalupe," which marks California's first Hispanic civil settlement on Nov. 29, 1777.

(check) "Agriculture," the major industry before the advent of Silicon Valley.

(check) "Ernesto Galarza," longtime city resident, scholar and organizer of California farmworkers.

Officials hope the resulting works -- either murals, sculptures or non-traditional forms -- can be commissioned and on display with the **Fallon statue** by the end of 1995.

The timing is a matter of debate. Some say the **Fallon statue** should go up quickly in its newly chosen spot near Pellier Park, now a desolate traffic island at the confluence of Julian and St. James streets and Route 87. Others say it can wait.

"There is a commitment not to unveil the Fallon until there are two or three other pieces," said Mayor Susan Hammer, who will vote with the city council Tuesday on the art subjects and, in all likelihood, approve them. No cost estimates have been made.

The urge to commemorate seems to have caught San Jose's fancy, in a lively fusion of history, art and politics.

When the downtown convention center was renamed in April for former Mayor Tom McEnery, who was at the center of the Fallon storm last year, Galarza's name was floated by McEnery critics as a possible substitute. Veterans, too, are seeking a memorial; they failed with both the convention center and the historic art committee, but will probably succeed soon.

This historical consciousness is a marked change in a city where the most recognizable commemorative works are a bas-relief of a Civil and Mexican war veteran, Henry Morris Naglee, and a statue of William McKinley. The bronzed figure of the assassinated president sits in St. James Park, a howitzer at his feet pointing across First Street, as much a symbol of San Jose as James Garfield -- sitting in Golden Gate Park -- is to San Francisco.

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### S.J. TAKES NEW TACK WITH PUBLIC ART

**DATE: August 1, 1994**

MARK BOUSIAN, Mercury News Staff Writer

**PUBLICATION: San Jose Mercury News (CA)**

**EDITION: Morning Final**

**SECTION: Local**

**Page: 1B**

San Jose -- a city that seems to get embroiled in controversy every time it commissions a work of public art -- is trying to do it right this time.

The city spent months choosing the themes of four statues it will place downtown to celebrate the city's ethnic diversity. Then it took three years to choose the artists. Now that the artists finally have been commissioned, it is inviting the public to comment on the progress of the project by holding meetings -- the most recent was Thursday -- where residents can talk to the artists.

All this to avoid the sort of reaction that greeted the statue of Capt. Thomas Fallon, an early San Jose mayor, which was shelved four years ago. There was no process for reviewing art that received public funding at the time, and city leaders were caught unaware by angry objections to the Fallon project from the Hispanic community.

This time, the review process is almost painstaking. So far it is working.

"It's very good that the public is being invited to voice their opinions on something that will last for generations," said Carlos Ramirez of San Jose, who attended the city's second public meeting with the artists Thursday night at the Center for Latino Arts. "It's so important."

That's a far cry from the feelings many local Hispanics had during the Fallon debate. In their minds, a statue which celebrated military victory over early settlers was being rammed down their throats. The statue depicts Fallon on horseback raising the Stars and Stripes as a compatriot looks on. According to city history, he did so after angry natives had cut it down during the Mexican-American War.

The plans for the new art date back to 1991, when city officials decided they would erect the **Fallon statue**, but not alone. Instead, they chose four other commemorative statues that would accompany the Fallon one, which now rests in an Oakland warehouse. They hope to dedicate all five simultaneously.

The city now has commissioned artists for all of the works. Artists Jean LaMarr of Susanville and L. Frank Manriquez of Santa Rosa will work on the "The Ohlone Way of Life," which refers to the Santa Clara Valley's first settlers. Conceptual artist Tony May of San Jose, a professor of art at San Jose State University, will work on the theme of "agriculture," the major industry before the advent of the computer industry.

Public artists Kim Yasuda and Torgen Johnson of Santa Barbara are to produce a representation of Ernesto Galarza, longtime San Jose resident, scholar and organizer of California farm workers. Muralists Wayne Healy and David Botello of the Los Angeles-based art team East Los Streetscapers will work on "the founding of the Pueblo San Jose de Guadalupe," which marks California's first Hispanic civil settlement Nov. 29, 1777.

All of the artists are required to appear at public forums to receive comments on their initial ideas before proceeding with final design plans.

"We've never gone through this process before," said artist Healy, commenting on the city's review process. "We've always worked with the public, but never in such a step-by-step method." Healy and Botello have now attended two such forums. On Thursday, they fielded questions from 27 interested residents.

The city has earmarked nearly a million dollars for the design, construction and installation of the four works. Of this amount, 15 percent is earmarked for artist fees and design. The rest will go toward the construction and installation of the works.

City officials say the Pueblo work will be installed at the southern tip of Gore Park, while the **Fallon statue** will go in Pellier Park, rather than the originally planned Plaza de Cesar Chavez. Sites for the others have not yet been chosen. Officials hope to have the final designs for the four projects completed by year's end, and the joint dedication by the end of 1995.

**Caption: MAP: MERCURY NEWS**

**Gore Park**

**940801 LO 1B 2**

**PHOTO: SPECIAL TO THE MERCURY NEWS**

**Muralists Wayne Healy, left, and David Botello of the art team, East Los Streetscapers, shown in their Los Angeles studio, will paint a mural for San Jose.**

**940801 LO 1B 1**

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### PUBLIC UPBEAT ON LATEST S.J. ART UPLIFTING IMAGES

**DATE: June 26, 1997**

MARCUS WALTON, Mercury News Staff Writer  
**PUBLICATION: San Jose Mercury News (CA)**

**EDITION: Morning Final**

**SECTION: Local**

**Page: 1B**

Well, it's no plumed serpent.

Unlike its predecessors -- the controversial Quetzalcoatl and Capt. Thomas Fallon statues -- this most recent piece of San Jose's public art, unveiled by city officials Wednesday at Parque de los Pobladores, at the fork of Market and First streets, isn't likely to create an uproar. In fact, people seem to like it. So far.

"When you look at that thing (Quetzalcoatl), anything looks good," said Jim Scott, who said he walks through both Parque de los Pobladores, formerly known as Gore Park, and Plaza de Cesar Chavez every day.

"But this has some connection to San Jose's history," Scott added. "I don't know what that other thing has a connection to."

The artwork -- called "Commemoration of El Pueblo de San Jose de Guadalupe" -- is the first of four pieces meant to commemorate the history of San Jose with a tribute to San Jose's role as the first civil settlement in California. It also represents the first step in bringing the **Fallon statue** -- the work that stirred up opposition in the Latino community -- out of mothballs and into the spotlight.

The artwork consists of four three-sided columns that stand 14 feet high. The outer sides depict the faces of early settlers, while the interior facing is covered with hand-painted tiles.

Between the columns is a tile floor map of the trail the original settlers took from the Sonora desert to San Jose.

Measured against Quetzalcoatl, the plumed serpent in Plaza de Cesar Chavez, the new commemorative work receives higher marks from the public.

Wayne Healy, the lead artist and general manager of the Los Angeles-based East Los Streetscapers, which created the piece, said a negative reaction is what happens when residents don't have any say in public art.

"I think a lot of what happens in public art is that this thing comes from outer space and looks like it's from Mars and people say 'What is this?' and 'Where did it come from?'" said Healy, who has completed public art projects in Los Angeles and Santa Barbara County.

To say public art has been a contentious issue in San Jose is an understatement at best. When the **Fallon statue** was ready for installation in 1990, Latino residents opposed it as a symbol of military victory over Spanish settlers that was being forced on them. Fallon is credited with raising the first American flag over San Jose.

The controversy was settled by a compromise which mandated four other historical works of art be installed downtown before the **Fallon statue** could be unveiled.

When Quetzalcoatl was unveiled in 1994, it was subjected to lawsuits, public ridicule and names not fit for print.

Fundamentalists said the statue celebrated evil, while others called it an embarrassment to the city.

As a result of the uproar over those two projects, most art that receives city funds goes through a public comment process, said Dave Allen, the city's public art director. All of it goes through a public review, he said.

Two of the city's most prominent proponents of public art, Mayor Susan Hammer and county Supervisor Blanca Alvarado, were on hand to support the latest project.

Hammer and Alvarado said people must realize that art will not be universally accepted.

"There will be those who will despise it and revile it, but there will be those who will acclaim it," Alvarado said.

The review process for the new work forestalled the outcry that welcomed Quetzalcoatl. Still, the public consultation didn't cramp the artists' style.

"To me public art belongs to the people," Healy said. "If I want to do my own thing, then I can take it and sell it in a gallery where people can buy it if they want to."

The other works that are supposed to be completed soon are tributes to:

(box) Dr. Ernesto Galarza, which will be installed on Paseo de San Antonio.

(box) The agriculture industry, to be installed on West Santa Clara Street between Route 87 and the Guadalupe River.

(box) The Ohlone Indians, to be installed at Confluence Point.

Allen said all except the Ohlone project should be installed by the end of this year. The Ohlone project is expected to be completed by this time next year, he said. That project has been delayed because the Ohlone descendants can't agree what will best represent their heritage.

The **Fallon statue** will go into its place at Pellier Park, at the fork of Julian and St. James streets, before the end of the year, Allen said.

**Caption: MAP: MERCURY NEWS**

**Parque de los Pobladores**

**PHOTO: JUDITH CALSON -- MERCURY NEWS**

**San Jose Mayor Susan Hammer looks over some of the art pieces unveiled Wednesday at Parque de los Pobladores.**

**[970626 LO 2B]**

**PHOTO: JUDITH CALSON -- MERCURY NEWS**

**The 14-foot-tall columns are in Parque de los Pobladores, at the fork of Market and First streets.**

**[970626 LO 1B 1]**

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### HE SLEEPS WITH THE FISHES

**DATE: October 18, 1998**

compiled by Mercury News reporters.

**PUBLICATION: San Jose Mercury News (CA)**

**EDITION: Morning Final**

**SECTION: Perspective**

**Page: 2P**

In one of his better lines, former San Jose Mayor Tom McEnery once remarked that the Thomas **Fallon statue** was in the witness-relocation program. And at least while Susan Hammer remains mayor, it shows no signs of emerging.

You may recall that a huge controversy erupted near the end of McEnery's tenure eight years ago about whether to place the 4 1/4-ton statue at the top of the Plaza de Cesar Chavez. The statue of Fallon is anything but politically correct. It depicts the 19th-century soldier and early San Jose mayor astride his horse, hoisting a United States flag over San Jose. Together with developer Kimball Small, the San Jose redevelopment agency paid roughly \$450,000 for the work, done by Nairobi-born sculptor Robert Glen.

After community groups led by Kathy Chavez Napoli erupted in protest, the city and agency agreed upon a process to broaden the outlook of the city's public art. The agreement, finally, was that the **Fallon statue** would be placed in the triangle west of Pellier Park (on Julian Street, close to the Peralta Adobe) only after the city had installed three other pieces that took notice of its varied ethnic past: a piece evoking the city's agriculture; the sculpture honoring its Hispanic history in the Parque de los Pobladores (formerly Gore Park); and a piece honoring Dr. Ernesto Galarza, one of the city's intellectual pioneers.

Well, guess what? All three of those pieces have now been finished and dedicated. But so far the **Fallon statue** shows no signs of emerging from hiding. At last report, it was still gathering dust in an Oakland warehouse, where it has been stored since the McEnery years. We're told on good authority that Councilman Frank Fiscalini made an effort to have the statue installed -- and thought he had a nod from the mayor. But though it has appeared on internal agendas, no one in the redevelopment agency is moving with much alacrity to deal with the touchy issue. The one person who could get things moving quickly is Hammer -- but our sources are not holding their breath for this to happen before she leaves. The mayor's spokesman, Kevin Pursglove, said he did not anticipate an unveiling this year.

FYI: One of the modest little mysteries about the **Fallon statue** is the question of who's paying to store it in Oakland. Initially, Small's organization was paying \$500 a month for storage, which would put the bill close to \$50,000 by now. Is Small swallowing all of that? He didn't return our phone call. And redevelopment spokeswoman Carol Beddo had no immediate information on whether the agency had taken over paying the bill.

Spare any change?

There's something about this time of year that seems to summon our sincerest moments of incoherence. Take the sign that greeted Attorney General Dan Lungren when he appeared at Varian Associates Inc. in Palo Alto for his tech endorsement event. "Lungren for governor," the misspelled placard said. Ah well: Lungren has promised to do something about education. . . . Then there was the brilliant new slogan for El Camino Hospital in Mountain View: "You are here. So are we." The "here" is supposed to refer to Silicon Valley, but you could forgive Joe Six-Pack for being stunned by the slogan's profundity. . . . Finally, there was the unusual comment from San Jose mayoral candidate Ron Gonzales when he appeared with the mayor at a fundraiser at the Fairmont Hotel. Noting that Hammer had endorsed him early on, Gonzales said, "It's been up and to the right since then." To people in Silicon Valley, the phrase evokes the profit line of a booming company. Perhaps it wasn't the best comment to use with Hammer, one of the more liberal mayors in the Sunbelt. But then, up and to the left sounds wrong for Gonzales.

Siren song

Bud Alne, a candidate for the Campbell City Council, wanted a picture of himself next to a police car for a campaign flier. The notion of supporting law enforcement, after all, is a staple of local campaigning -- and with seven people running for three seats, the photo could help a challenger like Alne.

But that simple request has made for a fierce rhubarb. With the permission of Police Chief David Gullo, the retired aerospace executive had several shots of himself taken next to a squad car. But that raised hackles with some officers -- and ultimately the matter was passed on to City Attorney William Seligmann. In a letter to Alne, Seligmann warned that the use of the photos would constitute an "improper use of city resources" because Alne's campaign was a commercial enterprise. Alne's attorney, political consultant Rich Robinson, then fired off his own letter, saying he was urging his client to ignore Seligmann's ruling because a photo of city property was in the public domain. Alne did try to take

an impromptu shot of himself talking to a cop at Trader Joe's -- but he says the photo turned out poorly. So don't be surprised if you see one of the original shots coming your way. "To say I can't take a picture of a public vehicle on a public street seems a little far-fetched," Alne said.  
(box)

**Caption: PHOTO: Napoli**

**[981018 PE 2P]**

**PHOTO: Fiscalini**

**[981018 PE 2P]**

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### FREE THE FALLON TWO WE'VE PAID FOR IT, AND THE POLITICAL DUST HAS SETTLED

**DATE:** January 14, 1999

JOANNE JACOBS column

**PUBLICATION:** San Jose Mercury News (CA)

**EDITION:** Morning Final

**SECTION:** Editorial

**Page:** 11B

AS San Jose's first Latino mayor, Ron Gonzales can do what his predecessors could not: bring a historic Irish-American mayor, Thomas Fallon, home to San Jose.

In 1846, Capt. Fallon galloped into the pueblo of San Jose -- after Mexican soldiers had departed -- and raised the American flag over the juzgado (courthouse) at what's now Market and Post. Fallon, a saddle maker, later was elected mayor.

In 1990, sculptor Robert Glen completed a mammoth bronze statue of Fallon, commissioned by San Jose's Redevelopment Agency and downtown developer Kimball Small. The \$450,000 man-on-horseback statue (with pal-on-horseback) was supposed to stand in Plaza Park in the heart of the reborn downtown.

It's been sitting in an Oakland warehouse since 1991, gathering dust instead of pigeon droppings.

Irish-American Mayor Tom McEnery, who championed San Jose's redevelopment, had written a fictionalized biography of Fallon, "California Cavalier." Latino activists who didn't like McEnery took it out on Fallon, saying the statue glorified militarism and Anglo domination.

"Would you go into a Jewish community and erect a statue of Hitler?" a speaker said at a council meeting. "To the Mexican community, this is the same thing."

Actually, Fallon wasn't much of a soldier: The Mexican troops had left San Jose before his troop arrived, so no one was killed, wounded or wedgied in the takeover.

Fallon didn't persecute the Mexican inhabitants. He married one. "His children were a beginning of the fusion," McEnery says. "As mayor, one of his first acts was to secure the land titles of the old Californio families."

According to McEnery, the sculptor meant the young man riding with Fallon to be a Californio, symbolizing the transition.

But the protests made the statue a political liability. Cast in Italy, it was shipped directly to an Oakland warehouse in 1991, never to be seen in San Jose.

A newly formed historic art commission recommended stashing the statue in Pellier Park, a barren scrap of land near the Fallon House; the captain's home is a historic site.

To make San Jose safe for Fallon, sort of like surrounding a public manger scene with elves and reindeer, the city commissioned four artworks depicting San Jose's diverse history, commemorating the Ohlone way of life, the founding of San Jose as California's first town, the city's agricultural past and farmworker organizer Ernesto Galarza.

Plaza Park, renamed Plaza de Cesar Chavez, did get a statue: The Aztec snake god, Quetzalcoatl, now squats on a traffic island, looking more like an insult to Mexican culture than an homage.

A few protested a pagan god in a public park. Many protested its ugliness. In a column, I wrote, "The only unifying factor is that people of all ethnicities and religions agree that brown-coiled Quetzalcoatl looks like something deposited by Thomas Fallon's horse."

By comparison, Glen's statue is a regular David. Not that anybody here has known what the **Fallon statue** looks like until recently. The photo on this page comes from webmeister Eric Carlson, who got it from local historian Leonard McKay, who got it from the sculptor, thanks to a Rotarian who met Glen in Kenya, where he works.

On his "Soft Underbelly of San Jose" web site ([www.sjunderbelly.com](http://www.sjunderbelly.com)), a personal commentary on the good, the bad and the bizarre, Carlson calls the statue a "successful blend of Western Americana and Roman pageantry. The depictions of the horses are very good, displaying the power and grace of the animals as they are reined in at the moment of flag raising. It is a subdued, elegant public statue on a grand scale."

Carlson thinks the statue should go the plaza island opposite Quetzly, looking down Market Street to the flag-raising site two blocks away at Post.

McKay agrees the statue is too big for Pellier Park and favors the Guadalupe River Park.

Is there no place in San Jose for Capt. Fallon and his friend?

Fallon was not a great man of history, nor was he a saint. He drank too much. His marriage ended in a bitter divorce, with charges of cruelty to his wife. At best, he was a colorful character from the past, at worst, a drunken lout. (The snake god had a very mixed character as well.)

The bronze's hero had feet of clay. So what else is new?

Of course, Fallon should not be glorified, any more than Quetzalcoatl is there to be worshiped. But Fallon is a piece of local history. We can learn from history, trying to understand the people and events that shaped our lives and our place. Or we can use it to score points in a pointless game of villain-and-victim. And erect no more statues of human beings.

The argument shouldn't be that "they" got an Aztec god, so "we" have a right to Fallon. San Jose has paid a lot of money for a statue; more money -- apparently from the developer, though nobody's quite sure -- is going to pay warehouse fees. The horses look good. Why not let "us" - all of us -- see it?

I asked Mayor Gonzales if, like Nixon going to China, he was the man to free the Fallon Two.

He said he hadn't made up his mind. Recalling the hysteria of the anti-Fallon campaign, Gonzales said he wanted to be sensitive. "My job is to keep the community together."

This was a manufactured controversy nine years ago, more about McEnery than about Fallon. The community will not fracture if the Fallon Two finally ride into town, liberated from their Oakland exile, and take their place as a symbol of San Jose's imperfect past.

**Caption: PHOTO: MERCURY NEWS FILE PHOTOGRAPH**

**Another controversial sculpture, Quetzalcoatl, already has been given a home in downtown San Jose.**

**[990114 ED 11B]**

**PHOTO: PHOTO COURTESY OF ROBERT GLEN, LEONARD MCKAY AND ERIC CARLSON**

**Italian foundry workers stand by the newly cast statue of Thomas Fallon and friend in 1990, in the only known photo of San Jose's warehoused bronze.**

**[990114 ED 11B]**

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### FALLON STATUE LOCATION DEBATED

**DATE: August 10, 1999**

**EDITION: Morning Final**

BECKY BARTINDALE, Mercury News Staff Writer  
**PUBLICATION: San Jose Mercury News (CA)**

**SECTION: Local**

**Page: 2B**

San Jose's most invisible public artwork -- a two-story tall sculpture of Capt. Thomas Fallon on a horse -- is about to ride into the public spotlight again, eight years after a bitter debate ended with a decision to put the controversial piece into storage.

"We still have that statue?" cracked Councilman Manny Diaz, chairman of the city's economic and community development committee. That committee voted Monday to ask the city's arts commission to review the question of where to place the towering bronze sculpture cast in Italy by artist Robert Glen.

Many Latinos objected to honoring Fallon, who raised the American flag over San Jose in 1846 during the Mexican War, saying the statue was a symbol of the United States' oppression of Mexicans. Fallon, an Irish-American who married a Mexican, later was elected the city's mayor.

The \$445,000 artwork was to have been placed prominently in a traffic island at Plaza de Cesar Chavez, the heart of the old pueblo and the center of today's downtown. Instead it was shipped to an Oakland warehouse where the city's redevelopment agency pays \$500 a month to keep it out of sight.

A committee formed to resolve the controversy said in 1991 that the statue should stay under wraps until the city had installed public art works honoring the Ohlone Indian way of life, the founding of the pueblo San Jose de Guadalupe, the city's agricultural heritage and scholar and activist Ernesto Galarza. The last of the historic pieces, the Ohlones, should be completed within a year.

Once those were done, the committee recommended, the **Fallon statue** should be erected at another downtown spot -- the large traffic island next to tiny Pellier Park, where Julian and St. James streets merge. The city's arts commission and city council accepted the recommendations.

But now it appears Pellier Park may be moved to another location to give visitors a nicer environment for viewing exhibits honoring Louis Pellier, founder of California's prune industry. The current Pellier Park, once home to Pellier's City Gardens nursery, is neglected and perpetually padlocked, a glorified street median surrounded by swooshing traffic.

Unaware of the anger the statue would unleash, the city spent \$395,000 preparing the plaza site for the sculpture nearly a decade ago, noted Councilwoman Pat Dando. "Before we do it again," she said. "We darn well want to be sure it's the right site."

Much has changed in that area since the decision was made to set the statue at Pellier Park, said Dando, who worked as an aide to former Mayor Tom McEnery when the controversy was raging. She cited the openings of Highway 87 and San Jose Arena and construction of a major new office complex nearby.

Given all that, she said, the city's arts commission should have a chance to review its decision. "I'm not suggesting they should change their mind," she said after Monday's vote. "We're just asking, 'Is this the direction you still want us to take?'"

Even if Pellier Park moves, the Fallon sculpture still could be placed in the median. The site is near Fallon's house, a historic landmark, and is one of the few locations downtown large enough to accommodate the sculpture.

Committee member Charlotte Powers said she hopes the arts commission would have an answer by December. The city, meanwhile, is getting new estimates on installation costs.

News that the statue's final resting place could be reopened drew a sharp reaction from Kathy Chavez Napoli, one of its most vocal critics and a member of the committee that worked out the compromise.

"What does this say about the process -- that you just ignore it?" she fumed. "If you open up the location . . . you're just going to open up all the emotion and divisiveness." She said this could be "a backdoor way of putting it in a more visible place."

McEnery, a Fallon historian who championed the statue, said he thinks the statue ought to have prominent placement but wouldn't say where exactly he thinks it should go.

The debate over the statue really was a debate over whose history should be honored in the heart of the city, said Jerry Allen, director of the office of cultural affairs for the city. As a result of the Fallon controversy, Allen said, the city's public art program represents "a much more balanced viewpoint of this community."

**Caption: PHOTO: SPECIAL TO THE MERCURY NEWS**

**A city panel voted to ask the arts commission to review plans for the statue, in storage since 1991.**

**[990810 LO 2B]**

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### FALLON STATUE REVIEWED ARTS PANEL RECOMMENDS DISPLAYING IT

**DATE: February 17, 2000**

NOAM LEVEY, Mercury News Staff Writer

**PUBLICATION: San Jose Mercury News (CA)**

**EDITION: Morning Final**

**SECTION: Local**

**Page: 4B**

Capt. Thomas Fallon -- who raised the American flag over San Jose in 1846 and nearly won immortality with a statue on the city's main plaza -- should be publicly memorialized, the city's arts commission has recommended.

And nearly a decade after vigorous opposition to the **Fallon statue** as a racist symbol of American imperialism sent it into storage, the city council may soon reconsider displaying it downtown.

The arts commission, which was charged last summer with reviewing what should be done with the \$445,000 piece of public art -- now mothballed in an Oakland warehouse, has recommended that it be placed on a traffic island where Julian and St. James streets merge just north of downtown.

Ten years ago, plans to display Fallon on his horse in Plaza de Cesar Chavez were scrapped when many community members objected, complaining that Fallon symbolized America's oppression of Mexicans. A statue of the plumed serpent Quetzalcoatl of Aztec legend was placed in the plaza instead.

And a special committee convened to study the issue recommended that the **Fallon statue** be put in storage until the city created other monuments celebrating aspects of San Jose's history.

That has been done, said the city's cultural affairs director Jerry Allen.

San Jose now has monuments to the first pueblo, to its agricultural past and to Dr. Ernesto Galarza, one of the city's intellectual pioneers. A fourth piece of public art honoring the Ohlone Indians who once lived around the Bay Area is in the works.

Allen said the arts commission simply reviewed the recommendations -- which included the suggestion that Fallon be placed on the traffic island by Pellier Park. The commission is now passing the recommendations to the city council for a final decision, Allen said.

The fate of the **Fallon statue** will be taken up next by the council's Economic and Community Development Committee in March, according to Allen.

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### FALLON STATUE REVIEWED ARTS PANEL RECOMMENDS DISPLAYING IT

**DATE: February 17, 2000**

NOAM LEVEY, Mercury News Staff Writer

**PUBLICATION: San Jose Mercury News (CA)**

**EDITION: Morning Final**

**SECTION: Local**

**Page: 4B**

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### IT'S TIME FOR CRITICS OF FALLON MONUMENT TO JUST GET OVER IT

**DATE:** March 2, 2000

**EDITION:** Morning Final

**Page:** 1E

LEIGH WEIMERS column

**PUBLICATION:** San Jose Mercury News (CA)

**SECTION:** Silicon Valley Life

CAN YOU believe we're still hearing grumbles about the Thomas **Fallon statue**? With all due respect to colleague Joe Rodriguez, I thought there'd been an agreement to erect the equestrian statue of the Bear Flag Republic figure after monuments to our city's Hispanic heritage (the Parque de los Pobladores, Dr. Ernesto Galarza's symbolic library table) had been installed for balance. But Rodriguez and others are saying that Fallon, as a figure in a historic "land grab," shouldn't ride at all; he's still offensive to some Latinos in these politically correct times. C'mon, relax a bit. The Spaniards had a land grab of their own at the expense of the Ohlone people, but monuments to their accomplishments still go forward. No one is suggesting we cancel Fourth of July for fear of offending English-Americans or that we call off the Cinco de Mayo parade because it's too in-the-face of the French residents in our diverse city. I certainly agree that the original site of the **Fallon statue** -- at the head of Plaza de Cesar Chavez in the heart of the city -- was inappropriate. It would have made him look like the most important person in our history, and he's not. But the new location near his home, in Pellier Park, works much better as a marker of a chapter in the history of San Jose. And that's all it is -- a chapter. Thomas Fallon's act was to fly the first U.S. flag over San Jose. If you have a problem with that, you have a problem. Please try to get over it.

#### SHOW AND TELL:

Peter Fonda not only charmed the Cinequest audience at his formal appearance here but he also stylishly held court afterward at the Grill in the Fairmont. Seated with film festival executive director Halfdan Hussey, president Kathleen Powell and programming director Mike Rabehl, Fonda regaled a rapidly increasing crowd with tales of life on- and off-screen. And when the hotel wheeled in a cake, he was rewarded with a rousing rendition of "Happy Birthday." Fonda marked his 61st on Feb. 23.

It's March, which means it's about time to start scrambling for the hotter tickets on the summer concert series circuit. For example, Villa Montalvo next week will announce the lineups for its two venues (the villa itself and the Mountain Winery), and I hear it includes first-time visits by Clint Black and Ringo Starr. (Ticket info: 408-961-5858.)

What a shame we won't hear the mellifluous voice or the sophisticated piano of Tee Carson anymore. The veteran musician, who played with such greats as Ella Fitzgerald, Tony Bennett, Sarah Vaughan and Joe Williams and who had an almost decade-long day gig on jazz station KCSM (91.1 FM), died of lung cancer last month at 71.

#### IN ANY EVENT:

Speaking of jazz and tickets, you'd also be well advised to hustle if you want to hear Quincy Troupe read from his memoir "Miles and Me" next Thursday at the San Jose Museum of Art. The book about life with the legendary Miles Davis is hot off the presses, and the temperature of ticket sales is about the same (info: 408-271-6840 and [www.sjma.com](http://www.sjma.com)).

"If you bring a copy of Peggy Fleming's book 'The Long Program' to the Celebrity Waiter Luncheon next Tuesday, I'll bet she'd sign it for you," says organizer Gayle Jones. Fleming will be among the waiters at the annual San Jose Arena event, a fundraiser for high school sports, and she's a good skate in every sense of the term. (Ticket info: 408-535-6119.)

That was an innovative program unveiled Wednesday at the Opportunities Industrialization Center West job-training center in Menlo Park. Internet start-up iSharp says it'll donate up to \$45,000 to help OICW train people for the Silicon Valley workforce. For each person iSharp hires between now and the end of July, it'll make a \$1,000 donation to OICW, plus donate another \$50 for every person interviewed. "It's a creative twist to the finder's fees encouraged by many corporations," says OICW director Sharon Williams. "Instead of the person referring a new employee receiving the fee, iSharp will donate the money to our organization to train more potential employees." A win-win.

#### FINALLEIGH:

When Planned Parenthood mailed a temporary membership card to Obadiah D. Wright, offering to make it permanent when he paid the membership fee, his father opened the letter. "Since Obadiah is 5 years old, I usually open his mail," Robert Wright explains. But he's not mad.

"What a surprise to discover that my wife and I were adopted -- by him," Dad notes. "I'm sure glad he's pro-choice and that he chose, if I may say so, wisely."

**Caption: PHOTO: [no photo credit]**

**Fleming**

**[000302 SV 1E]**

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## Archive Search Result

### SAN JOSE COUNCIL REVISITS FALLON STATUE

NOAM LEVEY, Mercury News Staff Writer

**PUBLICATION: San Jose Mercury News (CA)**

**SECTION: Local**

**DATE: April 4, 2000**

**EDITION: Morning Final**

**Page: 1B**

**Correction: SETTING THE RECORD STRAIGHT (publ. 4/5/00, pg. 2A) A credit was omitted for the photo of the statue of San Jose settler Thomas Fallon in some local sections Tuesday. The picture was courtesy of Eric Carlson and Leonard McKay.**

A decade after a storm of controversy sent Thomas Fallon's statue into ignominious storage, the San Jose City Council will again consider erecting the memorial to the 19th century settler and early mayor of the city.

A council committee voted 5-0 Monday to recommend that the **Fallon statue** be placed near Pellier Park, at the confluence of Julian and St. James streets. The 11-member council is set to vote on the statue's fate at its April 18 meeting.

The committee meeting gave few hints of the emotion the issue once stirred -- only four citizens spoke on the issue, with just one objecting to a Fallon memorial.

City leaders originally pushed for a monument in the 1980s. Then-mayor Tom McEnery and others championed Fallon as a symbol of the pioneer spirit and the annexation of California by the United States.

Fallon is credited with raising the American flag over San Jose in 1846 during the Mexican War, and city leaders suggested a \$445,000 equestrian statue be given a prominent place at the northern entrance of the Plaza de Cesar Chavez.

But some in the community, including many Latinos, argued that Fallon was no hero, but rather a symbol of American imperialism and the subjugation of California's Mexican population.

Amid a storm of protest, the city agreed to instead erect a statue of the Aztec-plumed serpent Quetzalcoatl in the plaza to celebrate the roots of local Mexican-Americans.

And a special committee of citizens recommended that the **Fallon statue** be placed in storage until four other monuments to the city's multicultural past were erected.

San Jose now has monuments to the first pueblo, to its agricultural past and to Dr. Ernesto Galarza, one of the community's intellectual leaders. A monument to the Ohlone Indians who once populated the Bay Area is set to be constructed in the Guadalupe River Park.

In February, the city's arts commission recommended that the **Fallon statue** finally be rescued from the Oakland warehouse where it's stored.

Monday, Alex Stuart, who sat on the citizens' committee a decade ago, did the same, urging council members to recognize San Jose's progress in honoring its past and listening to the voices of its multi-ethnic citizens. "A lot of great things have happened because people came together," Stuart said.

Only Javier Salazar, director of Aztlan Academy, a local non-profit agency that promotes Latino art and culture, spoke out against Fallon, calling the accounts of Fallon's accomplishments "literary fabrication."

But the five members on the Economic and Community Development Committee -- Manny Diaz, Pat Dando, John Diquisto, Linda LeZotte and Charlotte Powers -- voted to recommend bringing the statue out of storage and spending \$250,000 to install it.

Salazar said he plans to take his case to the full council.

**Caption: MAP: CARL NEIBURGER - MERCURY NEWS**

**Pellier Park**

**PHOTO: MERCURY NEWS FILE PHOTOGRAPH**

**The statue of San Jose pioneer Thomas Fallon has been warehoused for a decade after complaints arose that he was an unsavory character.**

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## Archive Search Result

### CITY COUNCIL TO FACE MOMENT OF TRUTH ABOUT THOMAS FALLON LEGACY

**DATE: April 16, 2000**

JOE RODRIGUEZ column

**PUBLICATION: San Jose Mercury News (CA)**

**EDITION: Morning Final**

**SECTION: Local**

**Page: 1B**

THIS IS the story of two Toms, a statue and a city in search of heroes.

The first Tom is Capt. Thomas Fallon, one of San Jose's first mayors and a controversial figure in the Mexican-American War of 1846-48. That's putting it mildly. In truth, Fallon was an opportunist, liar and womanizer, as well as a rich agricultural developer.

The second Tom is Tom McEnergy, an amateur historian and former mayor fascinated by Fallon's history, such as it was.

The statue is a huge bronze monument of Fallon riding into San Jose to plant the U.S. flag. McEnergy politicked for the statue when he was mayor a decade ago.

However, the statue's conqueror image offended local Mexican-Americans and American Indians. It's been stored in a warehouse in Oakland ever since.

The city is, of course, San Jose, where I live and work. Even by modern standards, San Jose grew up so fast that it's short on history and shorter on heroes. Otherwise, we wouldn't be on the brink of turning a two-bit character into the city's most memorialized hero. That's what will happen Tuesday if the city council votes to bring the **Fallon statue** to downtown San Jose.

I still think the statue celebrates an immoral war of conquest more than it commemorates the beginning of San Jose's "American era," as McEnergy put it. But we have other reasons for keeping the **Fallon statue** boxed up and out of sight.

He was not the romantic, revolutionary explorer that McEnergy portrayed in his fictionalized 1978 book, "California Cavalier: The Journal of Captain Thomas Fallon."

Better historians than McEnergy describe Fallon as an opportunistic soldier of fortune whose band of ragtag volunteers rode in San Jose only to discover that the Mexican garrison had left for battle in Southern California.

There wasn't much fighting in California during that war, and Fallon never saw any of it. But that didn't stop him from bragging that he did. Fallon was what every combat veteran hates most: the soldier who lies about being in battle to impress people.

After the war, Fallon's record as mayor was mixed.

On the positive side, he helped stop San Jose from becoming a ghost town during the gold rush years. Fallon encouraged and even bankrolled the development of the orchards and industries that supplied the miners and often lent his own money. San Jose prospered on that trade and so did Fallon.

On the other hand, "He was described as a womanizer, twice divorced and convicted in a suit for breach of promise." Those are the words of co-authors Edwin A. Beilharz, professor emeritus from Santa Clara University, and Donald O. DeMers Jr., former director of the San Jose Historical Museum.

Fallon's second wife had accused him of sleeping with the maid. After their divorce, he abandoned San Jose for San Francisco, never to return.

If San Jose wants to honor Fallon, it already has by restoring his grand Victorian house downtown and turning it into a popular museum. If anything, the house flatters Fallon's accomplishments without exaggerating them.

There were greater men and women in San Jose history who aren't as honored as Fallon.

For example, Brig. Gen. Henry Morris Naglee. Now he was a real soldier who led men into real battle in the Mexican War and Civil War. After settling in San Jose and becoming a leading promoter of agriculture and commerce himself, Naglee didn't disgrace himself and then dump San Jose for San Francisco.

For all his importance, the only public monument to Naglee is a modest bronze-and-marble sculpture at St. James Park, a park surrendered to homeless people, winos and bums.

Fallon already has his museum house. Let's not put up the **Fallon statue** and turn him into the city's biggest hero. That would be a truth stranger than fiction.

**Caption: PHOTO: McEnergy  
Ex-mayor and a Fallon fan.  
[000416 LO 2B]**

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## Archive Search Result

### CITY COUNCIL TO FACE MOMENT OF TRUTH ABOUT THOMAS FALLON LEGACY

**DATE: April 16, 2000**

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**PUBLICATION: San Jose Mercury News (CA)**

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### MONUMENTAL DEBATE PUBLIC ART AND SYMBOLS OF HISTORY AT ROOT OF COMMOTION OVER MEMORIAL TO EARLY SAN JOSE MAYOR

**DATE: April 16, 2000**

**EDITION: Morning Final**

**Page: 1B**

NOAM LEVEY, Mercury News Staff Writer

**PUBLICATION: San Jose Mercury News (CA)**

**SECTION: Local**

When Javier Salazar stood before the San Jose City Council 10 years ago, he was at the head of a crusade.

Passionately attacking one of San Jose's most prominent early American settlers as a symbol of imperialism, the eloquent Mexican-born artist helped drive a two-ton bronze statue of Thomas Fallon from the city's main plaza into an Oakland warehouse for a decade.

Today, Salazar is still telling city leaders there is no place for a monument to the man who raised the American flag over the city 154 years ago. But as the city council prepares to vote on Tuesday to remove the equestrian statue from storage and erect it at a downtown intersection, Salazar appears to be fighting a far lonelier battle.

A decade after a charged debate about public art and the meaning of history gripped San Jose in what one participant termed an "impromptu passion play," the protesters who once stood behind Salazar seem to have vanished like the original Californio settlers.

Much of the passion may simply have wilted with the passage of time. But longtime observers say the absence of an outcry over Fallon's imminent return may reveal something about San Jose's evolution into a city that places great value on its diversity.

#### Statue's last appearance

When Fallon last rode out of the past onto the political stage in 1990, San Jose was completing a decade of tumultuous transformation. Led by an energetic mayor and a powerful redevelopment agency, San Jose's downtown had been remade in the image of a modern American city, complete with glass office towers and luxury hotels.

But some in the Latino community felt left behind by Mayor Tom McEnery's crusade to create a new city. When the city built a massive new convention center, a neighborhood largely populated by Latinos was leveled. When the mayor wanted a home for the repertory theater, he talked of taking over a downtown movie house that showed Spanish-language films. And while some in the city pleaded for more money for San Jose's neighborhoods, the redevelopment agency pumped more and more money downtown.

Into the historic heart of this sparkling new downtown, McEnery and the redevelopment agency wanted to bring a massive statue of Fallon astride his horse. That didn't sit well with many Latinos.

Fallon, a saddle maker in Santa Cruz who had immigrated from Ireland, was a minor figure in the war in which Mexico lost California and much of the Southwest to the United States. When Americans began agitating for independence from Mexico, he joined other settlers bent on capturing the pueblo of San Jose.

But when Fallon and his band rode into town on July 14, 1846, the Mexican army already had left. He raised the flag over the courthouse unmolested. Thirteen years later, he became the city's seventh mayor.

Fallon may never have left the history books but for McEnery, another Irishman intent on remaking San Jose.

The mayor, who prides himself on his love of history, championed Fallon as a local patriot. He pushed for restoration of his downtown home, created a Fallon prize for historic preservation and advocated a prominent place for Fallon's statue at the head of the city's main plaza.

#### Symbol of aggression

Some Latinos saw Fallon as an unvarnished symbol of American imperial aggression who did not deserve a monument. Others resented city leaders for planning a nearly \$1 million public art project without any input from the community.

"Nineteen-ninety was the culmination of decades of frustration," says Patricia Martinez-Roach, a local school board member who helped lead the charge against the statue. "Latinos in San Jose had been very, very neglected for many, many years, and it seemed like the right moment to come together."

Against the backdrop of a national debate about multiculturalism, the city exploded in a debate that packed city council chambers, grabbed headlines in the national media and forced McEnery to back down.

When a city council committee two weeks ago recommended the statue be brought out of storage, Salazar was the only citizen to speak against it.

The national debate over historical symbols and political correctness has cooled in recent years. But to Joe B. Rodriguez, who coordinates arts programs at the city's office of cultural affairs, and to others, the silence may be a mark of progress for San Jose.

"This community has changed significantly in how it functions," observes Rodriguez, who arrived in 1990 at the height of the battle over Fallon. "When I first came to San Jose, the multicultural community was totally left out."

Today, the city has a Latino mayor and four minority council members. In 1990, the 11-member council had two minority members. Under a new director, the redevelopment agency is planning a major shift of resources into the city's neighborhoods, starting with an ambitious effort to gather public input on how redevelopment money should be spent.

The expansive new Mexican Heritage Plaza on the East Side and the new Biblioteca Latinoamericana just south of downtown showcase the city's Latino heritage. And the city's main plaza, where the statue was first slated to stand, was renamed in honor of farm labor leader and onetime San Jose resident Cesar Chavez.

Spurred in part by former Mayor Susan Hammer, who made inclusion a central tenet of her eight-year administration, San Jose now funds numerous multicultural arts organizations. While less than a fifth of the organizations receiving funding a decade ago were multicultural, today half are.

And in part because a process for public input was created with McEnery's blessing in the aftermath of the Fallon controversy, San Jose now has monuments to the first pueblo, the valley's agricultural past and Dr. Ernesto Galarza, one of the community's leading Latino intellectuals.

The city council had agreed to wait until these three projects were complete before erecting the **Fallon statue** in a less prominent site on Julian Street.

Another monument to the Ohlone Indians who once lived around the Bay Area is under construction.

"The good news is that the city was forced to establish a process that addressed multicultural issues in San Jose. That had never happened before," says Martinez-Roach.

To be sure, many in the community feel that San Jose could still do more to ensure that decision-making in the city is truly open to the public. But even Kathy Chavez Napoli, a current council candidate who was among City Hall's most strident critics a decade ago, and Salazar acknowledge that San Jose has made significant progress.

McEnery is staying out of the debate, still maintaining that the opposition to the statue 10 years ago was fomented by opportunists who ignored the fact that Fallon was a positive symbol of the joining of the American and California communities.

Salazar still insists that despite the progress, the statue should not come out of storage.

The community's evolution does not change the fact that the statue is an inappropriate monument to San Jose's past, he says. "It is a symbol of war, and the war's legacy of dividing Mexican and American cultures. We still have not been able to reconcile that division."

Salazar promises that when the city council on Tuesday considers installing the statue at Pellier Park just north of downtown, he and others will be there to make their arguments once again. "They don't know what they are tackling," he says. "This is not an issue that will go away."

**Caption: MAP: CARL NEIBURGER - MERCURY NEWS**

**Pellier Park**

**PHOTO: PAULINE LUBENS - MERCURY NEWS**

**A sculpture representing farm and field, located on West Santa Clara Street near Guadalupe Parkway, pays tribute to the region's agricultural heritage.**

**[000416 LO 2B]**

**PHOTO: PAULINE LUBENS - MERCURY NEWS**

**Observers say construction of monuments reflecting the city's diversity have helped defuse the debate over the Fallon statue. Above, a bronze table on Paseo de San Antonio commemorates Dr. Ernesto Galarza, one of the Latino community's leading intellectuals.**

**[000416 LO 1B]**

**PHOTO: PAULINE LUBENS - MERCURY NEWS**

**A new proposal to erect this statue with Capt. Thomas Fallon, right, has revived a decade-old San Jose debate.**

**[000416 LO 1B]**

**PHOTO: PAULINE LUBENS - MERCURY NEWS**

**In Parque de los Pobladores on South First Street, a sculpture pays tribute to the history of El Pueblo de San Jose. The city council will vote Tuesday night on whether to install the Fallon statue at Pellier Park.**

**[000416 LO 1B]**

**PHOTO: Aztec god occupies site once destined for Fallon statue.**

**[000416 LO 1B]**

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## Archive Search Result

### MONUMENTAL BLUNDER SETS UP CONTEST FOR FALLON PLAQUE

**DATE:** April 19, 2000

**EDITION:** Morning Final

**Page:** 1B

JOE RODRIGUEZ column

**PUBLICATION:** San Jose Mercury News (CA)

**SECTION:** Local

NOW THAT Capt. Thomas Fallon will get his controversial statue in San Jose, it's time to explain who he was and why he caused us such a fuss over public art.

So, in pursuit of historical accuracy, I'm announcing the Fallon PlaqueWriting Contest.

I'll print the winner in this column April 28. I include the contest rules and a sample entry below, but first a few explanations:

Why a plaque?

Well, every statue needs a plaque because that's how American schoolchildren and Japanese tourists really learn about U.S. history. Compared to school textbooks, which make real historians cringe, plaques are readable, concise and they get more history across to many more people.

Who was Fallon, anyway?

Well, the answer is part of the problem. Real historians never bothered much with him because he was, at best, a footnote character in history. He's the volunteer who planted the U.S. flag in San Jose during the Mexican-American War of 1846-48. As a mayor, we can credit him with helping develop the valley's agricultural industry.

THIS IS the Fallon idolized by amateur historian and former Mayor Tom McEnery, who dreamed up the statue a decade ago.

It's also the Fallon resented by many Mexican-Americans, who consider the statue a triumphant slap in the face to the Mexican heritage of San Jose.

On the personal side, Fallon had his faults: According to some historians, he fatally shot a fur trapper in the back; lied about his combat experience (none); was convicted of breach of promise; slept with the household maid; and abandoned San Jose for San Francisco.

So, are we getting a statue of Fallon the U.S. patriot and father of modern San Jose? Or Fallon the conquering imperialist. Or Fallon the creep?

Well, if you had listened to the mayor and city council Tuesday, you'd have thought somebody other than Fallon were atop that bronze horse, holding the U.S. flag. They hardly debated Fallon at all. They mostly celebrated their new "process" for reviewing and recommending public art.

Some of them threw out loony rationalizations. My favorite was from Councilwoman Cindy Chavez. She said the **Fallon statue** would be a great place for Mexican-Americans to "protest" in a "healthy" way for our city's diversity of cultures and opinions.

Gee, what a brilliant idea! Let's do the same for everybody. How about a statue of Ho Chi Minh so San Jose's Vietnamese exile community can rally together on Saturday mornings?

Then there was Councilwoman Charlotte Powers, who said, "I don't look at it as a piece of history but as a piece of art."

Would someone please explain to her that da Vinci's "Mona Lisa" is art. A big bronze sculpture of a soldier in war is history first and art second.

THAT'S the kind of ignorance my Fallon Plaque Writing Contest would avoid. Entries can be satiric, serious or poetic. They can include contemporary characters in the ongoing controversy.

Here's my example:

Thomas Fallon rode into San Jose, only to find all the Mexican soldiers gone and nobody to fight. Then he married a rich Mexican girl, dumped her for a gringa wife, slept with the maid, got caught, and escaped to San Francisco. In between, he got rich. A century later Fallon became a hero to Mayor Tom McEnery and a villain to Mexican-Americans. This statue is a popular site for white supremacist rallies. That's why your city doesn't need a statue like this one.

You can write a positive inscription, if you like, and even poke fun at the people opposed to the statue. Be creative. We'll judge on wit and insight rather than politics.

Entries must be no longer than 150 words and delivered by April 26.

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## Archive Search Result

### WRITERS PROVIDE TWO PERSPECTIVES ON FALLON STATUE

**DATE: April 28, 2000**

**EDITION: Morning Final**

**Page: 1B**

JOE RODRIGUEZ column

**PUBLICATION: San Jose Mercury News (CA)**

**SECTION: Local**

CAPT. THOMAS Fallon has his statue. Now he shall have a plaque!

The winner of my Fallon Plaque Writing Contest is Nancy Pyne Walker, a family and child counselor from Sunnyvale whose hobby is writing poetry.

"I've followed the Fallon controversy from the beginning," she told me when I called her. "It's one thing to say history is history and let's move on. But history is still going on, and that's worth making a fuss about."

San Jose's city council voted last week to erect a statue of Fallon planting the American flag in this city during the Mexican-American War of 1846-48. I think the statue smacks of the Age of Conquest, that Fallon was at best a minor historical figure.

But hey, let's have some fun with El Capitan Fallon.

Walker's "Double Take" captures the city's agony over the statue with wit, style and layers of meaning. She's playful yet serious about the consequences of conquest. As her last line suggests, that history still torments our society.

Double Take

A figure astride a fine horse

In the conquering stance, of course.

A traditional hero?

Or still batting zero?

Whichever, he shows no remorse.

He raises his flag with great pride

While Poncho remains by his side.

Shall we thrill to these poses?

Or just hold our noses?

He's taking us all for a ride.

The "process" they claim is the heart

But the cards were all stacked from the start.

"Tom Foolery" or "Tom's Folly"?

It's over by golly --

It's history, but no work of art.

Now I cannot say I am Latina

for I carry an Anglo patina.

But Quetzalcoat! I'll take

Any day to this fake.



For de'meaning is seeming obscena.  
And so the WHITE ELEPHANT prevails

Even though it divides and assails.

History lessons incomplete

We are doomed to repeat.

Take a look, if you will, in our jails.

Second place goes to James B. Connolly of San Jose. I thought his text was genuinely patriotic without offense to San Jose's Mexican heritage, and it's realistic about Fallon.

Connolly is a Lockheed engineer and military history buff.

"History in general has been an interest for me," he said. "I've always been a stickler for accuracy and i've been annoyed by people who have bent the facts in the Fallon controversy." Here is his offering:

"I am Thomas Fallon, Captain, United States Army.

"On 14 July 1846 I raised the flag of the United States of America overSan Jose, California, then a territory of the Republic of Mexico.

"My comrades and I fought in a war largely forgotten by history. A greater percentage of soldiers and sailors died in service to this country than in any other war this nation ever fought.

"We fought in a war that would prove to be the training ground for the leaders of the future. The lessons learned at Veracruz and Chapultepec would be applied in places like Virginia, Tennessee and Georgia when the final reckoning was made about slavery and union.

"We fought in a way that helped shape the boundaries of the United States and placed it on the path of Manifest Destiny.

"Consider what the flag we raised means. Consider the nation it represents. Consider the rights, the laws, the responsibilities, the freedoms and opportunities the nation has provided for the people living under this flag.

"It has been said that I was less than perfect as a person. Let the person who is perfect cast the first stone at this statue.

"I am Thomas Fallon, Captain, United States Army."

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## Archive Search Result

### FINDING FALLON OFFENSIVE ARTISTS GATHER IN PROTEST OF STATUE

**DATE: June 29, 2000**

NORA VILLAGRAN, Mercury News

**PUBLICATION: San Jose Mercury News (CA)**

**EDITION: Morning Final**

**SECTION: Silicon Valley Life**

**Page: 3AA**

FOR AL Preciado, artists are gifted with passion, talent and vision.

But this artistic blessing comes with the social responsibility to denounce what they see as symbols of hypocrisy, oppression and abuse of power. For Preciado -- artist and executive director of the San Jose Art League -- the \$445,000 bronze statue of Thomas Fallon, which may be placed in downtown's Pellier Park, is such a symbol.

"The **Fallon statue** is denigrating to many in the community, as are the Cleveland Indians logo, the Nazi flag and the Confederate flag," says Preciado.

All of these symbols are offensive, he says, and inflame "the deep festering wounds of racism and dominance."

On Friday, Preciado will be joined by other impassioned artists at the San Jose Art League Gallery, 1753 W. San Carlos St., for an evening of performance, poetry and art, called ". . . Of Subversion and Dominance -- The **Fallon Statue**, Imperialism and Resistance." The event is free.

The gallery is presenting a visual art exhibit of the same name through Tuesday. The art exhibit then will move to the Carnegie Library on East Santa Clara Street in San Jose, where it will be displayed during July and August.

"The purpose of the show is to increase public awareness," says Monica Goyal, co-curator of the show with Mendivil. "I don't think people know why the **Fallon statue** is offensive to the whole community."

In 1987 at the urging of former San Jose Mayor Tom McEnery, the San Jose Redevelopment Agency commissioned the statue of Fallon, a former San Jose mayor considered by some historians as a minor footnote in California history.

In 1990, some community members raised opposition to the statue. Instead of being erected, the statue has been stored in an Oakland warehouse. Now, the City Council has voted to remove the statue from storage and install it downtown.

"Just because the City Council votes in a statue doesn't mean it's the right thing to do," says Preciado. He calls Fallon's hero status "a myth and a lie."

The show's artists question whether Fallon deserves to be honored as a role model or a hero.

"To dedicate a statue honoring Fallon would make a mockery of those who have truly earned that honor," Carlos Perez writes in his artist's statement for the show.

Surely, the city can find someone with better values to honor, says poet Roberto Duran. "Fallon was a murderer, a liar, a cheater, an adulterer and a scoundrel. Is this who we want to represent the city of San Jose?"

According to historians, Fallon rode into the then-Mexican town of San Jose during the Mexican-American War of 1846-48. He found it empty of Mexican soldiers, who had moved on to fight battles elsewhere in California. Fallon raised the U.S. flag and later became mayor.

While historians credit Fallon with helping San Jose's land development, some also call him a wife-beater, a public drunk, an adulterer, a child-abuser, a murderer and a fraud.

To add insult to injury, Fallon -- frequently kicked out of local hotels for unsavory activities -- abandoned San Jose for the city lights of San Francisco and never returned.

"I still can't believe any city father would even think of putting up a statue to such a man in our community," says Malaquias Montoya, who's exhibiting in the show and has taught art and Chicano Studies at the University of California-Berkeley. "Our children are already faced with too many violent and unethical 'role models' in the media.

"Unfortunately, history is always written from the perspective of those who conquer, not from the perspective of those who've been oppressed. So, it's the artists, the poets and the scholars of the Chicano Movement who are trying to right this wrong."

Arturo Rosette writes, "How can we continue to glorify, even idolize as heroes, men who, were they to display similar behaviors today, would be seen as villains, monsters or worse?"

In Perez's multimedia artwork, a theater curtain is pulled back to reveal "the truth behind the real Fallon." Four Mexican loteria playing cards show el pinocchio (the liar), el adultero (the adulterer), el cobarde (the coward), and el borracho (the drunk).

Arlene Juntado urges the entire community to attend the event. "This is an emotional show for us," says Juntado, who named her aluminum sculpture of a shovel, "Grandfather."

"My grandfather came to America from the Philippines," she says. "He was a professional, but here, he worked the fields with callouses on his hands and knees, so he and our family would one day be treated equally. This show represents that we should never allow anyone to dominate us."

Others in the show include visual artists Bubu Alvarez, Titus, Maya Munoz, Jose Montoya and Tim Cottengin and poets Bea Garth, Pascual Mendivil, Debra Roman and Jon Bondad.

**Caption: PHOTO: "Mujer Zapatista" by Malaquias Montoya, who is exhibiting at San Jose Art League Gallery show to protest the Fallon statue.  
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### S.J. STATUE TO GET HOME AFTER EXILE

**DATE:** March 19, 2002

MIKE ZAPLER, Mercury News

**PUBLICATION:** San Jose Mercury News (CA)

**EDITION:** Morning Final

**SECTION:** Local

**Page:** 1B

Banished to an Oakland warehouse more than a decade ago, a much-debated statue of American settler and former San Jose Mayor Thomas Fallon is coming to downtown late this summer, city officials said Monday.

The placement of the statue at Pellier Park could bring an end to a controversy over who deserves to be a symbol of San Jose's history that began in earnest in the late 1980s and has faded gradually since then. To some Mexican-Americans, Fallon represents American imperialism and doesn't merit a monument. Others say he's been unfairly demonized.

But the fierce protest that prompted city leaders to send the statue to a warehouse in 1990 shows little sign of returning.

"A lot of people who cared about it 10 years ago don't now," said Al Preciado, an art teacher at Bellarmine College Preparatory who participated in the early disputes. "I think things are better for a lot of people, and many of them see it as a trivial matter."

The San Jose City Council had its final debate over the statue in April 2000 when Mayor Ron Gonzales and the council voted to install the monument at Pellier Park, sandwiched between Julian and St. James streets. By then the city had satisfied a key condition for placing the statue that had been set a decade earlier -- that four monuments to other aspects of San Jose history be completed first.

But installation was postponed yet again when an office building proposed by Legacy Partners raised the possibility of a major realignment of Julian Street, which runs along one side of the downtown park.

The office project was shelved recently, allowing the city to proceed with plans for the statue, mayoral spokesman David Vossbrink said. The council is expected to vote next week to allocate \$256,000 to build a concrete base for the equestrian bronze statue -- which cost \$445,000 to build -- and installation should come late this summer.

Fallon is credited with raising the flag over the San Jose courthouse in 1846 after the Mexican army already had left the city. He became mayor 13 years later.

History buff and former San Jose Mayor Tom McEnery, who wrote a fictional account of Fallon's life and led the effort to memorialize him, joked Monday that he's glad "Capt. Fallon is being removed from the federal witness protection program."

On a more serious note, McEnery said that opponents of the statue unfairly vilified Fallon for political purposes. He was not the evil man portrayed by opponents, McEnery said.

"To make one person into a saint or a sinner is a real mistake, and it just debases what history is supposed to be about," he said.

But critics such as Preciado say that Fallon, a marginal figure in the Mexican-American war, isn't worthy of a statue.

"It glorifies someone who shouldn't be glorified," he said, "and it denigrates San Jose."

**Caption: MAP: MERCURY NEWS**

**Pellier Park: Planned site of Fallon statue**

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### COUNCIL VOTES TO RETURN FALLON STATUE TO DOWNTOWN

**DATE: March 28, 2002**

Mercury News Staff Reports

**PUBLICATION: San Jose Mercury News (CA)**

**EDITION: Morning Final**

**SECTION: Local**

**Page: 3B**

A statue of American settler Thomas Fallon is expected to arrive downtown this summer after sitting in an Oakland warehouse the past decade.

The San Jose City Council voted 9-0 to spend \$256,000 on a concrete base for the statue, which city officials delayed placing downtown until San Jose recognized other diverse figures in city history. Fallon is credited with raising the flag over the San Jose courthouse in 1846 after the Mexican army already left the city. Critics say he is a symbol of oppression, but only one person spoke in protest of the council vote. Council members Cindy Chavez and George Shirakawa Jr. were absent for the vote.

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### AFTER 11 YEARS, FALLON STATUE MAKING WAY TO S.J.

**DATE: August 16, 2002**

MIKE ZAPLER, Mercury News

**PUBLICATION: San Jose Mercury News (CA)**

**EDITION: Morning Final**

**SECTION: Local**

**Page: 1B**

Ending an 11-year exile in an Oakland warehouse, Thomas Fallon rides into San Jose today -- on a truck.

The controversial statue of the American settler and former San Jose mayor is set to arrive at a downtown park about noon, city officials said. But the enormous bronze likeness of Fallon and a companion both on horseback will remain under wraps until city dignitaries unveil the monument in September.

Fallon is credited with raising the U.S. flag over the San Jose courthouse in 1846 after the Mexican army had already left the city. Some call him a symbol of American oppression of Mexicans; others say he's unfairly vilified.

History buff and former Mayor Tom McEnery wrote a fictional account of Fallon's life and led the drive to memorialize him. But a fierce backlash among Latinos prompted city leaders to send the statue from Italy, where it was cast, to a warehouse in 1991. In 2000, the city council voted to install the statue at Pellier Park, which is sandwiched between Julian and St. James streets east of Highway 87.

**Caption: PHOTO: PAULINE LUBENS -- MERCURY NEWS ARCHIVES**  
**The controversial statue is scheduled to be installed in Pellier Park.**

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## Archive Search Result

### FALLON STATUE FINALLY ARRIVES IN SAN JOSE

**DATE: August 17, 2002**

MIKE ZAPLER, Mercury News

**PUBLICATION: San Jose Mercury News (CA)**

**EDITION: Morning Final**

**SECTION: Front**

**Page: 1A**

San Jose's most famous piece of not-yet-public art arrived in downtown Friday morning after years of seclusion in an Oakland warehouse, and one thing was immediately clear.

Thomas Fallon is gigantic.

Sixteen feet high and roughly six tons, by city estimates, and a sure bet to dwarf its presumed final resting place in tiny Pellier Park. But much else about this memorial to one of San Jose's founders re-mains uncertain, from what it looks like -- it will remain swathed in plastic and guarded around the clock until Sept. 20 -- to whether the cultural debate over Fallon's role in the Mexican-American War will continue.

One early opponent of the statue bitterly predicted it will become a magnet for vandalism. But other San Jose residents seemed more amused by the arrival of Fallon and his unnamed companion, who on Friday rode their enormous horses across the back of a flat-bed truck at the corner of Terraine and Devine streets, just north of the park.

Jeremy Hay, a 29-year-old probation officer, rushed to deliver his firstimpression to colleagues when he noticed the statue: "These things are huge!"

"I went around the office and told everyone, 'There's Fallon!' " Hay said.

The shrink-wrapped statue is expected to be installed in Pellier Park, a small pocket park snuggled between East Julian and St. James streets just east of Highway 87, at 7 a.m. this morning.

In 1846, the living, breathing Thomas Fallon raised the American flag over the San Jose courthouse after the Mexican army had already abandoned the city. When former Mayor Tom McEnery, who wrote a fictionalized account of Fallon's life, led a drive to memorialize Fallon with a statue in the mid-1980s, he triggered a fierce protest among many Latinos. They said San Jose was celebrating a symbol of American imperialism and glorifying the defeat of Mexico.

Nevertheless, the statue was commissioned in the late 1980s, designed starting in 1990, and shipped from Italy, where it was cast, in 1994.

But by the time it arrived, McEnery was no longer mayor, and Fallon was sent directly to a warehouse in Oakland where San Jose officials denied requests for a viewing. Finally, city officials decided that four other monuments to the city's culture had to be erected before Fallon's likeness could be unveiled.

That test has finally been met. But Richard Trujillo, who helped to organize the initial protests against the statue in the late 1980s, said Friday that Fallon remains a marked man.

"The decorative skills of many San Jose inhabitants will come to the fore," he said. "It's going to be trashed, there's no doubt about it.

"It's a militaristic statue, it advances war, and I can't think of one socially redeeming thing about it," he added.

San Jose Mayor Ron Gonzales said the city won't tolerate vandalism of this or other artwork.

"We don't suspect it will be a problem, but people will be prosecuted if they're found vandalizing it," Gonzales said.

McEnery could not be reached for comment Friday. In recent years he has muted his earlier enthusiasm for Fallon, saying in March, "I think San Jose history ought to be told in its entirety, the good parts and bad."

Whether the cultural debate resumes with Fallon's arrival should become clear in the coming weeks. Other than Trujillo, only one other person contacted the Mercury News on Friday to complain about the statue. Others who opposed it more than a decade ago could not be reached for comment.

With the statue surrounded by news cameras Friday morning, passersby stopped on foot and by car to gawk at the imposing bronze figures. Most were more awed than offended.

Others said they just hoped the statue's arrival would prompt the city to reopen Pellier Park, which has been closed off for several years. They said it would make a nice place for lunch.

The statue cost \$450,000, plus \$256,000 for a large concrete base. The company building the base will provide 24-hour security until the dedication ceremony next month. After that, surveillance duties will fall on the San Jose Police Department.

Gonzales, San Jose's first mayor of Mexican descent, suggested that Fallon would not have been his first choice for a large public statue. But Gonzales said he will be on hand at the unveiling.

"I'm not a big fan of guys on horses," Gonzales said. But "this is another situation where I inherited a project from a previous mayor and it's my duty to carry it out."

**Caption: PHOTO: DAI SUGANO -- MERCURY NEWS**

**San Jose resident Judy Gammel points to the covered bronze statues as Chuck Walton compares them with a photograph Friday.**

**PHOTO: DAI SUGANO -- MERCURY NEWS**

**A statue of San Jose historical figure Thomas Fallon on horseback arrives on a truck Friday near Pellier Park after being stored in Oakland.**

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### PARK'S REOPENING WORTH THE TROUBLE OVER FALLON STATUE

**DATE: August 20, 2002**

**EDITION: Morning Final**

**Page: 1B**

L.A. CHUNG, column

**PUBLICATION: San Jose Mercury News (CA)**

**SECTION: Local**

Some people may be saving their eggs and magic markers for the big Sept. 20 unveiling of the Thomas **Fallon statue** on the edge of downtown San Jose.

Me, I'm making plans for a takeout beef torta. Maybe a Snapple and late-season tomatoes with a bit of salt and pepper. In other words, lunch.

I'm thinking that as long as the city's going to finally install this gargantuan, \$445,000 bronze tribute to a wife-beating, boozing opportunist who was a minor figure in California history, we should at least celebrate getting a place to enjoy lunch outside, shouldn't we?

Attention brown-baggers: Pellier Park will be open at last. "Befitting," said Peggy Flynn, director of communications for the redevelopment agency, "a ceremony for the dedication of the **Fallon statue**."

OK, whatever. We get the park back. That counts for something.

If you don't know Pellier Park, it's not surprising. It's easy to overlook, squeezed on the wide median between Julian and St. James streets. The park's main claim to fame now is that it is adjacent to the much-maligned **Fallon statue**, which arrived Friday in shrink-wrapped splendor.

Longing and neglect

Sadly, poor little Pellier Park hasn't had as much attention. Closed for God-knows-how-long (a decade? two decades?), it sits inside a brick-and-metal fence where people in nearby commercial buildings and the Superior Court can look longingly at the prune trees and shady confines. It was built as a tribute to the agricultural heritage of the valley, and to Louis Pellier, whose petite prune d'Agen became the Fruit That Made the Valley Famous. That is, until the advent of chips.

Hardly anyone can remember the last time the park's gates were open. A plaque from the Mountain Charlie chapter of E Clampus Vitus and another from the Levi Strauss Foundation commemorate the 1977 opening of the park, which mimics an orchard and contains benches and historical panels.

Pellier came to San Jose a couple of years after Fallon raised the American flag over the town. He sent his brothers Pierre and Jean to France for cuttings of petite prune d'Agen, other fruits and vines. The rest, as they say, is history.

The **Fallon statue** itself sits outside the Pellier Park fence, perched on a tiny triangle of concrete, after public uproar kept it out of the main downtown plaza. The ex-mayor and horse face Highway 87 and their backsides face the park. Just as well.

The truth is, if you hated the idea of the statue you can sit inside Pellier Park with your back to it and enjoy lunch. If you like the statue, well, turn around and gaze upon it. Or go out in the hot sun and sit on the newly constructed \$250,000 base of Capt. Fallon. Call it Fallon Beach.

For the life of me, I can't fathom how we got this statue, three mayors and more than a decade ago. Yes, I've read all the debate. OK, Fallon was a mayor of San Jose, but planting the flag after the troops have already abandoned the town ain't heroic.

In the words of our mayor, I'm "not a big fan of guys on horses" -- at least the bigger-than-life bronze types. Nonetheless, we've got it, just like we got that squat homage to Quetzalcoatl, the plumed serpent god, that was part of the whole "process" that the **Fallon statue** begot.

Reopening the gates

We've got Pellier Park back, too.

Martin Flores, the senior landscape architect for the redevelopment agency, says the botanists will evaluate the health of the prune trees and build basins so they can be watered regularly. Crews will power-wash the walls, smooth out the grounds, spread pulverized granite in the bench areas and clean up the historical kiosks.

"If we can pull it all off, there's a lot of existing trees to make it a nice spot for people to relax," said Flores, who admits he doesn't know the difference between a plum and a prune.

That's OK -- maybe that can be added to the historical kiosk. I'd rather contemplate the history of prune cultivation than guys on horses.

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### FALLON FARCAS

**PUBLICATION:** San Jose Mercury News (CA)

**DATE:** September 19, 2002

**SECTION:** Editorial

**EDITION:** Morning Final

**Page:** 10B

THE plastic sheets will finally come off Captain Thomas Fallon on Friday, during a low-key ceremony amid the morning rush hour downtown. It will reveal an imposing bronze sculpture -- more impressive than the man being memorialized deserves -- and a plaque that tries to set the record straight.

Artist Robert Glen's statue of two men on horseback captures the moment in July 1846 when Fallon supposedly rode down from the Los Gatos hills to raise the American flag in San Jose during the war with Mexico. Heroic pose notwithstanding, the statue commemorates a minor event by a middling figure in the city's history. Had former Mayor Tom McEnery not become the unstinting promoter of the Fallon legacy, Fallon would have been known simply as the city's first mayor, in 1859. Instead, Fallon will be remembered for the furor that the commissioning of his statue provoked.

That's why it's fitting that the plaque, quoted in full above, not glorify the man; instead, it lays out the controversy. Spanning three decades and three mayoral administrations, it began in the late 1980s when Latino activists rose up to oppose the statue and its proposed placement in what would soon become Cesar Chavez Plaza. And it ended (if, in fact, it has ended) in April 2000 when the city's first Mexican-American mayor and the city council voted to bring the statue back from banishment in an Oakland warehouse and install it in a pocket park a block from the Fallon House.

A committee of the Office of Cultural Affairs painstakingly wrote -- and Mayor Ron Gonzales signed off on -- the inscription, which is a fair and dispassionate account of events. What it doesn't reflect, however, are the passions that drove them. Hundreds attended meetings in opposition. Many protested the public's exclusion from the design process; some resented public art honoring a war against the country of their ancestors.

For the most part, the fervor has died down. San Jose is a different place than it was 14 years ago. Now that diversity is woven into the fabric of public art, perhaps there can be acceptance of a statute representing America's wresting of California from Mexico -- an event that anyone living in San Jose 150 years later should be thankful for.

The **Fallon statue's** gallant pose evokes a traditional perspective on American history. The plaque accompanying it reflects the ambivalence that many in the 21st century have toward that view.

Future generations may find that dissonance fascinating. Or they may look at two guys on horses and wonder what the fuss was all about.

Myth and the man

(box) Thomas Fallon was not a captain in the military when he led a band of irregulars to San Jose in 1846. The title was honorific.

(box) He and his men did not fire a shot; the Mexican army had already abandoned the town.

(box) He may not have arrived on horseback; the best guess of archivists at the Fallon House is that the group walked from Santa Cruz.

(box) The flag that Fallon raised over the the deserted Mexican barracks on July 11, 1846, was of the Bear Flag Revolt; an American flag, courtesy of Col. John Fremont, arrived two days later.

FOLLOWUP: The dedication will take place at 9 a.m. Friday at Pellier Park (see map). Mayor Gonzales and Ben Miyaji, chairman of the San Jose Arts Commission, will speak. Afterward, there will be a free open house at the nearby Fallon House, the grand Victorian home that Fallon built in 1855 and that the city has immaculately restored.

The Thomas Fallon plaque

This statue of Captain Thomas Fallon was commissioned in 1988. It memorializes the raising of the U.S. flag in San Jose in 1846, when California was still part of Mexico. Scheduled to be installed in 1990, the statue generated an intense controversy. Supporters of the artwork believed that it commemorated an important historical event in San Jose's history. Opponents of the statue responded that it represented a troubling moment in American history, when the United States used the Mexican-American War as a reason to annex California from Mexico. To address the issues arising from the controversy, the City appointed a Historic Art Advisory Committee.



The Committee recommended that the City's public art must represent all perspectives of the City's history. Four additional projects were recommended -- artworks commemorating the Ohlone Way of Life, the life of Dr. Ernesto Galarza, the Founding of the Pueblo, and the Agricultural History of the Valley. These works have been installed in various locations around the city. This artwork is a reminder that a community's historic events can be interpreted in many ways, depending upon one's perspective.

**Caption: PHOTO: DAI SUGANO -- MERCURY NEWS ARCHIVES**

**This is the Fallon half of the two-guys-on-horses statue, arriving in San Jose from a warehouse in Oakland.**

**MAP: MERCURY NEWS**

**Pellier Park: Fallon statue**

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### FALLON WORK UNVEILED AT S.J. PARK

**DATE: September 21, 2002**

MIKE ZAPLER, Mercury News

**PUBLICATION: San Jose Mercury News (CA)**

**EDITION: Morning Final**

**SECTION: Local**

**Page: 1B**

A bronze statue of San Jose pioneer Thomas Fallon, fiercely debated for 14 years, was unveiled Friday at a small downtown park. And while residents continued to disagree over honoring in such a grandiose way a relatively minor figure in the Mexican-American War, even protesters called the three-ton sculpture an impressive work of art.

"It's beautiful. The horses are very well-executed," said Javier Salazar, a leading opponent of the statue since it was proposed in the late 1980s. Referring to the artist, Salazar said, "Robert Glen is a master."

Mayor Ron Gonzales presided over a brief dedication at Pellier Park, a pocket park snuggled between East Julian and St. James streets near Highway 87. He called the statue "a unique and monumental addition to one of our city's gateways."

"Regardless of your opinion of Thomas Fallon, he is a fact in our city's history book," Gonzales said, speaking over catcalls of protesters.

"Regardless of your opinion of his statue, it now becomes a part of our city's landscape."

At 9:08 a.m., Gonzales directed a city crew to remove the plastic that covered the statue, and the crowd of about 75 people broke out in boos and cheers. "It's like a Giants-Dodgers game," the mayor joked.

Protesters wielded signs criticizing Fallon and hurled insults at Gonzales, while supporters waved American flags. One woman wore a T-shirt that read, "A friend of the flag is a friend of Fallon."

Commissioned in 1988

Fallon is known for raising the American flag over the San Jose courthouse in 1846, after the Mexican army had left the city. He went on to become the city's ninth mayor, from 1859 to 1860, according to a display in the current city council chambers.

Commissioned by former San Jose Mayor Tom McEnery in 1988, the statue touched off a fierce cultural debate. Some said the statue glorifies American oppression of Mexicans; others argued that it symbolizes an important part of local history.

The sculpture depicts Fallon and an unnamed companion riding on horses whose front legs are kicked up in the air. Fallon is holding an American flag that he appears about to hoist on a tall flagpole.

"As a person of Mexican and American Indian descent, this hurts me," Enrique Dominguez, 60, said after the unveiling. "His pose commemorates war, and it's an insult to have him commemorated like this."

But Councilwoman Linda LeZotte, who is Irish-American like Fallon, disagreed.

Contribution of Irish

"I think it's a symbol of contribution of the Irish community to the history and development of San Jose," LeZotte said. "It's a long time coming."

Spencer Hinkle, 59, attended the ceremony dressed as an American soldier in the Mexican-American War. He marveled at the 16-foot statues of Fallon and the companion.

"I think it's fitting to the era," Hinkle said. "This wasn't our best era of history, but it did happen. And we now have American law and American enterprise. Is anyone going to complain about that?"

Beautiful art

Salazar, director of the Aztlan Academy, said he still believes the statue is demeaning to Mexican-Americans. But he was glad the pole at the front of the statue was not a functioning flagpole with a real American flag at the top, as he and others had expected.

Supporters and opponents described the art as "beautiful" and "wonderful," noting realistic details such as veins in the horses' legs.

McEnery did not attend the ceremony and could not be reached Friday for comment. In a recent interview, the former mayor said there was no need for him to be there.

"It isn't about me," he said.

McEnery has praised Gonzales and the city council for bringing the **Fallon statue** out of seclusion after eight years in an Oakland warehouse. Under pressure from community activists, city officials waited to install the sculpture until works of art commemorating other aspects of local history -- agriculture, Mexican heritage, and Ohlone Indians -- were completed.

**Caption: PHOTO: RICK E. MARTIN -- MERCURY NEWS**

**Jack Mallory welcomes the unveiling Friday of the statue of Thomas Fallon, the ninth mayor of San Jose. Fallon is best known for hoisting the American flag over the San Jose Courthouse in 1846 after the Mexican army left the city.**

**PHOTO: RICK E. MARTIN -- MERCURY NEWS**

**Adan Bustos protests the statue seen as symbol of American imperialism.**

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### DAUGHTER'S-EYE VIEW GIVEN TO STATUE FLAP

**DATE: March 3, 2005**

SCOTT HERHOLD column

**PUBLICATION: San Jose Mercury News (CA)**

**EDITION: Morning Final**

**SECTION: Local**

**Page: 1B**

A few minutes into her 62-minute film on the Thomas **Fallon statue**, Erin McEnery makes a full disclosure. She doesn't come to the project by accident. She is the middle daughter of former Mayor Tom McEnery, the political force behind the statue of Fallon raising the American flag over San Jose in 1846.

Erin, 30, is a loyal daughter. By that, I don't mean that she lacks talent. Her film is a well-researched and sometimes whimsical look at a public art controversy that engulfed City Hall 15 years ago.

But she puts the most sympathetic gloss on the central truth of the Fallon affair. It was more about Tom McEnery than the statue itself.

A quick primer: In 1987, the city commissioned a 16-foot bronze sculpture by Robert Glen to commemorate the moment that Fallon, an Irish-born adventurer and early San Jose mayor, raised the flag to announce U.S. rule in San Jose after the Mexican army had left. The piece was designed to go north of Plaza Park, now named for Cesar Chavez.

Because of the ensuing controversy -- opponents called it racist, likening it to honoring a hated conquistador -- the statue spent 12 years in an Oakland warehouse before it was finally unveiled in 2002 at a secondary location, a traffic-choked island near Julian Street and Highway 87.

That's the entry point for Erin McEnery's film, which will be shown Saturday at Cinequest, the movie festival her dad helped create. The showing is 3:15 p.m. at the San Jose Repertory Theater.

Erin says her dad -- who wrote a book on Fallon -- told her about the unveiling of the statue. "I had no idea what I was going to get," she told me. "Once I got there, it was mind-blowing how many different stories were floating around."

Dad as victim

In the film, her dad emerges as the victim, blindsided by a small group of critics who used political correctness to undermine his mayoralty. (Those same forces, led by Javier Salazar, are planning a protest outside the Rep when Erin's film is shown.)

Ex-McEnery aides Dean Munro and Pat Dando, along with former Assistant City Manager Dan McFadden, are quoted liberally. Opponent Kathy Chavez Napoli and former Mayor Susan Hammer, who kept Fallon warehoused, do not come off well. There's a "60 Minutes" moment when the camera arrives at Hammer's house.

You have to give the McEnery forces this: Some of the arguments against the statue were silly. It was not Hitler. The raising of the flag doesn't necessarily offend Hispanics.

A proxy in bronze

Tom McEnery, however, wasn't just a victim of the Fallon affair. He was the guy who invited it. In many ways, Thomas Fallon, an Irish-American mayor like McEnery, was his proxy, raising a flag over the city in much the same way McEnery felt he did with downtown renewal.

The question isn't whether the **Fallon statue** was offensive -- it's far superior artistically to most art downtown -- but whether that moment and that man were the best for a place of honor. Your answer reflects your view on McEnery.

A mayor with better antennae in the minority community might have commissioned a statue of Chavez. A more deft coalition-builder might have been able to get Fallon through after installing art to honor Hispanics or Indians.

That wasn't McEnery, who, like Fallon, was not long on process. When he left office at the end of 1990, the statue went into hiding until four politically correct projects were completed to appease the critics.

The irony -- and it's portrayed well in Erin's film -- is that few San Joseans know or care about the controversy today. Protected by a vast sheath of ignorance, the statue sits sidelined on the edge of town, much like McEnery himself must sometimes have felt in the last 15 years.

**Caption: PHOTO: Erin McEney**  
**Film looks at statue controversy.**

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### THOMAS FALLON STATUE CONTINUES TO STIR PROTESTS AS FILM DEBUTS

**DATE:** March 6, 2005

MAYA SURYARAMAN, Mercury News

**PUBLICATION:** San Jose Mercury News (CA)

**EDITION:** Morning Final

**SECTION:** Local

**Page:** 4B

The ability of Thomas Fallon's statue to provoke emotions was on display once again Saturday in San Jose.

As moviegoers queued up for the premiere of Erin McEnery's film on the controversial bronze statue, some 15 demonstrators paced in front of the San Jose Repertory Theater, registering their opposition to the statue.

The dissenters were small in number, but dedicated. Some, such as Margarita Mancilla, took part in the original protests more than 15 years ago, when the city commissioned the sculpture depicting Fallon raising the American flag over the Mexican pueblo of San Jose in 1846.

"This statue should never have been installed," said Mancilla, president of the board of the Aztlan Academy, a Chicano cultural organization in San Jose. "It is a direct insult to people of Mexican descent."

Originally slated for a spot in the heart of downtown San Jose, the bitter protests by Mancilla and others led the city to mothball the statue in an Oakland warehouse for 12 years. Finally, in 2002, the sculpture was installed on a concrete island near Julian Street and Highway 87, in an obscure corner of the city crisscrossed by on-ramps, off-ramps and overpasses.

Saturday's premiere of "The Search for the Captain," McEnery's documentary about the controversial piece of public art, brought protesters out once again. McEnery, the middle daughter of former Mayor Tom McEnery, who championed the statue during his time in office, developed an interest in the issue after the statue was unveiled in 2002.

On Saturday, while protesters lambasted Fallon, others called for some levity.

"It's sort of ridiculous this has been going on for more than 20 years," said Chris Garcia, producer of "Chick Magnet," a short film that was screened alongside McEnery's at the Cinequest film festival Saturday.

Garcia was out with his own contingent of supporters toting placards that declared, among other things, "I am NOT protesting."

Tony Cuevas, a retired administrator and Mexican-American whose son co-wrote the music for McEnery's film, said he sympathized with the demonstrators.

"The Hispanic community wants the mainstream community to acknowledge the amount of suffering that went on," Cuevas said.

Nevertheless, he said the Fallon protesters go too far in "blaming the Yankee for everything."

Alex Gervacio, who was standing in line for tickets, was just there to figure out what all the hubbub was about.

"What's the issue over a statue?" asked Gervacio, a Morgan Hill resident and finance manager. "How could it provoke so much?"

**Caption: PHOTO: MERI SIMON -- MERCURY NEWS ARCHIVES**

**The statue of Thomas Fallon, created by Robert Glen after a 1988 commission, sat in an Oakland warehouse for 12 years before it was displayed.**

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### THE FALLON STATUE: THE CLASH OF CULTURES AND THE CAPTAIN

**DATE:** March 15, 2005

MERCURY NEWS EDITORIAL

**PUBLICATION:** San Jose Mercury News (CA)

**EDITION:** Morning Final

**SECTION:** Editorial

**Page:** 9B

Blind spots are a hazard when looking into a rear-view mirror. Erin McEnery has one in "The Search for the Captain." But that's probably unavoidable, considering how hard it must be to make a documentary whose subject -- the convoluted saga of a controversial statue -- revolved around her father, former San Jose Mayor Tom McEnery.

But her bias notwithstanding, "The Search for the Captain" is a terrific film, worthy of its two packed audiences at the Cinequest film festival. When you consider it's Erin McEnery's film debut, it's quite remarkable, really. If it were up to me, I'd require that it be screened to every high school history class in the valley.

Politics, race, symbols

"The Search for the Captain" is Erin's quest to explain the three-year furor, then 12-year silence, surrounding the Thomas **Fallon statue**. She discovered, if she didn't already anticipate, that it's really about politics, race and the power of symbols to drive people nuts.

In case you haven't driven lately by its pedestal on Julian Street, where Capt. Fallon has been banished like Napoleon to Elba, here's a reminder: The statue portrays the raising of the American flag over San Jose in 1846 by Fallon, an adventurer and early mayor, signifying the annexation of California from Mexico. (Fallon actually raised the Bear Flag Rebellion flag, not the Stars and Stripes, which arrived a few days later -- but let's not get Tom McEnery going on that one.)

It's a beautiful statue, with Fallon and a fellow rider cast in a 19th-century heroic pose, and it would have graced one end of Plaza de Cesar Chavez, with Quetzalcoatl, easily mistaken for a big patty from Fallon's horse, at the other. But Latino activists resented that McEnery foisted it on the city through the Redevelopment Agency, and viewed the statue as a symbol of conquest, if not oppression.

So after raucous hearings in the late '80s and vows to create a more open process for picking public art, Fallon was banished to an Oakland warehouse for a dozen years, before being released to a concrete pasture near an Highway 87 off-ramp by Mayor Ron Gonzales in 2002.

"The Search for the Captain" offers a provocative view of the past through the fractured prism of the present. Fallon and his band of Anglos took the Juzgado, the government barracks in San Jose, without firing a shot, but if you believe Erin McEnery, 150 years later it was her father, the Anglo mayor, who was blindsided by a culture war, a virulent strain of political correctness and his opponents' four sins: fear (of confronting Chicano activists), ignorance (of California history), guilt (of white liberals) and sensationalism (by the news media).

That's not the full story by any means, but there are grains of truth to it. I say this as someone who, against his better judgment, makes a brief appearance in the film, with maybe 20 seconds on camera. I represent the jackal media that, according to Erin, fanned the controversy surrounding the statue and couldn't get their facts straight.

McEnery's undoing

I plead guilty to two mistakes but remain unapologetic about the snarky tone of the editorial I wrote on the unveiling of the statue in 2002. My point then and it's valid now, is that the wresting of California from Mexico, the seminal event in the state's history, is worth commemorating in public art, but there are many ways to depict it. Tom McEnery picked a narrow expression in keeping with his personal passion, and that opened him up to a barrage of criticism, much of it fair. McEnery and the bronzed alter ego became inseparable in the public's mind.

In a discussion of the film after its second showing at Cinequest last week, Erin McEnery got an unexpected compliment from Javier Salazar, the director of the Aztlan Academy in San Jose and the biggest burr under the saddle of the **Fallon statue**. Salazar, who had been picketing the movie, said he actually liked it.

Of course, it hadn't changed his mind one iota. But "The Search for the Captain" had gotten people of differing minds talking civilly in the same room about the valley's history and the unresolved tensions between people who live here.

**Caption: PHOTO: RICK E. MARTIN -- MERCURY NEWS ARCHIVES**

**The controversial statue of Thomas Fallon at its belated unveiling in 2002 after several years being stowed in an Oakland warehouse.**

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# Public Art Controversies

By **Jack Van Zandt** / July 13, 2006

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One person's work of art is another's piece of junk. If you mix politics and public money with this "law" of subjective aesthetics in the production of a commemorative statue, the results can be explosive. The most visible case locally is certainly the controversy over the Fallon statue that was commissioned in 1987 but not put on display until recently. An excellent film on the years-long controversy, "The Search for the Captain," which focuses on this very issue, will be shown on KTEH Channel 54 on Monday night, July 17, at 9 p.m., followed by a panel discussion at 10 p.m.

I have seen this film twice and, while I find the specific issue of the Fallon statue to be an interesting case in point, it's the larger issue of the nature of public art in general that this incident typifies which should inspire debate. Nothing seems to get people more riled up than public fine and commemorative artworks paid for with their tax dollars that they see as junk, or worse. (I am one of these people myself.) The so-called "pile of dog droppings" in Cesar Chavez Plaza may be the most obvious example, but there are others. (Believe it or not, there are some who like the Quetzalcoatl statue by famous Mexican-American artist Robert Graham.) My particular bugaboo presently is the totem pole pastiche pieces lining Fifth Street, running up to Santa Clara Street. In the context of the new City Hall building, they make the same impression as discarded bubblegum wrappers.

Most people would like to know how these things happen. Put simply, there are appointed selectors/commissioners who decide where, what and how much, and there are the artists who make these pieces. Both have a specific set of responsibilities that should be part of their thought and decision-making processes, but these responsibilities are often shirked. Commissioners rationalize their lack of responsibility in ways such as "he/she is a great artist and should be able to do what they want without our interference." Unfortunately, then, their responsibility to the citizens they supposedly represent takes a back seat. Sometimes there is nothing worse than an "expert."

The artists, for their part, should see such work in a different light from what they produce for private clients or gallery showings that people attend voluntarily. (Please note that I say this as an artist myself.) The ubiquitous excuse of "challenging" the public is getting to be a bore and often indicates a poor or immature artist. The public is almost never challenged by these works because those who care are a lot smarter than they get credit for. If artists are not basing their works on principles that the "interested" public has some understanding or knowledge of, they shouldn't get the job. Artists don't have to sell out if they are any good in the first place. The best public artists understand that their function is to create something that is interesting, fits into context and is a point of community pride. You can't please everybody, but you can't get away with pleasing no one.

I know that some of our readers have expressed the opinion that public money should not be spent on art in the first place. However, it's a fact that a percentage of all public-works project budgets must be spent on art by law, and there is really no chance that this is going to change—and it shouldn't. Therefore, it's the selection process and the aesthetic nature of public art itself that we must focus on, and this is a debate I hope to keep up over the coming weeks on this site, along with a few invited guest columnists.

In the meantime, don't forget to tune in to "The Search for the Captain," and feel free to comment on it below in due course.

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### UPROAR OVER DAMAGE TO PUBLIC ART

SCOTT HERHOLD column

**PUBLICATION: San Jose Mercury News (CA)**

**SECTION: Local**

**DATE: November 8, 2007**

**EDITION: Morning Final**

**Page: 1B**

**Correction: SETTING THE RECORD STRAIGHT (publ. 11/11/07, pg. 2A)**

**In some editions of the local section Thursday, a caption accompanying a Scott Herhold column about damage to public artwork in San Jose spelled the name of the artist incorrectly. The artist is Richard Hawes.**

For more than 13 years, an artist named Richard Hawes has been committing an unpaid act of beautification on the San Antonio Street bridge over San Jose's Coyote Creek.

Every 10 or 12 feet or so across the 170-foot span, he's constructed meticulous, ceramic tile mosaics, 30 or so cubist-like renderings of fish, roosters or birds. He says he's inspired by Eastern thinking that calls him to use his talents to beautify the world.

For all that time, the neighborhood has lived more or less contentedly with the art. Even though Hawes' work was not formally sanctioned by the city's office of cultural affairs, most people thought it was a big step up from the graffiti that occasionally mars the bridge.

That is, until last week. On Oct. 29, neighbors found two workmen chipping away at Hawes' tile portraits with a crowbar, acting at the behest of a woman who lives on the eastern side of the bridge.

The damage -- four of Hawes' tile works are smashed -- has started an intense round of soul-searching in this niche of central San Jose, where Coyote Creek divides the upscale Naglee Park from the grittier neighborhood to the east.

Among the questions: Just what makes for art? Who has the right to dismantle it? Does preservation clash with adornment? And what role should government play?

The woman who ordered the dismantling, Gloria Sciara, made several points in an e-mail to me: She said the tile work didn't fit the historic nature of the bridge, didn't have the required approval from the city's department of transportation and conflicted with plans to cover graffiti on the bridge with a uniform coat of paint.

But she also acknowledged "a mistake" in having the art dismantled.

In liberal Naglee Park and the Roosevelt Park area to the east, there is much sympathy for Hawes. "My reaction is pretty strong against an individual taking it upon herself simply to destroy artwork," says resident Tom Leddy, a professor at San Jose State University. "We've always seen that bridge as a kind of signature of our newsletter, especially with the tiles."

Not surprisingly, Hawes says he's outraged. "All my work is not consistently good," he said with remarkable candor. "Two of them were pretty bad. But one of them was one of the best I've done in years, and she destroyed it."

Councilman Sam Liccardo's office is trying to find a way to protect the art and make sure Hawes has a permit for future work. "Within the spectrum of crimes committed by crowbars, this isn't Tonya Harding hiring a thug to take out Nancy Kerrigan," Liccardo said. "But the neighborhood has spoken clearly about its desire to preserve this artwork."

Defining art is always tricky. But Hawes' work does not deface the bridge. The images are benign. And although the quality is uneven, the tile pieces add color and inventiveness.

And it is not as though Hawes, 55, a San Jose State graduate who lives in Sunnyvale and once worked at Trinity Episcopal Church in downtown San Jose, was an outlaw.

The artist said he was invited to do the work by the Brookwood Terrace Neighborhood Association, a predecessor of the current neighborhood group. San Jose officials have confirmed that Hawes received a \$1,000 community action pride grant from the city in the mid-1990s.

For those reasons, he deserves our thanks. His was a labor of love. However much she loathes the work, Sciara can't take artistic law into her own hands. I think she understands that now.

Sadly, one prospect now is to go through a government process that may extinguish the spark of creativity needed to finish mosaics on the bridge. Because of a history of controversy -- in particular Quetzalcoatl and the **Fallon Statue** -- San Jose shuns risk when it comes to public art. Public hearings on art have a way of finding the least common denominator. Check out the "parade float" sculptures next to City Hall if you want to see the sleep-inducing result.

In any case, Hawes says he's done working on the San Antonio Street bridge. "I don't really want to work on that bridge anymore," he said. "This lady has found a loophole to destroy my work."

You can understand Hawes' feelings. With time, however, he might be persuaded to revisit it. He even talked about how he could restore the mosaics.

Hawes is part of the history of this bridge. And the neighborhood itself should resolve the dispute, with only a light hand from the city. Then a nondescript span would have a story, about tolerance and the meaning of art, that we could teach our children.

**Caption: PHOTO: DAVID M. BARREDA -- MERCURY NEWS**

**Artist Richard Hayes on the San Antonio Street bridge with one of his hand-crafted tiles, smashed recently by workmen hired by a neighbor.**

**MAP: MERCURY NEWS**

**The artwork on bridge destroyed**

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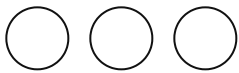
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News // Bay Area & State

# Statue Controversy Revived in San Jose / Placement of pioneer figure derailed in '90s

Maria Alicia Gaura, Chronicle Staff Writer

Updated: Aug. 6, 2012 2:41 p.m.



**2000-10-12 04:00:00 PDT SAN JOSE** -- A decade after it vanished into the obscurity of an Oakland warehouse, a larger-than-life statue of California pioneer Capt. Thomas Fallon is poised to arrive -- finally -- in San Jose.

But controversy over the bronze behemoth hasn't cooled despite a 10-year timeout. The \$445,000 sculpture, commissioned by San Francisco's Swig family, was originally meant to stand in Cesar Chavez Park, across the street from the San Jose Fairmont Hotel. The work was part of the development of the Fairmont to San Jose.

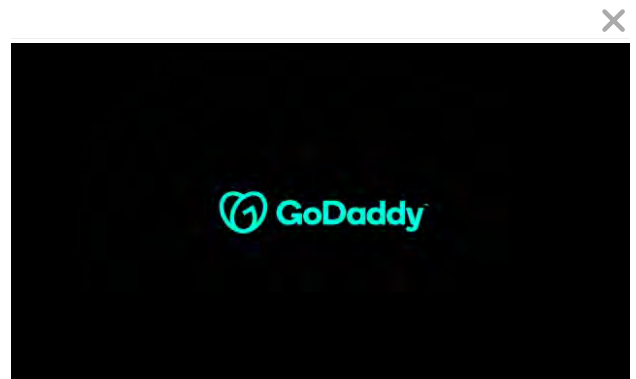


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Protests from local Mexican American and Chicano groups derailed that plan. Latino activists argued that honoring Fallon, who raised the American flag over San Jose two months after Congress declared war on Mexico in 1846, was a symbol of oppression.

"In the 1990s, we went to the city and told them that this (statue) is a racial insult to people of Mexican descent," said Raul Estremera, a member of the group Pueblo Unido. "Last time this happened, the mayor backed down. We are hoping to do that once again."



Pueblo Unido has issued flyers comparing the Fallon statue to the Nazi swastika and the Confederate flag and attacked Mayor Ron Gonzales for his role in permitting the statue to be installed. The group has demanded that the statue be melted down and recrafted into a "symbol of unity celebrating the city of San Jose's ethnic diversity."

Protesters also attacked Fallon's personal history, noting his two divorces, his mistress and various lawsuits over the course of his life.

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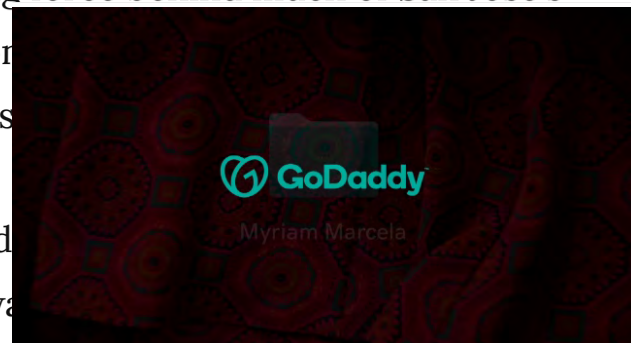
By **Comparisons.org**

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Estremera's group plans to protest today at Fallon's former residence, an 1860s Victorian in downtown San Jose that was converted into a museum. Protesters plan to serve Fallon with a symbolic eviction notice.

Former Mayor Tom McEnery, who was a driving force behind much of San Jose's historic preservation and a booster of the Fallon are attempting to twist history for dubious reasons.

"Unlike the Soviet Union, we should not try and twist of history," McEnery said. "The American flag was nothing to do with the swastika or the other symbols they mention."

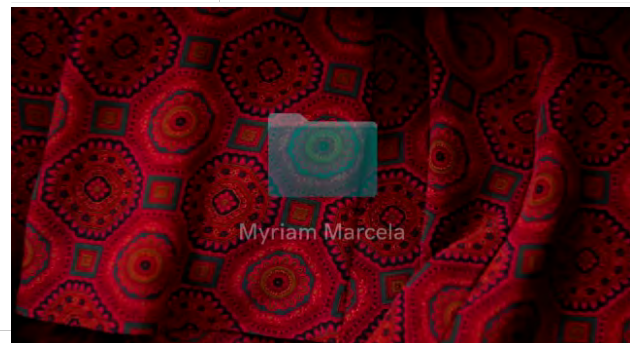


McEnergy noted that Fallon married a Mexican woman from a prominent local family and that all of his children were Latino.

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"Fallon represents a fusion of two cultures, which is hopefully the way our culture will continue to evolve," McEnery said.

In 1990, city officials responded to the criticism by cutting a deal. City arts officials would commission and install four works of art celebrating San Jose's history and cultural diversity before the Fallon statue was put in place.

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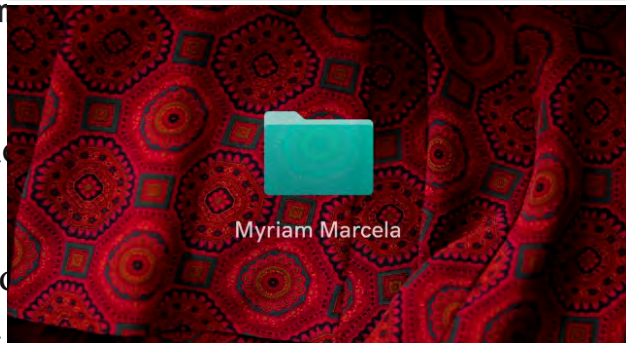
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This April, city arts commissioners informed the public that the first three pieces are in place and that the fourth is under way. They will bring Fallon out of storage and install the heroic figure in a new, more obscure park dedicated to a local prune farmer.





The site, Pellier Park, "is almost as obscure as a warehouse in Oakland," political observer and local columnist Eric Carlson quipped. "It's practically under the freeway."

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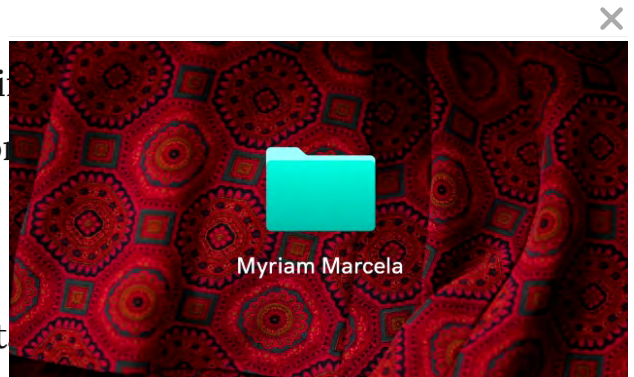
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While Fallon's image was in exile, redevelopment officials installed a cast-concrete statue of the Aztec deity Quetzalcoatl in Cesar Chavez park. The towering sculpture, which was not one of the four intended to balance the Fallon statue, has been widely noted for its resemblance to a "snake coiled like excrement," as D.H. Lawrence once wrote of this representation of the Aztec god. Local wags have dubbed the artwork "Quetzalpooples."

City art officials expect the Fallon statue to be in sculpture, cast in Italy, portrays Fallon and a cowboy is raising the American flag.

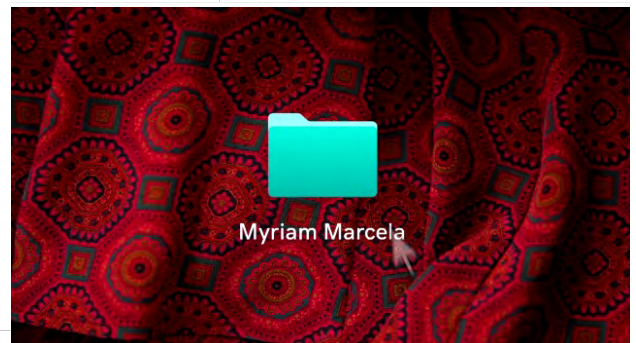
Officials are puzzled by the protests over the statue's delays in its placement.



"There is nothing new going on here," said Nancy Johnson, San Jose's director of conventions, arts and entertainment. "I think we've heard all of the various arguments about this already."

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"The city has committed to a public process and a series of new art pieces that will present a balanced perspective," Johnson said. "But that won't dispel the opponents, who are convinced the statue should be melted down."

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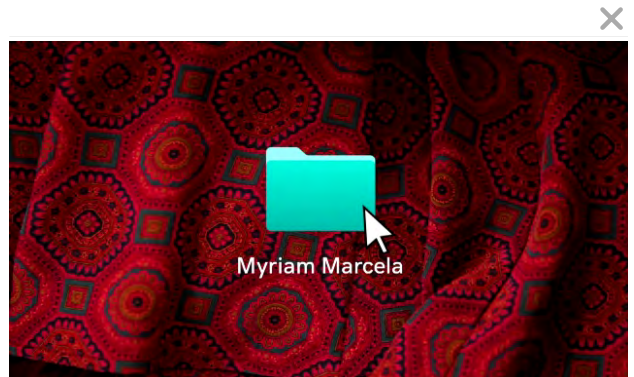
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SAN JOSE

# From Fallon to Quetzalcoatl: San Jose statues, monuments tell a complicated story



by **Katie Lauer**

July 16, 2020

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The statue of Thomas Fallon, which sits at the intersection of West St. James and Julian streets, has been controversial since its commission in 1988. File photo.

As the controversial likeness of Thomas Fallon sits atop his horse northwest of Downtown San Jose, some are hoping he joins the list of toppled statues across the country.

More than a dozen protesters marched Tuesday from Fallon's historic house to the statue, at the intersection of West St. James and Julian streets.

Against the backdrop of a nationwide reckoning with the history of race and statues honoring oppressors, speakers called the monument a symbol of exploitation of people of color, weeks after the artwork was painted red, representing accusations that blood is on Fallon's hands from his claim of Mexican land.

"As long as Thomas Fallon and other symbols of imperialism and colonialism continue to be positioned in glorification, we will forever be oppressed on our land," said Peter Ortiz, a Santa Clara County Board of Education trustee. "(Mayor Sam Liccardo) says he stands against white supremacy, but actions mean more than words. Having the statue here is a slap in the face to our people."

Community organizer Rebeca Armendariz said the goal is to recognize the history of how her ancestors were impacted by Fallon and other colonizers through ethnic studies in schools, a movement that's **already taking shape** in San Jose.

She said removing Fallon would be "icing on the cake," and by Wednesday afternoon, more than 2,200 people had signed a **Change.org petition** for its removal.

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But Fallon is a divisive figure embodiment of American United States declared wa

It's not the first time San Jose has grappled with controversial statues. In 2018, a coalition of community activists, led by Ortiz, convinced city lawmakers to boot a Christopher Columbus statue from San Jose City Hall. That statue, which now lives at the Italian American Heritage Foundation, was also vandalized multiple times before it was dismantled.

The statue of Quetzalcoatl, the winged serpent god of wind and wisdom, made headlines when former San Jose Councilmember Pierluigi Oliverio, who defended the Columbus statue, compared the coiled **serpent to a pile of poop**, causing uproar in the Latino community.



A statue of Quetzalcoatl, the winged serpent god of wind and wisdom, sits on the south end of the Plaza de Cesar Chavez in San Jose. Photo by Katie Lauer.

Since the Memorial Day police killing of George Floyd, an unarmed black man in Minneapolis, **dozens of statues and memorials** dedicated to Confederate soldiers and generals across the country have been torn down or vandalized. In England, the statue of slave trader Edward Colston was replaced by **Black Lives Matter** protester **Jen Reid**.

Michael Ogilvie, San Jose's director of public art, said criticism over the Fallon statue sparked a larger conversation about which historical figures the Bay Area's largest city honors, leading to installations such as the Ohlone Way of Life, the life of Dr. Ernesto Galarza, the Founding of the Pueblo and the Agricultural History of the Valley – which all represent different historical perspectives.

“There's a lot of history that these monuments take into account, and Fallon is one of them,” Ogilvie told San José Spotlight. “I think what needs to be brought to the forefront is how do we make sure who we're honoring deserves it.”

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But chronicling history through art is a living thing, and it changes with change," Ogilvie said.



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Making sure every voice is heard can be a challenge.

And securing funding for public art requires community involvement. Only 2% of public art is paid through capital improvement projects, such as new building construction, so independent funding is needed to create statues and monuments.

"I think people, so they don't repeat history, need to know where (the statue's) from and maybe update those monuments with the actual deeds that these characters have done," Ogilvie said, "so that people are aware that this guy at this point in time was honored, but not anymore.

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Locally, San Francisco Mayor London Breed called for a [review of the city's public art](#) nearly a month ago, after statues of Francis Scott Key and Ulysses Grant were toppled because of their history of slave ownership, while Fr. Junipero Serra was brought down due to allegations of committing atrocities against Native Americans.

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A statue of Fr. Junipero Serra, who founded the California Missions, sits on the Santa Clara University campus. Photo by Katie Lauer.

While Stanford University removed Serra's name from multiple campus features in 2018, a figure of Serra remains tucked away on Santa Clara University's campus, which sits on the third Mission Santa Clara de Asis site.

Paul Soto, a longtime community leader and descendent of Native Californians who were part of the mission system in the 1800s, doesn't support removing Serra's likeness. He said removing such sculptures is only erasing history, not addressing the psychology and intentions behind history.

"Symbols are enduring and they have a lot of visceral power, because people project onto them the principles for which they stand," Soto said. "That's why it's so important for people to psychologically tear that down."

Instead, Soto said he supports the removal of the Columbus – to educate others. He will educate students at San Jose State about their ancestors' culture through art.

“For me to speak at that school as a descendant is speaking out of my mouth about the statues. I want to



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transparency and accountability are needed in San Jose  
Jul 16, 2020 at 12:16PM

It's not a symbol of white supremacy – it's a symbol of history. Does everyone want all history to be like some form of a utopia? To ignore or erase reality. Can someone please tell me one culture, in the history of humans, that didn't have some negative or challenging past? People are completely outrageous. Grow up.

Reply

Don Kamaka'a omaui Oberloh  
Sep 24, 2020 at 6:37AM



The different  
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Kamehameha, used cañón confiscated from Capt. Cook to decimate Peaceful people of Oahu, Maui, Molokai, Kauai, Ni'ihau, and Ko'oholave. Under the leadership of King Kalaniana'ole, Tahitians, Tongans, Fijian, Maori, and other Polynesian Island cultures, stood up to Kamehameha's 'unification' but eventually lost the war against him. Being from the big island Kamehameha called the conquered islands the Kingdom of Hawaii.

By the time of the arrival of European, Portuguese, Dutch and Russian sailors(whalers) the unification was complete and they only knew of the people now called Hawaiians .

[Reply](#)

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Freddiep  
Jul 17, 2020 at 9:17AM

YOU got one heck of LOT more to worry about in san jose then the statues, Look around LOOK at this city the spike in crime the griffiti THE TRASH!! Monterey Highy the Newe GUADALUPIE dump sight the last couple of years getting worse!! ITS DISGUSTING ..... YEP these statues ...

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Kathleen Smith  
Jul 17, 2020 at 9:19AM

re Michael Ogilvie: "... this guy at this point in time was honored, but not anymore."  
Mr Ogilvie, we should accept that not ALL people honored Fallon at that time or at any time since. Few people living in San Jose in 1846 would have honored Thomas Fallon.

[Reply](#)

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Truthsayer  
Jul 17, 2020 at 11:27AM

What hostile treatment of native people? Is that a fact, or an assumption. And how is he a symbol of imperialism and colonialism? Fallon settled in California when it was part of Mexico, married a Californio woman and had six kids with her. Sure, he sided with the U.S. when the war started, but there were prominent Californios who supported seceding from Mexico and joining the U.S. even before the war started, such as General Mariano Vallejo. And I don't know the whole lineage of Fallon's wife, Carmela, but she was almost certainly part American Indian (Pre-Columbian American), so Fallon's children were too.

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My\_Opinion  
Jul 17, 2020 at 1:12PM

As our history proceed  
statue, building, plaqu  
of a few? Maybe the n  
changed.



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LisaDoll

Jul 17, 2020 at 11:18PM

Mr Soto makes some valid points.

The very point of public art is to spark conversation, contemplation, and education.

It seems that public art In San José is right on target.

Those of us who attended public schools know that most of the history lessons had been whitewashed.

These conversations and demonstrations and removals of public art are right on time, because they serve as important history lessons for our children, at a time when many parents think their children are not “learning”.

Art comes from a place of emotion, and those of us who are artists love nothing more than to see art move people .

If art moves people to take action in a positive direction, then we have done our work well.

[Reply](#)

---

Robert Cortese

Jul 24, 2020 at 2:33PM

From Wikipedia:

Quetzalcoatl was also the patron of the priests and the title of the twin Aztec high priests. Some legends describe him as opposed to human sacrifice<sup>[25]</sup> while others describe him practicing it.<sup>[26]</sup><sup>[27]</sup>

Quetzalcoatl seems like it should be controversial, unless we're saying it's OK for Mesoamericans to enslave and sacrifice one another, and its not OK for Europeans to do the same to Mesoamericans. Quetzalcoatl's story seems as debated as Serra's.

I don't think it should be OK for anyone to do that to anyone. My \$0.02 cents.

[Reply](#)

---

Robert Cortese

Jul 24, 2020 at 2:38PM

Hmm another curious story of the big Q.

In another legend, still told in Mexico, Quetzalcoatl was feeling ill. His brother Tezcatlipoca, who wanted to be rid of Quetzalcoatl, came up with a clever plan. Drunkenness was forbidden, so Tezcatlipoca disguised himself as a medicine man and offered Quetzalcoatl alcohol disguised as a medicinal potion. Quetzalcoatl drank it, became intoxicated and committed incest with his sister, Quetzalpétatl. Ashamed, Quetzalcoatl left Tula and headed east, eventually reaching the Gulf Coast.

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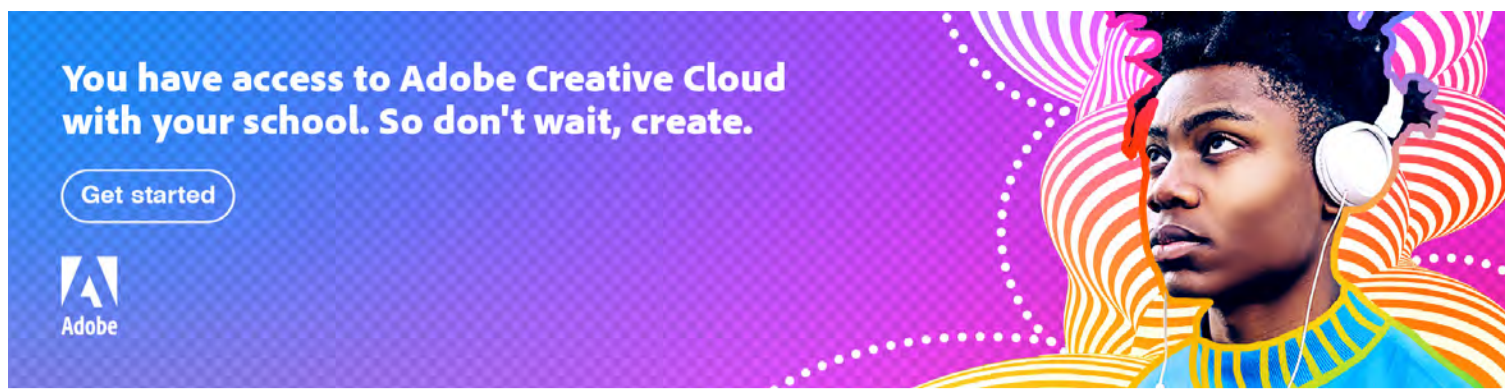


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**SJSU**News

September 24, 2020

## Protesters chant 'say her name'



by [Chelsea Nguyen Fleige](#)



Protesters hold a 5-minute moment of silence for Breonna Taylor around the "Just 4 Breonna" mural Wednesday night in front of San Jose City Hall after collaborating on it. Blue Nguyen/ Spartan Daily.

Protestors marched through Downtown San Jose Wednesday night chanting, "No justice, no peace," expressing their anger over the recent development in the investigation of Breonna Taylor's death.

Taylor died on March 13 in Louisville, Kentucky when she was shot at least five times in her apartment by police officers executing a "no-knock" search warrant, according to a Sept. 9 New York Times article. She was a 26-year-old emergency medical technician at the time.

The march began at City Hall around 9 p.m. after Nino, a Black Liberation and Collective Knowledge (B.L.A.C.K.) Outreach San Jose public relations member, addressed the crowd.

Nino is also a chairman of the board for B.L.A.C.K. Outreach San Jose, a Black activist community collective, and is a part of HERO Tent, a nonprofit that aims to support protesters across the Bay Area with medical supplies. He and other members of the organization have requested not to use their last names out of concern for their safety.

"The ruling today in Breonna Taylor's case is bullshit, right?" he said. The crowd shouted their agreement.

The Kentucky attorney general announced early Wednesday that a grand jury indicted one officer involved in the death of Taylor on three counts of “wanton endangerment,” for endangering the lives of Taylor’s neighbors during the raid.

Wanton endangerment is classified as a Class D felony wherein a person acts with, “extreme indifference to the value of human life,” and puts others in a deadly situation, according to Kentucky state law. A single charge carries a sentence of three to five years. There were no other charges related to Taylor’s death. Of the three officers directly involved in her death, former detective Brett Hankison has been fired.

“We out here for Breonna, Breonna Taylor’s family, Louisville, all the other cities who are going up, everyone else who passed away from police brutality,” Nino said.

The protestors marched east on Santa Clara Street and north on First and West St. James Streets to the Thomas **Fallon** Statue of the aforementioned on horseback,, located on West Julian and St. James Streets.

Some protestors graffitied the statue with “FTP”, “FDT”, “Justice for Breonna Taylor” and “Fuck White Supremacy,” then tied U.S. and Donald Trump flags to the statue, doused it in lighter fluid and set it ablaze.

As police helicopters circled above, chants of “Fuck the police,” continued as protestors began to march back to San Jose City Hall.

The organizers planned to continue their demonstration all night but according to a live blog from San Jose Inside, dwindling numbers of protesters prompted them to decamp earlier than initially planned.

“We’re gonna occupy City Hall,” said Jason, a B.L.A.C.K. Outreach organizer.

The crowd originally gathered on the steps of San Jose City Hall a few hours earlier at 5 p.m. to address the need for police reform in the wake of the Breonna Taylor case.

Approximately 40 people of all ages were actively demonstrating on the sidewalk outside City Hall. With signs emblazoned with “Black Lives Matter,” and “People over property,” the protesters chanted, “Say her name, Breonna Taylor,” while cars passing by honked in support.

B.L.A.C.K. Outreach member Paris, said he was surprised the officers involved in the Taylor case didn’t lose everything, “just like her family lost everything.”

“I’m outraged. I’m pissed off. I’m hurt, I’m sad,” he said. “But we gotta think about her family. Imagine what her family is going through.”

In response to the fiscal settlement the city of Louisville is expected to pay Taylor’s family, Paris said, “\$12 million for a life? A life is priceless.”

The crowd grew to approximately 100 people by 7 p.m., when organizers erected a homemade 10-foot-tall guillotine among the flagpoles outside City Hall.

Kiana Simmons, HERO Tent founder and president, said the constructed guillotine was a visual metaphor for defunding the police and taking down those in power.

B.L.A.C.K. Outreach President Lou Dimes gathered the crowd together to explain the group’s rationale for building the art installation.

“When people ask why a guillotine, it’s a symbol of an uprising . . . this is here as a symbol of us sick of people oppressing us,” Dimes said.

He said he has sent many requests to speak to San Jose Mayor Sam Liccardo about police reform, but those have been ignored and the mayor’s office continues to attempt to address him indirectly through colleagues.

Dimes encouraged protesters to camp out all night and continue the demonstration if they wanted to make a statement to City Hall.

Around 8 p.m., protestors collaborated on a pavement mural in the dim illumination of City Hall lights. It read “Justice 4 Breonna” in purple paint.

Jason, B.L.A.C.K Outreach organizer, called for police reform within the San Jose Police Department to meet the demands of the people. In addition to immediately putting officers involved in civilian-shooting incidents on leave, he said there should be more transparency and civilian oversight in the investigations that follow.

“We should be able to decide if these are still gonna be the [the ones] policing our communities and coming to our homes,” Jason said.

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SAN JOSE

# Fate of Thomas Fallon statue launches public forum on San Jose art



by Lorraine Gabbert

🕒 JANUARY 27, 2021

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The statue of Thomas Fallon, which sits at the intersection of West St. James and Julian streets in San Jose, has been a source of controversy since its commission in 1988. File photo.

Some consider Capt. Thomas Fallon an important part of history.

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People on both sides will get a chance Jan. 29 to have their say on an online public forum aimed at helping the city decide the statue’s future. Also on the agenda is the early removal of the “**Holding the Moment**” exhibition at San Jose International Airport, which caused a public outcry.

On July 14, Black Lives Matter protestors marched from Fallon’s historic house to the statue and on Sept. 23, during a Breonna Taylor rally, the statue was painted red to symbolize the blood on Fallon’s hands during the Mexican–American War.

At the airport, the work of Eric Bui and other artists was displayed in a collection late last year. Bui told San José Spotlight his painting — “Americana” — aimed to condemn police brutality during the Black Lives Matter protests. It depicts a person holding an upside–down American flag, a signal of dire distress, squatting on top of a police car. The background is vivid red. There are also two red splatters on each side window of the car.

However, some airport employees, the San Jose Police Officers’ Association and members of the public demanded its removal, saying it could be seen as encouraging violence against the police. The entire exhibit was removed three days early.

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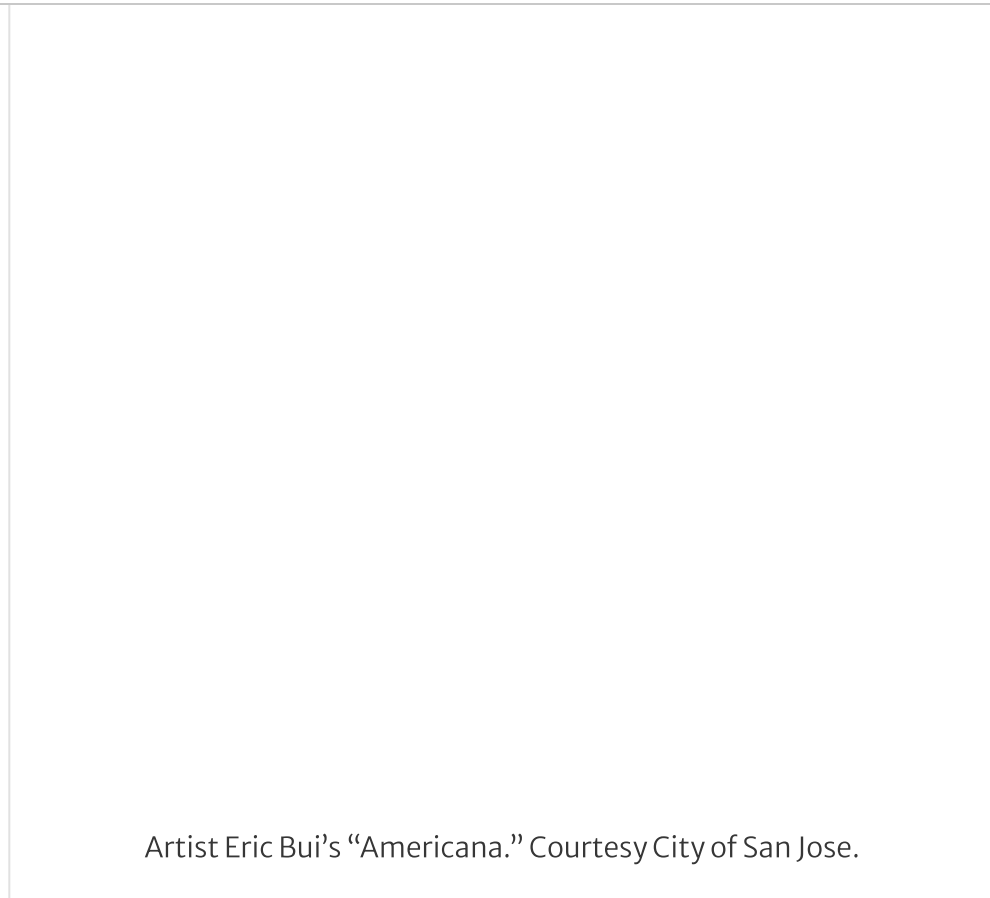
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Artist Eric Bui’s “Americana.” Courtesy City of San Jose.

Former San Jose Arts Commission chair Peter Allen said because both works were city-sanctioned public art, funded by public dollars and approved by public officials, there is an expectation they would reflect the culture and community they represent.

“The Fallon statue and airport exhibit together show there is a dialogue to be had on issues of racial injustice,” Allen said. “You need to have an open conversation and then decide what to do about it as a community.”

Allen said he objects to the collection being removed ahead of schedule by the City Manager’s Office without community input. He said he’d prefer the city hold public dialogues before putting statues in storage or taking down exhibits.

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just took down the whole exhibit early. They were trying to divorce it from the controversy. They clearly stated if it was an individual piece, they would have to go back and get approval or at least have a dialogue.”

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Following the toppling of three historic statues — Ulysses Grant, Francis Scott Key and Junípero Serra — in San Francisco of men who were seen as oppressors of people of color, San Jose Mayor Liccardo called for a community meeting about the Fallon statue.

Allen said not everyone is in favor of removing the Fallon statue, as it reflects San Jose’s history.

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“They think it is important for us to remember, regardless of how we might feel about it or how controversial the figure might be in our history,” Allen said, “especially in the context of the current community movement towards racial justice.”

Commissioned in 1988 by former San Jose Mayor Tom McEnery, the 16-foot, bronze Fallon statue has been controversial from the start. Latino activists protested its placement at Plaza de César Chávez in the ’90s, calling it a racial insult commemorating abuses of Indigenous and Mexican people.

The statue was shuttered at a warehouse in Oakland from 1994 to 2002. It currently stands at the intersection of West Julian and West St. James streets.

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Liccardo said part of the role of public art is to stir conversations about race and history, which ideally result in better understanding.



---

listening. This has been a time when there's been understandable righteous protest for longstanding injustice ... that needs to be corrected ... and I hope this is the first step in getting there.”

To participate in the Zoom meeting, visit:  
<https://sanjoseca.zoom.us/j/94881879091>. The meeting starts at 5 p.m. on Jan. 29 and the meeting ID is 948 8187 9091.

Contact Lorraine Gabbert at  
[lorrainegabbertsjspotlight@gmail.com](mailto:lorrainegabbertsjspotlight@gmail.com).

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**HB**

JAN 27, 2021 AT 10:00PM

I want all monuments and streets named after Caesar Chavez removed. He and his union went after illegal immigrants. The UFW went so far as to go to the border to keep them out. He referred to them as wetbacks.

<https://humanrights.fhi.duke.edu/chavez-the-ufw-and-the-wetback-problem/>

Grow up and leave the statutes alone.

**REPLY**



---

JAN 28, 2021 AT 8:29 AM

Putting our resources into rebuilding after the deadliest pandemic in the US in 100 years?

Nahhh

Putting those resources toward creating socially-distant homeless encampments like San Francisco is doing?

Nahhhhhhhhh

...statues?

OHMYGOD THEY ALL MUST BE TAKEN DOWN! JUNIPERO SERRA ONCE WATCHED MULAN WITHOUT PROPERLY ACKNOWLEDGING THE CULTURAL APPROPRIATION; ERASE HIS ENTIRE MEMORY!

**REPLY**

---

## **transparency and accountability are needed in San Jose**

JAN 28, 2021 AT 9:58AM

San Francisco just voted to rename 44-schools, including those named Lincoln, George Washington – and I think even Feinstein. They did so without even having a historian to participate in the process – so this was all done in a semi-uninformed manner, and they are receiving criticism for their process.

I can only assume these statues will be relocated – but I'm pretty sure most people asking for it 1) will not acknowledge their own cultures dark history, because they all have one AND; 2) these decisions are now informed by emotion and ignorance, not through an actual constructive process.

But hey, if people want to spend a lot of time and money on this, and actually feel like they accomplished something... that is what California is all about. Appeasing the PC babies.



---

**HB**

JAN 29, 2021 AT 6:46AM

Agreed. California is rapidly becoming a show.

**REPLY**

---

**Art skeptic**

JAN 28, 2021 AT 1:36PM

Maybe we should just give up on the idea of public art. I am asking seriously, is public art really necessary? It's a waste of public money, time and energy dealing with these disputes. Let private property owners decorate their property if they want to, but the fact is that most people couldn't care less if there is an art exhibit at the airport or a fancy statue in a park.

**REPLY**

---

**Richard Ajluni**

JAN 28, 2021 AT 2:25PM

Saints have a past and sinners have a future.

**REPLY**

---

**David H**

JAN 29, 2021 AT 9:52AM

If the Fallon statues weren't in place, we wouldn't have had all these discussions about who he was and what he did or how the history of San Jose reflects who we are today. That's what public art is for – to generate discussion about topics that aren't always talked about. In that respect, this example has been successful. For that, we





---

Grow up, everyone, and celebrate the freedoms we already have (to enjoy public art that can generate discussion about what oppression really is) instead of trying to chip away at them until we become a people who so self-oppressed that we can't appreciate freedom when we have it.

**REPLY**

---

### **Irishgurl King Soto**

JAN 31, 2021 AT 4:42AM

There were only around 185 persons who objected to the Fallon Statue during the city's meeting. There are over 1,000,000 citizens of San Jose so that's a small amount of people.

Why spend the money to move this, it is San Jose City history it can't be changed.

Use the money to educate people on the meaning of the statue and learn how to erect other art to represent what people want !!

**REPLY**

---

### **Marc Seid**

FEB 02, 2021 AT 2:02AM

How do people get notified about these meetings? I would have loved to have voiced my support for the statue. It represents not just California history, but the pivotal moment that set San Jose on a path to changing the world. It is awesome!

**REPLY**

### **Miros V. Madrid**

FEB 04, 2021 AT 3:05PM



would , at the expense and loss of indigenous culture, enslavement of people, and to enrich the lives of foul white settlers and their families.. Leave the statues, but add huge plaques stating the truths of these thieving and murdering criminals. .It's time our city leaders acknowledge and take accountability for the injustices committed against the tribes and first communities of California..You are residing on stolen lands, this is still Ohlone Muwekma Territory, recognize it.

**REPLY**

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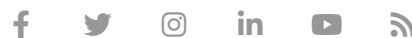
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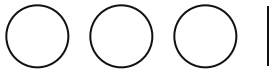
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# Take it down, melt it down: San Jose residents urge officials to remove controversial statue



**Lauren Hernández**

Updated: Jan. 31, 2021 3:15 p.m.





1 of 3



A 16-foot-tall bronze statue in downtown San Jose, CA commemorating Thomas Fallon is pictured on Saturday, Jan. 30, 2021. The statue should be removed because it celebrates oppression, violence, justice and genocide, dozens of people argued in a virtual public forum Friday night.

Lauren Hernandez / The Chronicle

A bronze statue in San Jose commemorating Thomas Fallon — who in 1846 plunged the American flag into the city’s soil to claim the land from Mexico during the Mexican-American War — should be removed because it celebrates oppression, violence, injustice and genocide, dozens of people argued in a virtual public forum Friday night.

Community members used their 1-minute allotted time to persuade city officials to get rid of the controversial 16-foot-tall statue, many using the same words to describe Fallon’s legacy: Colonialism. Imperialism. Racism. Injustice. White supremacy. Violence. Genocide.

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While the conversation comes on the heels of a broader racial reckoning that has compelled leaders across the Bay Area and U.S. to examine who should be

commemorated in public art, the statue has been the subject of ongoing discourse for 33 years, since it was commissioned in 1988 — without an established public process — by former Mayor Tom McEnery.

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Fallon was one of the “soldiers of John C. Fremont’s brigade that was involved in the war with Mexico” from 1846 to 1848, and he went on to serve one yearlong term as San Jose’s 10th mayor, said Albert Camarillo, a Stanford University American history professor and historian.

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BY JILL TUCKER

Some speakers suggested melting the bronze and commissioning local artists to repurpose the metal in a new statue more representative of San Jose’s influential leaders of color. Some suggested moving the statue to a museum or local historical society where context could be given, and others proposed allowing Latino, indigenous and Black people to remove the statue.

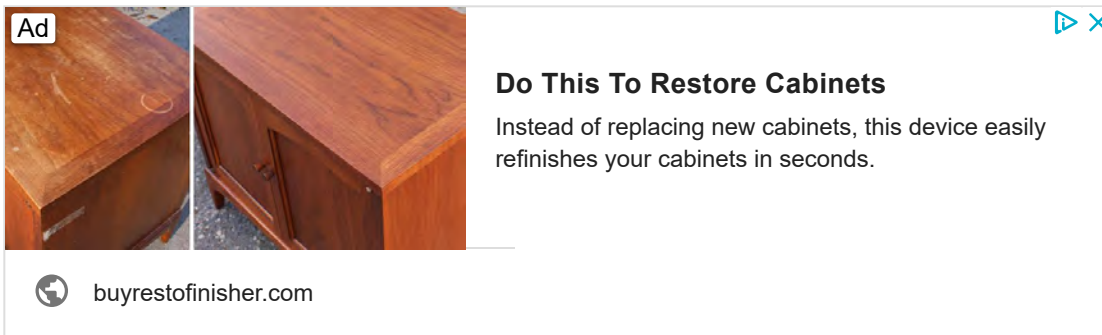
Local high school student Valentina Coronel’s voice wavered when she said, “As an

immigrant, it makes me feel extremely unwanted and unwelcome.” Sergio Perez said the statue is a reminder of how “we have basically destroyed the Native American, the Hispanic culture in the whole county. I see the remnants of the culture being erased quickly.”

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Yolanda Guerra, a teacher at San Jose High School, said she lives in the neighborhood and drives past the statue every day and said, “Each time I see that, that’s what I see: It’s another example of colonization.” Louie Rocha said the the statue is an insult to Mexicans and said, “San Jose — if it’s to be progressive — should have art that celebrates and uplifts all people and not at the expense of others. **Ya basta.** Enough is enough. Move it, take it down, melt it down, make something useful out of it.”

Mayor Sam Liccardo — who encouraged participants more than once to send him evidence from the historical record of Fallon’s reported atrocities against Mexican and indigenous people — launched the forum by sharing what he learned through research of his own ancestors in San Jose, who were Mexican.



Liccardo said it would cost about \$400,000 to remove the statue and transport it elsewhere.

“It’s clear that many people strongly feel that Fallon has committed these horrible crimes,” Liccardo said. “It would be helpful for us to have that record, and then we will have a very clear basis for saying ‘let’s move the statue.’ In the meantime, I’ll continue to listen to the community and be very open to the public process that results.”

The statue is a “permanent” piece of public art, so it has to go through a de-accession review process, which involves communicating with the artist, and moves through the Public Art Committee and Arts Commission, which can recommend the removal to the City Council. The City Council has that ultimate authority to de-accession a permanent artwork like the Fallon Statue, said Michael Ogilvie, San Jose’s public art director. The Public Art Committee can recommend to the Arts Commission de-accession or removal of a work of art on a number of conditions, such as “significant adverse public reaction has continued unabated over an extended period of time.”

Peter Ortiz — a Santa Clara County Board of Education trustee who led the successful campaign that removed a statue of Italian colonizer Christopher Columbus from San Jose City Hall in recent years — told The Chronicle that Fallon wasn’t just San Jose’s 10th mayor.

“He was someone who was adamant about expanding colonialism to take land from Native Americans throughout Santa Clara County,” Ortiz said. “What me and other activists see is that by having a statue of him — someone who has questioned the humanity of specific communities in the valley — having a statute of him in the city put into a prominent place that’s the glorification of his actions. That this land is for only white European community members, because that’s the belief that man had ”

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Camarillo told The Chronicle that for some Mexican Americans “and to anyone that has a historical consciousness,” the statue is seen as “putting someone who is the manifestation of the worst elements of Manifest Destiny.”

“If it causes injury to some subset of a population in the public realm — Mexican Americans, Latinos constitute the largest minority in San Jose — if a subset of that population feels harmed, affected by that statute, which does what?” Camarillo asked. The statue “shows that the United States was taken, that Mexican California was taken by a violent overthrow of the American Republic in 1846. This fellow (Fallon) represents that.”

The statute — comprised of two 6,000-pound sculptures of Fallon and an unidentified man, both atop horses — was shuttered at the Atthowe art storage warehouse in Oakland from 1994 to 2002 after Latino leaders learned the statue was expected to be installed in César Chávez Park in the heart of downtown. The statue was taken out of storage and later placed where it currently resides near Highway 87 only after separate sculptures honoring the region’s agriculture, Mexican heritage and Ohlone land were complete.

It has become a place of protest in recent months, particularly during nationwide calls for racial justice, with some people setting it ablaze, tossing red paint resembling blood on Fallon’s hands, and spray-painting messages on it.

Paul Soto, of San Jose, said that “for the healing to start, the statue needs to come down.”

“Tearing down the statue is not my goal, it’s to tear down the ideologies that erected it in the first place,” Soto said.

*Lauren Hernández is a San Francisco Chronicle staff writer. Email: [lauren.hernandez@sfchronicle.com](mailto:lauren.hernandez@sfchronicle.com) Twitter: [@ByLHernandez](https://twitter.com/ByLHernandez)*

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Written By

**Lauren Hernández**

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Lauren Hernández joined The San Francisco Chronicle in 2018. She covers crime, mayhem and breaking news. Previously, she was a breaking news reporter for the USA TODAY Network's Statesman Journal in Salem, Oregon. She graduated from San Jose State University in 2015 with a bachelor's of science in journalism and a minor in philosophy. She is a member of the National Association of Hispanic Journalists. She is also a licensed drone pilot through the Federal Aviation Administration.

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Politics & Government

# UPDATE: San Jose Mayor Calls For Removal Of Thomas Fallon Statue

San Jose Mayor Sam Liccardo is calling for the removal of the controversial statue, days after overwhelming pleas from the community.



**San Jose Spotlight**, News Partner  
Posted Mon, Feb 1, 2021 at 2:16 pm PT

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By **Lorraine Gabbert**, San Jose Spotlight



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San Jose Mayor Sam Liccardo is calling for the removal of the **controversial Thomas Fallon statue**, a decision that comes days after overwhelming pleas from the community.



"For the third time in three decades, debate over the Thomas Fallon Statue has reopened

"I am calling for the commencement of the City's standard process to remove the Fallon Statue. At the conclusion of that public process — barring some startling and dramatic change in the facts — I'll support the removal of the statue. It's time to move on."

On Friday, passions ran high as residents demanded the removal of the statue from downtown San Jose during a public forum. Some suggested relocating the statue to History Park. Others wanted it destroyed. Almost 150 people attended the virtual meeting called "When art provokes: Sharing and Learning from Community Views about Public Art." Most speakers said the statue represents racism, oppression and genocide and needs to go. Only one person openly disagreed. "Since when do losers of laws make the rules?" said a phone caller who didn't want the Fallon statue removed. "You're erasing history." The forum — hosted by Liccardo, the City Manager's Office, the San Jose Office of Cultural Affairs and San Jose Arts Commission — was held to discuss and understand divergent views on the city's public art.

Activists have long demanded the city remove the Fallon statue. The statue of one of San Jose's first mayors was commissioned in 1988 to memorialize the raising of the U.S. flag in the city in 1846, but Fallon is a divisive figure because of his hostile treatment of native people and embodiment of American imperialism, after he claimed the city shortly after the United States declared war on Mexico in 1846.

The statue, which sat in an Oakland warehouse for more than a decade due to criticism, was vandalized during protests and [petition was launched to topple it.](#)



Then last month, controversy erupted over a new public art exhibit, titled "Holding the Moment," because critics — reportedly police officers — said one piece depicted violence against law enforcement.

The piece, called Americana by artist Eric Bui, shows a person sitting atop what appears to be a police cruiser. The person is holding an upside down flag, which is a signal of dire distress, and there are two red splatters on the windows.

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"This past year's been filled with many challenges," said Deputy City Manager Angel Rios, Jr. "As if the pandemic wasn't enough, we find ourselves divided... largely along racial lines, and this division and this tension also spills into the public art domain in our city." Liccardo acknowledged the need for public dialogue around racism. "This is the moment in our history for difficult conversations, particularly difficult conversations about race," Liccardo said.

**'Equivalent of a confederate statue'** Downtown resident Lidia Doniz said there's a difference between art starting conversations on race and statues that uphold white supremacy. "The Fallon statue is the equivalent of a confederate statue of the south," Doniz said. "With my lived experience as an indigenous mother of brown young men, it's a

stealing of indigenous land and to this summer with George Floyd's death." Doniz objected to the removing of public art at the airport without a formal process. "The fact that a small group of people have the power to influence the city manager... is an abuse of power," Doniz said. "The taking down of Americana is a city silencing much-needed conversations about racism... and the use of violence by the police department." Peter Ortiz, a trustee for the Santa Clara County Office of Education, said the fact that art which offended law enforcement was removed without hesitation while art depicting a murderer who dehumanized native and Mexican populations still stands is an example of continued lack of respect. "We should not be glorifying anyone who advocated for colonialism and the murder and theft of an entire population," he said.

**Safety concerns** Deputy City Manager Kim Welsh said the city manager had to make a difficult and timely decision to take down the airport exhibit due to safety concerns that Americana might incite violence against police officers. Welsh said the city had met its commitment to have the exhibit up for 30 days and only took it down a few days early. Resident Vivian Dai said replacing the Fallon statue with civil rights activist Caesar Chavez or Dolores Huerta would be a good place to start in healing relationships with marginalized communities.

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Mayor Sam Liccardo said he is open to a public process that would result in the removal of the Fallon statue.  
Photo by Lorraine Gabbert.

Some residents questioned the mayor on his willingness to voice public support for the removal of the Fallon statue during the forum. "I'm very open to a public process that would ultimately result in the removal," Liccardo said Friday before announcing Monday his decision to remove it. Liccardo said he would like to have more information about Fallon's historic record. "I would be very much helped by those of you who may have access to historic records, who may know more, who may have access to historians, who can help us better understand his historic record and thereby easily justify taking down the statue," he added Friday.

**The costs of removing Fallon** The mayor acknowledged community members' anger and resentment towards this statue — but also the costs of removing Fallon from his downtown home. "That is certainly sufficient enough basis for us to say we've got to find

public art director, said two criteria for removing artwork from the city's collection apply to the Fallon statue: public engagement and sustained public objection. "With those two criteria, you don't have to prove whether Fallon committed something historically," Goldstein said. "You've just basically met the two most important criteria for removing the artwork."

Resident Jose Villarreal said he's disappointed San Jose's leaders have not removed the statue sooner. "You say you want to do good," Villarreal said. "But the lack of action shows otherwise."

Kerry Adams, the director of the Office of Cultural Affairs, said the city has a process and policy for removing art. Ultimately, the public art committee would forward a recommendation to the Arts Commission, which would then forward a recommendation to the City Council, she said.

*Contact Lorraine Gabbert at [lorrainegabbertsjspotlight@gmail.com](mailto:lorrainegabbertsjspotlight@gmail.com).*

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by PENNY STARR · 1 Feb 2021 · 234



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4:40

Thomas Fallon was a soldier in the Mexican-American War and a mayor of San Jose, California, but now left-wing activists are calling for “melting” the bronze statue erected in his honor because they believe he was a racist and a white supremacist. He planted an American flag in 1846 into the city’s soil to claim the land for the United States.

A website that catalogs “interesting” locations around the world wrote about the controversy:

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In the 1980s, San Jose Mayor Tom McEnery had the city commission a statue of Fallon raising the U.S. flag in San Jose at a cost of over \$800,000. The statue was completed in 1988, and was scheduled to be located in the City Park Plaza (now known as Plaza de César Chávez) near the site of the flag raising. However local groups, including Hispanic Americans, protested that Fallon represented American imperialism and repression of the Mexican population. The statue was stored until 2002, when it was finally displayed in a small park northwest of the original proposed location, near Julian and St. James Streets.”

A now, even the more low-key location is being [challenged](#), according to the *San Francisco Chronicle* report on public meetings held on the statue’s fate:

Community members used their 1-minute allotted time to persuade city officials to get rid of the controversial 16-foot-tall statue, many using the same words to describe Fallon’s legacy: Colonialism. Imperialism. Racism. Injustice. White supremacy. Violence. Genocide.


Fallon was one of the “soldiers of John C. Fremont’s brigade that was involved in the war with Mexico” from 1846 to 1848, and he went on to serve one yearlong term as San Jose’s 10th mayor, said Albert Camarillo, a Stanford University American history professor and historian.

Some speakers suggested melting the bronze and commissioning local artists to repurpose the metal in a new statue more representative of San Jose’s influential leaders of color. Some suggested moving the statue to a museum or local historical society where context could be given, and others

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San Jose Mayor Sam Liccardo, who solicited evidence of Fallon’s misdeeds, said it would cost about \$400,000 to remove the statue and transport it elsewhere. Liccardo said in the *Chronicle* report:

It’s clear that many people strongly feel that Fallon has committed these horrible crimes. It would be helpful for us to have that record, and then we will have a very clear basis for saying ‘let’s move the statue.’ In the meantime, I’ll continue to listen to the community and be very open to the public process that results.

The *Chronicle* reported:

The statue is a ‘permanent’ piece of public art, so it has to go through a de-accession review process, which involves communicating with the artist and move through the Public Art Committee and Arts Commission, which can recommend the removal to the City Council. The City Council has that ultimate authority to de-accession a permanent artwork like the Fallon Statue, said Michael Ogilvie, San Jose’s public art director.

Camarillo told the *Chronicle* that to some Mexican Americans “and to anyone that has a historical consciousness,” the statue is seen as “putting someone who is the manifestation of the worst elements of Manifest Destiny.”

“If it causes injury to some subset of a population in the public realm — Mexican Americans, Latinos

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Statue, Thomas Fallon



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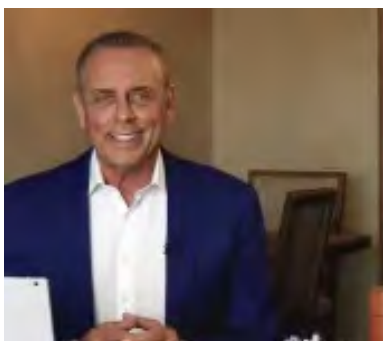
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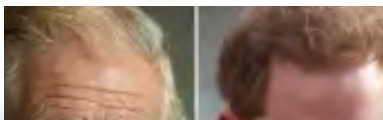
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31 ^ | v • Reply • Share ›



**Norman** → unliberal • 2 months ago

I'd kick in \$20

18 ^ | v • Reply • Share ›



**TH30PH1LUS** → Norman • 2 months ago

They would prefer something more traditional, perhaps a pyramid upon which they can cut their genitals, or sacrifice babies, or cut the beating hearts of those who refuse to kneel or comply. Yes, that would be more a reflection of their pre-Christian "culture".

14 ^ | v • Reply • Share ›



**Robert Grant** → TH30PH1LUS • 2 months ago

That sounds like a democ-rats National convention.

6 ^ | v • Reply • Share ›



**dan** → Norman • 2 months ago

a jackson or someone else.....ammo up

2 ^ | v • Reply • Share ›



**ObamatrannyMichelleInyourA\$\$** → Tanner • 2 months ago

Or a statute of Patton driving his car with Cardenas's corpse tied to the hood!

12 ^ | v • Reply • Share ›



**lexluther** → Tanner • 2 months ago

Have a trial even though he's been gone a long time! A trial of his peers!!

OLD white people! If you can convince them, then go for i#!!!!!!!!!!!!

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**mark1971** • 2 months ago

You lost the war. Deal with it.

25 ^ | v • Reply • Share ›



**sagitator** → Mark1971 • 2 months ago

Sounds like they want another one. If they start it, perhaps we won't be so nice next time.

10 ^ | v • Reply • Share ›



**unliberal** → sagitator • 2 months ago

Be patient and pray for President Trump and the nation. It's going to be tough for awhile, but we the true patriots' will prevail

13 ^ | v • Reply • Share ›



**dan** → unliberal • 2 months ago

well, the socialist are sure not letting any grass grow under their feet.....HR1 and HR 127.....ammo up

2 ^ | v • Reply • Share ›



**unliberal** → Mark1971 • 2 months ago

you have so much to learn. Would you please reply to me why we can't make comments after news article on the fake news websites (cnn, msnbc, microsoft news, nbc, cbs, abc etc, like we can here?, That's right we can't. Know why because they don't care what you or I think or even care. You are to just read or listen to what they tell you and believe it. I will not do as they say and not what they do. At least here you can show us and the rest of the world just how stupid you people really are. I will be waiting for a reply as to why we can't comment on you beloved fake msm websites.

7 ^ | v • Reply • Share ›



**unliberal** → Mark1971 • 2 months ago

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**Mr Lebowsky** → Mark1971 • 2 months ago

Like all doomed losers you think you won the war by winning a mere skirmish. Yes please keep that thought in your head.

^ | v 6 • Reply • Share ›



**Tom** → Mr Lebowsky • 2 months ago

I think this Lebowsky troll is one of Houglan's "Main Street One" employees. Always obnoxious, never pertinent.

1 ^ | v • Reply • Share ›



**Back from the dead** → Mr Lebowsky • 2 months ago

The Treaty of Guadalupe Hidalgo proves you are wrong.

^ | v • Reply • Share ›



**Jane Tanner** • 2 months ago

I always find it ironic that "Latino's" speaking Spanish the language of their true conquerors.

15 ^ | v • Reply • Share ›



**Flyfisherman** → Jane Tanner • 2 months ago

Before the Spaniards made it to California, the natives there were running around in G-strings, eating bugs.

6 ^ | v • Reply • Share ›



**Two\_Feathers** → Flyfisherman • 2 months ago

they couldnt even forge metal

^ | v • Reply • Share ›



**SJKickerdad** → Jane Tanner • 2 months ago

Conquered twice by the Spanish

2 ^ | v • Reply • Share ›



**Pink Napoleon** • 2 months ago

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**Zig-Zag Wanderer** • 2 months ago

First statues, then people. Their ultimate goals are obvious.

13 ^ | v • Reply • Share ›



**MPH Precision** • 2 months ago

I hope they know that California was purchased from Mexico.

12 ^ | v • Reply • Share ›



**Xanthippe2** → MPH Precision • 2 months ago

Because it was too expensive for the Mexican government to maintain and they weren't getting much out of it.

6 ^ | v • Reply • Share ›



**MPH Precision** → Xanthippe2 • 2 months ago

Indians kept beating the crap out of them.

6 ^ | v • Reply • Share ›



**Xanthippe2** → MPH Precision • 2 months ago

That was truer in the Southwest, (the California Indians were not noted for intuitive), but it didn't make good farmland until irrigated.

1 ^ | v • Reply • Share ›



**Two\_Feathers** → MPH Precision • 2 months ago

especially the Apaches

^ | v • Reply • Share ›



**Don't tread on me** → MPH Precision • 2 months ago

Arizona and New Mexico also.

^ | v • Reply • Share ›



**jbtutor** → MPH Precision • 2 months ago

"Camarillo said, adding it "shows that the United States was taken. that Mexican California was taken by a

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before joining the USA.

2 ^ | v • Reply • Share ›



**jbtutor** → SJKickerdad • 2 months ago

I was not an expert in that area of history, so I appreciate the info.

^ | v • Reply • Share ›



**Back from the dead** → SJKickerdad • 2 months ago

For a few hours.

^ | v • Reply • Share ›



**Fleetwood Factor** • 2 months ago

Californians would do better if they "melted" the CURRENT mayor of Los Angeles.

11 ^ | v • Reply • Share ›



**ObamatrannyMichelleInyourA\$\$** • 2 months ago

La Raza is garbage..They need to be deported asap.

9 ^ | v • Reply • Share ›



**EJGinWNC** → ObamatrannyMichelleInyourA\$\$ • 2 months ago

Tell that to the Castro brothers who are in California and San Antonio.

1 ^ | v • Reply • Share ›



**John James Furr** • 2 months ago

"Each time I see that, that's what I see: It's another example of colonization," Yolanda Guerra, a teacher at San Jose High School

Did anyone tell the IGNORANT TEACHER that the Spanish were the first to COLONIZE followed by the MEXICANS? So she appears to be a HYPOCRITE as she is only upset at the American

9 ^ | v • Reply • Share ›

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Teachers in Australia only need a low score to go to UNI to become a Teacher. Is it the same in the US?

1 ^ | v • Reply • Share ›



**misterclassic** → simon • 2 months ago

Many, but not all of course, get into teaching because they have no talents to make it in the real world.

^ | v • Reply • Share ›



**John James Furr** → Cartman • 2 months ago

Yes

You have to have a leftist degree in Underwater Basket Weaving

As to IGNORANT, they no longer teach histroy

^ | v • Reply • Share ›



**DvAnna** • 2 months ago

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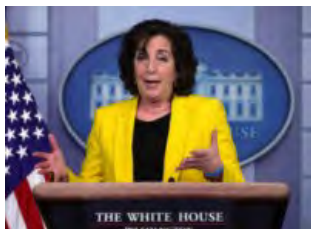
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# Passions run high as some demand removal of Fallon statue in San Jose

By Lorraine Gabbert | Published February 1 | Bay City News Foundation

## San Jose mayor calls for removal of Fallon statue

San Jose mayor Sam Liccardo is calling for removal of Fallon statue.

---

**SAN JOSE, Calif.** - Passions ran high as residents this week demanded the removal of the Capt. Thomas Fallon statue from downtown San Jose during a public forum.

Some suggested relocating the statue to History Park. Others wanted it destroyed. Almost 150 people attended the virtual meeting called "When art provokes: Sharing and Learning from Community Views about Public Art."

Most speakers said the statue represents racism, oppression and genocide and needs to go. Only one person openly disagreed.

"Since when do losers of laws make the rules?" said a phone caller who didn't want the Fallon statue removed. "You're erasing history."

The forum -- hosted by the City Manager's Office, the San Jose Office of Cultural Affairs, San Jose Arts Commission and Mayor Sam Liccardo -- was held to discuss and understand divergent views on the city's public art.

Activists have long demanded the city remove the Fallon statue. The statue of one of San Jose's first mayors was commissioned in 1988 to memorialize the raising of the U.S. flag in the city in 1846, but Fallon is a divisive figure because of his hostile treatment of native people and embodiment of American imperialism, after he claimed the city shortly after the United States declared war on Mexico in 1846.

The statue, which sat in an Oakland warehouse for more than a decade due to criticism, was vandalized during protests and a petition was launched to topple it.

Then last month, controversy exploded when city officials removed a public art exhibit, titled "Holding the Moment" from the airport three days early because critics -- reportedly police officers -- said one piece depicted violence against law enforcement.

The piece, called Americana by artist Eric Bui, shows a person sitting atop what appears to be a police cruiser.

The person is holding an upside down flag, which is a signal of dire distress, and there are two red splatters on the windows. "This past year's been filled with many challenges," said Deputy City Manager Angel Rios, Jr. "As if the pandemic wasn't enough, we find ourselves divided... largely along racial lines, and this division and this tension also spills into the public art domain in our city."

Liccardo acknowledged the need for public dialogue around racism.

"This is the moment in our history for difficult conversations, particularly difficult conversations about race," Liccardo said.

Downtown resident Lidia Doniz said there's a difference between art starting conversations on race and statues that uphold white supremacy.

"The Fallon statue is the equivalent of a confederate statue of the south," Doniz said. "With my lived experience as an indigenous mother of brown young men it's a painful reminder of the violence against black and brown men... dating back to the stealing of indigenous land and to this summer with George Floyd's death."

Doniz objected to the removing of public art at the airport without a formal process. "The fact that a small group of people have the power to influence the city manager... is an abuse of power," Doniz said. "The taking down of Americana is a city silencing much-needed conversations about racism... and the use of violence by the police department."

Peter Ortiz, a trustee for the Santa Clara County Office of Education, said the fact that art that offended law enforcement was removed without hesitation while art depicting a murderer who dehumanized native and Mexican populations still stands is an example of continued lack of respect.

"We should not be glorifying anyone who advocated for colonialism and the murder and theft of an entire population," he said.

Safety concerns Deputy City Manager Kim Walesh said the city manager had to make a difficult and timely decision to take down the airport exhibit due to safety concerns that Americana might incite violence against police officers.

Walesh said the city had met its commitment to have the exhibit up for 30 days and only took it down a few days early.

Resident Vivian Dai said replacing the Fallon statue with civil rights activist Caesar Chavez or Dolores Huerta would be a good place to start in healing relationships with marginalized communities.

Some residents questioned the mayor on his willingness to voice public support for the removal of the Fallon statue during the forum.

"I'm very open to a public process that would ultimately result in the removal," Liccardo said.

Liccardo said he would like to have more information about Fallon's historic record.

"I would be very much helped by those of you who may have access to historic records, who may know more, who may have access to historians, who can help us better understand his historic record and thereby easily justify taking down the statue," he added.

The mayor acknowledged community members' anger and resentment towards this statue -- but also the costs of removing Fallon from his downtown home.

"That is certainly sufficient enough basis for us to say we've got to find a way to take it down," he said. "On the other hand, ...the cost is \$400,000 to do so and move it ... and we've got a lot of needs in this city."

Barbara Goldstein, a former city public art director, said two criteria for removing artwork from the city's collection apply to the Fallon statue: public engagement and sustained public objection.

"With those two criteria, you don't have to prove whether Fallon committed something historically," Goldstein said. "You've just basically met the two most important criteria for removing the artwork."

Resident Jose Villarreal said he's disappointed San Jose's leaders have not removed the statue sooner.

"You say you want to do good," Villarreal said. "But the lack of action shows otherwise."

Kerry Adams, the director of the Office of Cultural Affairs, said the city has a process and policy for removing art.

Ultimately, the public art committee would forward a recommendation to the Arts Commission, which would then forward a recommendation to the City Council, she said. Public comments from the forum will be shared with the San Jose Office of Cultural Affairs, San Jose Arts Commission, the mayor and City Council.

Adams said information from the forum will guide future conversations and the city's next steps.

*Contact Lorraine Gabbert at [lorrainegabbertsjspotlight@gmail.com](mailto:lorrainegabbertsjspotlight@gmail.com).*

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# San Jose Mayor Liccardo Calls For Removal Of Controversial Thomas Fallon Statue

By Devin Fehely February 1, 2021 at 5:49 pm Filed Under: San Jose, San Jose Mayor Sam Liccardo, Thomas Fallon, Thomas Fallon Statue



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SAN JOSE (CBS SF) — San Jose Mayor Sam Liccardo is calling for the removal of a controversial statue depicting one of the city's founding fathers and early mayors, Thomas Fallon.

The statue depicts Fallon on horseback in 1846 as he prepares to raise an American flag over the tiny outpost that would later become the city of San Jose. At the time, San Jose was still part of Mexico and would not change hands for another two years at the conclusion of the Mexican-American War.

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“It would be more accurate to show people trampled under the hooves of those horses,” said community activist Rebeca Armendariz who wants the statue removed from its current location on the outskirts of downtown.

Armendariz told KPIX she can’t divorce Fallon’s role as a soldier in the Mexican-American War and later as a mayor of San Jose from the murder and mistreatment of Native Americans and people of color once California became part of the United States at the war’s conclusion.

“This statue celebrates him as someone who came into this territory, planted a flag and was essentially committing terrorism,” she said.

Last Friday, community members called on city officials to remove the statue during public forum in which some commenters described the statue as representing racism and white supremacy.



The Thomas Fallon statue in San Jose is seen defaced with red paint in June 2020. (CBS)

The statue was commissioned the late 80s and kept in crates for years because it offended Mexican Americans. It was finally put on display in 2002 at W. St. James St. and W. Julian St.

On Monday, Mayor Sam Liccardo [issued a](#)

[recommendation](#) for the city to begin the process of removing the statue. “For a significant portion of our community, the Fallon Statue has become a deeply painful symbol of racial oppression,” Liccardo said [in an essay posted on Medium](#) in which he discusses his rationale to have the statue removed.

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Call for the statue’s removal were revived during the recent protests for social justice and the nation’s reassessing of monuments and statues increasingly associated with racial oppression and white supremacy.

Fallon’s supporters say it’s not fair to judge him for all of the events that would unfold after the war, and certainly not for the actions of others.

“It’s important to understand that taking down a statue is not going to reverse history or reverse the wrongs that have been done. Erasing history means we’re no longer learning from it,” said former San Jose City Councilman Johnny Khamis.



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Fallon's statue has been controversial since its inception. The city of San Jose commissioned the statue in 1988 and it was completed in 1990. But due to public outcry, it would sit in storage collecting dust for more than a decade until finally being installed in 2002.

"Statues celebrate. They're not just to tell history – they're to celebrate it," explained San Jose State University Public Relations Professor Shaun Fletcher. Professor Fletcher says a wide-range of historical figures and statues came under renewed scrutiny in the protests following the death of George Floyd.

"Statues or monuments that are giving celebration to otherwise dark periods in American history, they're now coming under what I believe is warranted scrutiny," Fletcher said.

Last June, the statue was defaced with red paint; it has also been vandalized with graffiti and singed after a small fire was set on it.

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"I urge that we refocus our collective energy on the critical tasks we face as a community—to keep people safe during a pandemic, to sustain families amid a painful recession, and to rebuild shattered lives and businesses in our recovery, Liccardo said in his memorandum. "I further hope that when these crises clear, we can move forward with a more generative community dialogue—not about what we want to tear down, but about what we want to build."





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RACE AND CULTURE

# 'Reconsider what we glorify': SJ mayor supports removal of controversial statue downtown

By Chris Nguyen

Monday, February 1, 2021

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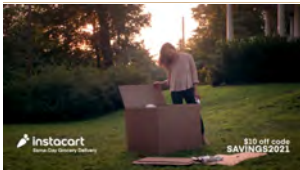
Stanford history professor Albert Camarillo says the statue "reflects a history of oppression, of conflict, of the worst aspects of Manifest Destiny, of genocide against Native American people."

SAN JOSE, Calif. (KGO) -- For the third time in as many decades, San Jose is weighing whether to remove a controversial statue of former mayor Thomas Fallon, which sits at the Western entrance to downtown and was commissioned by the former San Jose Redevelopment Agency in the 1960s. The statue is a controversial symbol of the city's history, and its removal has been a long-running debate. The city council is expected to vote on the matter in the coming weeks.



The statue commemorates Fallon planting an American flag into the city's soil in 1846, to claim the land from Mexico during the Mexican-American War.

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Stanford history professor Albert Camarillo says the statue "reflects a history of oppression, of conflict, of the worst aspects of Manifest Destiny, of genocide against Native American people."

San Jose's mayor Sam Liccardo supports removing the statue, explaining the lack of context for such a prominent structure.

"Statues in museums teach history," Liccardo sa

"Statues in prominent outdoor spaces glorify his

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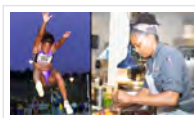
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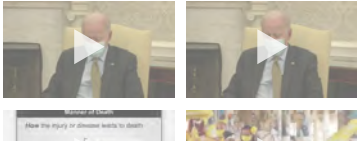


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SAN JOSE

# UPDATE: San Jose mayor calls for removal of Thomas Fallon statue

by **Lorraine Gabbert**

February 1, 2021

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## The Latest News



The statue of Thomas Fallon, which sits at the intersection of West St. James and Julian streets, has been controversial since its commission in 1988. File photo.

San Jose Mayor Sam Liccardo is calling for the removal of the **controversial Thomas Fallon statue**, a decision that comes days after overwhelming pleas from the community.

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“For the third time in three decades, debate over the Thomas Fallon Statue has reopened old wounds and deepened divides,” [Liccardo wrote in a blog post](#) explaining his decision.

“I am calling for the commencement of the City’s standard process to remove the Fallon Statue. At the conclusion of that public process — barring some startling and dramatic change in the facts — I’ll support the removal of the statue. It’s time to move on.”

Gabriela Chavez-Lopez, president of the Latina Coalition of Silicon Valley, said listening to the community and removing the Fallon statue was the right move on the mayor’s part.

“The world is changing, and people want to make sure their city is reflective of that,” Chavez-Lopez said. “History is our legacy. I think being able to free ourselves from trauma is something very powerful. You’re able to move forward and think of the future when you’re able to heal some of the past.”

On Jan. 29, passions ran high as residents demanded the removal of the statue from downtown San Jose during a public forum. Some suggested relocating the statue to History Park. Others wanted it destroyed.

Almost 150 people attended the virtual meeting called “When art provokes: Sharing and Learning from Community Views about Public Art.” Most speakers said the statue represents racism, oppression and genocide and needs to go. Only one person openly disagreed.

“Since when do losers of laws make the rules?” said a phone caller who didn’t want the Fallon statue removed. “You’re erasing history.”

The forum — hosted by Liccardo, the City Manager’s Office, the San Jose Office of Cultural Affairs and San Jose Arts Commission — was held to discuss and understand divergent views on the city’s public art.

Activists have long demanded the city remove the Fallon statue. The statue of one of San Jose’s first mayors was commissioned in 1988 to memorialize the raising of the U.S. flag in the city in 1846, but Fallon is a divisive figure because

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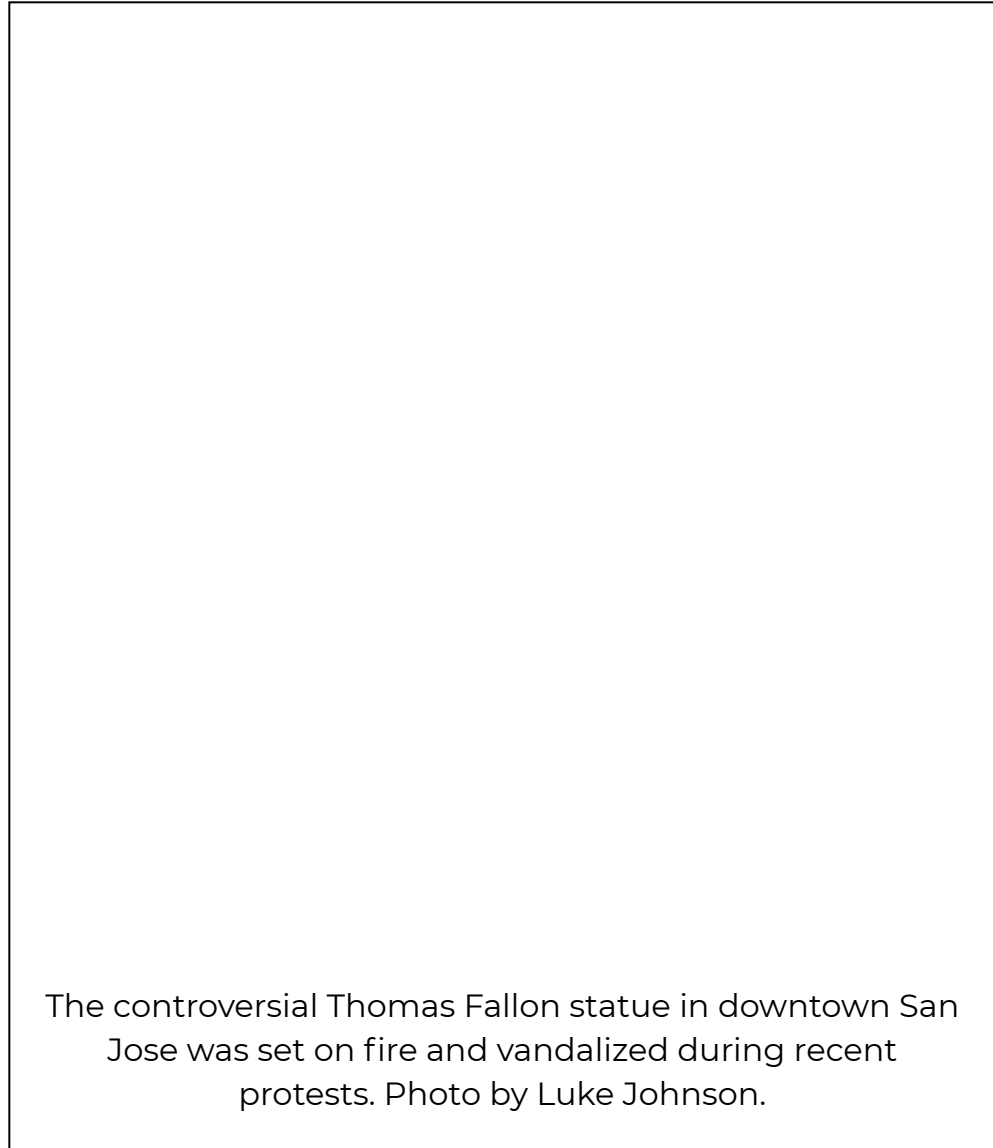
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of his hostile treatment of native people and embodiment of American imperialism, after he claimed the city shortly after the United States declared war on Mexico in 1846.

The statue, which sat in an Oakland warehouse for more than a decade due to criticism, was vandalized during protests and a [petition was launched to topple it](#).



Then last month, controversy exploded when [city officials removed a public art exhibit](#), titled “Holding the Moment” from the airport three days early because critics — reportedly police officers — said one piece depicted violence against law enforcement.

The piece, called Americana by artist Eric Bui, shows a person sitting atop what appears to be a police cruiser. The person is

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holding an upside down flag, which is a signal of dire distress, and there are two red splatters on the windows.

**shelter-in-place order**



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Artist Eric Bui's "Americana." Courtesy City of San Jose.

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"This past year's been filled with many challenges," said Deputy City Manager Angel Rios, Jr. "As if the pandemic wasn't enough, we find ourselves divided... largely along racial lines, and this division and this tension also spills into the public art domain in our city."

Liccardo acknowledged the need for public dialogue around racism.

"This is the moment in our history for difficult conversations, particularly difficult conversations about race," Liccardo said.

### 'Equivalent of a confederate statue'

Downtown resident Lidia Doniz said there's a difference

between art starting conversations on race and statues that uphold white supremacy.

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“The Fallon statue is the equivalent of a confederate statue of the south,” Doniz said. “With my lived experience as an indigenous mother of brown young men it’s a painful reminder of the violence against black and brown men... dating back to the stealing of indigenous land and to this summer with George Floyd’s death.”

Doniz objected to the removing of public art at the airport without a formal process.

“The fact that a small group of people have the power to influence the city manager... is an abuse of power,” Doniz said. “The taking down of Americana is a city silencing much-needed conversations about racism... and the use of violence by the police department.”

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Peter Ortiz, a trustee for the Santa Clara County Office of Education, said the fact that art which offended law enforcement was removed without hesitation while art depicting a murderer who dehumanized native and Mexican populations still stands is an example of continued lack of respect.

Ortiz on Monday said he wants to thank the mayor for his call to remove the statue, but the move was long overdue.

“By taking this outdated symbol of white supremacy down, it’s sending a message to the diverse community of San Jose that this city welcomes everyone and is not only for a select few,” Ortiz said.

## Safety concerns

Deputy City Manager Kim Walesh said the city manager had to make a difficult and timely decision to take down the airport exhibit due to safety concerns that Americana might incite violence against police officers.

Walesh said the city had met its commitment to have the exhibit up for 30 days and only took it down a few days early.

Resident Vivian Dai said replacing the Fallon statue with civil rights activist Caesar Chavez or Dolores Huerta would be a good place to start in healing relationships with marginalized communities.

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Mayor Sam Liccardo said he is open to a public process that would result in the removal of the Fallon statue.

Photo by Lorraine Gabbert.

Some residents questioned the mayor on his willingness to voice public support for the removal of the Fallon statue during the forum.

“I’m very open to a public process that would ultimately result in the removal,” Liccardo said Friday before announcing Monday his decision to remove it.

Liccardo said he would like to have more information about Fallon’s historic record.

“I would be very much helped by those of you who may have

access to historic records, who may know more, who may have access to historians, who can help us better understand his historic record and thereby easily justify taking down the statue,” he added Friday.

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## The costs of removing Fallon

The mayor acknowledged community members’ anger and resentment towards this statue — but also the costs of removing Fallon from his downtown home.

“That is certainly sufficient enough basis for us to say we’ve got to find a way to take it down,” Liccardo said. “On the other hand, ...the cost is \$400,000 to do so and move it ... and we’ve got a lot of needs in this city.”

It’s unclear where funding would come from for the statue’s removal, and Liccardo’s office did not immediately answer questions about it.

Barbara Goldstein, a former city public art director, said two criteria for removing artwork from the city’s collection apply to the Fallon statue: public engagement and sustained public objection.

“With those two criteria, you don’t have to prove whether Fallon committed something historically,” Goldstein said. “You’ve just basically met the two most important criteria for removing the artwork.”

Resident Jose Villarreal said he’s disappointed San Jose’s leaders have not removed the statue sooner.

“You say you want to do good,” Villarreal said. “But the lack of action shows otherwise.”

Kerry Adams, the director of the Office of Cultural Affairs, said the city has a process and policy for removing art. Ultimately, the public art committee would forward a recommendation to the Arts Commission, which would then forward a recommendation to the City Council, she said.

The mayor’s proposal to remove the statue is headed to the council’s Rules Committee on Feb. 10.

Contact Lorraine Gabbert at  
lorrainegabbertsjspotlight@gmail.com.



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# Comments (72)



Paul Soto Horseshoe  
Jan 31, 2021 at 9:38AM

Lee Schmersey thank you for your comment.I am one of the participants in the effort to remove the statue.However the more important endeavor is to dismantle the systems that erected it.That is the far nobler task and much more difficult as European Identity is predicated upon the humiliating degrading subjugation of the “Other”.Ours The Native American is not which is why what this statue represents is so odious and offensive.Who in their right mind would celebrate such things????

[Reply](#)

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Rico M  
Jan 31, 2021 at 5:34PM

Get some day laborers. They remove for \$50.  
Plus lunch.

[Reply](#)

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Michelle  
Jan 31, 2021 at 8:52PM

Why are they taking our history away? I like seeing these horses when I go by there..oh well....i guess that how life is now ..if 1 person doesn't like it than it's gone😭

## Reply

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Allexus Quarante

Jan 31, 2021 at

10:33PM

I agree Michelle, I like seeing these horses when I drive by as well! Everyone is removing all of history! If they remove these, then stop Teaching history in schools! Your erasing it every chance you get. You're also wrong about this being Mexico and native people's land. The DNA testing companies have proved that wrong. This land didn't belong to Mexico and indigenous according to DNA. DNA is more proof than Mexico and others claiming it's theirs but I'm not seeing the history books being rewritten with the new proofs that are coming to light!

## Reply

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Walter

Feb 01, 2021

at 9:18AM

Do you have a mental problem?  
DNA should show at least this. The people who settled

this land were not  
Euro people!



---

Not Suckered  
Jan 31, 2021 at  
10:43PM

Anything the farther left, including the campus totalitarian types and the “Wokes,” hates or will not tolerate, it wants “erased,” including history it hates or will not tolerate, viewed in a healthy or for them, frequently in an unhealthy manner. They’d “cancel” or erase thoughts as well as facts, things, and actions if they could. Add to that more conspiracist BS than any of the Trump crowd uses.

[Reply](#)

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You're just anti white  
Jan 31, 2021 at 8:41PM

You only dislike it because he is white and you are anti white. If it was a statue of sitting bull with a white person’s scalp in his hand you would have no issue. Putting up the statue had to do with him being the first mayor. You wanting to take it down is about anti whiteness. The only person with racial hatred and wanting to push their own racial supremacy is you. Fool.....

[Reply](#)

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Susan Price  
Jan 31, 2021 at 9:12PM

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Agreed.

Reply

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A Voter  
Feb 01, 2021 at 4:43PM

“History is our legacy. I think being able to free ourselves from trauma is something very powerful.”

What better way to free yourself from your personal snowflake trauma than to rewrite history, and remove any statue, painting, portrait of someone that you personally find offensive?

The Liberal cancel culture continues. Whitewash history, erase names, tear down flags, change the names of sports teams, schools, and libraries, force students to watch CNN....we're well on our way to Socialism with a fast track to Communism.

What if I find some of YOUR people to be “odious and offensive”?

Who are YOU to be the decider? Whatever you do, I'd like to remove YOU from your arrogant, self-serving responsibilities.

Reply

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Facendo Guaio  
Feb 03, 2021 at 7:00PM

1. If that socialism you're talking about comes with universal basic incomes for everyone; guaranteed housing for everyone; guaranteed health care for everyone; guaranteed education from pre-K through university for everyone; and guaranteed employment for everyone, all financed with more progressive income and wealth taxes, sign me up immediately. That's "economically correct" socialism—not this caricature of the "political correctness" straw man argument you are so dishonestly critiquing.

2. Is there any "culture" that has been so thoroughly "cancelled" as that of the Ohlone peoples that inhabited wide swaths of the Northern California coastal area, including the greater San Francisco Bay ([https://www.californiafrontier.net/ohlone-tribe-language-food-clothing/#Ohlone\\_Territory](https://www.californiafrontier.net/ohlone-tribe-language-food-clothing/#Ohlone_Territory))? Do our children learn anything significant about the first peoples in our area of California? About Spanish/Mexican rule over those first peoples and their colonial policies? Or even about the aggression and occupation by U.S. citizens and forces? Frankly, our history paradigms and curricula have always been seriously deficient for obvious reasons—namely, that the ethnic, cultural and class victors in the many battles and wars write the histories, not the vanquished and defeated.

Reply

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Pietro di Donato  
Jan 31, 2021 at 10:58AM

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The creation of these statues represents a glorification of violent colonialism. Perhaps these statues should be woven into our history as an example of the insensitive history it represents and be prominently labeled as such with a large explanatory plaque and/or moved to a museum for all to ponder.

Reply

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Susan Price  
Jan 31, 2021 at 8:33PM

I totally agree that this statue of Fallon and friend, initiated by former mayor Tom McEnery who wanted to acknowledge the Irish in San Jose' history, should trigger a community conversation. Perhaps McEnery wanted to acknowledge the contribution of the Irish, who were once excluded from the in-crowd called "White," was trying to acknowledge the contributions of people of his ancestry. Unfortunately, McEnery was not sufficiently knowledgeable of the complexity of oppression of "people of color" in California. There should have been a public discussion of the appropriateness of spending public money on this statue before the money was spent. Perhaps government should be required to consult recognized historical scholars before spending money on historical art work.

Reply

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Not Suckered  
Jan 31, 2021 at 10:48PM

No doubt a one-way conversation, as with most misuses of that word as a fad in recent years

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The funny part is with Serra, who is starting to get his name and likeness removed by the Orwellian crowd. Why not many other Hispanic heritage things, too, then? Or is the left a bunch of hypocrites again?

If it weren't so noxious and ill, and infecting politicians and government, of all things, "cancel culture" as a variant of PC fascism on college campuses and elsewhere would just be perverse entertainment at the promulgators' expense.

Reply

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Ellen Rosen  
Feb 03, 2021 at 11:08AM

Susan makes a good point about how public art curators should dig deep and be careful about the topics they fund and support, making sure not to offend/erase/marginalize.

Opportunity Now takes this point to its logical conclusion and just suggests that public art should stay away from politics altogether:

<https://www.opportunitynowsv.org/blog/hey-hey-ho-ho-political-art-has-got-to-go>

Reply

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You're just anti white  
Jan 31, 2021 at 8:43PM

---



You're just anti white an mad. Boooring....

Reply

---

A Voter  
Feb 02, 2021 at 5:37PM

MLK abused women, witnessed a sexual assault in a hotel, and encouraged the attacker even further:

<https://theconversation.com/im-an-mlk-scholar-and-ill-never-be-able-to-view-king-in-the-same-light-118015>

Ready to tear down all MLK statues? Didn't think so.

Elihu Yale was a slave owner and slave TRADER. Why hasn't Yale University changed their name?

Hypocrites.

Reply

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AllLivesMatter  
Jan 31, 2021 at 11:23AM

Yawn.....

Reply

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Marco E. Lopez  
Jan 31, 2021 at 11:27AM

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I both agree and disagree with the Mayor Liccardo. I agree that historical statues are good for promoting debate and discussion. But I disagree that this is a “race” issue. The fact is that what drove the invasion of Mexico, a sovereign nation. And no race has a monopoly on greed. Sen. Corwin of Ohio in 1846 have the most impassioned speech on the floor against the greed that drove “manifest destiny” and the “justification of expansionism.” He was beat up, literally, when he left the senate building and when he got back to Lebanon, Ohio. He was white. I therefore propose that if Fallon is to stay, we commission a statue in honor of Senator Thomas Corwin and the principles he stood for.

[Reply](#)

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Sara langton  
Jan 31, 2021 at 11:36AM

I saw nothing racial about the statue. It was art to me and the magnificent horses we glorious. People will always complain and some see racial injustice in many things. Put the statue back where we can see it.

[Reply](#)

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Susan Price  
Jan 31, 2021 at 8:36PM

I am sorry but you are displayiing your ignorance of history and how that history impacts today.

[Reply](#)

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Susan Price  
Jan 31, 2021 at 9:14PM

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I too like the horses. It is the riders I object to.  
This statute belongs at History san Jose where  
it can be placed in context.

Reply

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Not Suckered  
Jan 31, 2021 at 10:50PM

Competent adults have never objected to the  
statues at all.

Sadly, what else do we have, including in  
government, their politics included?

Reply

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Derecklouis.  
Jan 31, 2021 at 12:55PM

The one that called for the statue removal are the the  
ones that really need to be removed from San Jose  
forever. The City don't need those retards.

Reply

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Nordic junk  
Jan 31, 2021 at 4:53PM

Absolutely ~~100~~% correct ! Let's not erase history  
lets learn from it !

Reply

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Roger

Jan 31, 2021 at 1:42PM

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The story people believe about “California being stolen from Mexico” lacks a lot of context. I urge those offended by this statue to educate yourself about the political climate of that time, who was here and what they wanted. The Mexican/Spanish families were not pro-Mexico, they were ultra rich and owned millions of acres of California each. They welcomed the economic freedom America could bring them, until things got out of hand and they lost most of their land. It’s a fascinating story and not so black and white. Should we honor our first mayor with a statue? I don’t know. He is an integral part of our history as a city. Maybe the problem isn’t his one statue but a lack of statues commemorating our Native history. This is not the same as the confederate statues. Most of those statues have no personal affiliation with the place in which they are located. There is no reason to have a Robert E Lee statue in Florida, for instance. Most of them were placed with the intent to show white power and intimidate people of color. That is not what we have here.

Reply

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Marco E. Lopez

Feb 01, 2021 at 9:19AM

It is a symbol of an occupation that continues to haunt us. And whereas in the 1800s it was the military that “held the line,” it is now the police that often do so.

Reply

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DJ Martin

Jan 31, 2021 at 2:19PM

The group that is making a big fuss and wants this statue gone is the same one that forced it into storage and applied pressure to have a giant turd installed where the Fallon statue was supposed to be. There is no question about which piece is the more aesthetically pleasing, and which one is an embarrassment to the City of San Jose that needs to be scooped up and appropriately disposed.



[Reply](#)

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This guy gets it  
Jan 31, 2021 at 8:46PM

Bravo sir. Bravo.

[Reply](#)

---

A Voter  
Feb 02, 2021 at 5:57PM

The turd represents the feces on the streets of SF and the plight of the homeless. So, quite relevant, I suppose.

All we need is a statue of a huge hypodermic needle next to it, and the true state of California is accurately represented.

[Reply](#)

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HB  
Jan 31, 2021 at 2:39PM

I think that we all can agree that anyone who called or referred to someone as a “wetback” should not have any monuments in their honor.

Therefore, I want all monuments and streets named after Caesar Chavez removed. He and his union went after illegal immigrants. The UFW went so far as to go to the border to keep them out. He referred to them as wetbacks. And this didn't happen 170 years ago. It happened during my lifetime.



<https://humanrights.fhi.duke.edu/chavez-the-ufw-and-the-wetback-problem/>

Look it up amigos. Read it and weep. Or does your faux outrage only extend to one race?

Reply

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Marco E. Lopez  
Jan 31, 2021 at 3:38PM

As a former general counsel for the UFW, having been involved in numerous strikes in the 1970s, I can attest to the fact that on our picket lines throughout the state we counted with strikers both documented and undocumented. UFW organizers at the border entry points, labor camps, and the picket lines handed out leaflets attempting to educate all farm workers regarding the benefits of joining the Union, strike benefits (as meager as they were) which were given to all strikers. This was, however, an industrial war and we had five martyrs murdered on and off the picket lines. The workers—fighting for fair wages, and sacrificing to support their families—did for a while resort to reporting to the BP scabs breaking their strikes. Our members approved of this only as a last resort and as I've stated, our members included documented and undocumented workers alike. Some critical of these worker decisions, found even in the citadels of middle class academia, and others critical of the Union for other reasons, now wish to apply text book rules more akin to

societal “clinical conditions ” all without ever having spent one single day on an agricultural picket line; with a scorching sun above, and crop dusters intentionally spraying us with toxic pesticides that literally poured off our skin.



Reply

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HB

Jan 31, 2021 at 4:20PM

So what last resort should We now employ to stop the flood of illegal immigrants? What would be acceptable? And, if it's acceptable now to save our economy, will it be unacceptable to future readers? My point is that people are tearing down history and statues because of “past sins.” So, what about Cesar Chavez past sins? What about Martin Luther King's past sins ? What about John F Kennedy's past sins. Where does it all stop? Will you Soon be demanding the guillotine? The point is, all this faux outrage is nonsense. It's about intimidation and attempting to gain political power. Tear all the statues, down paint all the murals you want, you still won't have any political power. You are only going to lose more and more support to a silent majority that you drive underground. Your asinine ideas and obvious over reaches will backfire. Stop Balkanizing America.

Reply

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Rico M

Jan 31, 2021 at 5:46PM

Last resort the stop the flood  
of illegal immigrants:

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0/ Make all the illegals in the USA now citizens in the next four years. All kids in the USA since age 12 are citizens instantaneously.

1/ Spend all the money we currently spend on the Middle East and subsidizing the oil industry on development throughout LatAm instead. Send college kids to help out there as well as other professionals.

2/ All American high schoolers must speak fluent Spanish to graduate high school. Salsa dancing skills are a plus. American governmental functions – debates in the US Congress, local politics, etc. – should be carried out in Spanish from time to time.

3/ Open the borders. Just open all the borders with LatAm. Let the people in when they want to work. Let them become citizens. Charge them taxes. Educate their kids as Americans – the human resource is the greatest resource we have. It can be one super nation. USA needs to expand to 1 billion people if we want to

be a premier nation  
alongside India and China.



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This will stop the flood,  
guaranteed. Our economy  
will grow like crazy. There will  
be an explosion of jobs. This  
is our back yard, we need to  
take care of it.

We need a New Manifest  
Destiny: from pole to  
glittering pole! The American  
super continent!

[Reply](#)

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Craig  
Jan 31, 2021  
at 9:09PM

I agree on points 0,  
1, and 3.

Foreign language  
instruction should  
certainly be given a  
high priority,  
especially in  
children under 10  
where the brain will  
develop in a way  
that can benefit  
them throughout  
life.

But on point 2, I  
disagree. Language  
requirements  
seldom work. Look  
at Canada, where  
there's a major



contention between the Francophones and the rest of the Canadians. Look at Belgium, where there's an ongoing nasty rivalry/fight between the Flemish and French speakers. Or look at Finland. The Finnish-speaking majority in Finland resent that the first non-native language they have to learn is Swedish because of the 6% native Swedish-speakers in Finland.

I happily learn any other languages; but that's not the case for many.

I believe there should be a variety of languages available — e.g., Vietnamese, Russian, Yoruba, Hindi, etc. Second and subsequent language learning is a big task, even for those with the aptitude. Forcing instruction on the young is likely to cause a lot of resentment.



If any language is prioritized, perhaps then it should be the language of the native peoples of the area, so Bay Area children would be taught Ohlone.

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HB  
Jan 31, 2021 at 2:44PM

Didn't believe me?

<https://www.youtube.com/watch?v=iE2bOM9kRiY>

Reply

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HB  
Jan 31, 2021 at 3:20PM

Suggest you watch this quickly before it's taken down.

<https://www.youtube.com/watch?v=SH1c0cgORA0>

While you were taking down the horse statue, please remove all monuments to Cesar Chavez.

Reply

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Rocky Balboa  
Jan 31, 2021 at 3:26PM

We should tear down the statues, de-charter the city of San Jose and then disband the city council as well as the entire city government and turn the resources back over to the people. I mean, seriously, why stop

with a statue of dead guys. Let's get rid of another useless symbol of SJ, Sam Liccardo, while we're at it.



Reply

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Giovanny  
Jan 31, 2021 at 5:18PM

Right? It is funny because we always say these things are a slippery slope. The opposition thinks they are being reasonable, but it really never stops. After they get rid of one thing and we let them, they go after another.

Reply

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A Voter  
Feb 03, 2021 at 10:14AM

We are getting to the point where only Liberal Democrats get to decide what school names, statues, murals, etc. get spared and which get "cancelled".

Next, they'll cancel anyone with any conservative views, and only Liberal monuments are retained.

Starting to look like a Communist Dictator-driven society.

What's next after that?

Reply

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Not Suckered  
Jan 31, 2021 at 11:02PM

Are you saying we shouldn't wait until the city pension bombs explode and eventually cities, counties, and even states can go bankrupt?



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States actually can't go bankrupt right now, but they can fail someday. Make them territories as part of any federal bailout we know they'll want, and likely demand and expect.

De-incorporate the cities that fail if appropriate. Pension and other public retirement benefits are subject to change, much of the bigger pension amounts "cancelled" or "erased." Ha.

Reply

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Virgil Starkwell  
Jan 31, 2021 at 4:06PM

way too much " political correctness " here and all throughout the USA, leave the statues alone to remind of our many misdeeds...

Reply

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HB  
Jan 31, 2021 at 4:22PM

Amen or awoman — your choice 😂😂😂

Reply

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Monica Gorham  
Jan 31, 2021 at 4:33PM

We can't make California Mexico so stop acting like stomping on anything European is a solution. You

seem racist by hating anything that represents how our nation came to be. We are not a perfect nation, but trying to erase history is an illusion. If it's so horrible, then leave. I was born in California but feel unwelcome because I'm white. It's disgusting how hate is ok so long as it's from a non-white group. Hate is hate so look in the mirror and ask yourself what makes your hate ok?



Reply

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SJ Kulak  
Feb 02, 2021 at 8:48AM

Mexico is European, Mexico City is a very European city. Spanish is a romanance language, like from Rome. Spanish is what they speak in Spain, which is just SW of France, Spain was run over by the Goths. The Catholic tradition is born from a synthesis of Hebrew Law and Greek Philosophy, and has informed Spanish culture for well over a thousand years.

Mecican heritage is European.

Reply

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Giovanny  
Jan 31, 2021 at 5:14PM

There are some residents calling for the removal, not most. The statue represents the historical foundation of San Jose as part of the United States.

Reply

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Donald Monaco  
Jan 31, 2021 at 5:30PM

I'll take it down for 10,000

Reply

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Not Suckered  
Jan 31, 2021 at 6:54PM

It's more sick wokeness. SIGH.

Meanwhile, imagine if other parts of the Americas were settled by the English and were part of the Dominion today or independent now. Look particularly at the Southern Cone, not just at the tropics and wonder (and lament).

Reply

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J Camp  
Jan 31, 2021 at 6:55PM

It's sad to see how the United Daughters of the Confederacy still influences people of a certain age. Reading some of the comments shows UDC's influence they had on U.S. education for years.

Reply

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Phil  
Jan 31, 2021 at 7:33PM

Absolutely ridiculous. When will this stop.? So, should we wipe the country of Germany of the face of the earth? Should we persecute all German people from the United States or for that matter the world? Should I keep typing? Everyone knows a why I'm asking the question.. if you don't, your an idiot. History is history. Can't change the past if that isn't a cliché? We all better start learning from our local homeless society because

they will have the upper hand. This is the permanent direction we are headed. And then, that's when the true test of survival begins.



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Reply

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To Phil  
Feb 02, 2021 at 10:44AM

Phil, not at all parallel! No one is asking to wipe a country or its inhabitants off the face of the earth. It's a single statue that should never have been hauled out of storage to begin with. As for Germany, having lived there I can tell you there are no statues of Hitler. Also, folks, the statue of Columbus was removed from City Hall for similar reasons. So there is a precedent. Let's just do it but by golly for less than \$40k .

Reply

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Mike  
Jan 31, 2021 at 8:08PM

Right or wrong the guy built what we now know as San Jose. Do we now raze his house? Raze San Pedro Square? You don't get to pick and choose your history. History is just that! History. Don't Demonize turn this into a racial issue. It's a monument to a historical figure.

Reply

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Not Suckered  
Jan 31, 2021 at 11:06PM

Don't forget they should destroy every published work about him, and redact all

references to him in anything and everything else. Sigh



Reply

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DJ Martin  
Jan 31, 2021 at 9:48PM

I guess every Mission from San Diego to Sonoma should be bulldozed too, considering native peoples were coerced by the padres (who were dispatched from Mexico, by the way) to help construct them in what was then Alta California, long before any WASP types had arrived.

I'm not a religious person, but this hypocritical BS over Fallon strikes me as a "he who is without sin" type of scenario.

Reply

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Not Suckered  
Jan 31, 2021 at 11:08PM

Well, they started with Serra. No doubt the Missions could be hit later.

Don't forget Mission style architecture. That, too, should be "corrected" or "erased" or the crazies can just be lazy and rename it.

Reply

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Melissa  
Jan 31, 2021 at 10:42PM

People who are advocating its removal, you are doing more harm than good. Your priorities are the problem not the statue.



Reply

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Freddiep

Feb 01, 2021 at 7:01AM

I look at the picture of sammie then I look at his san jose? worry about statues ? fine .....but a city filled now with trash monterey highway the new dump site... griffiti escalating crime out of hand police dept short officers,,, ? yea you go sammie keep fighting to get rid of statues... what a product of leadership

Reply

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Z

Feb 01, 2021 at 7:15AM

While we're at it, can we also remove the statue that looks like a big dog shit on CChavez plaza. I find it offensive.

Reply

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DJ Martin

Feb 02, 2021 at 7:16PM

You and an army of other San Joseans find it offensive. The sadder truth is that visitors from out of town find it hilarious, and it's likely the first thing that comes to mind for them after they get home and their families and friends ask about this town. No doubt there are many pictures floating around of people in a stooped pose next to it, a la I left my turd in San Jose.

This town has an image problem and an inferiority complex already, and yet this shot in

the foot still sits on our doorstep, a practical joke played on the town by sculptor and San Jose State graduate Robert Graham after podunk civic arts groups and the equally uncultured City Council found his original submission, which included male genitalia as found on statues all over Europe, unacceptable and rejected it, reneging on their promise to allow him freedom of artistic expression. The resultant revenge piece belongs in an enclosed space where it can be viewed from close range as what it was (not) meant to be — a feathered serpent god from Aztec culture. Behind the walls of the Mexican Heritage Plaza is the perfect spot for it.



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Reply

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Gigi

Feb 01, 2021 at 7:55AM

If we're removing statues now, let's get rid of that ridiculous giant turd like thing called Quetzalcóatl. Whatever does that have to do with anything? The most important God in ancient Mesoamerica. I hated it when it was installed and I continue to cringe each time I see it.

Reply

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Sue Soto

Feb 01, 2021 at 11:03AM

Out of over 1,000,000 residents of San Jose around 180 voice their concerns of wanting the statue moves /taken down!

We cannot erase history or change it by removing this statue. Leave it up to spark dialogue of what happened during Fallon's time! Mayor Liccardo should not decide on his own volition to remove it without more public input regarding it's removal !!

Reply

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SJ Kulak

Feb 01, 2021 at 12:31PM

okay then...

next on decolonizing CA would be to

change in city names of San Jose, San Francisco, San Diego, Santa Barbara, followed by the destruction of all mission building and records of missions

since the spanish were the original colonizers we should ban the teaching and speaking of the language as well, after of course we rename every public building, street, and place name to some other language than the colonizers

oh and we should destroy all catholic churchs and schools and any hospital orginally constructed by the catholic church

because colonization

don't you people see how much of a waste of time all this is and a distraction from real matters at hand?

when will you grow up and be adults and face your problems?

Reply

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I don't give a rats butt

Feb 01, 2021 at 2:04PM

Ask yourself one simple question: Was Thomas Fallon the first mayor of San Jose? If you answer yes, the statues should stay, if you answer no, go learn your

HISTORY. That is the only point that matters on this issue.



Reply

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Madison  
Feb 01, 2021 at 4:16PM

Can someone point me to where I can find out more about the evidence of his “hostile treatment of native people and embodiment of American imperialism?” I spend over an hour searching and couldn’t find anything. Not that I’m saying it isn’t there, but it doesn’t seem like Thomas was known for these deeds.

Reply

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HB  
Feb 02, 2021 at 7:39AM

Spineless Sam strikes again.

What next Sam? Are you going to allow this group of thugs to take down Fallon House?

As to erecting any monument to Cesar Chavez, perhaps we should look at his history a bit more closely.

I think that we all can agree that anyone who called or referred to someone as a “wetback” should not have any monuments in their honor.

Therefore, I want all monuments and streets named after Caesar Chavez removed. He and his union went after illegal immigrants. The UFW went so far as to go to the border to keep them out. He referred to them as wetbacks. And this didn’t happen 170 years ago. It happened during my lifetime.

<https://www.youtube.com/watch?v=SH1c0cgORA0>

<https://humanrights.fhi.duke.edu/chavez-the-ufw-and-the-wetback-problem/>



---

Look it up amigos. Read it and weep. Or does your faux outrage only extend to one race?

Reply

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Jill

Feb 02, 2021 at 8:25AM

Wow...I'm not a bible thumper but all of this division over this statue makes me think that the "no graven images" command seems rather wise, I always thought that commandment was odd but now it makes sense!

Reply

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SJ Kulak

Feb 02, 2021 at 8:54AM

Jill, you are a bible thumper.

No shame in that.

The statue in neither here or there, but it is hypocritical, and if you dont like what this guy did, you gotta hate what the church did...

Reply

---

I don't give a rats butt

Feb 02, 2021 at 1:09PM

All the statue is for the show that he was the FIRST MAYOR of San Jose, nothing more, nothing less...take it down or move it for that? BS I say.

## Reply

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Giovanny

Feb 02, 2021 at 11:05AM

It seems the call for removal of the statue is more about what a group of people seem to believe the statue represents versus the actual facts behind Fallon. There is little to suggest Fallon was violent toward any indigenous groups. And while some might say that all he did was raise the US flag in San Jose and that doesn't constitute a statue, I would say that those kinds of events are indeed noteworthy. These types of events are symbolic.

## Reply

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David H

Feb 02, 2021 at 11:10AM

Removing the statue doesn't remove the actions of Fallon that those who advocate for removal seem to find so objectionable. But it would eliminate the current discussion we're having about the historical record. That's unfortunate, because it's the actual presence of the statue which seems to spark that discussion.

This is nothing at all like the situation faced by memorials to the confederacy of the American civil war. Those monuments glorified traitors who had taken up arms against our government; honoring insurrection in the name of the continuing oppression of other human beings.

The Fallon statue commemorates the beginnings of the American period in California. For the American period to begin, another historical era had to end. By raising the American flag over San Jose, Fallon was symbolically signaling the end of the Mexican

administration of this territory just as – merely a generation earlier – the Mexicans had signaled the end of the Spanish administration. If Thomas Fallon, the person, is guilty of similar oppression then it should be noted by a plaque somewhere at the base of the statue – but the facts of the transfer of history from a Mexican period to an American period are real (and, though it can be argued, in the long run that was a good change).

To remove the statue is a step toward removing the discussion of historical facts, and that is an unfortunate step to be taking.

Reply

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DJ Martin  
Feb 02, 2021 at 7:26PM

Well stated David.

Unfortunately, it falls on deaf City Council ears, because they are a spineless lot led by a spineless mayor who should be focused on cleaning up this town and using the \$400K removal fee as seed money instead of allowing himself to be pushed around by a small but noisy group of misguided shit disturbers. I know where there's a big one that need disturbing, by the way.

Reply

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Tom Ronco  
Feb 02, 2021 at 8:11PM

Another example of “rewriting” history to satisfy a very small but vocal groups supported by a very liberal press that panders to them for a lack of real journalistic skills and the ability to find and report issues that affect THE

MAJORITY of voters. And hey, if these people are that offended by the statue let them do the work or pay for it ... oh they probably don't have the money to pay for it. The greatest insult-to-injury is that they want to erect a statue to someone whom they think deserves one, all 150 of them who have probably never worked in agriculture in their lives, have no idea how successful in helping farm workers the UFW union is or is not at this time, no, they just don't have any other 'heroes' to put forward. BTW ... to call Liccardo spineless is to insult spineless people ... he'll do anything like Emperor Newsom to get publicity and champion the people but is a useless leader when one is needed.



Reply

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Rocky Balboa  
Feb 03, 2021 at 12:57PM

\$400k to take it down?!?!? I'm officially putting my bid in @\$200k. Call me! I'll have it gone in 24 hours. No questions asked. The least I can do to help out our dear leader.

Reply

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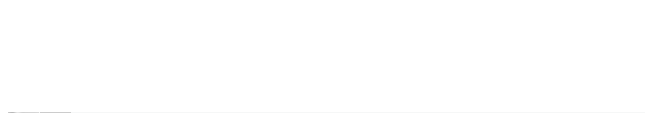


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**BAY AREA**

# Community demands controversial Thomas Fallon statue in San Jose be removed

Community demands controversial Thomas Fallon statue in San Jose be removed



Posted: Feb 5, 2021 / 04:35 PM PST / Updated: Feb 5, 2021 / 04:44 PM PST

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## House votes to remove Confederate statues from Capitol →

“I drive my car up 87, I pass by this statue pretty much periodically every day and the feeling that I get every time I pass by is a really painful feeling,” said Yolanda Guerra, a teacher at San Jose High School.

Some residents including Guerra who live in the neighborhood say the statue should be taken down.

“The statue to me represents disappointment, displacement, broken promises and all of those things into one towards the original Californians, the original ancestors of the people who lived here prior to the settlers,” she said.

## Statue of missionary toppled in Sacramento protest →

“And it’s very painful because not only did it happen in the 1800s, I feel like it’s happening now.”

The controversy with the Fallon statue dates back to 1988 when it was commissioned without any public process by former San Jose Mayor Tom McEnery.

For local activists, taking down the Fallon statue is not about erasing history but part of a much bigger conversation taking place locally and across the nation on who should be commemorated through public art.

Santa Clara County Board of Education trustee Peter Ortiz helped lead the successful campaign to have the Christopher Columbus statue removed from San

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“The movement to have Thomas Fallon statue from downtown San Jose has literally been several years in the making even Chicano, Latino, and Indigenous activists when I was younger were fighting this statue,” said Ortiz.

“The statue represents the glorification of American imperialism, toxic nationalism, and essentially the oppression and subjugation of the Mexican and Ohlone Muwekma native people, the original inhabitants of this land,” Ortiz added.

“It’s the fact that this was an act in history that led to many misguided acts Hispanic and native populations, literally a transfer of wealth in land from our community to people of European descent and the glorification of that just can’t happen.”

But much of the debate with the Fallon statue stems from who actually was Thomas Fallon.

Fallon was born in Ireland in 1825 but grew up in Canada for most of his youth.

**[VIDEO: Activists push for removal of Christopher Columbus statue standing in San Jose City Hall](#)** →

Eventually, Fallon migrated to California where he was allowed by the Mexican government to live in the state and settle in Santa Cruz.

But when the Mexican-American War began in 1846, Fallon volunteered to be a soldier in John C. Fremont’s brigade that crossed the Santa Cruz Mountains and captured El Pueblo de San José de Guadalupe (now the City of San Jose) without bloodshed.

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Camarillo.

“I actually tried to dig some original documents about him, it’s very hard. He left very little legacy in San Jose.”

Camarillo tells KRON4 News the statue also represents the confederacy and a troubled past and asks those who have “any historical consciousness” why would they want to commemorate those parts of U.S. history.

### [San Jose City Hall vandalized during protests →](#)

“Of course that’s going to cause consternation, has been for a long time and people endured it, but no more they said,” Camarillo said.

For years, the Fallon statue was stored away up until 2002, when it reappeared at Pellier Park.

Fast forward to 2020 and in the wake of the killing of George Floyd — criticism with the statue revived as protests in San Jose broke out.

Still, some consider Fallon an important part of local San Jose history.

To help the city decide what to do with the statue, Mayor Sam Liccardo, the City Manager’s Officer, the San Jose Office of Cultural Affairs and the San Jose Arts Commission held a public online forum on Jan. 29.

### [San Jose Mayor Liccardo on safe school reopenings →](#)

Called “When art provokes: Sharing and Learning from Community Views about

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This week, Liccardo is calling for the city to begin its public process of removing the Fallon statue which currently stands at the intersection of West Julian and West St. James Streets in downtown San Jose.

In a [memo](#), Liccardo concludes with a call for the community to move forward.

“I urge that we refocus our collective energy on the critical tasks we face as a community—to keep people safe during a pandemic, to sustain families amid a painful recession, and to rebuild shattered lives and businesses in our recovery,” Liccardo said.

“I further hope that when these crises clear, we can move forward with a more generative community dialogue—not about what we want to tear down, but about what we want to build.”

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by Peter Snarr / Feb 12, 2021

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by Peter Snarr / Feb 12, 2021

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by Omar Pérez / Feb 12, 2021

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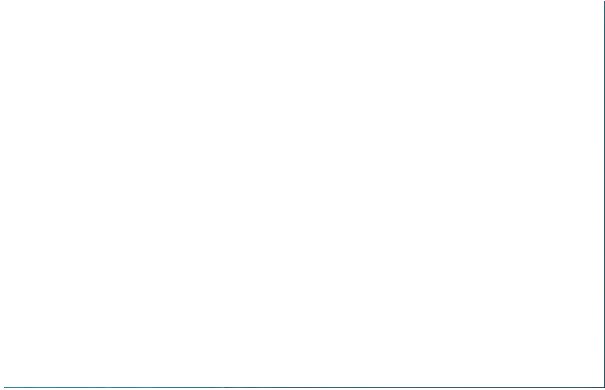
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BLOG SAN JOSE

# San Jose leaders agree Thomas Fallon statue must be removed

by **Lorraine Gabbert**

February 11, 2021

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"Statues in museums teach history; statues in prominent outdoor spaces glorify history, often without reflection. We should reconsider what we glorify," Mayor Sam Liccardo said. File photo.

After residents demanded for decades the **Thomas Fallon statue**, seen as a symbol of oppression by many, be taken from its lofty perch in the center of downtown San Jose, a key panel agreed.

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The Rules and Open Government Committee of the San Jose City Council, which sets future City Council agendas, voted unanimously Wednesday to remove the statue.

## immigration reform



Following a [passionate community meeting last month](#), Mayor Sam Liccardo said he realized the depth of the pain this public art created for residents. Days later, Liccardo [called for the statue's removal](#). In a memo to the City Council, the mayor said the statue symbolized the white conquest of Mexican and indigenous communities.

Liccardo said anger has been “righteously expressed” by people whose families have endured generations of systemic racism.

“For the third time in three decades, debate over the Thomas Fallon statue has reopened old wounds and deepened divides,” Liccardo said in the memo.

The committee deciding the issue Wednesday includes Vice Mayor Chappie Jones and Councilmembers Sylvia Arenas, Raul Peralez, David Cohen and Dev Davis. Peralez, who researched the statue and Fallon’s history, said he appreciated the mayor’s direction but would have come at it a little differently.

“I think it’s more than it’s time to move on,” Peralez said. “... A discussion should be had around what is it we honor and recognize on the level of a statue, monument or mural in our city. It’s time to have a much deeper conversation.”

Kerry Adams Hapner, director of the Office of Cultural Affairs, said city officials have approved the statue’s removal but it is considered a complex undertaking. According to city documents, it could take nine to 18 months to remove the statue, involve three or more city departments and five or more workers.

“For its 30+ year history the Fallon statue has been an activator of community distress, and has resulted in numerous protests, vandalism, and public outcry,” Adams Hapner wrote in her analysis of the project.

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The city has a deaccession policy to relocate or remove works of public art, Adams Hapner said.

Liccardo said in a memo removing the statue did not vindicate vandalism against it — and vandals should be arrested.

“In a representative democracy,” Liccardo said, “we must decide to erect or take down public statues through transparent, inclusive public processes.”

Liccardo said he hoped removing the statue might lead to a dialogue about what the community can build together.

“It’s time to move on,” he said in his memo.

The statue of one of San Jose’s first mayors was commissioned in 1988 to memorialize the raising of the U.S. flag in the city in 1846, and now stands at the intersection of West St. James and Julian streets – after being stored in an Oakland warehouse for more than a decade because of criticism.

**Fallon is a divisive figure** because of his hostile treatment of native people and embodiment of American imperialism.

Resident Paul Soto advocated for the statue to be moved to San Jose History Park. Arenas agreed.

“History is told by those in a position of privilege or who have the appearance of white privilege,” Arenas said. “We need to make sure the statue is properly contextualized in San Jose’s history.”

Soto said he wanted to give his community some semblance of power.

“Together can do what one person can’t do alone,” he said.

More than 150 people spoke passionately in favor of removing the statue last month. On Wednesday, one person called for taking a more measured approach — historian April Halberstadt.

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Halberstadt **landed in hot water** and **resigned from a county commission** last year after questioning Cesar Chavez's contributions and local ties in San Jose in a **San José Spotlight story** last year.

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Before toppling Fallon's statue, Halberstadt said the city should collect two documents: A formal request by a local Mexican-American nonprofit outlining how Fallon was guilty of genocide and a biography of written by a certified historian.

"Neither the city of San Jose nor Santa Clara County has a history museum," Halberstadt wrote in a letter. "Local heritage is maintained by various nonprofits. So as this only remaining public symbol of San Jose's founding disappears, it is important to add the circumstances to the public record."

Next, the city's arts commission will vote on Fallon's removal before the ultimate decision by the City Council. It's unclear where the estimated \$400,000 will come from to fund the statue's removal.

Contact Lorraine Gabbert at [lorrainegabbertsjspotlight@gmail.com](mailto:lorrainegabbertsjspotlight@gmail.com).

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Brandon

Feb 11, 2021 at 8:53AM

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150 people out of a city of about a million people complained, so now the city is going to spend 400 grand to appease the complainers. Liberal logic.

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DJ Martin

Feb 11, 2021 at 8:54AM

OK then, committee members, it's tit-for-tat time downtown. How about voting to scoop up the turd that's been stinking up a prominent intersection for the past 30 years too?

I suppose you're the same jokers who chose the three supremely uninspiring finalists for the landmark project at the confluence point as well.

[Reply](#)

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Ralph

Feb 11, 2021 at 9:15AM

Thank you.

I'm sure we can get 150 pp to complain about that wretched statue that has disgraced our downtown for decades now.

Of course the people complaining likely won't be of a protected class, so less likely to get a response from our 'city leaders'.

[Reply](#)

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J

Feb 11, 2021 at 11:12AM

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If it wasn't for the people who fought for this land and died for this land to make it what it is now we would not have such a beautiful welcoming country of the free. I don't believe any land belonged to anyone until it was fought for and claimed and civilizations were built anywhere in the world how else would the world begin we can keep going back in time and say how brutal people were but that's the way it was and that will never change no matter what statues are taken down. Go back even further to the medieval times what about then who was to say what belonged to who. What gets me is now the people who do nothing for this country want to talk crap and try and tear down everything this great nation has accomplished. So go ahead and take down the statues of the heroes that formed the nation it is today but remember you were not around then and have no idea what that era was like and if it wasn't for them you wouldn't even have the chance to have an opinion on taking anything down think about that for a minute. People should think about the opportunity they have in America vs other countries the opportunities are endless but you as a person cannot be lazy and live off hand outs if you want to achieve the opportunities at hand. You need to put yourself out there and if you can't do that then nothing will change for you. Doesn't really matter how many statues you take down.

Reply

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Don

Feb 11, 2021 at 3:09PM

Yet he helped create San Jose as a modern American city and the Capitol of silicon valley. Through him all things since have flowed including the electronics that permit you

access to this very forum and bitch about his legacy.



Reply

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Paul Soto Horseshoe  
Feb 11, 2021 at 11:41AM

To mr.djmartin comment we will delightedly remove what you termed waste.I hope I can count on you to say at that meeting what your saying here.We are now working to place Quetzalquoatl a home where he can be properly contextualized as Fallon will be.The Mexican Heritage Plaza will be more then Happy to receive such a beautiful piece of art.May I suggest reading Peter Burnetts inaugural addresse as Governor of California January 7 1851.San Jose was the Capitol City of this new government.I think it will be helpful to you.or not.I suspect you will not care and thats fine.Its actually expected and actually part of the problem.This Statue and the savage brutality that flowed from the soul debilitating effects of that perverse concept of Manifest Destiny began with the setting of that flag by Fallon in San Jose July 14 1846.A history that your wilfull ignorance will not permit you to accept.Our Elders efforts have been vindicated and the descendants of these tragedies have a referance point for healing and reconciliation with our past that strengthens our resolve for the future of the soil that our Ancestors toiled.Good Day Sir.

Reply

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DJ Martin  
Feb 11, 2021 at 12:46PM

Please see J's comment directly above yours.

I would also like to refer you to comments I made in a previous discussion about this issue



if you can dig them up here or on SJI, where I mentioned renowned sculptor Robert Graham's retaliatory motivation for presenting this town with a giant turd and suggested its placement in a space where it could only be viewed at close range, which would downplay the excrement factor, and specifically mentioned inside the fortress-like walls of the Mexican Heritage Plaza as the perfect location.



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Reply

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HB

Feb 11, 2021 at 2:32PM

What about the Fallon House? Let's tear it down as well.

Oh, oh, and the Peralta Adobe? It was built by an Apache who scouted for the Anza party as it ravaged its way through the local Indian tribes of California. Let's be consistent here.

History is history. Removing it and/or trying to cover it up does nothing other than allowing the ignorant and bigoted to not learn from the past.

The Mayor is engaged in pure pandering.

Reply

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DJ Martin

Feb 11, 2021 at 5:49PM

Amen to every word of that HB.

Reply

David H

Feb 12, 2021 at 12:51AM

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In all the arguments I've read re: this statue, nobody has ever cited any specific actions by Thomas Fallon as an individual which would warrant such hostility toward his place in history. Other than some general references to the oppression perpetrated by the class he possibly represents (white, American, yankee interloper, etc) what were his crimes?

As far as I could discover by conducting my own research, Fallon was an emigrant from the United States to what was then Mexican California. He married into a local family (as several other yankee pioneers had done at the time as it was a way to for outsiders to assimilate into the local population and achieve property ownership). He and his Californios wife built a home (Fallon House) and raised a family. When war broke out between the US and Mexico, Fallon made his political preferences known by raising an American flag over San Jose (allegedly for the first time). The war ended with the transfer of a large territorial concession of land from the vanquished (Mexico) to the victors (US), as was frequently the consequence of wars at that time. This territory included land that has since become (in part or entirely) the American states of California, Nevada, Arizona, New Mexico, Utah, Colorado, Texas and Oklahoma. Apparently, Fallon became the first mayor of San Jose in the American era. Somewhere around this time, he stupidly had a sexual affair with a maid (such as did Gov. Arnold Schwarzenegger in more recent times).

As a result, Fallon's wife divorced him and he no longer had that connection to the former elite families of the territory. The story can probably be legitimately enhanced with the oppressive, colonialist, imperialist, racist and sexist realities of that particular time in history but should we judge such behavior by today's standards when those who behaved thusly did not breach the societal norms of their time?

I couldn't find any historical information that demonstrated intentional genocide or purposeful

oppression of Spanish-speaking populations on his part. As for the indigenous populations (those remaining after a century of genocidal oppression by Spanish and Mexican authorities during the territory's pre-American governance), most were wracked with disease and alcoholism or lived in virtual slavery under the paternalistic masters of both the Spanish and English speaking types.

When I look at that statue of the two men on horses, looking westward I am reminded of the migration of Americans – and American ideals – across the continent from the Atlantic to the Pacific (some called it “manifest destiny”, some called it “progress”, and some just see it as history), but I also feel a sense of hope that the future holds something better for all the players of the historical panorama depicted in that history.

By removing the statue because of objections from modern-day descendants of the vanquished in that long-ago war, we essentially say to ourselves that there is no hope for anything better. Erasing the history of a place does not lead to something better. More often it leads to an unfortunate repetition of the kinds of actions we're objecting to: oppression and historical genocide of the pioneers of our present-day existence. I fear that nobody will benefit and that we all will suffer from such a result.

[Reply](#)

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DJ Martin  
Feb 12, 2021 at 10:54AM

David, thank you for pointing out the tremendous folly on the part of the spineless mayor and council by bowing to pressure from a tiny group with chips on their shoulders who have made an entirely baseless argument for this statue's removal.

[Reply](#)

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Mike  
Feb 12, 2021 at 5:16AM



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Lame city "leaders"

[Reply](#)

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Brandon  
Feb 12, 2021 at 6:27AM

I used spiritual means to get back my husband because, i never intended on contact a spell caster but desperation drove me to do that, i am glad i contacted the right one. I promise you his loves spell worked. We are more in love than ever before just like when we first started dating and our relationship is more healthier. I will leave his email contact here\_\_\_\_\_ robinsonbuckler11 @ gmail .com ...

[Reply](#)

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TD  
Feb 12, 2021 at 6:37AM

The proposed removal of the Fallon statue is yet another example of cancel culture.

The statue was erected in the 1980s at a cost of \$800,000, and the estimated cost to remove is an astounding \$400,000. Those who insist upon its removal are seemingly ok with wasting \$1,200,000 because they are offended by the history of an important historic person that was honored by the City of San Jose less than 40 years ago.

The fate of the statue should not be decided by a select few, but the voters of San Jose, and this should be voted upon in 2022, at the next mid-term election.

If voters decide to remove the statue, those in favor should pay to remove the statue with privately donated funds, and not with public funds which are now in shortage.



Reply

Zappa  
Feb 12, 2021 at 7:14AM

I find the giant dog poop statue in the plaza offensive – so I'd like that removed too. (I called it Plaza instead of Cesar Chavez Plaza because Cesar Chavez was opposed to illegal immigration.. so we have to cancel him and remove that name too)

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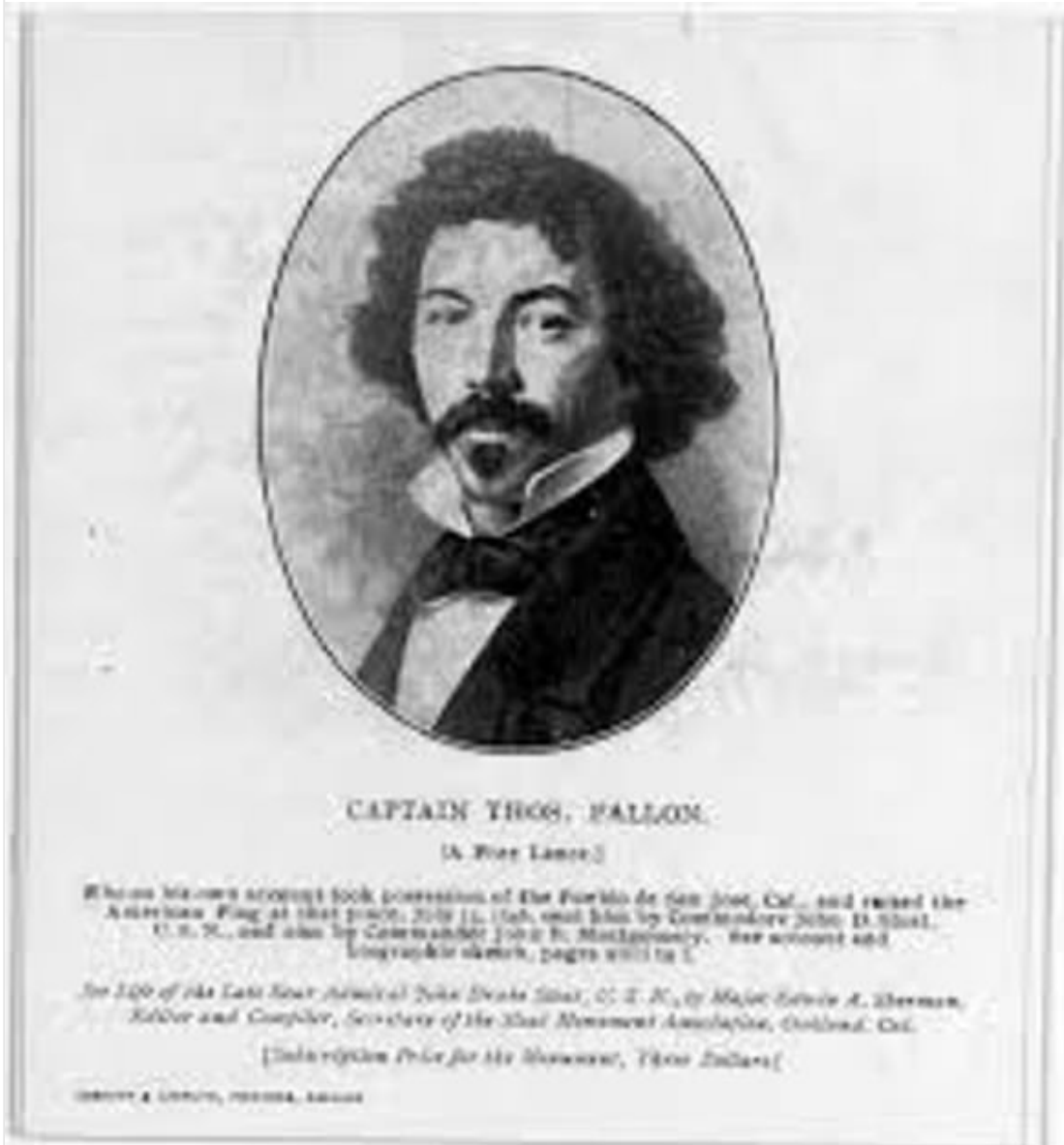
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US

# San Jose residents urge city to melt down Thomas Fallon statue for celebrating 'genocide'

👤 DUK Editor Team ✉️ 📖 1 minute read



Thomas Fallon, born in Ireland in 1825, joined the 1845 third expedition led by John C. Fremont – a military officer who committed a number of



massacres against Native American — to explore what is now the American West.

The War Department tasked Frémont with surveying mountainous areas including the central Rockies and the Sierra Nevada and to turn his scientific expedition into a military force if war started with Mexico.

Fallon chose to stay in Santa Cruz after visiting the area with the expedition amid the brink of the Mexican-American War.

When the war broke out in 1846, five years before California joined the union, Fallon appointed himself recruited 22 volunteers to join Fremont's military forces.

Fallon and his men charged into El Pueblo de San José de Guadalupe, what is now San Jose, on July 11, 1846 but discovered the local Mexican general had vacated the premises two days earlier.

Three days later, Commodore John D. Sloat – who claimed California for the United States – sent Fallon an American flag, which he ceremoniously flew over the city declaring it for the United States.

Fallon and his volunteers then joined Fremont's California Battalion for the rest of the war, and he became mayor of San Jose in 1859.

The Irishman, who worked as a hotel and saddle shop owner in Santa Cruz, married his first wife Carmel Fallon in 1849 – with whom he had nine children, three of which died from cholera.

Carmel found her husband in what newspapers called 'a compromising position' with housekeeper Maggie McBride on December 9, 1876.

She filed for divorce and accused of him of 'adultery, mental cruelty and physical abuse.'

Fallon briefly married another woman who also accused him of severe abuse.

Hispanic Americans have long called for a statue dedicated to Fallon to be removed, based upon his treatment of Native Americans and Mexicans while a part of Fremont's genocidal expeditions.

American colonists enslaved, kidnapped, raped, and murdered at least 9,500 California Natives between 1849 and 1870.

Sources: [friendsof1800.org](http://friendsof1800.org); [historyofsanjose.org](http://historyofsanjose.org)

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OPINION > COMMENTARY

# Opinion: Create task force to openly discuss SJ's Fallon statue

Controversy offers opportunity to explore our local history and perhaps come to understanding and consensus



A 2009 photo of the Thomas Fallon statue in Pellier Park at St. James and Julian Streets. (Patrick Tehan/Bay Area News Group File Photo)

By **APRIL HALBERSTADT** |

April 1, 2021 at 5:20 a.m.



In recent weeks there has once again been considerable discussion about events that shape our heritage. This debate has now reached the level of damaging community art and demanding that reminders of our Californio heritage be removed from public view.

This time the equestrian sculpture celebrating California statehood is the target; in recent years the Veterans War Memorial was damaged by protestors. As the result of the repeated damage and ongoing threats, San Jose Mayor Sam Liccardo has sent an official memorandum to the Office of Cultural Affairs, requesting that the city begin the formal process of “deaccessioning” the art piece, commonly referred to as the “Fallon Statue”.

Deaccession will be a time-consuming process and can be quite expensive, almost as expensive as creating and placing a piece of public art. The statue was originally designed to support San Jose’s identity as the location of California statehood when America became a nation with two coasts. The equestrian sculpture was placed around 2002, one of a collection of San Jose art pieces celebrating Pueblo Uno, agricultural heritage, the work of Ernesto Galarza, and our Fondadores.

Liccardo has also been a recent target of damage related to the statue controversy as protestors painted his home with graffiti and gleefully filmed themselves in the act. They invited some of the local media and posted pictures of themselves doing the damage. Fortunately the Liccardo family was away at the time. Horrified neighbors showed up the next day to repair the defacement of the Liccardo home.

The California Pioneers of Santa Clara Valley have responded to the recent destruction and assault on our heritage. They have sent a request to the City Council to consider this an opportunity for public discussion. The membership of the Pioneers includes the descendents of Ohlone, Spanish, Mexican, Chilean, and various Yankee pioneers. Founded in 1875, they proudly celebrate our Californio heritage and have collected documentation and artifacts about our Valley for decades. The Pioneers currently operate two museums in San Jose, the Roberto Adobe on Lincoln Avenue and their home at the Paulson House within History San Jose.



The Pioneers feel the controversy presents a teaching moment, an opportunity to explore our local history and perhaps come to understanding and consensus. They feel removing the statue would remove the opportunity to tell the many stories it might represent. While some members of the public have asserted the statue should be removed because it represents oppression and genocide, the Pioneers respond that any possible acts of cruelty and domination need to be addressed and expiated, not ignored.

The City of San Jose is Pueblo Uno, the oldest civil settlement on the West Coast of America. Visitors frequently ask, "Where did California start?" We have only one very small adobe remaining from our early years as El Pueblo de San Jose de Guadalupe to share with them. The Pioneers are proud to be Californios, residents whose heritage includes all groups. We embrace newcomers, those who seek their fortune in this proud land. Mi casa es su casa is our welcome. A public discussion of the history inspiring this sculpture provides an opportunity to not only share our history with newcomers, it offers all of us a chance to reflect. A better understanding of our past can open the path to awareness and forgiveness, especially since we cannot change past events.

We strongly suggest the San Jose City Council initiate a task force of recognized historians to open discussion and move Pueblo Uno into reconciliation, understanding and peace.

*April Halberstadt is a historian and former board member of the California Pioneers of Santa Clara Valley.*

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