ARIZONA FIRESORM
Global Immigration Realities, National Media, and Provincial Politics

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Assault on Ethnic Studies

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Introduction

Race and class have always been at the crux of tension in the United States, from the initial oppression of Native American tribes, to the suppression of voting for blacks and Latinos.\(^1\) Yet, perhaps it has been the nation’s increasing ethnic diversity, much of which is a result of growing Latino populations,\(^2\) that has contributed to recent cynicism, fear, distrust, and scapegoating of foreigners and immigrants.\(^3\) In the aftermath of the terrorist attacks of 9/11, politicians, the media, and nativists clamored for increased border security and immigration enforcement.\(^4\) Fanning the flames of the nation’s growing anxiety over immigration were the media, whose gaze increasingly turned toward its border with Mexico (see the chapters by González de Bustamante, and by Vigón et al., this volume). Arizona’s border, in particular, garnered national attention partly because of its consistent portrayal as lawless and rampant with violence, drug running, and welfare-benefits-seeking migrants.\(^5\) Subsequently, the U.S. House of Representatives passed HB 4437, Border Protection, Antiterrorism, and Illegal Immigration Control Act of 2005. This landmark bill mandated, in exchange for greater restriction in the path to citizenship for nearly 12 million undocumented immigrants, increased criminalization\(^6\) of undocumented people and heightened border security infrastructure that included stepped up Border Patrol recruitment efforts and surveillance technologies.\(^7\) Although the 2005 bill failed to make it through the U.S. Senate, millions of immigrants and their allies responded politically in mass rallies in hundreds of cities across the country during 2006 in what is
considered to be the largest civic mobilization since the civil rights era of the 1960s. Noteworthy was the participation of youth in this mobilization, and later, in the 2008 presidential elections. Since, then, however, a repressive political and social backlash has followed.

Arizona provides a case study for understanding how highly charged debates about immigration permeate almost every aspect of the state’s political and social life. In Tucson, Arizona, shortly after one of the community’s largest public demonstrations against proposed immigration reform in April 2006, Dolores Huerta, cofounder with César Chávez of the United Farm Workers, was invited to speak at a special assembly at Tucson High Magnet School. Student participation in Tucson’s mobilization for immigration reform was not atypical, but in fact, it reflected the high involvement rate of students seen across the nation in this movement.

During her speech, Huerta remarked that “Republicans hate Latinos.” Later Huerta explained that her comment was based on the extraordinary number of anti-immigration bills sponsored by Republicans. The incident came to the attention of then State Superintendent of Public Instruction Tom Horne who proceeded to reprimand the school for allowing a partisan speech to take place. Horne insisted that equal time be given to the State Deputy Superintendent, Margaret Garcia Dugan, a Latina and Republican, to rebut Huerta’s comments. Prior to the event, school officials informed the students that Dugan would not take any questions. In response, students taped their mouths shut with duct tape, and turned their backs to the State Deputy Superintendent. Outraged, Horne publicly blamed Tucson High Magnet School’s Mexican American studies curriculum and its teachers for these events, and made it his mission to dismantle ethnic studies in general, and in particular Mexican American studies in the Tucson Unified School District (TUSD) as evidenced in a 2007 letter he wrote calling on the citizens of Tucson to pressure the school district to eliminate ethnic studies. Having failed in this, Horne helped craft a legislative measure in 2008 that sought to abolish ethnic studies programs. It was proposed as an amendment to a Homeland Security Bill in 2008 as Arizona Senate Bill 1108 (sponsored by Jack W. Harper, Republican District 4) and in this way it was strategically linked to anti-immigrant sentiment. This “anti-ethnic studies” bill sought to establish that “a primary purpose of public education is to inculcate values of American citizenship” by proposing to eliminate the state’s ethnic studies programs and ethnic-based organizations characterized as “un-American.” It would prohibit public tax dollars used in public schools that “denigrate American values and the teachings of western civilization,” and prohibit organizations to operate in or around a school campus if its organization was based in any way on race. Although this bill failed to pass, a similar bill was proposed a year later as SB 1069. This latter bill (sponsored by Jonathan Paton, Republican, District 30) proposed to grant more enforcement power to the State Superintendent of Schools, allowing this elected official to threaten school districts and charter schools with a loss of 10 percent of their funding if ethnic studies programs were found to be in violation of the law. However, with state budgetary issues pressing the Legislature in 2009, the proposal did not make it to the floor for a vote before the session adjourned on July 1. Finally, in May 2010, a third ethnic studies ban bill managed to pass through the State House and Senate, and Republican Governor Janice Brewer signed Arizona House Bill 2281 into law.

Similar to other education-related laws adopted throughout the history of public schools in the United States, the series of proposals designed to “delegitimize” ethnic studies programs and scholarship in Arizona was rooted in larger political struggles over immigration, language and cultural rights, and racial-educational equity, as well as issues relating to national security. Reallocating scant public educational resources inequitably has long been a political exercise. Mexican Americans are unavoidably linked to today’s hotly contested issue of immigration. Because of early settlement and economic patterns, the conquest by the United States of the Mexico’s northern territories, adaptive cross-border family ties, and daily economic exchanges with recent immigrants—as employees, employers, neighbors, or family—people interact across the border. All defy contemporary efforts to categorize populations along simplistic dichotomies based on immigrant or nonimmigrant status and heighten anxieties. Arjun Appadurai conveys this eloquently:

[These various forms of uncertainty create intolerable anxiety about the relationship of many individuals to state provided goods—ranging from housing and health to safety and sanitation—since these entitlements are frequently directly tied to who “you” are and thus to who “they” are. Especially when the forces of social uncertainty are allied to other fears about loss of national sovereignty, or threats to local security and livelihood.

In this way, the proposals in Arizona capitalized upon and raised questions about entitlement, belonging, and whether public resources were being used to support noncitizens. Light and von Scheven point out that the dramatic increase in immigrant populations throughout the nation has contributed to “shock” among residents in destination sites, typified by reactive intolerance toward Mexican immigrants who are more likely to be younger than Anglo populations, more likely to live in poverty, have young children, and therefore more likely to be consumers of publicly funded education resources (see Gans, this volume). Maricopa County, where Phoenix and the state capitol
are located, was ranked as the county with the second highest gain in Latino residents between the years 2000–2006. It follows, then, that Arizona’s legislative actions are responses to the recent growth of immigrant populations in the state and greater nativist anxiety about the new demographic reality. Moreover, Anglo Arizonan elite have restricted educational funding for Mexican-Arizonan schoolchildren, in so much as a poor education reliably limits political participation. The larger story of HB 2281 and Arizona’s assault on ethnic studies is thus set within both the state and the nation’s immigration policy debate. As such, the contemporary analysis of the struggle for greater democracy and social justice in the United States necessitates the inclusion of immigration alongside ethnicity and class.

With the official implementation of HB 2281, alongside the passage of SB 1070, Arizonans arrived at a historical tipping point, brought about by multiple forces, including political parties and groups that increasingly rely on a racialized national ideology to undermine a historically subordinated group’s claims of belonging by making them the object of fear and rage. In this chapter, after providing a brief historical context of ethnic studies and the current Arizona political context, we will analyze HB 2281, Arizona’s Anti-Ethnic Studies law, and discuss its implications for education, health, and the broader trend to exclude minority communities from greater democratic participation.

Ethnic Studies in Historical Context

During the late 1960s and early 1970s, Chicano and Chicana students, along with their teachers, families, and other allies organized to protest, among other things, the structured inequality of the U.S. educational system. Largely influenced by the momentum of the civil rights period (1955–1968), their actions helped ignite El Movimiento, “The Movement,” a national movement that sought political empowerment and inclusion for Mexican Americans and Chicanos and Chicanas. El Movimiento was particularly strong among Chicano and Chicana students at the college level, where there was a large concentration of student activists who formed organizations and advocated for educational reforms and Chicano Studies curricula. As political change swept throughout the country, institutions of higher education increasingly began to accommodate the demands made by historically marginalized groups to establish more meaningful curricula. The history of the El Movimiento offers an important civics lesson. Civic engagement advances participatory democracy and can lead to policy remedies, in this case for long-standing educational inequities for minority students. A testament to the movement’s success is the growth of post-secondary Latino student participation in higher education and the establishment of nearly 400 ethnic studies programs, departments, programs, centers, and institutes in schools, colleges, and universities throughout the nation that are dedicated in whole or in part to the formal academic study of Chicanos and Chicanas, Mexican Americans, Raza, or U.S. Latinos/as.

Over the past forty years, Chicano/a studies programs have become increasingly sophisticated at the university level, with scientific peer review articles and books, and professors with tenure. However, there are relatively few ethnic studies programs in K–12 public education, and even today few students entering post-secondary education institutions are exposed to the history and culture of those of Mexican descent. Ideas about how marginalized populations become transformed through more awareness and increased knowledge about their history are part of the broad curricula of ethnic studies (e.g., Chicano/a studies). Here TUSD was at the forefront. In fact, this high-school program, as with higher education ethnic studies programs, was rooted in multicultural education based on history and traditions of the socially transformative civil rights movement. One goal of ethnic studies classes is to raise awareness about the structural and historical roots of inequality, for it is through this awareness that greater tolerance for diversity and social justice may be achieved. Perhaps most important, such programs provide both teachers and students the academic infrastructure and scholarly communities for understanding and improving academic performance among students who already face mounting social and institutional obstacles to educational success. In many ways ethnic studies is consistent with an important tenet of multicultural education: to make education more relevant to racialized, ethnic, and linguistic minority students. Some of the lessons we can learn from the emergence of ethnic studies during the Civil Rights Movement are (a) the importance of creating a positive ethnic identity as a source of civic and educational empowerment; (b) the importance of the elimination of “Americanization” programs and their goals to develop a positive ethnic identity; and (c) the ability of youth to change social inequalities through academic engagement and civic engagement. Therefore, the law will have far-reaching implications for how public education programs—especially for ill-served impoverished student populations—that have demonstrated success using multicultural approaches to close the achievement gap for students of all ethnic backgrounds.

Legislative Trends in Arizona

Horne’s reaction to Dolores Huerta’s speech and HB 2281 are part of an onslaught of anti-immigrant measures that have emerged from Arizona’s
Republican dominated state legislature that gained force as early as 2004. The onslaught began with Arizona Proposition 200, a voter initiative with financial backing from a national right-wing group called Protect Arizona Now (PAN). This law imposed new identification requirements to vote and made state employees responsible—under penalty of law—for verifying the citizenship of those applying for local public benefits. Subsequent laws passed in Arizona would follow similar immigration enforcement type provisions. In the absence of any evidence that noncitizens were voting, critics of more restrictive voter identification laws argue that these laws only serve to create suspicion and distrust, place greater burdens on the poor and elderly, and sharpen distinctions between social categories based on perceptions of who are entitled (citizens) and those who are not. Although the Voting Rights Act of 1965 was, for the most part, a response to the race-based obstacles to voting that African Americans faced, in the context of more recent immigration debates, recent voter restrictions have concentrated on Latino communities. Consequently, such attitudes foster distrust of immigrants, their descendants, and those who support them, and contribute to the suppression of Latino civic and political participation that can ultimately threaten their political voice, and potentially the livelihoods and well-being of all Latino communities, regardless of citizenship status. Arizona is one of more than twenty U.S. states that have since 2004 passed more restrictive voter-identification laws.

To date, there is no evidence that Prop 200 resulted in less voter fraud at the polls or savings among the “affected” public-benefit programs. However, Michelson argues that notable political events that shift public attention to immigration issues succeed in altering in a negative way the "national mood" toward immigrants. Latinos, who are more often than not native-born or naturalized citizens, sense this mood and perceive greater discrimination. When all Latinos are considered, 75 percent are native-born or naturalized citizens, according to the 2006 U.S. Census. In other words, citizenship status offers Latinos little protection from discrimination because they share many of the phenotypic, linguistic, and cultural traits with Latin American immigrants. As such, they are susceptible to public humiliation and degrading treatment by officials and racial profiling. Thus, the openly inflammatory anti-immigrant rhetoric unleashed by Prop 200 aggravated social divisions and rekindled fears that have always "haunted" the U.S. imaginary. Latinos are foreigners; disaffected Americans who do not belong to U.S. society. More to the point, generalized anxiety about non-“Americans” has the potential to spread to the broader Latino community, many of whom are U.S. citizens. In this way, anti-immigrant measures are also anti-Latino.

In 2005, during Arizona's 46th legislative session, lawmakers introduced close to thirty anti-immigrant bills making clear that a nativist agenda dominated the legislature that sought to exclude certain immigrants, regardless of the effects these punitive measures would have on broader social contexts: for example, entire families of immigrants that include U.S.-born children, work environments, education, and civic and political life. Lawmakers who insisted on such measures commonly introduced failed or vetoed bills in subsequent legislative sessions or put these measures before voters. For example, SB 1167 (English as the Official Language) was vetoed by then Governor Janet Napolitano in May 2005, but voters passed an initiative in 2006 declaring English as the state's official language. Another example is Prop 300, which when finally enacted in 2006 placed new restrictions on adult education programs (restricted to U.S. citizens and legal residents) and undocumented immigrant students' access to institutions of higher learning (requiring proof of legal residency to qualify for in-state tuition and state-funded financial aid). Prop 300 also prohibits adults who are not lawfully present from receiving childcare assistance from the Arizona Department of Economic Security. Adult education was targeted because it appeared that Spanish-speaking undocumented immigrants comprised the bulk of those who took English classes. Thus, just when English became the state's official language, the state legislature placed additional obstacles to learning English.

Additional punitive laws would come, such as an employer-sanctions law that calls for the suspension and revocation of business licenses for employers who intentionally or knowingly hire unauthorized immigrant workers, and perhaps most notoriously, Arizona SB 1070, which was signed into law in April 2010. A month later, HB 2281 was approved. We now turn to an analysis of the four provisions of HB 2281.

Demystifying the HB 2281 Provisions

Salvadoran immigrant and House Republican Steve Montenegro sponsored Arizona HB 2281, which Governor Jan Brewer signed into law on May 11, 2010. While HB 2281 is enshrined as part of "schools, prohibited curriculum, and discipline" under Arizona Revised Statutes 15-112(A), we will continue to refer to HB 2281. It specifically targets the ethnic studies classes and programs in TUSD. The preface of the bill states that “the legislature finds and declares that public school pupils should be taught to treat and value each other as individuals and not be taught to resent or hate other races or classes of people.”
The penalties are steep: Schools may lose up to 10 percent of their state funding if the classes or courses are found to do any of four things:

1. promote the overthrow of the government
2. promote resentment toward a race or class or people
3. are designed primarily for pupils of a particular ethnic group
4. advocate ethnic solidarity instead of the treatment of pupils as individuals

We will take up each of these four provisions individually. The law is decidedly authoritarian in that it assumes local school districts are not capable of oversight and implementation of local programs, and thus require direct supervision by state officials. Furthermore, the bill sets a dangerous precedent by shifting curricular and pedagogical decisions from local districts to the state. Ultimately, the State Superintendent of Public Instruction can decide to financially penalize the school, if this one person determines that an educational program violates one of the four elements of HB 2281. As we will show, TUSD finds itself in the crosshairs of HB 2281. Its school board had to choose either to fight for a very effective educational program at the threat of financial cuts, or to eliminate the program.39

Tom Horne’s effort to ban the TUSD’s Mexican American Studies (MAS) program continued after he was succeeded by John Huppenthal, the new State Superintendent of Public Instruction. Huppenthal immediately initiated enforcement action against TUSD. He commissioned an independent audit of the district’s ethnic studies courses and curricula.60 Cambium Learning, Inc. was reportedly paid $110,00061 to conduct a twofold audit: (1) Determine if TUSD’s MAS programs were designed to improve student achievement as claimed by the school district administrators, and if statistically valid measures indicated that student achievement occurred; and (2) Determine if the department was in compliance with the new Arizona statutes. Cambium Learning reported that it found “no observable evidence” to conclude the district’s program violated the law.62

However, Superintendent Huppenthal chose to ignore the findings of the independent audit and ruled unilaterally that TUSD was still in violation. Consequently, the American Civil Liberties Union (ACLU) requested to examine the documents related to the ethnic studies audit of TUSD on June 16, 2011, to review how HB 2281 would be implemented. In the following four sections, we review the bill’s four provisions in the light of the audit’s findings and our own analysis.

“Promoting the Overthrow of the U.S. Government”

HB 2281 is legislation that grows out Arizona’s political tensions and the divisive rhetoric that alleges that immigrants subvert the state’s ability to regulate the distribution of resources and electoral processes.63 HB 2281 is a particularly anti-Latino and anti-Mexican measure. However, it is also poorly written legislation. It is unclear how the first provision of HB 2281 could be objectively enforced, because it does not clearly define how a course of study “promotes” the overthrow of government. The assumption appears to be that ethnic studies encourages students to be unpatriotic and disloyal to the United States.64 However, this provision is broad enough to encompass the basic democratic processes, such as voting and public discussion and critique that are essential to a functioning democracy, as well as necessary to challenge the dominant ways of knowing that might lead to institutional change.65 This provision could limit democratic discourse in the classroom, which includes an accurate teaching of the history of racial minority groups and social movements. The complaint is that critiquing U.S. government policies represents disloyalty to the nation; especially when Latinos lodge the critique.66 The language of the law implies that there is reason to distrust students who express their civil rights to agitate for a brighter educational future by conducting peaceful civil protests. This adult fear of activist high schoolers has been documented in the past.67 In this case, a TUSD high school student group, United Non-Discriminatory Individuals Demanding Our Studies (UNIDOS), conducted a series of peaceful civil disobedience actions in April and May 2011. The news media portrayed the students as “radicals” who created “mayhem” and “chaos.”68 UNIDOS’s later actions at public forums prompted adults to overreact by confronting the high school students with large numbers of police in riot gear.69

Language that equates brownness with criminality, anti-Americanism, and treason is not new,70 but in the context of HB 2281, the actions of adults became state-sponsored oppression of student ethnic groups. The adults were denying educational opportunities to those students historically and currently ill-served by the educational system and yet it was these students who are actively engaging politically to change this.

“Promoting Resentment Toward a Race or Class of People”

Similar to the first provision, this one is also vague. The meaning of “resentment” promises to defy objective evaluation. It assumes that teaching the history of race and class in the United States to students will only make them believe they are oppressed victims, and consequently make them resentful. In other words, this history makes students feel bad. But as Cacho points out, to claim that a body of knowledge is the reason students feel bad is an attempt to render it as illegitimate.71 Over the years ethnic studies scholars have developed sophisticated explanations of a wide range of topics about Mexican Americans’ experience within the nation’s history and
development. To diminish them because they provoke anxiety threatens to suppress any teaching of struggle against injustice.

It bears repeating that multicultural education resulted from a socially transformative civil rights movement that ultimately helped our society recognize unresolved racism and bigotry. Moreover, with increased understanding of cultures, we as a nation can enjoy a more learned, diverse, and tolerant democratic society. Indeed, at least one study has found that individuals who know more about their ethnic heritage are more likely to have positive attitudes toward other ethnic groups. A goal of multicultural education is to reach all students from all backgrounds, races, and classes and work with them as individuals through critical inquiry; rather than to assume that all students are the same and that the exact same pedagogy is effective with everyone in a diverse educational setting. As a result, educators began to rethink conventional teaching methods. In the light of the criticism of renowned Brazilian educator Paulo Freire, teachers reevaluated their approaches, rejecting passive models and adopting socially interactive methods. Models of instruction premised on the value of collaborative learning, social justice learning, or cooperative learning techniques provide viable alternatives that made education more meaningful by their connection to a supportive community. Additionally, these innovative methods are more likely to be based on critical thinking that teach students to pose questions and evaluate multiple perspectives. They also provide an intellectual foundation for student-centered approaches to learning. The collaborative approach between students and the wider community builds bonds of mutual trust between individuals who make classroom exchange humanistic, relational, and appreciative of individual contributions to the broader social whole. In summary, the provision that focuses on "promoting resentment toward a race or class of people" appears to demonize collective action, and attempts to thwart teaching about the nation's history of collective struggle and resistance. The law seeks to replace social interactive approaches of learning with atomistic approaches, which will weaken social support mechanisms that have been shown to advance the educational attainment of Mexican-heritage populations.

"Programs Designed Primarily for Pupils of a Particular Ethnic Group"

The audit that Huppenthal commissioned found no evidence that MAS courses were "designed primarily for pupils of a particular race." The audit stated, "A majority of evidence demonstrates that the Mexican American Studies Department's instruction is NOT designed primarily for pupils of a particular ethnic group." Students from all racial and ethnic backgrounds could and did take these courses. While a higher proportion of Latino stu-

dents took MAS classes, in TUSD these classes were only offered in majority-Latino high schools. Approximately 20 percent of students taking MAS classes were not Latino. Moreover, students of all racial and ethnic groups tended to improve their academic standing after taking MAS courses.

We undertook our own analysis of the last four years of TUSD data, using the state's standardized test battery, the Arizona Instrument to Measure Standards (AIMS). Our analysis corroborated the findings of the Huppenthal-commissioned audit: MAS courses were academically effective for all students, not just those of Latino heritage. Moreover, we found MAS to be particularly good at addressing the educational needs of low-income TUSD students, who have the lowest district rates of high school completion. Students who took the MAS courses, a largely low-income Latina/o population, passed the AIMS tests at rates equal to or higher than the non-MAS student population. These MAS students also graduated from high school at rates equal to or greater than those who did not take MAS courses.

- Reading: 1 percentage point difference
- Writing: 1 percentage point difference
- Math: 1 percentage point difference

After taking MAS classes, all students regardless of racial and ethnic background eliminate their achievement gap. Moreover, we made an unexpected finding. Students who took MAS courses (literature, history, American government, and art) made gains not only reading and writing, but also in math, despite the fact that there are no MAS math courses. This would indicate that taking an MAS course not only develops skills, but can also change a student's attitude toward school that can translate into academic success in other areas of study.

The other indicator, graduation rates for the 2010 cohort, again demonstrated near elimination of the achievement gap: MAS students had a graduation rate of 82.6 percent compared to 82.5 percent for non-MAS students. Most strikingly, MAS graduation rates were substantially higher for districts defined "low income" and "very low income" students:

- Low income: 7.8 percentage point difference (74.9 percent of non-MAS students graduate; 82.7 percent of MAS students graduate)
- Very low income: 14.7 percentage point difference (64.3 percent of non-MAS students graduate; 78.9 percent of MAS students graduate)

These are correlational statistics, not causal relations. However, they strongly indicated that MAS was effective for all students. This debunks the contention
that the program was designed primarily for students of a specific ethnic group. Frequently, MAS students began their high school careers substantially behind their non-MAS peers academically. By their senior year, these differences disappeared for MAS students. They closed the achievement gaps for all intents and purposes. Indeed, there was evidence that low and very low income MAS students substantially outperformed their non-MAS counterparts.

MAS classes were open to all students and were effective at educating economically disadvantaged students of all ethnic backgrounds. Thus, the value of this ethnic studies program was not solely based on abstract notions of identity, solidarity and oppression, but was grounded instead on harsh material realities to which all economically disadvantaged students can relate. Further, non-Mexican heritage students might come to appreciate how other groups struggle for equality and learn how to work for social justice. The Cambium audit offered evidence that MAS students narrowed the achievement gap. Thus it is logical to surmise that eliminating the MAS curricula reintroduced an academic barrier for these students.

“Curricula That Advocates Ethnic Solidarity Instead of the Treatment of Pupils as Individuals”

Again the final provision of HB 2281 is problematic because there is no clear definition of “ethnic solidarity.” Moreover, as written “ethnic solidarity” is an undesirable outcome. The law inaccurately implies that with ethnic solidarity comes reverse discrimination. Because “ethnic solidarity” precludes clear definition and measurement, this provision ultimately allows the Arizona State Superintendent of Public Instruction to arbitrarily decide whether or not an ethnic studies program violates the law.

We will undertake a critique of the assumption underlying the provision. An ethnic group can be defined as a group of people who share a common heritage, language, culture, religion, values, or norms. Scholars often use the term “ethnic identity” as a theme of study for all ethnic groups, including whites. Although there are many definitions of ethnic identity, no definition requires the mistreatment of other people. In fact, in most social science disciplines, ethnic identity is referred to positively as an individual’s sense of belonging, affirmation, or pride in one’s ethnic background. For Mexican Americans, ethnic grouping has also been legally recognized for purposes of achieving educational equity. Indeed, social science over the past forty years repeatedly has demonstrated that ethnic identity is strongly associated with a sense of well-being, improved mental health, and educational outcomes. Additionally, at the end of the process of ethnic identity development, young people obtain a more mature sense of belonging to their ethnic group based on knowledge of their history and traditions. These young people are more likely to be accepting of other ethnic groups than young people who don’t have that kind of exposure. However, given the wording of the bill and rhetoric associated with this and previous anti-ethnic studies bills, the overall viewpoint conveyed is that ethnic groupings should be suppressed, despite the fact that researchers have documented that over several generations all immigrant groups in the United States, including European Americans from the early 1900s, have maintained high levels of ethnic identity even after adopting U.S. cultural values and norms. So, without knowing exactly what legislators had in mind when they wrote this provision, the benefits of ethnic grouping and solidarity for students are ignored and disparaged, while the value of unaffiliated individualism is encouraged.

Ethnic solidarity emerges from culturally-mediated behaviors and expectations among people who share similar experiences. Often, shared material hardships promote empathy and a charitable disposition toward those less fortunate, and a desire to help them achieve material gains. These social values promote reciprocity, mutual aid, and group identity, which are more likely to prioritize group harmony and well being for all.

In contrast, individualism prioritizes the self above all other people. It is an ethos of domination and subordination that is suspicious of coalitions and disparages cooperation and empathy for the downtrodden. Furthermore, given Arizona’s political climate, some teachers fear that teaching students to develop a stronger sense of ethnic identity is beyond the scope of appropriate educational practices. For social conservatives, democracy itself can present a problem. Ethnic solidarity among Latinos and other people of color (i.e., coalition building) might legitimize a group sufficiently well organized to rationally and peacefully advocate for political change, and that the continued existence of group-conscious minorities demonstrates our nation’s failure to achieve a “purity of the national whole.”

The psychological cost of excessive individualism for racialized and marginalized adolescents is tangible. Students frequently describe how “ethnic studies saved them,” that they previously felt atomized to the verge of nihilism, that U.S. society (including public schooling) had erased their sense of self. Perhaps this is why the discussion of personal identity among marginalized (particularly ethnic) high school students is often necessary to promote their academic advancement. To deny or scorn solidarity or otherwise to make the child to feel that he or she is wrong to need this kind of belonging is another way to delegitimize the child. Such attitudes also dismiss hard-won Civil Rights Movement accomplishments, and falsely characterize cultural minorities as disloyal citizens who impede national unity. Ethnically, by contrast, offers all students a broader perspective on our nation’s history and
literature, using both a racialized/ethnic/immigrant lens and the customary high school curricular lens.

To deny that ethnicity and ethnic identity or solidarity exists or to demonize it also negates two hundred years of social science research. Admittedly, this research flies in the face of the individualistic "pull yourself up by your bootstraps" mentality—an approach has been exhaustively researched and found to be a fallacy, unless you were raised in a privileged or white middle class setting.\textsuperscript{102} Furthermore, within an educational context, to ignore ethnic/racial/immigrant disparities in educational attainment and to reject the utility of critical thinking about those disparities may only serve to keep students in the shadows and to prohibit innovative solutions to close the nation's educational achievement gaps. By turning a blind eye to collective disparities, we let minority students believe that the only reason they do not succeed is because they do not merit success, because they do not work hard enough. Part of ethnic studies teaching introduces students to the long-standing structural problems that create obstacles for marginalized students, which white middle class and upper middle class students do not encounter.

Conclusion

Discriminatory and exclusionary behavior—real or perceived—has always complicated school settings and encumbered the coping capacity of young adults. In the landmark U.S. Supreme Court case \textit{Brown v. Board of Education}, Chief Justice Earl Warren wrote, "Feelings of inferiority based one's racial background may affect the minds and hearts of children in a way that may not be undone."\textsuperscript{103} In one of two empirical social psychological studies, the two principal authors found that discriminatory legislation may contribute to students' perceptions that their ethnic or racial group is treated differentially and is perceived as inferior, with long-term implications for their overall sense of self-worth and their mental health.\textsuperscript{104} In our second analysis with students from all ethnic backgrounds, we similarly found that all students report stress due to anti-ethnic studies proposed legislation.\textsuperscript{105}

On the other hand, Latino students who report more knowledge of their ethnic history, traditions, and culture (exactly what ethnic studies courses offer them) reported significantly less depression and higher self-esteem. Moreover, we found that students who were actively engaged in talking, learning, praying, and activism against the Arizona Senate version of HB 2281 were more likely to retain a high self-esteem even at high levels of stress. In sum, our social psychological research confirmed students' ability to remain resilient, as well as illustrated the health benefits of remaining democratically engaged in talking and learning more about social policies affecting their education and lives, and as American citizens raising their voices to contribute to the public discourse about proposed legislation.

The logic underlying HB 2281 presumes that ethnic studies courses further marginalize students by fomenting distrust, hopelessness, and lack of faith in the institution of public education, leading to even greater political disenfranchisement. Although not well researched,\textsuperscript{106} students' political activity has frequently been grounds for discipline and has been used historically to discourage Latino students from speaking out about inequitable conditions, more so than Anglo students.\textsuperscript{107} Discipline often takes the form of expulsion and suspension from school, contributing to higher dropout rates for Latinos when compared to Anglos. A punitive law such as HB 2281 empowers state officials to discipline teachers, administrators, and students and potentially shut down educational programs that have proven to close achievement gaps. It also denigrates Mexican American culture, and has the potential to undermine Mexican American political and civic engagement. Without civic engagement that seeks greater representation in the classroom, board room, and local government, the subordinate status of Mexican Americans may continue.\textsuperscript{108} However, the freedom that minority groups have to express dissenting opinions has always been seen—post hoc—as a positive value in Western democratic thought. It is only when minority dissent is accepted as part of the broader civic engagement process that the group will be recognized as bearers of real rights, as Appadurai argues:

It has to do with the valuation of a rational debate, of the right to dissent, of the value of dissent as a sign of the larger value of free speech and opinion, and of the freedom to express dissenting opinions on matters of public moment without fear of retribution.\textsuperscript{109}

To be sure, the political actions taken by MAS students to protest HB 2281 and the elimination of MAS represent vigorous engagement in our hallowed American democratic processes. Their commitment and engagement to their own education has deepened. These students and community members are more aware of the stakes involved in legislative activity, and have found a reason to express their civil rights in support for one of the few educational programs that they believed truly helped them succeed. They believe that HB 2281 is designed to thwart an education that gives them a better chance of educational success as it bolsters democratic activism.

We argue that legislative policies such as HB 2281— not the MAS courses—create racial division and feelings of resentment in Arizona.\textsuperscript{110} HB 2281 is ideologically motivated legislation designed to keep Mexican-heritage students and other people of color from recognizing their commonalities, developing coalitions, and creating stronger democracy in Arizona. One tragic
outcome of this law is that it eliminated a program that dramatically reduced the achievement gap among all low-income students. Moreover, the implications of this bill reach beyond Mexican American studies and people of Mexican descent. The bill establishes a precedent that is likely to affect other ethnic studies departments, other school districts, programs other than ethnic studies, and eventually higher education. At stake in the public schools is the right of local communities to control public education.\[11\] The bill severely limits academic freedom; it limits teacher opportunities to help students develop their own critical thinking skills, so they can ask crucial questions about their world and to learn how to begin to answer these questions, thus to give them the keys to deepen their own understanding of their world. At its heart, the political fight over HB 2281 has been a struggle over the extent to which Arizona’s students will engage in the American democratic process, and a struggle over how to prepare the next generation of Arizona’s citizens and leaders.

Notes

2. According to a Pew Report issued on July 14, 2011, the largest of all Latino groups, Mexican Americans grew by 7.2 million in the last decade (2000–2010), contributing to the rapid growth in the total number of Latinos in the United States. The report also shows that births among Mexican Americans have surpassed immigration as the main driver of the dynamic growth in the U.S. Latino population (Pew Research, 2011).
3. See, for example, Huntington, 2004.
6. The bill proposed to changed the crime of being unlawfully present in the United States from a misdemeanor to an aggravated felony, which would have automatically made undocumented people “felons” and therefore permanently ineligible for any path toward legal residence.
7. For the text of this bill, go to www.govtrack.us/congress/bill.xpd?bill=h109-4437.
8. Fraga et al., 2010.
13. See Tucson Citizen reporting about the event at: http://tucsoncitizen.com/morgue/2006/04/21/10060-tuasd-chastised-for-huerta-speech/
29. Contemporary society has progressively grown sensitive to Spanish language conventions that systematically privilege the masculine subject (e.g., “Chicano”) forms over the feminine (e.g., “Chicana”). Therefore, where possible and unless the particular author cited uses only the older conventions, we will include both masculine and feminine subjects, and be mindful that “Chicana Studies” curricula (mentioned next) may constitute a distinct discipline altogether from “Chicano Studies” curricula that evolved years afterward.
34. This figure comes from The National Association of Chicano/Chicana Studies, an academic organization established in 1972 to promote communication and exchange of ideas among Chicana and Chicano scholars across all geographical and disciplinary boundaries (see www.nacacs.org.)
42. Although there are legal differences that determine legal and citizenship rights, the ability of the public and the media to make these distinctions among Latinos is questionable, which make Latinos in general more susceptible to prejudice and discrimination because they share many phenotypic and cultural traits with immigrants and noncitizens (Romero, 2008; Short and Magaña, 2002, 709; Plascencia, 2009).
44. Crawford, 2008.
46. Short and Magaña, 2002.
50. Even a cursory examination of the history of Mexican Americans in the United States will reveal that the questioning of the Latino place in U.S. society is not new.
Tucson area schools meeting those standards (56 percent) was down from 64 percent in 2010 (Huichoch, 2001).

60. Cappellucci et al., 2011.
63. See also Cacho, 2010.
70. Acuña, 1988; Morín, 2005; Santa Ana, 2002.
73. Tanemura Morelli and Spencer, 2000.
75. Tanemura Morelli and Spencer, 2000.
76. Freire, 2000. Banking methods refer to traditional top-down teaching approaches that disregard the knowledge that the student brings to the classroom and dismisses the analytic capacity of disempowered students. In this method, the student’s head is an empty vessel, the teacher is a funnel, and real knowledge is abstract decontextualized data that teachers “deposit” into the student’s mind. Freire’s critique is that this method disengages students of the working poor from real learning, so they remain easy targets for further exploitation. For Freire, the student must be actively engaged to critically assess the content of knowledge that teachers offer them. True knowledge provides a powerful set of tools for students to overcome their disenfranchised circumstances.
77. Stanton-Salazar, 2001. Moreover, these new approaches paralleled the human tendency to cooperate and exhibit compassion and caring (Cammarota and Romero, 2009; Romero, A., 2008).
81. Cappellucci et al., 2011, 59, emphasis in original.
82. Cappellucci et al., 2011.
83. AIMS is the standardized test in Arizona public high schools that students have to pass in order to graduate. It is administered in three subject areas (reading, math, and writing), and given the first time during the sophomore year. Students have multiple opportunities to pass the test, and final passing rates are based upon the aggregate of all students who have passed the AIMS test after its final offering during their senior year.
Chapter 6

84. Department of Accountability and Research. (2011, January 6a). AIMS achievement comparison for students taking one or more ethnic studies classes: Initial passing rate versus cumulative passing rate by AIMS subject and cohort year. Tucson, AZ: Tucson Unified School District. For report copies, contact the office of the Director of Accountability and Research, Tucson Unified School District, Education Annex, 442 East 7th Street, Tucson, AZ 85705.


86. Department of Accountability and Research. (2011, January 6a).


91. In 1973, after years of litigation and several lower court rulings, the U.S. Supreme Court decided in *Keys v. School District No. 1 of Denver*, that Mexican Americans were an identifiable minority group within public school systems and protected under the Fourteenth Amendment of the U.S. Constitution. (See Meier and Stewart, 1991, 66-70.)


93. García Coll et al., 1996; O’Leary and Roméro, 2011; Sellers et al., 2006.


97. Cappellucci et al., 2011.


102. For example, Brown, Carnoy, Currie, Duster, Oppenheimer, Shultz, & Wellman, 2003.

103. See also Tanemura Morelli and Spencer, 2000.


105. Romero and O’Leary, in press.

106. The most frequent type of discipline is a verbal reprimand, which is difficult to document.


110. See also Cacho, 2010.


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References


Arizona Department of Education. (2011, January 6a). AIMS achievement comparison for students taking one or more ethnic studies classes: Initial passing rate versus cumulative passing rate by AIMS subject and cohort year. Tucson, AZ: Tucson Unified School District.


From Gonzales to Flores

A Return to the “Mexican Room”?

Patricia Gándara

ENGLISH LANGUAGE HEGEMONY has characterized Arizona since its admission to statehood in 1912. In 1910 Arizona voters rejected admission to the union jointly with New Mexico, in large part because New Mexico, whose population was 50 percent Spanish speaking, had dual language policies while Arizona prided itself on being 95 percent “American,” and teaching only in English.¹ The state has an equally long history of denying educational rights to Mexican-origin children. While not as pervasive as the segregation of African Americans, separation of Mexican-origin students was widely practiced in the state throughout its history.² For example, Jeanne M. Powers describes the period during the mid-1940s:

While districts argued that segregation was necessary because of students’ poor English skills, the segregation of Mexican American students in Arizona’s public schools was not an isolated practice but occurred in tandem with other discriminatory practices that restricted the social rights of Mexican Americans.³

De la Trinidad (2008) points out that in the post–World War II years, “Communities with significant Spanish-speaking and Native American student populations, particularly mining towns such as Douglas, Ajo, and Clifton, almost always provided separate facilities or classrooms for so-called ‘instructional purposes.’ . . . In some locations such as Nogales, Tucson, and Williams, separate facilities were provided for ‘Negro’ pupils while Mexican students were placed in separate classrooms on the grounds that the instruction of these pupils is furthered by placing them with children from similar home environments.”⁴