"But You're Not a Dirty Mexican": Internalized Oppression, Latinos & Law

Laura M. Padilla

California Western School of Law, lpadilla@cwsl.edu

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"BUT YOU'RE NOT A DIRTY MEXICAN": INTERNALIZED OPPRESSION, LATINOS & LAW*

LAURA M. PADILLA**

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* The title of this article is derived from a conversation in which a college classmate was delivering a harangue, blaming the evils of the world on undocumented Mexican immigrants. I interrupted, alerting him that I was Mexican American. He hesitated momentarily, said “But you’re not a dirty Mexican,” and continued his vitriolic diatribe.

** Laura M. Padilla is a Professor of Law at California Western School of Law. She received her B.A. and J.D. from Stanford. Prof. Padilla would like to thank her Kellogg Group XV advisor, Roberto Chené, for inspiring her to write this article. He articulated the concept of internalized oppression for her, a concept she had been familiar with all her life but could not name. The author is particularly thankful to participants of the Third Annual Latino Critical Race Theory Conference in Miami, Florida, for their feedback on portions of this paper presented in a panel on May 8, 1998. The presented portion has been published as an essay cited as Laura M. Padilla, Social and Legal Repercussions of Latinos’ Colonized Mentality, 53 U. MIAMI L. REV. 769 (1999).
I. INTRODUCTION

Internalized oppression is the turning upon ourselves, our families, and our people—the distressed patterns of behavior that result from the racism and oppression of the majority society. Internalized racism is directed more specifically at one’s racial or ethnic group.1

Internalized oppression and racism are insidious forces that cause marginalized groups to turn on themselves, often without even realizing it. The combined effect of internalized oppression and internalized racism is often devastating—it can reinforce self-fulfilling negative stereotypes,2 resulting in self-destructive behavior. “The worst part of domination is that the oppressed begin to believe what those in authority say: that they are subhuman, inferior, incapable of dignified tasks, and a burden to society.”3 In the Latino community,4 as in the broader community, many people have been conditioned to believe the stereotype of Latinos as a drain on government social services.5 “Some Mexican-Americans speak of Mexican immigrants over-consuming public benefits and express fear about losing jobs to cheap immigrant labor.”6 Latinos are also viewed as undeserving beneficiaries of preferences,7 who are ignorant and lazy,8 and can

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1. Roberto Chené, CREATING INTERCULTURAL COMMUNITIES, ENHANCING COMMUNITY IN THE WORKPLACE, Module II at 2 (on file with the author) [hereinafter INTERCULTURAL COMMUNITIES].
2. See George A. Martinez, African-Americans, Latinos, and the Construction of Race: Toward an Epistemic Coalition, 19 CHICANO-LATINO L. REV. 213, 221 (1998) ("[P]eople can be harmed if the community reflects back to them a disparaging image of themselves.").
4. See generally Daniel L. Roy, Summary Results From the Latino Ethnic Attitude Survey, available at http://falcon.cc.ukans.edu/~droy (last visited Mar. 30, 1999) (the unpublished report is available through the library system of the University of Kansas, Laurence, Kansas) (explaining that there are many negative stereotypes applying to all races and ethnicities encompassed by the term “Latino.” This article loosely uses “Latino” mostly to describe Mexican Americans, including recent immigrants.).
5. See Yxta Maya Murray, The Latino-American Crisis of Citizenship, 31 U.C. DAVIS L. REV. 503, 529, 570 (1998) (discussing the public perception of Latinos as “lazy channel-surfing welfare scammers,” and how “the government portrays Latinos as a drain on the system”); see also Kevin C. Wilson, And Stay Out! The Dangers of Using Anti-Immigrant Sentiment as a Basis for Social Policy: America Should Take Heed of Disturbing Lessons from Great Britain’s Past, 24 GA. J. INT’L & COMP. L. 567, 578 (1995) [hereinafter Wilson, And Stay Out] (discussing the persistent belief, particularly among Californians, that illegal immigrants unfairly abuse public benefits); Nancy Cervantes et al., Hate Unleashed: Los Angeles in the Aftermath of Proposition 187, 17 CHICANO-LATINO L. REV. 1, 5–6 (1995); Major Garrett, California Dreaming?; Cries for Immigration Relief Shake Nation, WASH. TIMES, Aug. 15, 1993, at A1 (stating that former California governor Pete Wilson added to the perception of Latinos as social service parasites through his widely publicized comments that “[i]f you come to this country illegally and have a baby, the reward is your baby will become a citizen, entitled to all the rights and perquisites of any American citizen.”).
7. Purvi Badiani, Affirmative Action in Education: Should Race or Socioeconomic Status be Determinative?, 5 GEO. J. ON FIGHTING POVERTY 89, 98 (1997) (discussing the assumption that all individuals who have benefited from affirmative action are undeserving and inferior).
barely speak English. Latinos are considered to "bring inferior cultural mores, including a propensity to go on welfare and commit crimes, [to have] poor health and hygiene, disregard for hard work and education, and a backward attachment to their language." The welfare stereotype persists, even though Latino men are employed at one of the highest rates of any population group. Moreover, popular storytelling paints Latinos as docile people who accept any working conditions without complaint. Mexicans have been characterized "as traditional, sedate, lacking in mechanical resourcefulness and ambition." Even worse stereotypes abound—"many perceive Latinos as poor, criminals, drug users." When Latinos believe any or all of these stereotypes, we devalue each other. We may even come to despise those who we perceive to be most likely to represent those stereotypes—recent immigrants. A 1992 survey "found that up to 84 percent of...
Mexican-Americans agreed with the statement that 'There are too many immigrants.'\textsuperscript{15}

Sadly, "Mexicans themselves internalize the 'Anything but Mexican' mindset. An internalized racism, popularly called a 'colonized mentality' by Chicano movement activists during the 1960s, splinters Latino and even Mexican unity."\textsuperscript{16} While not all Latinos experience internalized racism all the time, most Latinos experience it some of the time, albeit to different degrees. This colonized mentality can cause us to assimilate to such an extreme that we deny our heritage and all cultural links,\textsuperscript{17} while simultaneously berating more recent immigrants for not assimilating quickly enough. One political scientist explained this propensity as follows: "What happens is the assimilated people feel embarrassed by the poverty and rural ways of the immigrants. Mexican-Americans want to fit into the American culture and do not want to be associated with immigrants."\textsuperscript{18}

By internalizing negative stereotypes, we take action that is harmful to ourselves as well as to other Latinos. This self-inflicted internalized racism goes back hundreds of years. Shortly after the conquest,

in New Spain[...the Indian supervisors and then the mestizo supervisors became worse than the Spaniards in the treatment of the Indians. This continues to happen today in the southwestern United States, where Mexican-American bureaucrats treat the Mexican-American and Latin-American poor worse than anyone else. They have interiorized the image of the cruel treatment of the poor as the way for good human beings to act. The assimilation of the evil ways of the oppressor by the oppressed is the worst result of oppression: the victim takes on the ways of life of the victimizer and begins to victimize others.\textsuperscript{19}

More recently, Latinos have spoken out against programs that have helped the Latino community. One well-known Mexican American candidly stated, "I have argued particularly against two government programs—affirmative action and bilingual education."\textsuperscript{20} Additionally, a significant number of Latinos voted in favor of California’s Proposition 187, which ended most benefits for immigrants;\textsuperscript{21} Proposition 209, which ended affirmative action in government
contracting and public colleges and universities; and Proposition 227, the effort to end bilingual education in California, precisely because these voters accepted negative stereotypes about Latinos. For example, they may have been seduced into believing that immigrants take without giving and do not deserve education or medical attention. They must have also been convinced that our society is color-blind and that race-based preferences to make amends for past discrimination are no longer necessary.

Finally, a predominantly Latino school board in New Mexico fired two teachers for teaching high school students, most of whom were Latino, about Chicano history. In each of these instances, Latinos' actions harmed other Latinos, often to the delight of conservatives, some of whom initiated and masterminded the underlying activity. This self-defeating behavior results from a belief in Latino inferiority and Anglo superiority—both manifestations of internalized oppression and racism.

This article will describe internalized oppression and racism and expose the harms they cause. It will also dissect the reasons we engage in internalized oppression and racism and explain that once the reasons are exposed, it will be easier to engage in a conscious effort to reduce and ultimately eradicate internalized oppression and racism. Part II of this article defines internalized oppression and internalized racism and elaborates on ways that they are generally expressed in the Latino community. Part III explains how Latinos' internalized racism is reflected in some areas of the law by detailing both Latinos' support for a number of harmful legislative measures and the actions taken by a Latino school board against other Latinos. Part IV re-imagines Latino identity

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22. CAL. SEC'Y OF STATE, STATEMENT OF VOTE: GEN. ELECTION: NOV. 5, 1996 36 (indicating that overall, California voters approved Proposition 187 by a vote of fifty-nine percent to forty-one percent).


24. I initially believed that in light of the long-term social costs of having an uneducated and unhealthy immigrant population, it was simply shortsighted to withhold educational and medical benefits from immigrants. On further reflection, I wonder whether Proposition 187 represents part of a larger scheme to perpetuate an underclass and prevent many Latinos from breaking out of a cycle of poverty. For a discussion of the intentionality of campaigns such as those underlying Propositions 187 and 209, see JEAN STEFANIC AND RICHARD DELGADO, NO MERCY: HOW CONSERVATIVE THINK TANKS AND FOUNDATIONS CHANGED AMERICA'S SOCIAL AGENDA (1996) [hereinafter NO MERCY].

25. For a more detailed discussion of the New Mexico case, see Cordova v. Vaughn Mun. Sch. Dist., 3 F. Supp. 2d 1216 (1998), and infra Part III D.

26. See NO MERCY, supra note 24 (analyzing the role of conservative think tanks and foundations in setting our social policy agenda, including formulatig and organizing legislative and litigation activity).
without internalized oppression and racism and suggests ways to overcome internalized oppression and racism at both the group and individual levels. The article concludes that simultaneous efforts to reduce subordination, while exposing internalized oppression and racism, are the first steps required to alleviate the harm resulting from internalized oppression and racism. The next step is to engage proactively in the self-defining process. Finally, we must collaborate with other anti-subordination activists, scholars, and lawmakers and capitalize on our newly self-defined positive identity.

II. INTERNALIZED OPPRESSION AND RACISM

Internalized racism has been the primary means by which we have been forced to perpetuate and “agree” to our own oppression.

In order to understand the many ways in which internalized oppression and racism affect subordinated communities, it is important to have a general background on these forces. Thus, this part of the article will describe internalized oppression and racism generally and will then describe how internalized oppression and racism are particularly manifested in the Latino community. This will better allow the reader to comprehend why Latinos engage in the specific types of self-destructive behavior described throughout this article.

A. Working Definitions of Internalized Oppression and Racism

When a victim experiences a hurt that is not healed, distress patterns emerge whereby the victim engages in some type of harmful behavior. Internalized oppression has been described as the process by which these patterns reveal themselves.

[These distress patterns, created by oppression and racism from the outside, have been played out in the only two places it has seemed “safe” to do so. First, upon members of our own group—particularly upon those over whom we have some


30. Id. at 2.
degree of power or control . . . . Second, upon ourselves through all manner of self-invalidation, self-doubt, isolation, fear, feelings of powerlessness and despair . . . .

Thus, internalized oppression commences externally. In other words, dominant players start the chain of oppression through racist and discriminatory behavior. This behavior could range from physical violence prompted by the victim’s race, to race-based exclusion, to derogatory race-based name-calling and stereotyping (such as “we don’t need any more wetbacks—they just take away our jobs”), together with capitalization on the fears created by those stereotypes.

Those at the receiving end of prejudice can experience physical and psychological harm, and over time, they internalize and act on negative perceptions about themselves and other members of their own group. How might internalized oppression appear generally—that is, not in regards to a particular ethnic or racial group?

Patterns of internalized racism cause us adults to find fault, criticize, and invalidate each other. This invariably happens when we come together in a group to address some important problem or undertake some liberation project. What follows is divisiveness and disunity leading to despair and abandonment of the effort.

Patterns of internalized oppression cause us to attack, criticize or have unrealistic expectations of any one of us who has the courage to step forward and take on leadership responsibilities. This leads to a lack of support that is absolutely necessary for effective leadership to emerge and group strength to grow. It also leads directly to the “burn out” phenomenon we have all witnessed in, or experienced as, effective leaders.

Internalized racism affects our behavior in many other ways, yet always with the result that we harm ourselves and sometimes others. The following section will describe how

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31. Id. at 3.
32. Graciela Sevilla, Crime Against Latinos Rising, Report Says, ARIZ. REPUBLIC, July 27, 1999, at A6 (noting that “harassment and crime against Latinos are rising across the country . . . .”); see also Bhavna Mistry, Duo Use Slur in Slash Attack; Whites Use Glass to Cut Latino Man, L.A. DAILY NEWS, Apr. 6, 1999, at AV1 (describing an incident in which two white men with shaved heads “slashed a young Latino man with a shard of glass, called him a racial slur and shouted names of white supremacist gangs as they ran away”).
33. See, e.g., Nancy Cleeland, Suit Claims Bias in Restaurant Hiring, L.A. TIMES, July 24, 1999, at C2 (describing a suit filed on behalf of Latino restaurant workers alleging discriminatory employment practices in the restaurant industry).
34. See NO MERCY, supra note 24. The authors, Delgado and Stefancic, discuss negative immigrant stereotypes (primarily Latino) and ways that conservatives manipulate those stereotypes.
35. See ACUÑA, supra note 16, at 127.
36. LIPSKY, supra note 29, at 5–6.
37. See id. at 5–12 (providing a more extensive list of patterns of internalized racism).
internalized racism manifests itself specifically within the Latino community.

B. Internalized Racism and Latinos

Internalized oppression operates rather uniformly at both the group and individual levels, regardless of ethnicity, gender, or sexual orientation, through some common behavioral patterns. However, it also manifests itself uniquely depending on the negative stereotypes it causes a particular group to internalize. Latinos’ specific history gives rise to the particularities of our internalized oppression and racism. We “share a unique experience of oppression and survival in the United States. Mexicans and Puerto Ricans, who constitute the largest and oldest Latino/a communities within the official borders of the United States, were attacked, invaded, colonized, annexed, and exploited by the United States.” This oppressive behavior toward Latinos is deep-rooted. Jeanne Guana elaborates:

[A]fter the Mexican American War ended in 1848, people of Mexican origin faced lynchings, land theft and virulent racism. Later, in times of economic depression, people of Mexican origin—citizens and non-citizens alike—were deported en masse.... As a result, many Mexican-origin people internalized the racism and learned to despise all things Mexican.

Despising all things native to ourselves causes unhealthy behavior, including self-loathing and participation in the perpetuation of negative stereotypes. Latinos may be conditioned to believe that other Latinos—particularly recent immigrants—are taking jobs away from United States citizens or are unfairly taking advantage of United States social services. Additionally, we may refrain from using Spanish in professional settings because it will betray our heritage, or we may believe that Whiter is better. “From the Latina/o viewpoint, the desirability of whiteness represents the internalization by the colonized of the colonizers’ predilections.” The remainder of this section will provide greater detail on ways that internalized racism affects the Latino community, both at the group and individual levels.

38. See supra text accompanying notes 31 and 36.
41. Jackie Calmes, Despite Buoyant Economic Times, Americans Don’t Buy Free Trade, WALL ST. J., Dec. 10, 1998, at A10 (“Despite an unemployment rate that is the lowest in three decades, by a more than 3-1 margin respondents said that the U.S. shouldn’t allow more immigrants into the country because they take jobs that Americans should have.”).
42. See supra note 5. Many Latinos, even my own relatives, lament how “those people” (recent Latino immigrants) are taking away their social security; see also, Efrain Hernandez, Jr., & Richard Simon, Despite Gains, Latino Voters Still Lack Clout; Election: Myriad Reasons Account for Poor Turnout, 'This is More Than a Wake-Up Call,' One Politician Says, L.A. TIMES, Dec. 4, 1994, at A1. Ken Chavez, Wilson Ads’ Latino Effect Tough To Tell Could Even Help Governor, SACRAMENTO BEE, May 21, 1994, at A3 (describing Latino voters’ perception of more-recent Latino immigrants as a burden on the economy). But see infra text accompanying notes 49–55 (indicating that immigrants offer more than they receive in services).
At the group level, internalized oppression and racism involve harmful or destructive conduct by members of a group directed at other members of the same group. "[Internalized racism] has been a major ingredient in the distressful and unworkable relationships which we so often have with each other. It has proved to be the fatal stumbling block of every promising and potentially powerful . . . liberation effort that has failed in the past." Internalized racism thus thwarts Latinos' empowerment efforts. For example, Latino groups often wither when leadership issues revolve around how "ethnic" one is. To wit, at California Western School of Law, one year a majority of the La Raza law students refused to elect a blond student to a board position because she was not perceived to be "Mexican" enough, even though she was born in Mexico, spoke better Spanish than most of her classmates, and was a committed activist. The experience was devastating. Internalized oppression and politics of race impeded her advancement and prevented her from performing work that would have benefited the Latino community. I have seen the same politics of race emerge among La Raza Lawyers of San Diego members' credibility was frequently based on whether they were perceived as either "too dark" or "too light," depending on the issue.

Group-level internalized racism also reveals itself through the way Latinos view other Latinos. For instance, many people in the Latino community believe the tired propaganda that Latino immigrants are a drain on social services. As far back as 1913, "the Commissioner of Immigration . . . publicly announced his fear that Mexicans might become public charges, since according to these authorities, Mexicans came to the United States only to receive public relief." Today, many Americans harbor that same belief about recent immigrants, and too many Latinos believe it. If those who believe this propaganda were to look beyond the myths to the facts, they would learn that many immigrants contribute more to our society than they receive. One expert "estimates that immigration brings economic benefits to the United States in the range of $6 to $20 billion annually—small, but still a net positive gain." Moreover, "there is overwhelming evidence that undocumented immigrants pay more in taxes than they receive in public benefits." When researching campaigns to limit immigration, Richard Delgado and Jean Stefancic found that even conservative think tanks concluded that "immigration is a net benefit, not a drawback to the

44. LIPSKY, supra note 29, at 1.
45. See Johnson, Latino Legal Scholarship, supra note 17, at 130–31 (addressing other examples of intra-group internalized oppression).
46. For most of the time since arriving in San Diego in 1990, I have been a member of La Raza Lawyers of San Diego off and on since shortly after I arrived in San Diego in 1990, and I sat on the Board during 1993 and 1995.
47. ACURA, supra note 16, at 110.
48. See Wilson, And Stay Out, supra note 5, at 578.
49. ACUÑA, supra note 16, at 122 (citing an August 1993 Field Poll, which showed seventy-four percent of Californians believed that illegal immigration had a negative impact on the state and seventy-six percent agreed it was a serious problem).
50. See generally STRANGERS AT OUR GATES: IMMIGRATION IN THE 1990S (1990) (discussing contributions of immigrants and net benefits for the areas where they settle); Wilson, And Stay Out, supra note 5, at 578. But see NO MERCY, supra note 24, at 29–30 (detailing costs incurred by taxpayers for services to illegal immigrants).
51. What To Do About Immigration, supra note 11, at 35.
52. Wilson, And Stay Out, supra note 5, at 578.
regions in which immigrants settle.” Their research uncovered conservative spokespersons who emphasized that “legal immigrants are more likely than natives to participate in the labor force... and that immigrants earn roughly $700 more a year per capita than natives, with those who entered the United States before 1980 earning nearly $4,000 more.” Moreover, many immigrants, particularly Latinos, exhibit entrepreneurial spirit, often starting their own businesses. “According to the Greenlining Institute in San Francisco, most of the new small business development in California that helped to move the state’s economy forward was fueled by Latino entrepreneurs.” Thus, rather than taking more than their share of public benefits, in many cases Latinos disproportionately contribute to the economic health of the United States.

Internalized racism in the Latino community also reveals itself at the individual level. For example, nearly half of all Hispanics consider themselves White. More telling, there is a great deal of self-loathing tied to the darkness of one’s skin. One Mexican American, who asserted that he “would have been only too happy to look as Mexican as my light-skinned older brother,” admitted that he felt “shame and sexual inferiority... because of my dark complexion.” He continued describing himself: “With disgust... I would come face to face with myself in mirrors. With disappointment I located myself in class photographs—my dark face undefined by the camera which had clearly described the white faces of classmates. Or I’d see my dark wrist against my long-sleeved white shirt.”

At a more personal level, I have heard friends and family attempt to one-up each other about how “güero” their children or grandchildren are. I remember my mother’s best friend bragging about how güera her first granddaughter was as she pulled out a photograph of a hirsute, dark baby. Rather than ask each other why her friend felt the need to assert her granddaughter’s “güera-ness,” my mother and I instead later compared the granddaughter’s “güera-ness” to the “güera/o-ness” of our own family members. We succumbed to the conditioning that Whiter is

54. Id.
55. Robert P. Haro, *Latino Voters in California.* Available in: latino-law-profs@ucdavis.edu (posted Aug. 5, 1998) (copy on file with the author) (stating that “statistics released in the Manhattan Institute’s report show that immigrants, especially those who arrived before 1980, are more likely even than the native-born, to own their own businesses”); see also *No Mercy*, supra note 24, at 31.
56. Haro, supra note 55; see also *No Mercy*, supra note 24, at 31.
57. *What To Do About Immigration*, supra note 11, at 30. Some, however, question the veracity of this statistic and argue that it is taken out of context. For example, many Latinos self-identify as White only if asked to choose among options that do not include Hispanic or Latino identifiers (e.g., White, Black, or Asian). For a further discussion of how Latinos self-identify, see Luis Fraga et al., *Still Looking for America: Beyond the Latino National Political Survey 10* (1994). [hereinafter BEYOND LNPS].
58. RODRIGUEZ, supra note 20, at 124–25 (describing at length how he tried repeatedly to lighten his skin tone).
59. Id. at 125.
better without even realizing it. We also use a grading process brought about by this conditioning to rank the acceptability of boyfriends, girlfriends, spouses, and partners. Lighter is preferred; darker is grudgingly accepted so long as that person is Latino. To go any darker may put one at the risk of family alienation. As one Latino expressed it:

The unpleasant truth is that whether or not Mexican-Americans consider interracial relationships to be acceptable has everything to do with the specific race involved. The clearest analogy: a ladder. The social ladder, if you will. At the top of the ladder is the color white, owing to generational assumptions that the fair-skinned shall inherit the earth. At the bottom is the color black, the color of subjugation. Inferiority. In the middle, nesting precariously between the extremes, is the color brown.61

We have been conditioned at many levels and for many centuries to believe that lighter skin is more desirable. Although some may be puzzled as to why Latinos would perpetuate that belief, it is readily explained.

It is hardly surprising that minorities have often sought to “pass” as White—i.e., present themselves as White persons. They did so because they thought that becoming White insured greater economic, political, and social security. Becoming White, they thought, meant gaining access to a whole set of public and private privileges and was a way to avoid being the object of others’ domination. Whiteness, therefore, constituted a privileged identity.62

Survival instincts coupled with an unquestioned acceptance of liberal ideology promoting pursuit of individual well-being pushes us to claim a White identity. Yet a critical analysis of that pursuit reveals some flaws in the goal. Most fundamentally, that goal asks us to forfeit our cultural and ethnic identity. Another flaw is that it assumes that even if one wanted to “pass” for purposes of obtaining White privilege, the privilege would follow. As explained elsewhere in this article,63 even if Latinos self-identify as White, they cannot control how others see them. So long as they are viewed as Latino, they will not obtain the White privilege that they crave. Here lies the greatest risk of all, as one could lose one’s ethnic and familial identity without ever achieving one’s desired identity, thus leaving an untethered soul who fits in nowhere.

Even if one does not attempt to “pass,” one can consciously or subconsciously attempt to acquire White privilege through the choice of a spouse. Critical race theorists have left the

63. See infra text accompanying notes 132–33.
sensitive topic of spousal selection in interracial relationships largely unexplored, even though this study would shed light on the complex relationship between subordination and White privilege. Although I will not analyze this topic at length here, at some risk, I will share some of my own experiences. I married an Anglo and in reflecting on why I married my husband, I realize that the reasons are many, complex, and positive, and that I never consciously chose not to marry a Latino. However, it is not as clear to me whether I subconsciously chose not to marry a Latino. During law school, I spent countless hours with my Latino classmates and one year I co-chaired the Stanford Latino Law Students' Association ("SLLSA"), but I did not date my Latino classmates. One reason was that there were not many Latinos at the law school and many of the few had girlfriends. Another reason that I reveal with reluctance is that I saw too many marriages in my family break up because of the man's infidelity. Of course many non-Latino men are unfaithful, and I never believed that all Latino males were unfaithful, but my family history made me nervous. That nervousness was later compounded when I became active with La Raza Lawyers of San Diego. At parties and out of town conferences, I noticed that a significant number of men suddenly lost their wedding rings and seemed to spend too much time with women who were not their wives. So I remind myself that this behavior is characteristic of many men, not just Latinos. When I experience this unease, am I unconsciously succumbing to internalized racism by believing negative stereotypes about Latino men? My need to ask this question reveals one of the dangers of internalized oppression—we frequently do not even realize when or how we are prejudiced against ourselves.

Other manifestations of internalized racism include behavior resulting from envidia, or jealousy. Latinos, for instance, frequently inwardly, and sometimes outwardly, question the qualifications of other successful Latinos. It is heartening that this is not uniform—many Latinos provide mutual support networks by, for example, intentionally and systematically referring business to each other. Nonetheless, we too frequently neglect to provide support for each other and even worse, we actually conspire against each other. This tendency is illustrated by a popular Mexican folk story:

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65. These reasons are too personal and incapable of being reduced to words to even make such an attempt here.
66. See Johnson, Ring of Fire, supra note 60, at 1272, 1290, footnote 120 (noting that one third of young Hispanics marry non-Hispanics); What to do About Immigration, supra note 11 (contrasting the assimilation strategy of intentionally marrying Caucasians in order to better "blend").
67. My classmate, Linda Davila, and I co-chaired SLLSA.
68. Macarena Hernandez, Envidia: Killing the Green-Eyed Monster, LATINO LINK, (Jan. 18, 2000), available at http://www.latinolink.com/arts_entertainment/culture/0112ill.htm (explaining that envidia, or envy, is present in all cultures but that many Latinos seem to consider this phenomenon to be "all too prevalent in our culture"). Lilian Roybal Rose, a Mexican American culture consultant, describes internalized oppression and envidia in Hernandez's article as follows: "When you look at oppression, racism or sexism, that phenomenon [of believing negative stereotypes about ourselves until they become self-fulfilling] continues. We learn somehow that we are defective, whether it is about our intelligence or the way we look in terms of our skin color or our gender. From that injury comes the behavior. It just makes us feel dumb or stupid or more defective, so we start to sabotage anyone of us who starts to climb into leadership." Id.
69. For a more general description of the pattern of doubting our colleagues' qualifications, see supra text accompanying notes 35–36.
A man stumbles upon a fisherman who is gathering crabs and placing them in a bucket with no lid. When the passerby asks the fisherman whether he is concerned that the crabs might climb out of the bucket and crawl away, the fisherman replies that there is no need to worry. "You see," he says, "these are Mexican crabs. Whenever one of them tries to move up, the others pull him down . . . ."70

The envidia phenomenon sabotages Latino unity and requires our attention. We need to challenge negative stereotypes about Latinos, refuse to perpetuate negative stereotypes about other Latinos, recognize sabotaging behavior among ourselves, and convert that behavior and the environment that promotes it into a supportive environment.

Internalized racism is also displayed when Latinos experience self-doubt upon receiving either admission into a top university or a prestigious job offer.71 This "impostor" dilemma haunts many of us.72 How did I get here? Do I truly belong? The answers, respectively, are through hard work and perhaps some serendipity, and yes. However, because of internalized racism, we doubt our qualifications and hard-earned credentials and succumb to the often not-very-delicate suggestions that we do not belong.

We also denigrate ourselves through both our treatment of the Spanish language and our support of the English-only movement.73 By the former, I mean that Latinos can cavalierly use Spanish when convenient—for example, to temporarily bond with other Latinos,74 while also being ashamed by it when it reveals too much of our heritage.75 Through support of the English-only movement, we send the message that we should be ashamed of our inherited language. When we support this movement, we admit Latino inferiority and accept the notion that Latinos are "dangerous because of their language. It perceives the Spanish language as a threatening foreign

70. Traditional Mexican story I heard countless times growing up.
71. NAVARRETE, JR., supra note 61, at 16 (explaining that qualified Latino students did not overcome the stigma of achieving success until years after their college acceptance letters arrived in their parents' mailboxes).
72. Robert Jensen, Diversity Debate: There's a Dirty Little Secret of White Privilege, HOUS. CHRON., July 26, 1998, at 1C (detailing that white males also suffer from the impostor dilemma, but that white privilege ameliorates that suffering). Mr. Jensen described the benefits of white privilege as follows:

I walk through the world with white privilege. What does that mean? Perhaps most importantly, when I seek admission to a university, apply for a job, or hunt for an apartment, I don’t look threatening. Almost all of the people evaluating me look like me - they are white. They see in me a reflection of themselves - and in a racist world, that is an advantage . . . . Every time I walk into a store at the same time as a black man and the security guard follows him and leaves me alone to shop, I am benefiting from white privilege.

Id.
73. See discussion infra Part III C.
74. Temporary bonding might occur when one does not normally speak Spanish but then suddenly feels compelled to speak Spanish. For example, sometimes my friends and I speak Spanish in a Mexican restaurant, even if we do not usually speak Spanish when together.
75. I remember being embarrassed when my mother publicly and too loudly called me mija. Mija translates roughly into "my daughter" but also connotes "my daughter who I love so much," and it is typically spoken with much affection. I was also embarrassed when she made me cariños, which are demonstrations of love and affection.
influence that must be eradicated to preserve cultural purity.” Accordingly, internalized racism causes Latinos to distance themselves from the Spanish language. This distancing increases as income rises and assimilation becomes more complete. As one study indicates, “[A]lmost 40 percent of Latino respondents prefer English as their dominant language, and 92 percent prefer either monolingual English or bilingual English and Spanish . . . . Over time, and as Latino socioeconomic status improves, Latino language preferences, while bilingual, move closer to an English predominance for . . . [survey] respondents.” Latinos who intentionally distance themselves from Spanish accept “[t]he assimilationist ideal [that] would have Latinos learn English and completely lose their Spanish-speaking ability.” Rather than being a source of embarrassment, as one academic suggested, our language should be a source of cultural pride; “Latino/as must learn to celebrate their language if they are to find strength in their common identity.”

This part outlined just a sampling of the many negative stereotypes about Latinos. When we accept these stereotypes about ourselves and other Latinos, we accept the “colonized mentality” and engage in actions consistent with internalized racism. These actions are harmful in and of themselves, and the consequences can be even more severe when the stakes are higher—for example, when legislation is proposed that directly harms the Latino community. Part III will elaborate on ways that internalized oppression is manifested in law, including through recent legislation and litigation.

III. LATINOS’ INTERNALIZED OPPRESSION AS REVEALED IN THE LAW

This part describes California’s Proposition 187 ending benefits to illegal immigrants, Proposition 209 ending affirmative action, and Proposition 227 ending bilingual education—recent legislation that has negatively impacted the state’s Latino community. It will also discuss Latinos’ roles in supporting that legislation. While the resulting laws admittedly bind only one state, their actual impact is much broader, since other states and the federal government have been encouraged by the success of these measures to advance similar legislation. This section will

76. Oquendo, supra note 39, at 124.
77. Roy, supra note 4, at 26.
78. Johnson, Ring of Fire, supra note 60, at 1294.
80. Although legally binding only on California, the reach of these laws extends to much of the country’s Latino population; “In 1995, 74 percent of the nation’s Latinos resided in five states. California, with nine million, has the largest share of the nation’s Latino population . . . .” Roy, supra note 4, at 4.
also discuss Cordova v. Vaughn Municipal School District, an action which two high school teachers brought against their predominantly Latino school board after they were fired for teaching Chicano Studies.

Although Latinos did not initiate the propositions discussed in this part, far too many supported the legislation. This behavior and the behavior of the New Mexico school board and community members in the Cordova case reflect a pattern in which Latinos sabotage rather than support, other Latinos. Internalized racism, that is, acceptance of Latino inferiority and Anglo superiority, prompts such damaging behavior. This part explores the behavior resulting from internalized racism and explains the relationships between that behavior, internalized oppression, and internalized racism.

A. Proposition 187

Proposition 187 was designed to eliminate public benefits to illegal immigrants. The purported underlying intent was to decrease state and local government spending on health care, social services, and public education by denying certain benefits and services to illegal aliens and others unable to document their citizenship or legal immigration status. The savings were estimated to be in the range of $200 million annually. However, those savings would be offset through implementation costs and a possible loss of federal government funds. The savings would also be offset by noneconomic costs, such as increased intolerance, divided communities, and harassment of anyone who might appear foreign.


82. 3 F. Supp. 2d 1216 (1998).
83. CAL. HEALTH & SAFETY CODE § 130 (b) (Deering Supp. 1998); CAL. WELF. & INST. CODE § 10001.5 (b) (Deering Supp. 1998); CAL. EDUC. CODE § 48215 (a) (Deering Supp. 1998).
85. Id. (explaining that state and local agencies responsible for implementing Proposition 187 would incur significant administrative costs to verify the citizenship or immigration status of every person suspected of being an illegal alien).
86. Id. (showing the initiative placed billions of dollars in federal funds at risk annually because it conflicted with various federal laws and requirements).
87. Carla Marinucci, Davis Reaches Out to Mexico / Governor’s Trip to Bolster Business Ties With State, Emphasize Cooperation, S.F. CHRON., Jan. 21, 1999, at A1 (contending that California governor Pete Wilson's pro-Proposition 187 television ads whipped up hostility against both immigrants and anyone resembling those portrayed in the advertisements).
89. See infra text accompanying notes 95 and 99–100.
On November 8, 1994, California voters approved Proposition 187 by a margin of fifty-nine percent to forty-one percent.\(^{90}\) As enacted, Proposition 187 prohibits illegal aliens in California from receiving publicly funded benefits such as social services; health care; and primary, secondary, and postsecondary education.\(^{91}\) Accordingly, one cannot receive these types of services unless one can establish legal status as a United States citizen, a permanent resident, or an alien lawfully admitted for a temporary period of time.\(^{92}\)

Some of Proposition 187's provisions merit further examination. One section prohibits illegal aliens from attending public schools: “No public elementary or secondary school shall admit, or permit the attendance, of any child who is not a citizen of the United States, an alien lawfully admitted as a permanent resident, or a person who is otherwise authorized under federal law to be present in the United States.”\(^{93}\) These schools must now verify the legal status of children enrolling or already in attendance in their schools, as well as the legal status of their parents or guardians.\(^{94}\) If a school district determines or reasonably suspects that a student may be violating these provisions, it is required to report its knowledge or suspicions to various state and federal agencies.\(^{95}\) It must simultaneously notify the child’s parent or guardian that such a report has been made, as well as provide notice to the parent or guardian that the child “may not continue to attend the school after ninety calendar days from the date of the notice, unless legal status is established.”\(^{96}\) If legal status cannot be established, the school district must make arrangements within the ninety-day notice period “to accomplish an orderly transition to a school in the child’s county [sic] of origin.”\(^{97}\) Proposition 187 also prohibits persons with illegal-alien

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90. See supra note 21. Proposition 187's passage was immediately followed by litigation challenging its enforcement. See League of United Latin American Citizens v. Wilson, 997 F. Supp. 1244, 1255 (1997) (holding that federal statutes such as the Personal Responsibility and Work Opportunity Reconciliation Act (PRA) preempt state law, including state laws like those proposed in Proposition 187); see also Davis Reaches Deal With Civil Rights Organizations to End Proposition 187 Litigation, ASSOCIATED PRESS NEWSWIREs, July 29, 1999, available at Westlaw, File No. 42 (“[Governor] Gray Davis struck a deal with civil rights organizations that will effectively nullify... Proposition 187.”).


92. CAL. HEALTH & SAFETY CODE § 130 (b) (Deering Supp. 1998), CAL. WELF. & INST. CODE § 10001.5 (b) (Deering Supp. 1998); CAL. EDUC. CODE § 48215 (a) (Deering Supp. 1998); CAL. EDUC. CODE § 66010.8 (a) (Deering Supp. 1998). But see CAL. HEALTH & SAFETY CODE § 130 (a) (Deering Supp. 1998) (stating that federal law still requires states to provide emergency medical care to all persons, regardless of their legal status).

93. CAL. EDUC. CODE § 48215 (a) (Deering Supp. 1998).

94. Id. at (b)-(d) (emphasis added).

95. CAL. EDUC. CODE § 48215 (e) (Deering Supp. 1998) (emphasis added); CAL. EDUC. CODE § 66010.8 (e) (Deering Supp. 1998) (“[E]ach school district shall provide information to the State Superintendent of Public Instruction, the Attorney General of California, and the United States Immigration and Naturalization Service regarding any enrollee or pupil, or parent or guardian attending a public elementary or secondary school in the school district determined or reasonably suspected to be in violation of federal immigration laws within forty-five days after becoming aware of an apparent violation.”) (emphasis added).

96. CAL. EDUC. CODE § 48215 (e) (Deering Supp. 1998).

97. Id. at (f).
status from attending public postsecondary institutions.\textsuperscript{98}

Proposition 187’s punitive reporting requirements obligate authorities to report persons determined to be illegal aliens, as well as those reasonably suspected to be illegal aliens, even beyond the school setting. For example, these requirements extend to persons applying for public health care and social services.\textsuperscript{99} Proposition 187 additionally modified the Penal Code to provide that “every law enforcement agency in California shall fully cooperate with the United States Immigration and Naturalization Services regarding any person who is arrested if he or she is \textit{suspected} of being present in the United States in violation of federal immigration laws.”\textsuperscript{100} Proposition 187 thus affects not only California’s illegal aliens, but also the millions of California residents with a foreign appearance.

The following list of Proposition 187 supporters, together with a brief description of some of their beliefs, reveals some of the spirit underlying the initiative. Proponents included California’s then-governor Pete Wilson, the California Republican Party, two-time Republican presidential candidate Patrick J. Buchanan,\textsuperscript{101} and the Federation for American Immigration Reform (“FAIR”). English-only activist John Tanton founded FAIR in 1979,\textsuperscript{102} and FAIR recruited members relatively quickly “with direct mail appeals emphasizing protection of American jobs, culture and language.”\textsuperscript{103} Its website states that its goals are to end illegal immigration and to set legal immigration at the lowest feasible levels consistent with the demographic, economic, and social realities of the present.\textsuperscript{104} FAIR has been described as one of “the most ardent foes of immigration . . . [and] the most influential restrictionist organization now operating.”\textsuperscript{105} Although “FAIR’s initial support of Proposition 187 was premised on the belief that providing services for illegal immigrants drains taxes,”\textsuperscript{106} that strategy backfired “when several studies by conservative think tanks, as well as one by the Urban Institute released in late September 1994, concluded that economic losses associated with illegal immigration are more than offset by gains for private industry.”\textsuperscript{107} FAIR responded “by changing its strategy to focus on the scourge of overpopulation.”\textsuperscript{108} In spite of this public change in strategy, it privately seems to be driven more by disdain for all non-Anglo immigrants and their population growth, than concerns about general overpopulation.

\textsuperscript{98} CAL. EDU. CODE § 66010.8 (a) (Deering Supp. 1998).
\textsuperscript{99} CAL. WELF. & INST. CODE § 10001.5 (c) (Deering Supp. 1998); CAL. HEALTH & SAFETY CODE § 130 (c) (Deering Supp. 1998).
\textsuperscript{100} CAL. PENAL CODE § 834b (a) (Deering Supp. 1998) (emphasis added).
\textsuperscript{101} No MERCY, supra note 24, at 21.
\textsuperscript{102} Id. at 24. For more information on John Tanton, see infra note 202.
\textsuperscript{103} No MERCY, supra note 24, at 24.
\textsuperscript{105} What To Do About Immigration, supra note 11, at 34.
\textsuperscript{106} No MERCY, supra note 24, at 25.
\textsuperscript{107} Id. at 25–26.
\textsuperscript{108} Id. at 26.
Pat Buchanan’s opposition to immigration is legendary, so it came as no surprise when he quickly joined the Proposition 187 bandwagon. Regarding California, Buchanan said, “I got some very strong issues there. People know that I stood with them on [Proposition] 187, that I’m the strongest man in America on the issue of illegal immigration.” Others have noted that “Buchanan boasts the most hard-line position, favoring a five-year moratorium on most legal immigration, a position long sought by the restrictionist movement led by the Washington-based Federation for American Immigration Reform.” Buchanan also “enthusiastically endorsed a disparate universe of related proposals, such as making English the nation’s official language . . . and barring automatic citizenship for the United States-born children of illegal immigrants.” Buchanan blames many of the country’s ills on immigrants and has “linked immigration to broader concerns of declining living standards, the widening income gap and the myriad evils of free trade, while also blaming illegal immigrants for high crime, declining property values and a general sense that their communities are veering out of control.” Buchanan’s diatribe against immigrants represents the type of discriminatory behavior that leads to internalized oppression and racism. For example, as people of color with immigrant backgrounds absorb his statements, they may come to believe that they, or people like themselves, are the source of our country’s problems.

Barbara Coe, a police employee who attended Proposition 187’s launching meeting, contributed $15,000 to the campaign. Retirees also contributed a significant amount of funding to the campaign. “Consultants attributed retirees’ support to resentment over bilingualism and the belief that their benefits are endangered by the cost of services to illegal immigrants.” Once again, support seemed to be prompted by hostility toward racial, ethnic, and cultural “others,” and the belief that those “others” are scam artists intent on manipulating the United States government for gain. California assemblyman Richard Mountjoy also contributed a substantial donation of approximately $43,500 to the campaign, the Republican Party contributed $86,678, and

109. See Bill Stall, Buchanan Stakes California as Last Big Stand; Primaries: Victory May Not Translate to Nomination, but He Says It Would Give Him Power to Wield at the Convention, L.A. TIMES, Mar. 10, 1996, at A3.

110. Id.


112. Id.

113. Id.

114. See NO MERCY, supra note 24, at 23; see also Lily Dizon, Grip of Courts Fails To Stifle Prop. 187; Pioneers: The Four Orange County Residents Who Brought the Initiative Are Deeply Involved in Similar Efforts Underway in Other States, L.A. TIMES, Nov. 8, 1995, at A1 (“I work with immigration issues from early morning until late at night. This is my life,” Coe said. “It is my position that we are on the verge of losing the sovereignty of our nation, and we need to fight that.”). When Save Our State (“SOS”), the group behind Proposition 187 first formed, it relied on Coe’s extensive contacts. Coe, who now presides over an active political network called Citizens for Action, eventually formed the California Coalition for Immigration Reform with Ron Prince, and she pursues illegal immigration issues relentlessly.

115. See NO MERCY, supra note 24, at 23.

116. Id.

Americans Against Illegal Immigration ("AAII") donated $15,740.  

Although Proposition 187's authors insisted that the proposed legislation was about immigration rather than race, many of its proponents expressed their support for the measure in racial terms. Ruth Coffey, the founder of "Stop Immigration Now," stated, "I have no intention of being the object of 'conquest,' peaceful or otherwise, by Latinos, Asians, Blacks, Arabs or any other group of individuals who have claimed my country." Another Proposition 187 organizer, Bette Hammond, "drove through Latino neighborhoods complaining of the (imagined) 'stench of urine' and hypothesized that the immigrants must defecate in bushes." Even more extreme, one campaign insider fumed:

By flooding the state with . . . illegal aliens . . . Mexicans in California would number 15 million to 20 million by 2004. During those . . . years about 5 million to 8 million Californians would have emigrated to other states. If these trends continued, a Mexico-controlled California could vote to establish Spanish as the sole language of California, 10 million more English-speaking Californians could flee, and there could be a statewide vote to leave the Union and annex California to Mexico.

Those with racist ideologies supported Proposition 187 not only at the polls, but also with their wallets. "Don Rodgers, a white supremacist in the Christian Identity movement, donated $20,000 to the S.O.S. [Save Our State] initiative . . . S.O.S. also garnered support from the Federation for American Immigration Reform (FAIR), which receives money from the Pioneer Fund, a right wing philanthropy group that sponsors studies on race and I.Q." Although "race" was not formally part of the ballot, it undoubtedly explained many proponents' support of

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118. See NO MERCY, supra note 24, at 23.
119. Id. at 24; see also Guillermo X. Garcia, Reaction Mixed to Report on Immigrants. O.C.: Immigrant-rights and Anti-immigrant Groups Differ Sharply, ORANGE COUNTY REG., Jan. 29, 1997, at A07 (explaining that Americans Against Illegal Immigration ("AAII") supported Proposition 187 and "other bills aimed at denying public services to illegal immigrants."); Eric Young, Health Services Cutoff? Illegal Immigrants Await Vote on Care, SACRAMENTO BEE, Nov. 12, 1996, at B1 (quoting C. Nelson, who was the Sacramento representative of AAII, "I think the concept that undocumented immigrants be denied public services is absolutely right.").
120. Wilson, And Stay Out, supra note 5, at 583.
122. Wilson, And Stay Out, supra note 5, at 583.
Proposition 187. More insidiously, proponents used race in a twisted way to turn United States citizens of Latino descent against undocumented Latinos.

Prior to the elections, at least half of the surveyed Latinos supported Proposition 187. “A Times poll conducted in September 1994—only two months before the vote—found that Latinos supported Proposition 187 by a margin of fifty-two percent to forty-two percent. By election day, after a harshly negative campaign, seventy-seven percent of Latino voters ended up opposing the measure.”

By way of contrast, sixty-three percent of White voters voted in favor of Proposition 187, while only thirty-seven percent voted against it; and forty-seven percent of Black voters voted in favor of Proposition 187, while fifty-three percent voted against it. Why did so many Latinos support Proposition 187 prior to the elections, and even though support ultimately declined, why did so many vote in favor of it? There is no clear or simple answer, but various provocative explanations have been put forth.

Some working-class Latinos blamed leaders of the community, saying the push against Proposition 187 was misguided and confusing.

Salvador Rodriguez, 44, . . . said some of his elderly Latino neighbors voted in favor of Proposition 187 because they feared their Social Security benefits would be used to cover services for illegal immigrants.

“‘We’ve worked hard all our lives. How are we going to survive if they take away our Social Security?’” Rodriguez, a legal resident from Mexico . . . recalled his neighbors saying in Spanish. “That was their fear.”

Rodriguez said the issue was too controversial for some of his other acquaintances, who decided not to take one side or the other.

. . .

Ivonne Crescioni . . . said . . . “Many of these Latinos were also buying into the white argument about illegal immigrants taking all the jobs and services. It’s really sad that they believed that.”

These sentiments about immigrants are neither isolated nor rare among Latinos.

When asked why most Latino Americans wish to see reduced immigration,

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124. See Johnson, Immigration Politics, supra note 9, at 653–58 (discussing what really prompted the 187 campaign).
125. Mark Z. Barabak, Anti-Bilingual Drive’s Tone is Key for Latinos Education: Poll Finds Most Favor Teaching in English, but Sentiment May Turn Against the Initiative if Campaign Seems to Bash the Ethnic Group, L.A. Times, Oct. 16, 1997, at A3.
127. Hernandez, Jr. & Simon, supra note 42.
Antonia Hernandez, president of MALDEF, explained that, “Migration, legal and undocumented, does have an impact on our economy (particularly in) competition within the Latino community. There is an issue of wage depression, as in the garment industry, which is predominantly immigrant, of keeping wages down because of the flow of traffic of people.”

Presumably similarly concerned, Dolores Huerta testified to a state assembly committee that “[w]ith 1.5 million legalized immigrants living in California, and only approximately 250,000 agricultural jobs in the state, there is no need for additional farm workers.”

Professor Kevin Johnson speculates that Latinos who have resided in the United States for some time attempt to differentiate themselves from more recent Latino immigrants, in part by supporting legislation denying public benefits to undocumented persons. Mexican Americans who supported Proposition 187 may have believed that “Mexican immigrants are too poor, that too many live in the same home (causing property values to decline), and that the increase in Spanish-speaking children in the schools impedes the education of non-Spanish-speaking children.” Of course, even though longer-term Latino residents may self-identify as Americans and try to distance themselves from more recent immigrants, that does not guarantee that others see them as anything other than “foreigners.”

In spite of its negative impact on Latinos, many Latinos supported Proposition 187 throughout its campaign, and a substantial number ultimately favored it at the polls. Such support is strong evidence of internalized racism at work. When Latinos are willing to take medical care,

128. Matloff, supra note 15.
129. Id.
130. Johnson, Latino Identity, supra note 6, at 202 (“[M]any Mexican-Americans, who as a group are racialized by Anglo society, desire to restrict immigration because of the distinctions that they make between themselves and Mexican immigrants.”).
131. Id. at 202-03.
132. See, e.g., RODRIGUEZ, supra note 20 (describing one educated Latino’s experience of trying to distance himself from his immigrant roots). Rodriguez almost tentatively stated that “I publicly wondered whether a person like me [educated] should really be termed a minority,” but then unequivocally said that “I published essays admitting that I was not a minority.” Id. at 148. Shortly after, he wasn’t quite as sure, “I enjoyed being—not being—a minority student, the featured speaker.” Id. at 152-53. Even if Rodriguez did not consider himself a minority, identity politics reveal that his self-identity does not control how others see him. Regardless of his public denial of his Mexican-American heritage and minority status, Rodriguez looks Mexican-American and others continue to see him as Mexican-American. Accordingly, others may discriminate against him, even though he is educated and economically advantaged.
133. See, e.g., Ian F. Haney-López, The Social Construction of Race: Some Observations on Illusion, Fabrication, and Choice, 29 HARV. C.R.-C.L. L. REV. 46 (1994) (discussing generally how we choose our own racial identity, though this choice still may not correspond with how others see us); see also George A. Martinez, supra note 62, at 325 (“Critical theory has recognized that race is a social or legal construction. Racial categories are constructed through the give-and-take of politics or social interaction.”) (citations omitted).
134. See, e.g., Sylvia R. Lazos Vargas, Judicial Review of Initiatives and Referendums in Which Majorities Vote on Minorities’ Democratic Citizenship, 60 OHIO ST. L.J. 399, 473 (1999) (“In California, in the aftermath of Proposition 187, Mexican Americans, in particular, have been further racialized by the heightened hostility to ‘foreigners’ and those who look and act foreign.”).
education, and social services away from other Latinos, and are even willing to support legislation that requires authorities to report all persons who look foreign, then their destructive behavior hurts other Latinos (internalized racism operating at the group level), and may hurt themselves (if they are suspected or reported as being illegal because of their phenotype). Even taking into account legitimate concerns that Proposition 187 supporters may have had about immigrants, those concerns could have been addressed through more directed and less extreme measures than those contained in Proposition 187. It is hard to explain Latinos’ support of Proposition 187 without reference to internalized racism and acceptance of the belief that Latinos deserve inferior treatment.

B. Proposition 209

Ironically, Proposition 209, which sought to end affirmative action, was known as the California Civil Rights Initiative (“CCRI”). This constitutional amendment was intended to eliminate “reverse discrimination” practices in which sex, race, or ethnicity are considered preferential factors in hiring, promotion, training, or recruitment decisions in public employment and contracting. Proposition 209 was also intended to eliminate school districts’ voluntary desegregation programs and magnet schools where race and ethnicity are preferential admissions factors. Proposition 209 would also affect ancillary public school and community college services such as counseling, tutoring, and financial-aid programs when preferences for the services are based on race, sex, ethnicity, and national origin.

What prompted Proposition 209? According to one source, it “was spurred by white men who believed their state’s affirmative action policies discriminated against them and were damaging their careers.” In The Color Bind, a book describing the history of Proposition 209, the author discussed the motivations of Glynn Custred and Thomas Wood, co-authors of the initiative, and the care they took in drafting the legislation.

Custred and Wood drew inspiration from a 1979 United States Supreme Court decision involving another angry white man.... Wood, a dedicated researcher, had also looked at the polls. They showed that if voters tended to support affirmative action, they hated quotas and loathed preferences.... As they read about the debate over Weber and looked at the polls, Custred and Wood came up


137. *Id. at 31.*

138. *Id.*

with the key for what would be the first clause of the California Civil Rights Initiative. It would not focus on affirmative action but on “preferential treatment” based on race and gender.\(^{140}\)

Wood and Custred drafted Proposition 209 so as to appeal to a broad range of people by capitalizing on a general dislike of preferences and quotas. They attempted to broaden the appeal of Proposition 209 by using a Black campaign spokesperson, hence, their affiliation with Ward Connerly. “UC Regent Ward ... Connerly led successful efforts to officially end affirmative action at the university and in public programs statewide.”\(^{141}\) He later became chairman of the Proposition 209 campaign. “For his part, Connerly reiterated his view that 1997’s Prop. 209, which bans race-based preferences in most public programs, takes its moral and legal basis from the sweeping United States Civil Rights Act of 1964.”\(^{142}\) Connerly stated, “I want diversity as well, but there is a right way and a wrong way, preferential treatment is wrong . . . . Civil rights aren’t for black people, Latinos—indeed, civil rights are for everybody.”\(^{143}\)

Proposition 209 had many supporters besides Connerly—the California Republican Party contributed $997,034; and Ron Unz, who later initiated Proposition 227,\(^{144}\) contributed $27,400 to the Proposition 209 campaign.\(^{145}\) Californians Against Discrimination and Preferences (“CADAP”), which was founded by Proposition 209 co-authors Glynn Custred and Thomas Wood, was the campaign’s primary sponsor, ultimately contributing a total of $5,239,287 to the campaign.\(^{146}\)

As approved, Proposition 209 amended California’s constitution by prohibiting the state’s public entities from thereafter using affirmative action. It provides in part that “[t]he state shall not discriminate against, or grant preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment, public education, or public contracting.”\(^{147}\)


\(^{141}\) Dang, supra note 135.

\(^{142}\) Id.

\(^{143}\) Id.

\(^{144}\) See infra Part III C.


\(^{146}\) Id.

\(^{147}\) CA. CONST. art. I, § 31(a). The constitutional amendment’s full text is:

(a) The state shall not discriminate against, or grant preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment, public education, or public contracting.

(b) This section shall apply only to action taken after the section’s effective date.

(c) Nothing in this section shall be interpreted as prohibiting bona fide qualifications based on sex which are reasonably necessary to the normal operation of public employment, public education, or public contracting.

(d) Nothing in this section shall be interpreted as invalidating any court order or consent decree which is in force as of the effective date of this section.
Prior to the passage of Proposition 209, affirmative action policies allowed public entities to select qualified candidates based on subjective criteria, including ethnic, gender, geographic, and racial diversity, ties to an institution, hardship, athletic ability, and so on. In the wake of Proposition 209, a state university’s admissions department can still consider whether a university applicant had any family members who went to that university (a legacy preference), but is prohibited from considering an applicant’s “race, sex, color, ethnicity, or national origin.”

Latinos once again demonstrated a curious support pattern respecting the proposed legislation that would directly impact them. According to a July 1996 Los Angeles Times poll, four months prior to the election, Latinos were divided in their support for Proposition 209, with approximately half favoring it and half opposed to it. As election day neared, Latinos’ support for Proposition 209 waned, and at the voting booth, polls indicated that anywhere from seventy-six percent to 80.3 percent of Latinos voted against the measure.

Although most Latinos ultimately rejected Proposition 209, what prompted the support of those who initially supported it and those who ultimately voted for it? There undoubtedly was a variety of reasons. Prominent among them was confusion over Proposition 209’s language, which did not overtly implicate affirmative action.

California poll data showed that voters would respond very differently to affirmative action measures, depending on how they were worded. When voters were asked whether they favored a ban on “preferential treatment,” more than 78% agreed. However, when voters were asked if they would support a ban on affirmative action programs, only 31% supported it. Using these data, [the]
drafters consciously phrased Proposition 209 in language that would provoke the greatest support among whites, as a ban on preferences and quotas.153

Field Poll data confirmed that specific word choices strongly influenced voters.

When CCRI is described simply as ‘a ballot initiative that would abolish state and local laws relative to affirmative action referred to as the California Civil Rights Initiative,’ the plurality in support is narrow (31% to 27%) among those who have heard something about it. However, when all voters are read the official wording of the initiative as will appear on the November election ballot, a large plurality (56% to 35%) endorses the initiative.154

Aside from the negative impact of the initiative’s specific language, voters’ apathy may have also resulted in support for Proposition 209. As is often the case with citizen initiatives, “voters do not have the time or motivation to work through the implications of a proposal. Studies show that voters often are confused or fail to understand the full implications of their vote.”155 Perhaps others supported Proposition 209 because they believed that “[w]e don’t have to fight racism because we’re all already equal in this country.”156 Yet others believe that it is wrong to grant preferences based on race or gender. Ward Conerly, admittedly not Latino but Black, explained that his “own experience had taught him that hard work and not race was the key to success. He strongly believes affirmative action programs are a form of state-approved racism giving groups advantages just because of their ethnicity.”157 Conerly’s credibility is questionable, given that he has received preferences on the basis of his minority status,158 as is the credibility of others who oppose race or gender-based preferences but still support legacy preferences.159 Credibility aside, if those in power assert that affirmative action is wrong, Latinos may accept that and then undermine their own advancement through their support of Proposition 209.

153. Lazos Vargas, supra note 134, at 460–61; Bill Boyarsky, The Politics of Cynicism, L.A. TIMES, July 5, 1998, at 5 (reviewing LYDIA CHAVEZ, THE COLOR BIND: CALIFORNIA’S BATTLE TO END AFFIRMATIVE ACTION (1998)); Bettina Boxall, A Political Battle Grinds On as a War of Wording Ballot: Is Prop. 209 Against “Discrimination” or “Equal Opportunity”? Language is a Key to its Fate at the Polls, L.A. TIMES, Oct. 1, 1996, at A3 (“When voters were told the initiative would ban discrimination and preferential treatment, 59% supported the measure in a statewide July poll by the Times. When those same voters were read opponents’ description—that the measure would ‘effectively eliminate state-run affirmative action programs’—support dropped 11%. Other polls have tracked similar trends.”).


155. Lazos Vargas, supra note 134, at 414.

156. Valerie Santillanes, Teachers Entitled to Hearing, ALBUQUERQUE J., Apr. 12, 1997, at A1; see infra Part III D.

157. Foster, supra note 139.

158. See, e.g., CHAVEZ, supra note 140, at 30–32; Ann Bancroft, UC Regent Says He Got No Help as a Minority Owner, SAN DIEGO UNION-TRIB., May 9, 1995, at A3 (“Conerly’s Sacramento consulting firm received more than $1 million in state business during the past six years by signing up as a minority contractor.”); Cheryl D. Fields & Michele Collison, Shameful Occurrences, BLACK ISSUES IN HIGHER EDUCATION, Aug. 19, 1999, at 105 (“[C]onferly has received preferences on the basis of his minority status, as is the credibility of others who oppose race or gender-based preferences but still support legacy preferences. Credibility aside, if those in power assert that affirmative action is wrong, Latinos may accept that and then undermine their own advancement through their support of Proposition 209.

159. See, e.g., Padilla, supra note 148.
In summary, although a majority of Latino voters never supported Proposition 209, early in the campaign, almost fifty percent of Latinos favored it and approximately twenty percent to twenty-four percent of Latinos eventually voted in favor of it. When one-fifth to one-fourth of Latinos vote in favor of legislation like Proposition 209, internalized racism is at work. This country is not yet color-blind, and widespread discrimination against Latinos persists. Accordingly, proactive measures such as affirmative action are still necessary to overcome the effects of such discrimination. Yet Latinos who favor dismantling affirmative action are willing to sabotage efforts to overcome discrimination. One cannot know with certainty why some Latinos voted in favor of Proposition 209, but it is likely that such voters thought that Latinos do not suffer from discrimination, or even if Latinos suffer from discrimination, that they do not deserve any assistance to overcome discrimination. Regardless, such a vote clearly hurt Latinos, as it thereafter prevented state colleges, universities, and contractors, among others, from considering race as a factor in determining whether to grant admission, contracts, or other benefits to Latinos.

C. Proposition 227

As proposed by Silicon Valley businessman and multimillionaire Ronald Unz, Proposition 227 would abolish bilingual education, in most cases replacing it with English immersion. Unz was concerned that California’s bilingual education system in public schools failed to teach children to read and write in English. Unz blames bilingual education, in large part, for... high drop out rates among Latinos and for the low transfer rate of limited English speakers into mainstream English classes.” Although Unz was not an expert on bilingual education, he pushed for its eradication, explaining that “[l]ast year, only 6.7 percent of limited English students in California learned enough English to be moved into mainstream classes.”

Unz and other campaign supporters offered a variety of justifications for moving to an “English-only” system in public schools. These justifications ranged from the notion that immigrant children already know their native language but need the formality of a school setting to learn English; to the theory that learning English is much easier if the child is immersed in English; to the reality that children who leave school without knowing how to speak, read, and write English are economically and socially hindered. An idea underlying Proposition 227 was that “[y]oung immigrant children can easily acquire full fluency in a new language, such as

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160. See id. at 921–22 (discussing the notion that this country has already achieved color-blindness and also discussing generally discrimination against women of color, including Latinas).


162. Nick Anderson, Debate Loud as Vote Nears on Bilingual Ban, L.A. TIMES, Mar. 23, 1998, at A1 (“[O]nly three in 10 limited-English students in a given year are in formal bilingual programs. Twenty percent get informal help in their native language, and the rest are taught almost entirely in English, by choice or necessity. State records show, too, that many school districts with English-intensive programs perform no better than their bilingual counterparts.”).

163. CAL. SEC’Y OF STATE, supra note 161, at 34.

164. Id.
English, if they are heavily exposed to that language in the classroom at an early age.” It is difficult to ascertain the sincerity of these justifications—the measure’s initiator, Ron Unz, “acknowledges that he has never inspected a bilingual classroom,” and he had no background in education, nor was his proposed method for teaching English supported pedagogically. Moreover, Unz unabashedly admitted that “the initiative’s goal, for all intents and purposes, is to end bilingual education in California.” He reasoned that “bilingual education, along with affirmative action and multiculturalism, are ‘ethnic, separatist’ programs that could turn California into another Bosnia.”

Although the Proposition 227 campaign spread misinformation about bilingual education, Latinos, and language, it was not the first time such misinformation had been circulated.

Several groups and organizations have actively engendered confusion about... [bilingual education] and about the English language proficiency of United States Latino populations. For example, a misinformation campaign carried out by the U.S. English and English First organizations claimed that Latinos in the United States, as a group, were refusing to learn English. These two organizations claim that Hispanics, unlike other immigrants in the past, are rejecting the English language and are insisting instead that they deserve special language services like bilingual education and bilingual ballots. Concerned about the status of English in this country, English First and U.S. English mobilized resources to promote the passage of an English language amendment in each of the 50 states.... As the LNPS [Latino National Political Survey] suggests, such legislation is not necessary: most Latinos are bilingual, and the majority of the Latino population considers itself to be English-speaking.

UCLA political science professor Frank Gilliam sees a broader theme in the Proposition 227 initiative, one that appeals to Whites. “It fits into the anti-politics of identity.... I think there’s a general sentiment out there that minority groups are too interested in their identity and own cultures. They shouldn’t be. They should be Americans.”

There is more to Proposition 227 than initially meets the eye. While the above

165. Id.
166. Anderson, supra note 162.
168. Barabak, supra note 125.
170. See BEYOND LNPS, supra note 57, at 13-14.
172. Id.
justifications for Proposition 227 sound admirable, there were some nasty undercurrents to the initiative that rang a racist bell. A look at some of Proposition 227’s primary funders gives one a sense of what may have really been driving the initiative. Ron Unz was its main sponsor philosophically and financially, contributing $650,000,\textsuperscript{173} or almost sixty percent of the total amount spent on qualifying and campaigning for the initiative.\textsuperscript{174} Although Unz neither supported Proposition 187 nor appeared to have a blatantly racist agenda, he did support Proposition 209,\textsuperscript{175} “English for the Children,”\textsuperscript{176} a project of One Nation/One California, contributed a total of $1,002,694 to the Proposition 227 campaign.\textsuperscript{177} The Web site for One Nation/One California states that it is “oriented towards issues involving race, ethnicity, and public policy.”\textsuperscript{178} The California English Campaign contributed $19,875.\textsuperscript{179} Its Web site contains an even more strident tone than that of some of the other Proposition 227 supporters:

We are all American but in recent years our country has been losing its sense of cohesiveness, of unity and of an American identity. Among the reasons for these losses are a lack of an official language (which in our country must be English), bilingual education (meaning teaching immigrant children in native languages), foreign language ballots, drivers’ license tests (in scores of languages), rising ethnic nationalism, multilingualism and multiculturalism.\textsuperscript{180}

Other English for the Children campaign leaders included Honorary Chairman Jaime A. Escalante\textsuperscript{181} and Co-Chair Gloria Matta Tuchman.\textsuperscript{182} Although the initiative’s sponsors provide a looking glass through which to glean motives propelling Proposition 227, even had their motives been noble, Latinos would have suffered.

Regardless of whether English-only measures are founded on pro-English cultural sentiments or on nativist or anti-immigrant feelings, it is clear that such affirmances have an intense and concrete impact on the affected minority groups. When the dominant political group rejects—in this case resoundingly—the ideology upon which minority groups base their membership in the polity, the majority’s vote becomes intensely personal. Minorities experience a

\begin{footnotes}
\item 174. Lazos Vargas, supra note 134, at 420.
\item 175. See supra text accompanying note 145.
\item 176. Gretchen Meinhardt, Californians to Vote on English-Only Bill, HORIZONS, May-June 1998, at http://horizons.educ.ksu.edu/mayjun98/unz.html (last visited Sept. 18, 2001) (“We believe that the unity and prosperity of our society are gravely threatened by government efforts to prevent young immigrant children from learning English.”).
\item 177. Proposition 227, supra note 173.
\item 179. Proposition 227, supra note 173.
\item 181. Warren, supra note 167.
\item 182. Id. See also Proposition 227, supra note 173.
\end{footnotes}
rejection of their belonging to the American polity, and therefore a rejection of self. 183

Accordingly, the very nature of Proposition 227, even if proffered with the intent of assisting Latinos and other language minority populations, reinforces internalized oppression.

As passed, Proposition 227 read as follows:

[A]ll children in California public schools shall be taught English by being taught in English. In particular, this shall require that all children be placed in English language classrooms. Children who are English learners shall be educated through sheltered English immersion during a temporary transition period not normally intended to exceed one year. Local schools shall be permitted to place in the same classroom English learners of different ages but whose degree of English proficiency is similar. Local schools shall be encouraged to mix together in the same classroom English learners from different native-language groups but with the same degree of English fluency. Once English learners have acquired a good working knowledge of English, they shall be transferred to English language mainstream classrooms . . . . 184

Prior to the enactment of Proposition 227, California public schools provided bilingual instruction to non-English-speaking immigrant children. 185 Following its enactment, limited English-speaking students and non-English-speaking students have automatically been placed in English immersion classes as described in Proposition 227. 186 However, the sheltered English immersion requirement may be waived with the prior written consent of the child’s parents or legal guardian, who must personally visit the school to apply for the waivers, so long as one of the following conditions is met: the child is at least ten years old and there is a consensus between the child’s teachers and principal that it would be better for the child to learn in another language; regardless of the child’s age, if the child has been in an English immersion class for at least thirty days and there is a consensus between the child’s teachers, principal, and the head of the school district that it would be better for the child to learn in another language; or the child is already a fluent English speaker, but the child’s parents want the child to get a bilingual education. 187 Upon obtaining a waiver, children may be transferred to classes where they are taught English and other

183. Lazos Vargas, supra note 134, at 443–44.
184. CAL. EDUC. CODE § 305 (Deering 2001).
185. CAL. EDUC. CODE § 306 (e) (Deering 2001) (defining bilingual education/native language instruction as a language-acquisition process for pupils in which much or all instruction, textbooks, and teaching materials are in the child’s native language).
186. CAL. EDUC. CODE § 305 (Deering 2001).
187. CAL. EDUC. CODE § 310 (Deering 1998) (allowing the option of continuing bilingual education, but this option is only realistic for English speaking parents, because it requires the parent to visit the school and coordinate a consensus between teachers, principals, and sometimes the head of the school district). For native English speakers who are comfortable with school authority figures and experienced at negotiating agreements, this is a daunting task. For non-native English speakers unaccustomed to working with school authority figures—much less establishing a consensus among these figures—it asks too much.
subjects through bilingual education or other educational techniques permitted by law.\textsuperscript{188} Individual schools where at least twenty pupils from a given grade level receive a waiver are required to offer bilingual or alternative classes; otherwise, they must allow the pupils to transfer to a public school in which such classes are offered.\textsuperscript{189}

In the first school year following Proposition 227's passage, school districts throughout California tried to devise programs to comply with the law's requirements. These programs variously delayed, diluted, or embraced the law's requirement that children be taught "nearly all in English."\textsuperscript{190} What resulted was "a mix of programs based on various definitions of 'nearly all.' . . . Some districts have decided that as little as 60% English instruction complies with the law, while others have settled on 70%, 80%, even 90% English."\textsuperscript{191} Yet other school districts tried to get waivers exempting them from the law.\textsuperscript{192}

It is still too soon after Proposition 227's enactment to determine its impact. What is clear is that Unz appears to be more concerned with whether schools are complying with Proposition 227 than with the more fundamental and supposedly driving issue of whether limited-English speakers better master English through immersion programs. "Unz . . . announced the formation of an organization to help monitor . . . [Prop. 227's] implementation. The 'English for the Children Project,' will take calls from whistle-blowers on a toll-free number. Unz said the calls would be logged to help determine what schools or districts should be targeted for lawsuits for noncompliance."\textsuperscript{193} Unz made dire threats regarding schools and school districts that were not in compliance with the new law. "'They are not only in the position of being sanctioned by the state Department of Education,' he said, 'but their individual administrators and teachers can be . . . sued . . . There is a real possibility that some administrators and teachers will lose their homes and be forced into bankruptcy over this . . . .'\textsuperscript{194} Unz's preoccupation with dismantling bilingual education seems to have drained him of the energy to engage in the more complicated and time-consuming tasks of offering constructive methods for teaching English to limited-English students, evaluative processes for gauging the success of those methods, and alternative methods in the event any initial methods are ineffective. This causes one to question Unz's initial sincerity in proposing English for the Children—was he really interested in teaching English to limited-English students or was he more concerned with eliminating bilingual education and all that it represents?

\textsuperscript{188} Id.
\textsuperscript{189} Id.
\textsuperscript{190} Louis Sahagun, Responses to Prop. 227; All Over the Map. Some Districts Are Seeking Exemptions From the Requirements, While Others Are Using Anywhere From 60% to 90% English in Immersion Programs. Initiative's Sponsor Warns of Prosecuting Violators, L.A. TIMES, Sept. 2, 1998, at B2.
\textsuperscript{191} Id.
\textsuperscript{192} Id. (explaining that the court ordered the State Board of Education to give serious consideration to the district's requests to have enforcement of Proposition 227 waived).
\textsuperscript{194} Sahagun, supra note 190.
As with the other propositions discussed in this part, prior to the elections, a significant majority of Latinos supported Proposition 227. In fact, well before Proposition 227's passage, “[c]ommunity activist Alice Callaghan led a group of Latino parents . . . in a protest publicizing their discontent with bilingual education and their demand that the district switch more than eighty children into English-only classes.” At one point before the elections, eighty-four percent of California’s Latino voters supported Proposition 227, even though it had the greatest impact on California’s Latino population.

Although most Latinos eventually voted against Proposition 227, nearly forty percent still supported it on election day. More disturbing, several prominent Latinos advocated on behalf of Proposition 227. For example,

Fernando Vega, a Latino leader and lifelong Democrat who rallied Hispanic votes for the 1992 Clinton-Gore campaign, . . . agreed to join the anti-bilingual crusade as honorary chairman. Vega supported bilingual education in the past and even helped implement a program when he was on a local school board. “But now,” Vega said, “after many years of trying, it is obvious that bilingual education just doesn’t work, and we must end it.”

In addition, Jaime Escalante, the famous East Los Angeles teacher who was the model for the movie *Stand and Deliver*, endorsed Proposition 227. Still other Latinos rallied for the end of bilingual education long before the advent of Proposition 227. “[S]ome . . . conservative Latinos, such as Linda Chavez and Richard Rodriguez, decry bilingual education and unequivocally endorse Latino assimilation into the mainstream.” In fact, Linda Chavez was the president of U.S. English—an organization whose goal was to make English the official language of the United States—until she resigned following a racist incident that may have revealed to her the...

195. Anderson, supra note 162.
197. Pyle, et al., supra note 23; Mark DiCamillo & Mervin Field, *Legal Immigrants are Viewed Positively, Illegals Negatively; Broad Support for Measures to Reduce Illegal Immigration; Some Proposals to Limit the Rights of Illegals Polarize the Public*. 1719 THE FIELD INST. 1 (1994) (“By a 64% to 25% margin state residents believe[d] that it is a good thing for immigrant groups in the U.S. to preserve their own foreign languages.”).
200. Barabak, supra note 125.
201. Johnson, *Latino Legal Scholarship*, supra note 17, at 132 (citations omitted); see also *What To Do About Immigration*, supra note 11, at 33 (“Assimilation is essential for them [foreign-born Americans], as well as for the rest of us, if we are to stop the further fragmenting of our society.”).
invidious undertones of some English-only movements.202

How does one explain so many Latinos’ unwavering support for Proposition 227? Consistent with other majority-penned citizen initiatives that disproportionately harm minority communities, language manipulation influenced voting, even among minority communities. When discussing English-only support among majority communities, one author noted that:

[H]ow the question is framed is critical to eliciting majorities’ response. In the poll data and subsequent survey [Professor] Zentella devised, she shows that when questions are framed to draw attention to the implications of the majorities’ vote on minorities, majorities become less supportive of English-only. What was overwhelming support for the measure became a virtual tie when respondents were made to realize the impact of English-only on non-English speakers.203

When privileged persons supported English-only legislation, they were able to influence subordinated persons as to the merits of their position and the backwardness of any opposing position.

Another reason that Latinos supported Proposition 227 is that “there are undercurrents of competition between immigrants and more established residents—even within the Latino community—as well as resentment that the newcomers are eating up resources.”204 This was reflected in voting patterns of communities comprised of large recent Latino immigrant populations, compared to those comprised of large second and third-generation Latino populations. In one of the former communities, residents opposed Proposition 227 by a margin of seventy-one percent to twenty-eight percent, whereas a community of longer-established Latinos only opposed it by a margin of fifty-eight percent to forty-one percent.205 This reveals a conflict between recent and established immigrants, as well as a philosophical conflict between those who support rapid assimilation and those who support maintenance of cultural traditions. Some believe that it is best to assimilate as quickly as possible, leaving behind any cultural, social, and other vestiges of the old ways.206 Others are not willing to excise their past—they may hold on to language, religion,

202. OUT OF THE BARRIO, supra note 11, at 91–92 (citation omitted) ("[John Tanton, the U.S. English founder] committed his fears about Latin immigrants to paper in a memo intended to be circulated privately among some colleagues in the immigration restriction movement . . . [m]uch of the memo raised legitimate issues, but some of it reflected a demonstrably anti-Hispanic bias.").
203. Lazos Vargas, supra note 134, at 446.
204. Boxall, supra note 171.
206. See generally RODRIGUEZ, supra note 20, at 190 (indicating that Latinos have to advance a new public persona that is as disassociated as possible from ones’ culture and ethnicity to succeed or at least be comfortable in society). Rodriguez also revealed that there is a high price for public acceptance.

[B]ilingualists simplistically scorn the value and necessity of assimilation. They do not seem to realize that there are two ways a person is individualized. So they do not realize that while one suffers a diminished sense of private individuality by becoming assimilated into public society, such assimilation makes possible the achievement of public individuality.
eating habits, and other cultural ties to their homeland. Yet those who follow the strict assimilationist philosophy believe that the sooner immigrants give up those ties, the sooner they will blend in and find success in America. Glynn Custred, one of Proposition 209’s authors, explained as follows:

A problem [with immigrants] is the breakdown of the mechanism of assimilation that in the past blended a diverse population into a single nation. English is an essential element in unity, and it is a vital key to unlock opportunities for individual men, women and their children. Yet bilingual education deprives students of the full-time instruction in English they need to increase their mastery.

English-language mastery admittedly is essential to Latinos’ success in the United States. Nonetheless, that does not mean that Latinos have to give up Spanish or forfeit bilingualism. As Michael Olivas pointed out in response to Richard Rodriguez’s plea to abolish bilingual education, [Rodriguez’s] position essentially was that bilingual education or a Spanish-dominant home environment thwarted the development of public English, and ultimately, full participation in the polity. He struck me then, and strikes me now, as quaint, for it is linguistic folly to assert that learning English necessitates neglecting Spanish. Fluent bilinguals are likely as not to be more articulate and educable than are monolinguals in any language.

When Latinos such as Rodriguez refuse to speak Spanish for fear of exposing their ethnicity, or
denounce bilingual education, they give in to internalized oppression and racism.²¹²

Latinos who oppose bilingual education have many reasons. Henry Pachon, an expert on Latino politics, said his surveys “routinely find what the Times poll turned up, namely that Latino parents are even more enthusiastic about English instruction than white parents.”²¹³ One mother stated that she did not like bilingual education because it was ineffective with her son. “It didn’t help him. Made him more confused,” according to Aurora Esqueda.²¹⁴ After having her son in a bilingual program for a year, she removed him from it.²¹⁵ “Marie Espinoza, who grew up in a Spanish-speaking home, favors the initiative because ‘when we were little there was no bilingual education and I learned English just as well.’”²¹⁶ Espinoza later commented that “[s]uch a big amount of people have come over here, and we’re being drained of our tax dollars.”²¹⁷ Thus, even though the issue was bilingual education, a Latina who opposed it felt compelled to comment that “they” come over here and drain us of our tax dollars. Internalized racism contributed to Ms. Espinoza’s acceptance of the negative stereotype that Latinos come to the United States and are a drain, in spite of the evidence that most immigrants contribute more than they take.²¹⁸ She demonstrates both an aversion to bilingual education and a distaste for other Latinos who came after her and who she perceives, against the facts,²¹⁹ to be taking tax dollars from her. Her attitude is probably representative of other Latinos who supported Proposition 227—they were concerned with more than bilingual education and perhaps wanted all Latinos to blend into American society, even if their phenotype prevented complete assimilation. Moreover, their hostility toward more recent immigrants is likely fueled by mostly inaccurate rhetoric about the costs “we” incur to incorporate “those immigrants” into our social and economic fabric.

D. Cordova v. Vaughn Municipal School District

The Cordova sisters’ case differs from the materials previously discussed in this part because it involves litigation rather than legislation. Nonetheless, like the legislation, this litigation was prompted by internalized oppression and racism. By 1997, Nadine Cordova had been teaching in Vaughn, New Mexico, for more than twelve years when its school board fired her and her sister, Patsy, for activities such as teaching Chicano Studies and serving as mentors for the student group Movimiento Estudiantil Chicano de Aztlan (“MEChA”).²²⁰ Incidentally,
approximately ninety-eight percent of Vaughn's population was Latino,221 and its school board, teachers, police, and elected officials were also overwhelmingly Latino.222 Following the Cordova sisters’ firing, the American Civil Liberties Union (“ACLU”) brought suit on Nadine’s behalf, seeking monetary damages and injunctive relief.223

By way of background, prior to the 1996–97 school year, Nadine had an impeccable employment record with the Vaughn school board.224 She consistently received outstanding evaluations, sponsored many extracurricular activities, and was a favorite among students.225 During the 1996 spring semester, Ms. Cordova helped form a local chapter of MEChA, an extracurricular student organization with hundreds of chapters at high schools across the country.226 Members of MEChA perform community-service projects and learn about the history of Mexican Americans.227 There was tremendous interest in the club, and once the club was approved by the school board, approximately one-third of the student population joined—not surprising considering Vaughn’s predominantly Mexican American population.228

Just before the 1996–97 school year, Nadine submitted a proposed curriculum to her supervisors for the upcoming year.229 The curriculum included basic high school subjects that were to be taught non-traditionally by focusing on current events, history, and the arts.230 It also included materials concerning Mexican American history and Mexican American leaders such as Cesar Chavez.231 A purpose of the curriculum was to create greater student interest in the subject

221. Michael A. Fletcher, Debates on Ethnicity, Free Speech Flare as New Mexico Teachers Fight Dismissal, WASH. POST, Feb. 6, 1998, at A3 [hereinafter Fletcher, Debates].
222. Ines Pinto Alicea, Academic Freedom: New Mexico School Fires Two For Teaching Chicano History; Ethnic Studies or Biased Political Agenda?, HISPANIC OUTLOOK IN HIGHER EDUC., June 5, 1998 [hereinafter Pinto, Academic Freedom].
226. Hill, Sisters in Arms, supra note 224 (stating that MEChA was “founded in 1969 at the height of the Chicano civil rights movement,” and that the founders of the organization “hoped to provide ‘a positive, sensitive and supportive environment in which Chicano youth can network and learn about each other’”); MOVIMIENTO ESTUDIANTIL CHICANO DE AZTLÁN, NAT’L CONST. art. II, § 1 (1995), U. Tex. Pan Am., available at http://www.panam.edu/orgs/MEChA/nt_const.html (last visited Sept. 21, 2001) (declaring that MEChA’s organizational objectives included liberating Latinos, retaining and furthering cultural awareness, mobilizing Chicanos through higher education, and implementing plans of action for Chicanos).
227. Michael Haederle, Culture Clash When Two Sisters Tried to Teach Chicano History in a Small New Mexico Town, They Sparked a Debate on Ethnic Identity and Caused a Rift Between Students, Faculty and Families, L.A. TIMES, Nov. 21, 1997, at E1.
228. Valerie Santillanes, Chicano Studies Out in Vaughn, ALBUQUERQUE J., Feb. 15, 1997, at A1 (“During its short-lived tenure, 23 of the district’s 68 students in grades seven through 12 were members of MEChA.”); see also Haederle, supra note 227, at E1 (stating that twenty-five of the high school’s sixty-eight students joined).
229. Santillanes, supra note 228.
230. Fletcher, Debates, supra note 221.
matter and thus facilitate learning. The school principal approved of both the curriculum’s content and its underlying methodology.\textsuperscript{232}

At the back-to-school assembly of the 1996–97 school year, trouble began.\textsuperscript{233} At that assembly, a member of the student body shouted “Viva la Raza,”\textsuperscript{234} and several students raised their fists in the air.\textsuperscript{235} Although the outburst of pride was not disruptive and lasted only a moment, it unalterably changed the future of the Cordova sisters and their students.\textsuperscript{236} The shouted slogan offended some students, faculty members, and parents, and Nadine said that after the assembly, the town fell apart.\textsuperscript{237} School officials were appalled, interpreting the outburst as evidence of the rise of “unbridled militancy” among the student body.\textsuperscript{238} Within days, the school superintendent cut off all school support for MEChA,\textsuperscript{239} and the school board went so far as to prohibit students from discussing MEChA in school hallways.\textsuperscript{240} The school board justified its abrupt disapproval of the successful organization on the grounds that the students forgot that they were “American first” and because they were “tearing down the white race.”\textsuperscript{241}

The school board did much more than dismantle MEChA. It later forbade Nadine from continuing to use her previously approved curriculum and suggested that she cease any “instruction or activity involving students that reflects the MEChA philosophy.”\textsuperscript{242} The board found that Nadine’s promotion of the MEChA philosophy was “divisive, teaches racial intolerance, [and] promotes a militant attitude in the students....”\textsuperscript{243} The board ordered her to teach the “Anglo” version of history, and ironically, she was instructed not to make any reference in her classroom to Robert F. Kennedy, the United States Constitution, justice, courage, or nonviolence,\textsuperscript{244} as if those were not part of United States history. According to Nadine’s attorney, as soon as an Albuquerque newspaper ran a front-page story depicting the school board’s actions, the board retaliated by “soliciting complaints from people from six or eight years ago and start[ed] to put together a case against the Cordova sisters.”\textsuperscript{245} The school board then began compiling

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\textsuperscript{232} Toppo, Teachers Fight, supra note 225.
\textsuperscript{233} Michael A. Fletcher, Issue of Chicano Identity Roils Tiny School District, SEATTLE TIMES, Mar. 8, 1998, at A10 [hereinafter Fletcher, Issue of Identity].
\textsuperscript{234} Hill, Sisters in Arms, supra note 224 (explaining that “Viva la Raza” is loosely translated as “long live the cause,” which has long been the rallying cry of Chicano activists).
\textsuperscript{235} Id.
\textsuperscript{236} Id.
\textsuperscript{237} See Haederle, supra note 227.
\textsuperscript{238} Id.
\textsuperscript{239} Id.
\textsuperscript{240} Santillanes, supra note 228.
\textsuperscript{241} Hill, Sisters in Arms, supra note 224.
\textsuperscript{242} Id.
\textsuperscript{243} Santillanes, supra note 228.
\textsuperscript{244} Valerie Santillanes, Teachers Entitled to Hearing, ALBUQUERQUE J., Apr. 12, 1997, at A1
\end{flushleft}
information on Nadine and Patsy for the purpose of documenting any complaints received about them.\textsuperscript{246} It did not establish such notes or files for any other teachers.\textsuperscript{247} Consistent with the board’s post-assembly hostility toward Nadine, it did not give her any information regarding the complaints. The board went so far as to search and videotape her classroom in her absence and place items from her classroom in her “discipline file.”\textsuperscript{248}

In an attempt to appease the school board, in February 1997 the Cordovas began using the “Teaching Tolerance” curriculum—materials that had been used in more than 400 schools in New Mexico and in nearly 50,000 schools nationwide.\textsuperscript{249} Without reviewing the materials, the school board ordered the Cordovas to stop using them in their classrooms.\textsuperscript{250} School superintendent Arthur Martinez then suspended the Cordovas and recommended that the school board fire Nadine and Patsy for insubordination.\textsuperscript{251} Shortly afterwards, the board voted to fire the Cordovas, and they have not been allowed to return to their teaching positions.\textsuperscript{252} Many students supported the Cordovas’ teaching methods and expressed their disappointment when the Cordovas were fired. Naomi Chavez, a ninth grader at the school, stated, “They taught us stuff that was going on in the world. And they asked us what we thought. The other teachers, whatever they tell us, that’s how we’re supposed to think about it. They don’t tell us different views.”\textsuperscript{253}

The ACLU took Nadine’s case and settled with the school board in November 1998 for $520,000.\textsuperscript{254} United States magistrate Robert DeGiacamo approved the settlement, which ordered the school board to remove any negative references from the Cordovas’ files.\textsuperscript{255} The Cordovas saw the settlement as a victory for their students\textsuperscript{256} and emphasized that they had begun teaching Chicano studies as a way to keep students in school.\textsuperscript{257} They explained that prior to adopting their innovative curriculum and forming MEChA, “our kids were dropping out of school like flies and we thought the club would inspire the kids with pride and keep them in school.”\textsuperscript{258} The Cordovas’ concerns were warranted. Senator Bingaman from New Mexico stated that he had:

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\item \textsuperscript{246} Cordova, 3 F. Supp. 2d at 1218.
\item \textsuperscript{247} Id.
\item \textsuperscript{248} Id.
\item \textsuperscript{249} Sue Major Holmes, School District Gives Fired Sisters $450,000 Settlement, ALBUQUERQUE TRIB., Nov. 19, 1998, at A4 (explaining the materials were designed to teach students to understand and accept people from different backgrounds and to promote racial tolerance).
\item \textsuperscript{250} Cordova, 3 F. Supp. 2d at 1218.
\item \textsuperscript{251} Valerie Santillanes, Vaughn Teachers Pull Hearing Request, ALBUQUERQUE J., June 21, 1997, at D3 (indicating Patsy had been using materials similar to those used by Nadine, utilizing similar methodology).
\item \textsuperscript{252} Cordova, 3 F. Supp. 2d at 1219.
\item \textsuperscript{253} Hill, Sisters in Arms, supra note 224.
\item \textsuperscript{254} Scott Sandlin, Fired Teachers Get $520,000, ALBUQUERQUE J., Nov. 19, 1998, at A1.
\item \textsuperscript{255} Id.
\item \textsuperscript{256} Id.
\item \textsuperscript{257} Cordova Sisters Settle for $520,000, at http://www.pacificanews.com/html/edu1119.html (last visited Nov. 20, 1998).
\item \textsuperscript{258} Id. See also Monica Soto & Greg Toppo, Hispanic Dropout Rate Blamed on Schools, SANTA FE NEW MEXICAN, Feb. 2, 1998, at A1 (emphasizing that the Cordovas are not the only ones concerned about Latinos’ high dropout rates).
\end{itemize}
spoken to hundreds of New Mexico kids about why they drop out of school. They’re bored with lessons that have no relevance to their daily lives. They’re lost in giant school buildings with endless corridors and teachers who don’t have time to take an interest in their progress. As we awaken to this national crisis, one thing has become crystal clear. The dropout problem is not about kids failing school, it’s about school failing kids.259

Through their innovative curriculum and formation of MEChA, the Cordovas tried to erase the residue of internalized oppression and racism. They attempted to teach their students that they should not be ashamed of being Mexican American, and that they should learn their history and celebrate their identity. They attempted to debunk negative stereotypes about Latinos and to reconstruct a positive self-identity for their students. For these actions, other Latinos fired them. The Cordova case reveals internalized racism at work. Latino school board members claimed to be pure-blooded Spaniards and denied their Mexican American roots, apparently, because they were ashamed of being considered Mexican American.260 Professor Herman Garcia from New Mexico State University explained, “Calling yourself Mexican, or claiming that part of your heritage, is taboo. It has connotations of being lower class and that you were part of the group that faced heavy discrimination. It’s internal racism.”261

To shed some light on the school board’s actions, “the Cordovas said they believed their troubles could be traced, in part, to the schism in New Mexico between those who claim Spanish ancestry and those who claim Mexican ancestry.”262 In New Mexico, as in other parts of the Southwest, Latinos who claim purely European ancestry have great scorn for those who claim, or at least do not deny, mestizo ethnicity. According to University of New Mexico Professor Eduardo Hernandez Chavez:

[M]any New Mexican Hispanics ‘want to be seen as full-blooded, red-blooded Americans [—] they’re not ethnic. They don’t deny their heritage, but that’s in the past two glorious traditions, the Spanish tradition and the American tradition. Don’t muddy the waters by looking at the conflictual relationships between these two great traditions, by looking at the conquest of the Indians by the Spanish Americans.263

Eurocentric Latinos separate themselves from, and attack, those who claim mestizo ethnicity. “We weren’t censored by Anglos,” Nadine Cordova said. “This was done by our own

259. Soto & Toppo, supra note 258.
260. For similar claims, see ACUÑA, supra note 16, at 8; see also Johnson, Ring of Fire, supra note 60, at 1272–73.
263. Toppo, Two Teachers Fired, supra note 231.
people. We’re our own worst enemy because we don’t know our own history.\textsuperscript{264} While the Cordovas’ case received legal and public attention, it was not the first time that Latinos were attacked for embracing their roots in New Mexico. Professor Chavez referred to the resistance that New Mexico educators face when teaching Chicano history: “If you present that viewpoint, you’re being ‘negative,’ you’re somehow derogating the positive aspects of American history . . . . To those who want to assimilate, it’s threatening. It’s looking at an aspect of their own past that they want to forget.”\textsuperscript{265} What the Cordova case reveals is a classic example of Latinos acting out of self-denial and self-loathing, who persecute and prosecute other Latinos who not only are not ashamed of their heritage, but proudly proclaim it.

E. Summary

This part recounted legislation that negatively affected Latinos and described Latinos’ support for that legislation as well as for litigation prompted by Latinos’ firing of other Latinos for teaching about Chicano history. In the case of the initiatives, as enacted, each piece of legislation legally harmed the Latino community. But the loss at the polls went beyond the legal, affecting those who supported the legislation as well as those who opposed it. “For the predictable losers, the minorities, the ‘political’ loss is also a civic loss. It is experienced as a rejection of self, their way of being and knowing, and their membership in the polity.”\textsuperscript{266} Moreover, the legislation often divided Latinos, pitting them against each other, resulting in a loss of community.

A common thread among the stories in this part is that in each case, Latinos—sometimes deliberately and sometimes unconsciously—took action that harmed the broader Latino community. Another common thread is the source of such harmful behavior: internalized racism, acceptance of negative stereotypes about Latinos, and the belief that Latinos are inferior and should be treated accordingly. These examples of the consequences of internalized oppression and racism demonstrate how Latinos are manipulated into supporting harmful legislation or engaging in behavior that oppresses them and other Latinos. The next part of this article focuses on what Latinos can do individually and in alliance to overcome internalized oppression and racism.

\textsuperscript{264} Santillanes, Fired Vaughn Teachers, supra note 262.
\textsuperscript{265} Toppo, Two Teachers Fired, supra note 231.
\textsuperscript{266} Lazos Vargas, supra note 134, at 515.
IV. RE-IMAGINING LATINO IDENTITY IN THE ABSENCE OF INTERNALIZED OPPRESSION AND RACISM

Internalized oppression and racism are deeply embedded in America’s history. “The structures of the physical and spiritual oppression of the natives, their mestizo children, the Africans forced into slavery, and the slaves’ children... [are] so entrenched that five hundred years later they seem to be impossible to overcome.” To uncover the roots of internalized oppression and racism for Mexican-origin groups, we have to go back more than 150 years. Even preceding the Mexican-American War of 1848, “Anglo-Americans perceived the Mexicans’ military weakness and technology to be evidence of the inferiority of the ‘half-breeds’ and their inability to govern themselves.” Thus began the stereotyping of “Mexicans as stupid and inferior hybrids,” as contrasted with Anglos, who represented the norm of intelligence, purity, and superiority.

With such a prolonged history of Latino oppression in this country, it will take a concerted effort—including both anti-subordination efforts aimed at those in power to reduce oppression from the outside in, and group and individual change among Latinos—to undo the effects and behavior associated with internalized oppression and racism. These types of changes will be extraordinarily difficult, as are any changes that combat the reconstructive paradox. In essence, the reconstructive paradox posits that the most insidious types of social evil tend to be so ingrained in our society that we barely notice them. Accordingly, it takes a Herculean effort to overcome the evil. Moreover, because of the scope of the effort, it is bound to be highly visible and its very visibility causes resistance and possibly backlash. This resistance occurs because, “those whose livelihood and identity depend on the structures of the old creation, that is, the structures of domination, try to prevent the new creation. The rise and liberation of the poor always shake the structures of unjust domination and oppression, and those who rely on those structures try everything within their means to keep that liberation from coming about.”

267. ELIZONDO, supra note 3, at xvi.
269. Id.
270. See Martinez, supra note 62, at 342 (“The Anglo colonizers in the American Southwest produced discourses regarding the Mexican-Americans. In sharp contrast to their legal construction as white, these discourses plainly construed Mexican-Americans as irreducibly Other from the standpoint of the white Anglo.”).
272. Id. at 559.
273. Id.
274. Id.
275. ELIZONDO, supra note 3, at 18, note 24.
This is not to say that efforts to eliminate subordination and discrimination (externalized oppression), as well as internalized oppression and racism in the Latino community, should not be undertaken. In spite of the enormity of the task and the risks involved, we cannot and should not avoid these efforts. As one academic reminds us, "[t]he issue for us is how to overcome the decades of racist insensitivity that have shut us out of centers of power, learning and decision making . . ." This part will provide guidance on how to embark on that task while reminding the reader of the importance of that task.

Any effort to overcome internalized oppression must start with the source—that is, the externalized oppression which ignites the chain reaction of internalized oppression and racism. Specifically, we must continue existing efforts to reduce the discriminatory and subordinating behavior that directly harms Latinos and establishes negative stereotypes that then become internalized and sometimes self-fulfilling. The anti-subordination agenda is broad, and Latino Critical Race (LatCrit) theorists and activists have suggested many ways to eliminate externalized oppression, ranging from litigation, to legislation, to grassroots activism, to education.277

Re-imagining Latino identity without internalized oppression and racism requires us to be aware of the institutionalization of White privilege and supremacy,278 to systematically undo both the subordination of Latinos through White supremacy, and Latino contributions to the perpetuation of White supremacy.279 White supremacy is carried out ritualistically through agencies such as the Ku Klux Klan;280 legislatively through the enactment of bills like California’s Propositions 187, 209, and 227;281 politically through control of zoning or other land use decisions which harm Latino communities while enhancing predominantly Anglo communities;282 and

276. Flores, supra note 14.
278. Martinez, supra note 62, at 322 ("[C]ritical theorists have recognized that traditionally, white identity has been a source of privilege and protection.").
279. For a detailed discussion of the notions of white supremacy and white privilege, see Cheryl Harris, Whiteness as Property, 106 HARV. L. REV. 1709 (1993) (discussing notions of white supremacy and white privilege); see also Stephanie M. Wildman, PRIVILEGE REVEALED: HOW INVISIBLE PREFERENCE UNDERMINES AMERICA (1996) (detailing privilege generally); Menchaca, supra note 268, at 204 (explaining white superiority vis-a-vis Latinos).
281. See supra notes 21–23.
282. See, e.g., Menchaca, supra note 268, at 217; see also ACUÑA, supra note 16, at 65–72 (discussing how Latino activism spared East Los Angeles, a predominantly Latino community, from a state prison—at least for now—but that East Los Angeles has nonetheless been the dumping ground for hazardous waste and the chosen site for an oil pipeline).
283. Menchaca, supra note 268, at 217 (reporting that dominant groups, comprised primarily of Anglos, routinely place desirable amenities such as shopping centers, parks, or land preserves in Anglo communities).
symbolically through billboards such as the official-looking billboard (green background and white lettering) which briefly appeared at the California-Arizona state line and read, "Welcome to California. The Illegal Immigrant State. Don't Let This Happen To Your State. Call Toll Free (877) NO ILLEGALS." Each of these activities is an example of externalized oppression—dangerous behavior by those in power that if left unchecked, often results in internalized oppression and racism. As is evident, the tasks are many: we must simultaneously be on the alert for racist behavior, swiftly and publicly respond to any such behavior, and ensure that we are not actively supporting this behavior through our actions and that we are not inactively supporting this behavior through complacency. Although anti-subordination work is an essential first step, many others have discussed this step, so the remainder of this part will focus on the less-frequently discussed matter of what Latinos can do individually, as a community, and in alliance with others to abolish internalized oppression and racism.

While Latinos work toward broader anti-subordination goals, we must simultaneously address internalized oppression and racism within our communities. Roberto Chené eloquently describes why it is essential to undo internalized oppression at the group level:

It is necessary to realize that classism, ageism, racism, sexism and all other forms of oppression are within our social institutions and have a life of their own. It is essential to recognize that it is not enough to promote change at the individual level but rather that empowered individuals collaboratively pursue changes at the systemic and institutional levels. Allying with each other and changing the institution of which we are a part is an essential part of the process of becoming an ally.

Although one must understand why it is crucial to overcome internalized oppression and racism at the institutional or group level, the more difficult challenge is taking sustained steps over time to actually eliminate behavior resulting from internalized oppression and racism. As Chené suggests, one must establish alliances, such as those formed at LatCrit, and other Critical Race

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284. Amanda Covarrubias, I-10 Billboard to Urge Fight Against Illegal Immigrants. Group Hopes it's 'Quite Controversial,' SAN DIEGO UNION-TRIB., May 1, 1998, at A3; see also Group Has Billboard Removed, SAN DIEGO UNION-TRIB., June 24, 1998, at A3 (indicating that the billboard was promptly removed when Hispanic activists planned to protest the racist contents of the advertisement). But see David Reyes, Anti-Illegal Immigration Group’s New Sign Elicits Protests, L.A. TIMES, Nov. 10, 1998, at B4 (showing that another California group arranged to have a new ten-by-forty-foot sign installed near Blythe, California, greeting people arriving from Arizona); see also 2nd Anti-Immigration Billboard Removed; Safety: Passerby Viewing the Sign at California-Arizona Border Disturb Landowner, L.A. TIMES, Nov. 14, 1998, at B5 (explaining the message was essentially the same as that of the original sign and that the second sign ultimately met the same fate in that it was removed shortly after its installation).

285. See, e.g., supra note 277.

286. INTERCULTURAL COMMUNITIES, supra note 1, at 2.

287. See Johnson, Ring of Fire, supra note 60, at 1297–98 (encouraging common pan-ethnic identifiers among Latino groups despite diversity in the Latino community).

288. The first LatCrit conference, LatCrit I, convened in La Jolla, California, in Spring 1996; LatCrit II met in San Antonio, Texas, in Spring 1997; LatCrit III met in Miami, Florida, in Spring 1998; LatCrit IV met in Lake Tahoe, California, in
Theory conferences. In fact, this spirit of alliance is partly what prompted the movement to organize LatCrit I in 1996 in La Jolla, California. Although forging the initial alliance is easier than maintaining a sustained alliance, participants must persevere and not abandon the LatCrit project or the larger project of creating and sustaining alliances within the Latino community.

One Latina academic expresses this idea as follows,

If indeed our end goal is to have community, then we must commit to not walking away when conflict arises, to not personalizing too much our individual and communal mistakes in judgment, to being honest and compassionate with each other in our confrontations, and to trusting in the community’s support for continued hope and healing.

In order to sustain alliances, we must communicate forthrightly, constructively, and with a spirit of respect. Chené elaborates that we must also have “a mutual commitment to maintaining the relations; an understanding that allies are flexible and persistent at working on the relationship although conflict may arise; and an understanding that allies are able to give positive instruction to each other so that they will learn from one another.” Accordingly, we must continue to meet in group settings, to support the group as well as members of the group, and to create alliances with other groups. As one colleague reminds us, “[t]his means collectively demanding of ourselves that we find appropriate tools for enhancing our coalitional effectiveness—methods and practices designed to help us root out those unconscious oppressive beliefs and attitudes which endanger our communal goals by dividing us against each other.”

Overcoming internalized oppression also requires that we not be seduced by rhetoric critical of more recent immigrants. Kevin Johnson explains the temptations and risks:

Status competition may pit Latino sub-groups against one another. Laws may reinforce the social distinctions made by the groups. Latinos should recognize the

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289. See CRITICAL RACE THEORY: THE CUTTING EDGE xiii-xiv (Richard Delgado, ed. 1995) (explaining that the Critical Race Theory (CRT) movement commenced in 1989 and that it is recognized as starting with the work of Derrick Bell and Alan Freeman and was quickly joined by many other kindred spirits).

290. Attendees at the HNBA convention in Puerto Rico started brainstorming the idea of a Latino Critical Race Conference. California Western School of Law ultimately sponsored LatCrit I, and Professors Francisco Valdes, Gloria Sandrino, Robert Chang, and I organized the conference, together with the support of many of our colleagues throughout the country.

291. In fact, LatCrit, as other critical race movements, has suffered through some divisiveness that if not immediately named and addressed, could have threatened the movement.


293. INTERCULTURAL COMMUNITIES, supra note 1, at 2.

arbitrariness of treating immigrants and citizens differently under the law. Like the imaginary geographical line that the United States government declares as “the border” between the United States and Mexico, this discrimination serves as a metaphoric border between people of Latin American ancestry. It divides a community with members who have much in common, including dominant society’s classification of the entire group as “foreigners” to the United States. \(^{295}\)

It behooves us to look for and celebrate our commonalities, \(^{296}\) rather than searching for what often turn out to be fictive differences. \(^{297}\) This is especially important considering that many non-Latinos do not see the differences among Latinos—recall that Proposition 187 requires various authorities to report illegal aliens, as well as those reasonably suspected of being illegal aliens. \(^{298}\) Anyone who looks Latino could reasonably be suspected of being an illegal alien, regardless of that person’s citizenship status. Keeping this in mind, we should not persecute other recent immigrant Latinos, as we could easily be the next ones persecuted. To the extent we are mistreated, we should use that experience as the impetus to ally and challenge the source of that mistreatment. “This common mistreatment may forge group cohesion among Latinos so that they may fight a common enemy and agitate for group rights.” \(^{299}\) Accordingly, we should neither single out recent immigrants for discriminatory treatment nor sit by complacently while others discriminate against recent immigrants. With today’s nativistic political climate, it has never been more important to work together, both to inhibit future legislation like Propositions 187, 209 and 227, and to reduce discrimination against, and subordination of, Latinos.

Additionally, it is important to refuse to allow dominant groups to persistently create, perpetuate, and manipulate stereotypes about Latinos. For example, politician Pete Wilson created repugnant advertising campaigns depicting hordes of Latinos crossing the border into California, stealing jobs from hard-working Americans. \(^{300}\) Wilson’s advertisements included pulsating music and a voice-over stating, “They keep coming.” \(^{301}\) These stereotypes are disgusting and offensive, and call for prompt responses in an equally public forum. We must name the actions for what they are, racist and discriminatory; challenge the offensive images; and hold the perpetrators accountable. When we allow these images to go unchallenged, the problems do not simply go

\(^{295}\) Johnson, *Latino Identity, supra* note 6, at 200–01.

\(^{296}\) See id. at 210 (“Latino activist groups must do a better job of representing the interests of the entire Latino community.”).


\(^{298}\) See supra text accompanying notes 95–100.

\(^{299}\) Johnson, *Latino Identity, supra* note 6, at 210.


away. Instead, they multiply. As explained in the context of White definitions of African Americans, "[t]hat the white-created image of African Americans should remain largely unchallenged by black conceptions is troubling not only because the white version reflects stereotypes, myths, and half-truths, but also because of the role the white definition plays in explaining the historical treatment and current condition of blacks." In other words, the negative stereotypes are made even worse when those very stereotypes are used to justify Latinos’ current inferior socioeconomic and educational status.

It is likewise important to narrow the gap between public perceptions of Latinos (even among Latinos) and Latinos’ lived experiences. To illustrate, the Latino National Political Survey ("LNPS") found that the vast majority of Latinos support bilingual education, but the media reported LNPS as finding that because Latinos think that people who work and live in the United States should know English, “that everyone should speak only English.” As another example, the LNPS, perhaps unwittingly, implied that Latinos reject the label “Latino.” In the end, both the LNPS and the media that reported the survey’s results misconstrued many Latinos’ values and opinions. Stanford’s Public Outreach Project attempted to correct some of the distorted images of the average Latino which the survey perpetuated.

With respect to language, for example, the survey emphatically does not show that Latinos prefer English over Spanish or seek to be monolingual English speakers. Rather, it shows that Latinos overwhelmingly seek to be bilingual and regard knowledge of English as necessary in order to function fully in United States society. Media accounts, however, widely reported these results as indicating Latino support for a monolingual, English-only society. Likewise, the fact that respondents said they “felt closer” to Anglos than to members of other Latino ethnic groups was overwhelmingly read in assimilationist terms. Yet there are no grounds for such a reading. The three groups under study (Puerto Ricans, Cuban Americans, and Mexican Americans) are concentrated in different parts of the country, rarely in contact with each other, and constantly in contact with Anglos. It was thus inevitable, for example, that when [Puerto Ricans or Mexican Americans were] asked whether they felt closer to Anglos or Cuban Americans, the reply would be the former. In fact, the answer was so inevitable that it is hard to imagine why the question was asked.

The Stanford Group was not the only one to question the results of the media coverage of the LNPS. Professor Gerry Lopez wrote, “To paraphrase one observer, most mainstream press accounts would have readers believe the survey had uncovered a set of new truths: Latinos are anti-immigrant. Latinos reject bilingual education. Latinos are anti-affirmative action. Latinos

302. Aleinikoff, supra note 28, at 1072.
303. Latino National Political Survey, supra note 8, at 6.
304. Beyond LNPS, supra note 57, at 8–9.
305. Latino National Political Survey, supra note 8, at 13.
have nothing in common." Professor López explained some of the gaps within many of the media reports of the LNPS results:

Yes, many Latinos agreed “that there is too much immigration,” but survey results do not support the label “anti-immigrant,” particularly all that it connotes in increasingly nativistic times. Yes, Latinos overwhelmingly indicated their desire to learn English, but survey data also reveal most Latinos speak Spanish, want their children to speak Spanish, and support bilingual education. Yes, many Latinos rejected strict quotas but even more see the need to mix merit and quota aims in employment and college admission decisions. Yes, Latinos do not express in their responses a sense of common culture, do not consistently form consensus on certain policy issues, and do not prefer a common self-identifying label to their own respective national origin labels. But Latinos do share a great deal... manifest uncommon agreement on many domestic policy issues... and prefer a pan-ethnic label... as their second preferred way to describe themselves.

A comparison of media perceptions of Latinos’ attitudes on many issues with Latinos’ actual attitudes reveals an increasingly apparent dissonance. Compounding this problem is the seeming willingness of many Latinos to believe media reports of Latino attitudes, even when those reports contradict their lived experiences. For example, “many minorities were confused not only by the language, but also by the media messages of the proponents of Proposition 209.” That is, the language of the initiative was misleading enough, but when the media distorted Latinos’ attitudes toward the initiative, it exacerbated that confusion, leaving Latinos to wonder what the initiative really said and whether it supported or harmed their interests. To undo the damage of internalized oppression, it is crucial to regain our voices and not to let others speak on our behalf, particularly when the “truth” they purport to report is distorted or only speaks for a small part of our community.

Some media reports of Latinos’ attitudes are not only biased, but distorted to reflect a desired image of Latinos, rather than attitudes of average Latinos, as illustrated by the media coverage of Proposition 209. As noted, prior to the election, Latinos supported this proposition; however, as election time neared, Latinos’ support shifted, and in the end, most voted against Proposition 209. In fact, Latinos’ attitudes toward Proposition 209 were based in large part on the terminology used to solicit their feedback. When Latinos responded to interviewers’ questions

308. Id. at 379–80 (citations omitted).
309. This is not to say that Latinos’ attitudes are homogenous or that there is an essential Latino attitude—rather, it is to assert a counter-narrative to the stories the media tells about Latinos.
310. Lazos Vargas, supra note 134, at 461.
311. I again want to emphasize average because there is no singular Latino viewpoint on any issue. However, there certainly are commonalities among Latinos. For example, the majority of Latinos are still Catholic. Anthony Stevens-Arroyo, The Latino Religious Resurgence, 558 ANNALS AM. ACAD. POL. & SOC. SCI. 163, 172 (July 1998).
312. See supra text accompanying notes 150–51.
about whether Latinos supported quotas or preferences, Latinos, like other respondents, overwhelmingly opposed both. This was interpreted as support for Proposition 209. However, when asked whether discrimination persisted and whether affirmative action could help ameliorate the effects of discrimination, Latinos, again like most of the population, answered affirmatively.

When these types of distortions are disseminated, we must commit to efforts similar to those undertaken by Stanford’s Public Outreach Group. That is, we should systematically review and verify media accounts of Latinos’ positions, values, and attitudes. When these accounts do not correctly reflect the positions, values, and attitudes of the majority of Latinos, we should publicly challenge and correct those accounts, while simultaneously offering more accurate accounts.

Re-imagining Latino identity without internalized oppression or racism requires us to critically analyze the concept of assimilation, which is often misunderstood and oversimplified when applied to Latino communities. At one extreme, there is pressure to assimilate as quickly as possible into this country. This model has been advocated through most of our country’s history. As one commentator remarks:

There was never any question that immigrants would be expected to learn English and to conform to the laws, customs, and traditions of their new country. Public schools taught newcomers not only a new language, but new dress, manners, history, myths, and even hygiene to transform them into Americans who sounded, looked, acted, thought, and smelled the part.

Those advocating this extreme of assimilation support learning English exclusively, not only neglecting Spanish but forbidding or punishing its use, denouncing more-recent immigrants and all that they stand for, and in general, creating as much distance as possible between themselves and other less-assimilated Latinos.

Those at the opposite extreme on assimilation support nationalism to their homeland by, for example, allegiance to “The Spiritual Plan of Aztlán,” which calls for separatism. “Aztlán

313. See supra text accompanying notes 153–54.
314. Id.
315. Id.
316. See supra text accompanying note 201.
317. What to do About Immigration, supra note 11; see generally Johnson, Ring of Fire, supra note 60 (discussing Latinos’ unique assimilation patterns).
320. ARMANDO NAVARRO, MEXICAN AMERICAN YOUTH ORGANIZATION: AVANT-GARDE OF THE CHICANO MOVEMENT IN TEXAS 67 (1995) (“In the spirit of a new people... the Chicano inhabitants and civilizers of the Northern land of Aztlán...
[parts of the southwestern United States] belongs to those who plant the seeds, water the fields, and gather the crops, and not to the foreign Europeans. We declare the Independence of our Mestizo Nation. We are a Bronze People with a Bronze Culture. We are a Nation, We are a union of free pueblos, We are Aztlan. Proponents of Aztlan:

dismissed traditional notions of Americanization and assimilation as nothing more than gabacho (a derisive term for Anglo) attempts to maintain hegemony over Chicanos by destroying their culture the Chicano nationalists proposed to break Anglo hegemony by demanding community control or local autonomy over schools, elected offices, businesses, and even financial institutions located in areas of high Chicano concentration.

In fact, neither of these extreme views of assimilation represent the views of most Latinos. There is a middle ground that more-accurately reflects many Latinos’ assimilation experiences and views. One writer partially explains a more typical assimilation pattern:

[A] strong homeland influence has been typical of many immigrant communities throughout history. But Latino immigration is unique in the American experience because it comes from countries so nearby. Farm hands from central Mexico readily come north for the summer home-construction season in the United States and still remain fully productive participants in the work of the family rancho.

Proximity also means that assimilation is not continuous or direct, but rather a rhythmic, periodic process in which immigrants retain aspects of their foreign identity even as they learn English and otherwise adopt American ways.

This rhythmic, back-and-forth migratory flow is unique among immigration patterns to the United States and partially explains the strong cultural ties that so many Latinos preserve with their homelands. “The circulatory movement of laborers substantially altered the classic explanation of ‘push-pull’ migration. Now the movement was virtually perpetual, and the economic relations were interdependent.” This interdependent relationship affects the degree and nature of assimilation, yet it does not blunt the effects of internalized oppression or racism. Society still “sends . . . [Latinos] conflicting messages that they should assimilate, yet they are not welcome to

declare that the call of our blood is our power, our responsibility, and our inevitable destiny.”.

321. Id.
participate fully in American life."  

Ideally, healthy assimilation would be free from internalized oppression and racism, meaning that Latinos or other immigrants could come to this country and learn English and otherwise adopt American traditions, without being pressured to forget their heritage. This contrasts with the unhealthy, extreme position on assimilation tainted by internalized oppression and racism in which newcomers are asked to deny their past and are sometimes ridiculed if they are too slow to adapt or too proud of their homelands.

Another manifestation of internalized oppression and racism is our acceptance of "a narrow and limited view of what is authentic . . . [Latino] culture and behavior."  

To a large degree, non-Latinos have defined what it is to be Latino, and accepting their usurpation of this definitional power has been devastating. Others have described the power of definition that Whites have over Blacks as "a power that was used to serve white needs and perpetuate white myths, and whose exercise has drowned out black attempts at self-definition."  

Exercising this type of power has been similarly harmful to Latinos—perpetuating negative stereotypes and leaving little room for Latinos to positively describe and create our own identity.

Not only have we accepted others’ definitions of Latinos, but when defining ourselves, we have not always been inclusive. In order to remedy definitional identity problems and to re-imagine Latino identity without internalized racism, it is important both to take charge of the definitional process and to not make that definition so narrow that it excludes other Latinos. With respect to the former, Professor George Martinez explains that "dominant-group-controlled institutions should not have exclusive power to define minority group identity. Historically dominated groups must struggle for the power of legal self-definition. Otherwise, dominant-group-controlled institutions may use the power over meaning and group identity to reinforce group oppression."  

As to the exclusion piece, once in power, it is critical that we not succumb to the temptation to include only those whom we consider to be like us. This is part of the broader charge of LatCrit theory—to develop a “paradigm that accepts, embraces, and accommodates persons as multidimensional entities rather than as conveniently divisible parts of that whole being.”  

Re-imagining Latino identity without internalized oppression and racism requires a reassessment of our treatment of the Spanish language, which has often served as a source of embarrassment. Instead, it should be resurrected as a source of pride, partly for the reasons one writer outlined:

The children should learn Spanish, not only because in many cases this helps their

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325. Villarreal, supra note 319, at 1214.
326. Lipsky, supra note 29, at 8.
327. See supra text accompanying notes 5–14 (illustrating some unflattering descriptions of Latinos).
328. Aleinikoff, supra note 28, at 1070.
329. Martinez, supra note 62, at 331–32.
learning in general, but also because they will thus be able to secure a sense of identity and belonging. The Spanish language should also be brought to the adult population .... The point is not to create a prerequisite to membership in the Latino/a community, but rather to give Latino/as an opportunity to reconnect with their roots and open up a path towards a common identity.\(^3\)

In order to facilitate Spanish retention or acquisition, the option of a bilingual education should not only be re-introduced in places where it has been “outlawed,”\(^3\)\(^3\) it should be encouraged.\(^3\)\(^3\)\(^3\) Moreover, we should actively oppose efforts to end bilingual education, because the very introduction of these measures harms our communities.

[L]anguage minorities understand English-only initiatives as targeted at them and interpret the campaigns surrounding English-only as a rejection of their full membership in the community. For most members of these groups, language is a symbol of heritage and identity, rather than a barrier preventing their assimilation into the American polity. For Latinos, even those who lost their ability to speak Spanish as they become more and more assimilated, Spanish is predominantly a home language and is related with affective attitudes of self-identity and self-worth. Thus, language symbolizes deeply held feelings about identity and is deeply embedded in how individuals place themselves within society.\(^3\)\(^3\)\(^3\)

Finally, we should proactively design and support innovative bilingual education programs. For example, in San Diego County, school chief Alan Bersin proposed a seemingly radical program that would produce bilingual and biliterate graduates.\(^3\)\(^3\)\(^3\) “We would like to see all students in the San Diego school system graduating at the 12th grade with rigorous academic competency in English and with rigorous academic competency in Spanish.”\(^3\)\(^3\)\(^3\)\(^3\) Others suggest that we open our eyes and see bilingualism as an asset.\(^3\)\(^3\)\(^3\) With some wisdom and planning, this asset could be used to alter current dropout patterns among Latinos.

Hispanic students are twice as likely as blacks and three times as likely as whites to drop out of high school .... Hopping to paint a different picture for these

\(^{331}\) Oquendo, supra note 39, at 125.

\(^{332}\) See supra note 184 (discussing how California attempted to outlaw bilingual education through its enactment of Proposition 227).


\(^{334}\) Vargas, supra note 134, at 445 (citations omitted); see also Steven W. Bender, Direct Democracy and Distrust: The Relationship Between Language Law Rhetoric and the Language Vigilantism Experience, 2 HARV. LATINO L. REV. 145 (1997) (discussing injurious effects of forced language loss).


\(^{336}\) Id. (quoting Anthony Alvarado).

\(^{337}\) Domenico Maceri, For a Bilingual America, DENVER POST, Feb. 22, 1998, at J04 (“[B]ilingualism makes children better learners because their minds are more flexible and agile than those of monolingual children.”).
children, Education Secretary Richard Riley called for public school districts to create . . . 1,000 new dual-language schools . . . “If we see to it that immigrants and their children can speak only English and nothing more, then we will have missed one of the greatest opportunities of this new century,” Riley said. “It is high time we begin to treat language skills as the asset they are” . . . Riley said dual-language instruction has proven to help Hispanic children do better academically as well as preserve children’s heritage and promote the bilingualism students will need in a global economy.\footnote{Anjetta McQueen, \textit{Latino Students More Likely To Drop Out, Study Says; Education Secretary Calls for Dual-Language Schools}, \textit{San Diego Union-Tribune}, Mar. 16, 2000, at A8.}

Although I am not in favor of mandatory Spanish or bilingual education, I support the availability of bilingual education for those who choose it, and I applaud Bersin’s courageous stand on bilingual education at a time when a majority of Californians want to eliminate it.\footnote{Maceri, \textit{supra} note 337.}

As part of the project of re-imagining Latino identity without internalized oppression and racism, Latinos can undertake a variety of political steps. For example, Latinos can organize at many levels to demand better representation, to improve the provision of basic services, and to hold the media accountable for their portrayal of Latinos (or lack thereof).\footnote{No Mercy, \textit{supra} note 24, at 147 (detailing how Latinos do much work in these areas and should be commended for their efforts to improve the Latino condition).} Latinos have been less efficient than many other groups in developing, harnessing, and exercising political power. One explanation is that “[p]olitical empowerment of ethnic and racial minorities in this country has taken generations in many cases. And Latinos lack some of the systems that aided other groups: the grass-roots activism of African-American churches or the benefit of old-style political machines that greeted European immigrants at the docks.”\footnote{Hernandez, Jr. & Simon, \textit{supra} note 42.}

To strengthen our political power, we should incorporate more grassroots activism, persevere in our naturalization and voter registration efforts, learn how to become more campaign and media savvy, better capitalize on church and social activism, and most importantly, improve coordination among different Latino advocacy groups, including the development of cross-pollination efforts so they build on each other. That means we must be willing to forego some individual goals for the good of the broader Latino community. We must also oppose legislation that hurts our community—particularly direct democracy initiatives such as Propositions 187, 209 and 227—and organize strategic alliances to thwart these types of harmful initiatives before they gain steam.

Additionally, although more Latinos are voting than at any time in the past, the percentage of Latinos who vote is still lower than the percentage of the general population that votes. “Elites (high income, high education, interested in politics) are more likely to vote on initiatives and
referendums than are other citizens, including those alienated from government—the group to which
direct democracy is said to be directed. Thus, we need to continue the efforts spearheaded by
organizations such as the Southwest Voter Registration Education Project to register voters,
particularly those who feel alienated and disenfranchised. More importantly, we need to
courage registered voters to actually vote. Other steps include drafting and supporting
legislation that advances Latino causes, lobbying, and working together to promote Latinos to
positions of power.

Internalized racism causes us “to mistrust our own thinking and analytical abilities. We
carry around doubts about our own and other [Latinos’] . . . ability to think well.” We can undo
this misplaced lack of confidence by consistently and consciously supporting each other.
Academics, for example, can participate in works-in-progress sessions; suggest each other when
organizing conferences; read each others’ papers; recommend each other for visiting
professorships, fellowships, and other awards; and generally lift each other up. Through these
steps, we continue the process of reducing internalized racism and diminishing the impact of
internalized oppression.

We must also focus on our youth in the project of re-imagining Latino identity without
internalized racism. We must establish bonds with them and include them in the process of self-
definition. In order to learn from our young people, we should frequently seek their voices and
give them more opportunities to be heard. We also need to feed and support their creativity. In
addition, we could create student book clubs and mentoring programs between professionals and
students, as well as between older students and younger students; insist on better school counseling
in order to inspire instead of dissuade young Latinos; and create scholarship programs for Latinos.
Such efforts would show young people that they are important and that we care about them, and it
provides them with Latino role models. If we do not create positive images, we leave a void for
others to fill with distorted images of what a Latino is or is not.

In order to re-imagine Latino identity without internalized oppression and racism, in
addition to overcoming destructive patterns of behavior at the group level, we must also focus on
change at the individual level. The first and most essential step is for each one of us to engage in
internal consciousness-raising—if we do not recognize internalized racism, we can neither
overcome nor undo it. How might we recognize this destructive force? Suzanne Lipsky suggests
that we ask ourselves questions like the following:

What has been good about being . . . [Latina/o]? What makes me proud of
being . . . [Latina/o]? What has been difficult about being . . . [Latina/o]? What
do I want other . . . [Latina/os] to know about me? How specifically have I been
hurt by my own people? When do I remember standing up against the
mistreatment of one . . . [Latina/o] by another? When do I remember being

342. Lazos Vargas, supra note 134, at 414.
343. See LIPSKY, supra note 29, at 89.
strongly supported by another ... [Latina/o]? When do I remember acting on some feeling of internalized oppression or racism? When do I remember resisting and refusing to act on this basis?\textsuperscript{344}

In answering these questions, we can deconstruct others' definitions of “Latina/o” and reconstruct our identity in an affirming way. This will positively affect how we see ourselves, how we see other Latinos, and how non-Latinos see Latinos.

Besides asking and honestly answering questions like those listed above, the process of overcoming internalized oppression and racism includes recognizing destructive patterns of behavior, including exaggerating “our feelings of rage, fear, indignation, frustration, and powerlessness ...”\textsuperscript{345} One Latina author self-deprecatingly described her feelings and the feelings of other Chicanos:

I have internalized rage and contempt, one part of the self (the accusatory, persecutory, judgmental) using defense strategies against another part of the self (the object of contempt). As a person, I, as a people, we, Chicanos, blame ourselves, hate ourselves, terrorize ourselves. Most of this goes on unconsciously; we only know that we are hurting, we suspect that there is something “wrong” with us, something fundamentally “wrong.”\textsuperscript{346}

In light of the racist history of our country, it is not surprising that we experience this self-loathing. After all, “[r]acism disempowers us by infecting individual consciousness with self-doubt.”\textsuperscript{347} When Latinos feel self-contempt or contempt for other Latinos, it is important to acknowledge those feelings and their sources, and to then intentionally eradicate any race-based contempt or self-doubt.

This part has barely scratched the surface in outlining a re-imagined Latino identity without internalized oppression or racism. There are many, many other steps we must take to overcome internalized oppression and racism, limited only by the boundaries of our collective imaginations. In order to succeed in this project, as part of our institutional and individual ongoing missions, we must continue to identify internalized oppression and racism and strategically formulate plans to halt that oppression and overcome its associated dysfunctions.

\textsuperscript{344} Lipsky, supra note 29, at 9.
\textsuperscript{345} Id. at 5.
\textsuperscript{346} GLORIA ANZALDÚA, BORDERLANDS/LA FRONTERA 45 (1987).
V. CONCLUSION

This article has described internalized oppression and internalized racism and the devastating impact of these forces on the Latino community. To summarize, these forces cause Latinos to adopt a colonized mentality and to internalize negative self-perceptions. This results in a community where individuals doubt themselves as well as those around them. Even worse, it causes Latinos to turn against each other. For example, large numbers of Latinos supported California’s Propositions 187, 209, and 227, which hurt the Latino community. In the case of the Cordova sisters, Latinos fired Latinas for teaching Chicano studies. This self-destructive behavior forces Latinos to spend too much time on the defensive, reacting to racist behavior not only from others but from ourselves. The unfortunate reality is that racism will be with us indefinitely and we will always have to spend some time reacting to bigoted legislation and fighting subordination and discrimination. However, we should not have to spend so much time and energy fighting among ourselves. It is time to act more from a position of self-determination. If Latinos can spend less time embroiled in infighting and can convince other Latinos not to support measures that are harmful to the Latino community, we will be free to engage in positive activities and proactive efforts to empower the Latino community. Accordingly, we should defy and deny others’ negative perceptions of Latinos, while concurrently building positive images and working toward a better place for Latinos in our society.

With time, we can reduce internalized oppression and racism, together with their resulting negative patterns of behavior. In their place, we can create a positive Latino identity which will have a multiplier effect. We will be healthier individuals who are part of healthier communities. If Latinos can move into positions of confidence and power, it will be difficult for others to mount and sustain the types of anti-Latino campaigns we have seen in recent years. As a consequence, instead of spending so many precious resources reacting to attacks on the Latino community, we can build and sustain a stronger and more united community.