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Publication Date
2015

Peer reviewed|Thesis/dissertation
UNIVERSITY OF CALIFORNIA,
IRVINE

The Right Way, the Wrong Way, and the American Way:
Nativist Policy in California, 1990-2000

THESIS

submitted in partial satisfaction of the requirements
for the degree of

MASTER OF ARTS

in History

by

Ruben Pantoja

Thesis Committee:
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2015
DEDICATION

To

my parents, brother and sister

in recognition of their worth, support and love.
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>LIST OF FIGURES</td>
<td>iv</td>
</tr>
<tr>
<td>ACKNOWLEDGMENTS</td>
<td>v</td>
</tr>
<tr>
<td>ABSTRACT OF THE THESIS</td>
<td>vi</td>
</tr>
<tr>
<td>INTRODUCTION</td>
<td>7</td>
</tr>
<tr>
<td>SECTION 1: Proposition 187 and Mixed-Status Families</td>
<td>19</td>
</tr>
<tr>
<td>SECTION 2: Proposition 187 and the Impact on Latina/o Healthcare</td>
<td>25</td>
</tr>
<tr>
<td>SECTION 3: Proposition 187 and the Denial of Public Education</td>
<td>28</td>
</tr>
<tr>
<td>SECTION 4: Proposition 227 and the Targeting of Bilingual Education</td>
<td>34</td>
</tr>
<tr>
<td>CONCLUSION</td>
<td>41</td>
</tr>
<tr>
<td>BIBLIOGRAPHY</td>
<td>44</td>
</tr>
</tbody>
</table>
# LIST OF FIGURES

<table>
<thead>
<tr>
<th>Figure</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Figure 1</td>
<td>Comparison of Latina/o Children in Mixed Status Families, 1998</td>
<td>22</td>
</tr>
<tr>
<td>Figure 2</td>
<td>California Students Language Spoken at Home</td>
<td>34</td>
</tr>
<tr>
<td>Figure 3</td>
<td>LEP Students Re-designated As Fluent in English, 1998-2003</td>
<td>36</td>
</tr>
</tbody>
</table>
ACKNOWLEDGMENTS

I would like to express the deepest appreciation to my committee chair, Professor Anita Casavantes Bradford, who has been an inspiration and an amazing mentor and teacher. I truly appreciate the opportunity she gave me to continue to grow as a scholar. Without her guidance and persistence this thesis would not have been possible. I also would like to thank my committee members, Professor Vicki Ruiz and Professor Sharon Block, whose countless hours of thoughtful feedback and support have helped me tremendously in improving every aspect of my writing and research. Finally I would like to thank my colleague and friend Rachael Delacruz who has supported me through every facet of my academic career at the University of California, Irvine. Thank you all.
ABSTRACT OF THE THESIS


By

Ruben Pantoja

Master of Arts in History

University of California, Irvine, 2015

Professor Anita Casavantes Bradford, Chair

This thesis examines how California’s Proposition 187 and Proposition 227 affected Latina/o families and communities. During the 1994 gubernatorial campaign, Republican Governor Pete Wilson publically blamed undocumented immigrants for higher crime rates, the economic downturn, and higher unemployment in California. This anti-immigrant backlash had consequences for the future of California politics. However, I argue that it had an equally significant impact on the lives of Latina/o families. Using newspapers, speeches, oral interviews and government documents, I demonstrate that the campaign to pass Proposition 187 and Proposition 227 produced fear as well as threatened the unity and stability of immigrant households. By focusing on these overlooked families, I contribute to the cultural history of U.S. Latina/os, as well as the histories of immigration and childhood.
INTRODUCTION

During an interview regarding the Save Our State Referendum, also known as Proposition 187, students and staff members of an elementary school were asked by teacher/filmmaker, Laura Simon, to voice their opinions concerning the proposition. As well as describing the difficulties of living in the Los Angeles community of Pico Union, the students described feeling unwanted and alienated. In contrast, the school librarian described how dirty California had become. The librarian implied that the standard of living in Los Angeles had declined because of immigrants. He stated that there was “a right way, and wrong way” of immigrating to the United States and that people should follow the rules.¹ The heated conversation between elementary school children and their librarian occurred as part of a larger debate regarding the growing Latina/o population in the 1990s. While immigration has often played an influential role in American political discourse, little attention has focused on how the nativist climate in California threatened Latina/o families and children, regardless of citizenship.²

Prop 187 sought to deny access to essential social services, especially health care and education, as well as increasing the risk of deportation for undocumented Californians, 3.5 million (many were Latina/o), and by creating an anti-immigrant climate that heightened hostility between Latina/os and white Californians.³ This anti-immigrant backlash had well-known political consequences for California Latina/os, however, I argue that the campaigns to pass both propositions did measurable harm to the cognitive, social and psychological wellbeing of children and threatened the stability of Latina/o families. Using newspapers, speeches, oral

¹ Josepha Producciónes, Fear and Learning at Hoover Elementary, videorecording (Josepha Producciones, 1997).
² Ibid.
interviews and government documents, I contribute to the cultural history of U.S. Latina/os, as well as the histories of immigration and of family/childhood.

Historians have written extensively on nativist social movements and xenophobic policies that have shaped the experiences of German, Irish, Mexican and Asian immigrants to the United States during the nineteenth and early twentieth century. Beginning in the late 1920s however, historians have noted how Mexicans became popular targets of xenophobic sentiment. Historians have demonstrated the use of pseudoscience and medicine to promote and rationalize exclusion and fear of immigrants arriving in the U.S. In *Silent Travelers: Germs, Genes and the “Immigration Menace*, Alan M. Kraut explores the medicalized prejudice and its impact on public health policy in the United States. This essay builds upon the work of Kraut by examining how rhetoric supporting Prop 187 positioned Immigrants as a drain healthcare services and prone to disease. Moreover, Latina/os have continued to be portrayed as “biologically inferior” and threat to the public health.

However, despite extensive scholarship on nativist sentiment in American society, a surprisingly small body of historical scholarship examines nativism targeting Latina/os. The notable exceptions include Alexandra Minna Stern’s *Eugenics Nation: Faults and Frontiers of Better Breeding in Modern America* and Natalia Molina’s *Fit to Be Citizens? Public Health and Race in Los Angeles, 1879-1939*, which examined the experiences of Mexican, Japanese and Chinese immigrants in Los Angeles and how public health was used as a way to “demean,

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5 Kraut, *Silent Travelers*, 256.
diminish, discipline and ultimately define racial groups.⁶ Therefore, this essay seeks to further historically contextualize the impact of California’s conservative nativist movement on Latina/o communities at the end of the twentieth century.⁷

Moreover, in order to examine the constant negotiations made by families to avert the threat of family separation and socioeconomic survival, I draw upon the extensive historical scholarship that focuses less on the actors of nativist rhetoric but the lives of those most affected. I draw upon historical scholarship by Chicana/o and Latina/o scholars that have unearthed, narratives and documents that personalize immigrant experiences, in order to analyze the consequences of policies that perpetuated their dehumanization. Specifically, I draw upon the work of historians Francisco Balderrama and Raymond Rodriguez, who carefully have historicized the repatriation of hundreds of thousands of Mexican American immigrants during the 1930s, in order to argue that rhetoric intended to target Latina/os by ‘othering’ them as non-citizens and describing them as “illegal aliens” was a carefully crafted strategy of dehumanizing Latina/o immigrant bodies.⁸ In doing so, I also employ Peggy Pascoe’s concept of “the politics of colorblindness.”⁹ Although architects of Proposition 187 and 227 continuously defended these referendums as not racially motivated, this essay seeks to push against the notion of “colorblindness” promoted by conservative politicians by pointing to the adverse effects Prop 187 and subsequent legislation has on Latina/os, regardless of their legal status.¹⁰

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Since this essay prioritizes the family unit as a central unit of analysis, I also build upon the scholarship of scholars who have examined the intersections between Latina/o families and immigration policy. Beginning in the later part of the twentieth century, Latina/o historians have focused on the daily experiences of immigrant families in the United States. Contributing immensely to the growing field of Latina/o family and childhood history, historian Ana Elizabeth Rosas powerfully explores the impact of the Bracero Program on families in the United States and Mexico between 1942 and 1964. In *Abrazando El Espíritu: Bracero Families Confront the U.S. Mexican Border*, she argues that the Bracero Program caused instability within Mexican families due to transnational separation. In this essay, I build on Rosas’ foundational study, as well as her more recent work exploring how families have negotiated the constant threat of family fragmentation through deportation, in order to demonstrate that Prop 187 created a “state of emergency” within the Latina/o community that extended and intensified the historic targeting of California’s Latina/o families for separation and repatriation.\(^\text{11}\) In conversation with this multidisciplinary body of scholarship, this paper thus expands the existing historiography by critically examining the intersections between nativist policies and the shared experiences of Latina/o families and children during the last decade of the twentieth century.\(^\text{12}\)

However, due to its relative proximity, historians have not yet substantially written on the impact of Prop 187 and Prop 227 on children and families during the 1990s in California. Consequently, this paper seeks to address that omission by bridging the gap between historical scholarship examining Latina/o family life and social science studies of Latina/o political life, in

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order to reveal the detrimental emotional consequences of racially motivated nativist political
movements on California Latina/o children and families. In his analysis of the commodification
and dehumanization of Latina/os in the public sphere, anthropologist Leo Chavez argues:
“Through objectification…people are dehumanized, and once that is accomplished, it is easier to
lack empathy to those objects and to pass policies and laws to govern their behavior, limit their
social integration, and obstruct their economic mobility.”13 I apply Chavez’s understanding of
the dehumanization of the Latina/o body through representations of illegality, in order to uncover
the historical consequences of the nativist policies and rhetoric that targeted Latina/o families in
California during the 1990s.14

Finally, I build upon scholarship that underscores the political mobilization and
participation Latina/os in order to reveal the wide-reaching impact of nativist politics on Latina/o
families, arguing that Prop 187 served as a catalyst for greater Latina/o political participation.
Previous scholarship has examined the expanding political participation of the Latina/o
electorate and their growing allegiance to the Democratic Party, highlighting the importance of
Prop 187 and Prop 227 in creating a progressive Latina/o electorate that has made California
increasingly “blue” and has rendered the Republican Party largely irrelevant in a state that holds
fifty-five electorate votes of the 270 needed for the presidency. Moreover, political scientist Lisa
Garcia Bedolla has analyzed the multiple ways marginalization and inequality has shaped the
political and educational opportunities available to Latina/os. Taking Garcia Bedolla’s
scholarship as a model, I depart from previous “top–down” analytical approaches by analyzing

14 Leo R. Chavez, *Covering Immigration: Popular Images and the Politics Of the Nation* (Berkeley: University of
Case Studies in Cultural Anthropology (Belmont, Calif: Wadsworth, Cengage Learning, 2013); Vicki Ruiz, “Color
Latina/os’ evolving social, political and economic circumstances through narratives and personal recollections.¹⁵

A brief historical overview of twentieth century Latina/o immigration reveals that Latina/o fears of family separation through deportation were well founded based on decades of nativist policies that rarely recognized distinctions of immigration status or citizenship. As historian Alexandra Stern explained, “medicalization and militarization-- worked to create a regime of eugenic gatekeeping on the U.S.-Mexican border that aimed to ensure the putative purity of the ‘American’ family-nation while generating long-lasting stereotypes of Mexicans as filthy, lousy, and prone to irresponsible breeding.”¹⁶

Conservative political scientist Samuel P. Huntington expressed many of the nativist ideologies regarding the growing Latina/o community in the twentieth century. Huntington believed that many factors led to the erosion of the “American identity,” however none more threatening than Mexican immigration. Huntington claimed there were “irreconcilable differences” between Mexican Americans and Anglo Americans. He stated, “Mexican Americans no longer think of themselves as members of a small minority who must accommodate the dominant group and adopt its culture.”¹⁷ Huntington provides a reductionist analysis of an American identity, ignoring policies and events that caused transnational migrations. Nevertheless Huntington’s assessment demonstrates an explicit racialized understanding and disdain for immigration, and more accurately, Mexican immigration, as he supports, defends and explains the growing nativist sentiment towards Latina/os.


¹⁶ Stern, _Eugenic Nation_.

¹⁷ Samuel P. Huntington, “The Hispanic Challenge,” _Foreign Policy_, no. 141 (March 1, 2004): 44.
Furthermore, the success of nativist policy since the 1960s has depended upon the concept of “color-blind conservatism, “that was crucial in removing the racial rhetoric of conservative ideology” while maintaining racialized constructions. 

This form of conservatism discourse presumably concerned with creating fairness and a “race-less society,” was a political strategy to shield conservatives from accusations of overt racial discrimination. Nevertheless, political scientist Lisa McGirr explains how since the 1960s, conservatism in California has championed “Christian fundamentalism, xenophobic nationalism and libertarianism.”

For example, undocumented people became imagined as criminals because they were broke the law by simply their migration. Conservatives concerned with the welfare state, developed a persuasive, yet erroneous argument that presented Latina/os as dependent on the United States government and blamed Latina/os for the growing national debt. As Samuel Huntington –argued, Latina/os a threatened the very integrity of a singular American identity that is based on white European American values. Lastly, the belief that the quality of life has deteriorated because of the influx of a certain population led to the perception of the Latina/o community as hyper-fertile whose numbers would be a threat to American democracy. The consequences of “color-blind conservatism” are what Jacobson describes as “racial realism.”

In other words, color-blind conservativism helped to legitimize otherwise racialized stereotypes, through rhetoric that promoted superficially fairness with the intent of maintaining American white supremacy.

Throughout the twentieth century U.S. policies had recruited and deported millions of Mexicans. In the 1930s, as the Great Depression worsened, Mexican immigrants were used as

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19 Ibid., 19.
20 McGirr, Suburban Warriors, 14.
scapegoats for the high unemployment rates of native-born Americans. Through a climate of fear, hostility and heightened surveillance of Mexican American communities- municipalities throughout the United States began coercing Mexican immigrants and their families were repatriated or deported to Mexico. As a result, an estimated one to two million Mexican origin people were repatriated into Mexico, with as many as 1.2 million U.S. citizens. As historian Vicki Ruiz explains, “The physical distinctiveness of mestizos, and easily identifiable barrios influenced immigration and social welfare officials to focus their efforts solely on the Mexican people.”22 This unprecedented removal of people proved to be an especially traumatic experience for children born in the United States, as well as for those who migrated at very young age, since they considered themselves ‘Americans’. For them, Mexico was a foreign land, both geographically and culturally.23

However, with the 1941 attack on Pearl Harbor and America’s declaration of war on the Axis powers, the United States would once again turn to Mexican labor to increase war production in various industries. In order to meet a rapidly expanding military’s needs for food products and other essential goods, beginning in August 1942, the U.S. and Mexico agreed to establish the Mexican Farm Labor Program (also known as the Bracero Program) which would address agricultural labor shortages by bringing temporary Mexican contract laborers to the United States. The Bracero Program, which would continue for over two decades bringing 4.6 million contract workers to the United States, would become a significant aspect of America’s robust agricultural sector growth during World War II and the Cold War. Yet, Braceros and their families would endure harsh working conditions that dehumanized and commodified Mexican bodies with little regard for their physical, economic, and emotional wellbeing. The program also

23 Balderrama and Rodriguez, Decade of Betrayal.
took a tremendous toll on families separated by the U.S-Mexico border. Within public representations explaining the growing Mexican immigrant population in the United States there has been an emphasis on pointing to the struggling economy of Mexico. Yet, a major portion of twentieth-century Mexican immigration into the U.S. was due to the economic needs of the United States for a larger labor force that could meet expanding markets not only within the United States but also throughout Europe, Asian and the South America.  

Although the dehumanization and commodification of Mexican laborers and their families had long been part of the shared Mexican experience in the United States, not until the second half of the twentieth century did the U.S. government begin a policy of border militarization. On May 17, 1954, President Dwight D. Eisenhower ordered expanded armed patrols of the U.S.-Mexico border and deportation a deportation campaign with the name of “Operation Wetback,” exemplifying the racialized stigmatization and criminalization of Mexicans. Overall, this operation would result in over one million apprehensions in the first year. However, immigration from Mexico and Latin America would continue to grow in the next decades as political and economic instability grew in the region, made worse by U.S. Cold War policies of military intervention in the Latin America and the devaluation of the Mexican peso in 1982.  

During the 1980s, the increasing numbers of Latina/o immigrants residing in the United States generated a national debate over immigration and in 1985, President Ronald Reagan signed the Immigration Reform and Control Act of 1986 (IRCA). IRCA established a process for the legalization of undocumented immigrants who had entered the United States prior to January 24

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1, 1982. IRCA became highly controversial as it angered many Americans who saw the 3.5 million undocumented immigrants as a threat. However, left out of the national political rhetoric regarding IRCA was the policies that the U.S. government had taken throughout much of Latin American government and its involvement in creating a growing immigrant population. The United States still carrying out Cold War policies of containment that contributed significantly to guerrilla conflict and state repression, often supporting tyrannical regimes, the United States had contributed in the destabilization of countries especially in Central American nations that have forced people to flee for their lives.26

In 1994, the Clinton administration launched ‘Operation Gatekeeper’ in order to stop undocumented immigration across the U.S.-Mexico border. Operation Gatekeeper represented the federal government’s response to the increasing hostility toward the growing Latina/o population by a number of newly established nativist organizations. Barbara Coe, leader of California’s Save Our State Initiative (Prop 187), succinctly articulated this hostility, explaining to reporters her motives in championing Prop 187, during a visit to a county office had left her “frightened by the changes immigration had brought to her community. ‘I walked into this monstrous room full of people, babies and little children all over the place, and I realized nobody was speaking English,’ Coe recalled, ‘I was overwhelmed with this feeling: Where am I? What’s happened here?’”27

The success of nativist policy in California rested on the assumption that Latina/o immigrants represented a cultural and economic threat to the United States, fears made worse by the economic recession of the 1990s. Thus the nativist movement in California grew at the same

time that federal directives led to an even greater militarization of the U.S.-Mexico border, combined with the increased deportation of undocumented immigrants. Although the number of undocumented immigrants deported would reach over 14 million people between 1991 and 2000, such action did little to satisfy those who wanted to punish unauthorized immigrants.  

During the 1990s, two major Propositions exemplified the aspirations of nativists. The first, Proposition 187, appeared on the ballot during the general election of 1994. Prop 187 sought not only to deny all public services to undocumented people but also attempted to “require various state and local agencies to report persons who are suspected illegal aliens.” The Proposition’s most significant supporter was Governor Pete Wilson, who at the time trailed his challenger, Democratic State Treasurer Kathleen Brown. A seasoned political veteran, Wilson seized on the opportunity to blame California’s economic recession, unemployment, and rising crime rates on undocumented immigrants. He explained his political strategy to reporters leading up to the election of 1994 arguing that “in a state as large as this people don’t have time for a lot of fine points. We think people are most deeply moved in three areas: crime and immigration—a real sense of rage about those—and jobs, which is their broadest, most long lasting concern. So that’s what we hit on, morning, noon and night.”

The New York Times described the campaign in support of Prop 187 as “racist demagogy” and accused the governor of “old-fashioned racist xenophobia.” In fact, Wilson exploited the nativist sentiment that already existed and made it a popular policy. As policy analyst Felix de la Torre explained, “Wilson hit an immigration note and saw his polls jump.” Consequently,

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30 Wroe, The Republican Party and Immigration Politics, 49.  
31 Wroe, The Republican Party and Immigration Politics, 51  
32 Wroe, The Republican Party and Immigration Politics, 45.
through nativist rhetoric that exacerbated pre-existing fears of a Latino “invasion.” Pete Wilson would go on to win California’s gubernatorial election, and more importantly Proposition 187 would pass.

Lawsuits were quickly filed to challenge the constitutionality of Prop 187. In San Francisco, Los Angeles, and Orange County, critics of the proposition filed eight lawsuits within days of the law’s passage. On November 20, 1995 U.S. Circuit Court Judge Pfaelzer struck down Prop 187 on the basis that it bypassed federal authority on immigration. In her summary judgement Pfaelzer stated “…the authority to regulate immigration belongs exclusively to the federal government, and state agencies are not permitted to assume that authority.”33 Two years of legal proceedings followed. In November 1997, this ultimately resulted in the federal courts’ ruling that Prop 187 was not constitutional. Thus, the initiative was never fully implemented.

Consequently, in the 1996 elections, Governor Wilson and California’s Republican Party vigorously supported the California Civil Rights Initiative (CCRI), also known as Proposition 209. Prop 209 was skillfully worded to prohibit “discrimination against or giving preferential treatment…on the basis of race, sex, color ethnicity, or national origin.”34 This subsequent referendum provided political cover for Governor Wilson, exemplifying color-blind conservatism by ending affirmative action. Rhetoric in support of both referendums invoked fairness for the all Americans, yet both targeted people of color.35 The research of Lisa Garcia Bedolla and R. Michael Alvarez claim that white voters’ support of prop 209 was motivated by

33 Wroe, The Republican Party and Immigration Politics, 102.
34 “Prohibition Against Discrimination or Preferential Treatment by State and Other Public Entities.,” Propositions, January 1, 1996.
racial divisions. Bedolla and Alvarez highlights the racially antagonistic sentiments found in segments of the populations that supported both Prop 187 and Prop 209.\(^{36}\)

On the heels of Prop 187, nativists put Proposition 227 on the ballot to prohibit bilingual education in California public schools. Proponents of Prop 227 argued that bilingual education had failed as an effective learning strategy; they wanted all students to be fully immersed in English only classes, even if students were not English proficient. Although support for English only classes was similarly expressed through a “color blind” discourse, Prop 227 would overwhelmingly affect the Latina/o community by further forcing the Spanish speaking population into the margins of American society. Proposition 227 would win the support of California’s electorate and become law in 1998. However, unlike Prop 187, Prop 227 became law. Subsequently, children could not benefit from bilingual education that fostered fluency in their native language in addition to increasing proficiency in English. Prop 227 thus put Spanish speaking students at a significant disadvantage from the start of their education. Although some school districts were able to circumvent the requirements of English only classes through waivers, this occurred mostly in larger Latina/o communities like Los Angeles where Latina/os had greater political representation.\(^{37}\)

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During and in the aftermath of Pete Wilson’s re-election campaign, stress related to Latina/o heritage affected Latina/o children’s emotional wellbeing regardless of citizenship. For example, nine-year-old Mayra, lived in Pico Union, a community in Los Angeles with a significant concentration of Central American immigrants, her father was murdered, and her undocumented mother reared Mayra on her own. Filled with sorrow, Mayra explained her fears,


“I feel so sad because I’m American, I won’t have to leave but my mom will and who will I stay with, I don’t have anybody.”\textsuperscript{38} Mayra’s fear of abandonment was not uncommon for children with undocumented parents. As a citizen, Mayra would be entitled to foster care but, her story demonstrates the ways that even U.S. citizen Latina/o children suffered the consequences of nativist policy and heightened deportations.\textsuperscript{39}

Studies on immigrant families have underscored the adverse of effects of family fragmentation, psychologists Carola Suarez-Orozco and Maria G. Hernandez, concluded that experiences, such as Mayra’s, had significant repercussions including the risk of depression and anxiety in parents and children with long term repercussions that can lead to social disorders in adolescents. As a result, Chief Willie L. Williams, the Los Angeles Police Commissioner, as well Los Angeles County Sheriff Sherman Block publically opposed the Prop 187. Sheriff Block noted that making public schools inaccessible to children and adolescents “would make them vulnerable to gangs and other criminal influences.”\textsuperscript{40} Critics strongly believed that Prop 187 held the possibility of seriously disrupting the social development of Latina/o children by denying them educational opportunities. These negative impacts would be even greater in impoverished areas, because of the further lack of resources provided for youth.\textsuperscript{41}

\textsuperscript{38} Josepha Producciónes, \textit{Fear and Learning at Hoover Elementary}.

\textsuperscript{39} Garrison, Roy, and Azar, ”Responding to the Mental Health Needs of Latino Children and Families through School-Based Services”.

\textsuperscript{40} “You May Be Surprised at Who’s Against Prop. 187 Conservative, Business, Police Leaders See Measure as a Grave Mistake” \textit{Los Angeles Times}, November 6, 1994.

The discourse surrounding Prop 187 had taken a greater toll on thousands of mixed-family residents, creating a “state of emergency.” Mixed-status families constantly had to manage the possibility of physical separation from their families in their daily lives. In the case of six-year-old Ana Rivera, an undocumented resident of Fresno, California, whose mother and younger sister were legal residents—deportation hearings heightened the possibility of her deportation. To further complicate her family’s situation, her parents feared that with the passing of Prop 187, she would not be allowed to attend school until her deportation case was resolved. Numerous reports raised the problematic prospect of separating immediate families especially children who might not be legal residents but who had spent most of their lives in the United States. Co-author of Prop 187, Harold Ezell, responded to the possible devastating consequences of family separation by stating that, “People have to take responsibility for their own illegal acts.” One can only deduce that some of the strongest supporters of Prop 187, acknowledged the negative impact of Prop 187 on families, especially children. However, the conservative mantra of personal responsibility effectively allowed supporters to blame these consequences on the immigrants themselves. In fact, during a 1994 press conference Ezell admitted that the ‘Save Our State’ initiative was intended to benefit his European American grandchildren as he pulled a picture of his grandchildren and displayed it to reporters. Dismissive responses such as the one given by Ezell, displayed a callous attitude toward ensuring secure communities to Latina/os regardless of legal status. Hence, Prop 187 highlights the othering of the Latina/os as people who do not deserve the equal protections under the law.  

The uncertainty of daily life for many Latina/o immigrant families created anxiety and fear. Although it was more common in Latina/o families for the parents or grandparents to not hold legal status, many mixed status families had children where the parents held legal status but their children did not. Conservatives supporting policies such as Prop 187 have argued and continue to argue for that many Latina/o families use their children as “anchor babies” going as far as to call for a change to the Fourteenth Amendment. However, there were an estimated 100,000 undocumented children with at least one parent who had legal residence.

![Figure 1: Comparison of Latina/o Children in Mixed Status Families, 1998](http://aspe.hhs.gov/health/reports/allunderoneroof/all_under.html#fig2)

Figure 1 demonstrated that Prop 187 would have affected thirty percent of Latina/o families and in Los Angeles, forty-seven percent of families. Undocumented residents often had sons, daughters, brothers and sisters who had legal residency or U.S. citizenship.\(^{46}\)

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In addition to attempting to deny educational services, Prop 187 also threatened Latina/o children’s access to other forms of state funded care marginalizing further the safety and wellbeing of particularly vulnerable undocumented children, such as orphans and foster children under state care. Under Prop 187, undocumented children would not be eligible to receive foster care from the state of California and subject to deportation to a country many of whom had no memory of and deported without guardian care in their birth country. In 1994 Larry Leaman, director of the Orange County Social Service Agency, expressed his concern regarding the future of the 67 undocumented children, in the state’s foster system. Co-author of Prop 187 and former commissioner of the Immigration and Naturalization Service Harold Ezell responded by publically stating that, “foster care doesn’t change their immigration status.” Although Ezell did continue his statement by offering some insight as to what might be the possible course of action for undocumented orphan children his detached response regarding the wellbeing of foster children, marked a broader lack of empathy. The prioritization of the criminality of undocumented immigrants over all other aspects of the human condition characterized California’s anti-immigrant movement in the 1990s. The physical separation of mixed-status families with little regarded for the safety, wellbeing and best interest of the ‘legal’ family member represents the racial construction of Latina/o body as inherently ‘illegal’ regardless of citizenship. Anthropologist, Susan B. Coutin, has observed that as an ‘illegal alien,’ “individuals can be physically present but legally absent, existing in a space outside of society, a space of ‘nonexistence,’ a space that is not actually ‘elsewhere’ or beyond borders but that is rather a

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47 Hernandez, “Fate of Foster Children Unclear After Prop. 187 Social Services: O.C. Officials Want to Know What Is in Store for the 67 Illegal Immigrant Youths in Their Care”.

23
hidden dimension of social reality.” However, it is not only the undocumented Latina/o that functions outside of society but also the U.S. born Latina/o citizen who could suffer both socioeconomically and emotionally through the physical removal of familial ties.

Moreover, medical practitioners across the state consistently voiced their concerns regarding the health risks associated with Prop 187. A year after the passage of Prop 187, pediatrician Dr. Hesham T. Ragab, described the impact Prop 187 had on Latina/os, “It seems legally Proposition 187 did no damage…But in terms of emotion, race relations, self-esteem and people’s emotional well-being, it has done a lot of damage. It affects you to live in a country where people think don’t belong.” According to Maria Sanchez, the emotional detriment to children and adolescents caused by deportations led her 17-year-old son to commit suicide. Gerardo Anthony Mosquera Jr. lost his father due to deportation, his mother described how Gerardo “became a different person,” after his father’s deportation. Although the exact cause of Gerardo’s tragic suicide is not known, it did not detract from Maria firmly blaming his deportation for her son’s death. Her belief was supported by a 1991 report published by the Center for Disease Control, that indicated that twelve percent of Latina/o children attempted suicide, a rate 50 percent higher than non-Latino/a children. Although many factors play a role in the mental health of undocumented Latina/os, psychologists have found correlations between the discrimination and isolation of undocumented youth and suicide. The American

49 Chavez, The Latino Threat, 3284.
Psychological Association has cited that “in extreme cases, some undocumented youth become so hopeless that they turn to suicide.”

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Coupled with the constant threat of family separation, Prop 187 attempted to deny access to vital healthcare services, which placed Latina/os at higher risk of illness and even death. The rhetoric around Prop 187 included both the discourse of color-blind conservatism and on other long-established nativist discourses regarding immigrant health. Scare tactics, such as the argument that immigrants bring diseases, has a long history in U.S. society: “Xenophobic propaganda has always been depicted immigrants as bearers of disease (in the late nineteenth century: cholera, yellow fever, typhoid fever, tuberculosis).” For example, most recently in 2014, media outlets, covering the influx of child migration from Central America countries, raised concerns regarding the health threat some of these children posed to the national security of the United States. Nativist protestors believed that an epidemic was inevitable with the continued entry of foreigners. However, denying undocumented families the opportunity to receive minimal healthcare such as vaccines, would pose a greater heath concern. In this way, Prop 187 proved counterintuitive towards in the fears nativist rhetoric raised.

Prop 187 would deny medical care to undocumented immigrants, except in the case of medical emergencies and also required healthcare officials to “Report persons who are suspected illegal aliens to the California Attorney General and the United States Immigration and Naturalization Service.” For this reason, parents of twelve year-old Julio Cano, diagnosed with acute leukemia, delayed medical treatment because they “feared that Proposition 187 would

54 Ono, Shifting Borders, 118.
55 Kraut, Silent Travelers.
require...publically funded clinic to report them to immigration officials.”

Julio Cano died on November 19, 1994 a day after he was finally hospitalized. Cases like this were used by those opposing Prop 187 to emphasize the law’s inhumanity. Although the Cano’s family loss could be characterized as an extreme example, it nonetheless exemplifies the agonizing fear undocumented families felt in choosing between desperately needed healthcare and exposure to deportation.

Similarly after Prop 187 passed, a mother, whose child required treatment for lead poisoning at the South Central Health Center in Los Angeles, informed hospital staff that she would stop bringing in her child because she could not risk her family’s deportation. Although hospital officials tried to make it clear that they had nothing to fear, in many cases the nativist rhetoric of Prop 187 had already done significant damage to Latinos’ sense of safety. Accordingly, medical clinics, such as the Community Health Foundation Clinic, which served a predominantly Latina/o community in East Los Angeles, experienced a forty percent drop in healthcare visits from pregnant women during their first trimester of pregnancy. Healthcare professionals directly attributed this drastic drop to the anti-immigration environment. As Doctor Luz Medina pointed out, “It’s not because they are not getting pregnant as often. They’re afraid.”

Healthcare professionals stressed the importance of scheduling regular appointments during the first trimester of pregnancy as doctors can, better diagnose and monitor high-risk pregnancies, given that Latina/os suffer from higher rates of diabetes, which places women at a greater risk during pregnancy. Therefore, Prop 187 in denying prenatal healthcare to

59 Mohan, “Prop. 187 Did Harm, Say Clinic Doctors, Patients; Health.”
undocumented pregnant women also placed their lives at risk. Medical officials at Queens of Angels Hollywood Presbyterian Medical Center which primarily served Latinas, reported for two days after the election, forty-one women missed their scheduled prenatal appointments.\textsuperscript{60}

Prop 187’s attempts to deny healthcare revealed a major contradictions among conservatives. One of the cornerstones of conservative ideology is the belief that life begins at conception. Yet, when discussing the negative effects of undocumented immigration, the architects and supporters of Prop 187 completely ignored the fetus (which according to conservatives is entitled to the same rights as any other American citizen). For example, the Federation for American Immigration Reform, a leading conservative immigration reform organization, which financially supported Prop 187 campaign— including “spending $132,568 in campaign ads in . . . [one] . ..week alone— revealed: ““In 1994, California paid $74,987 deliveries to illegal alien mothers, at a total cost of $215.2 million (an average of $2,842 per delivery).””\textsuperscript{61} Such statements exemplify two major contradictions: Any health services provided to a pregnant woman, would clearly serve the health care needs of the fetus. Yet, when discussing undocumented women, the fetuses’ health care needs were ignored.\textsuperscript{62}

The rhetoric supporting Prop 187 also encouraged hostile social interactions between California Latino/os and service providers who denied them access, believing they were upholding the law. For example, following the election of 1994 a Palm Springs pharmacist refused to fill a prescription without proof of citizenship.\textsuperscript{63} Similarly, first responders in Los Angeles refused to provide emergency care to a Latina/os involved in a car accident, “because he

couldn’t prove legal status.” While these people may have believed they upheld the law they did not, in fact, they neither had the legal authority to ask for proof of citizenship nor to withhold services. Countless incidents of xenophobia and nativism demonstrate the underlying racial construction of the “illegal alien”. The social and legal construction of the ‘citizen’ and who represents the American experience in the popular imagination speaks greatly to the ability of Prop 187 to garner a majority of support from the electorate. Historian Mae Ngai has observed this trend throughout history, arguing that “Indeed, the association of these minority groups as unassimilable foreigners has led to the creation of “alien citizens”—persons who are American citizens by virtue of their birth in the United States, but who are presumed to be foreign by the mainstream of American culture, and at times, by the state.” Through decades of objectifying the immigrant as an “illegal alien” Americans imagined the Latina/os as both criminal and less than human thereby making it easier to dehumanize ‘brown’ bodies through socioeconomic, political and legal stratification.

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Regardless of their legal status, Latina/o children had been placed in the forefront of American politics. The most controversial aspect of Prop 187 concerned the educational eligibility of undocumented students at public schools. The Governor of California and the architects of Prop 187 ignored the Supreme Court ruling of Phyler v. Doe that struck down a Texas statute denying public education to unauthorized immigrants. In the Phyler v. Doe majority opinion Justice William J. Brennan stated

“It is difficult to understand precisely what the State [of Texas] hopes to achieve by promoting the creation and perpetuation of subclass of illiterates within our boundaries, surely adding to the problem and costs of unemployment, welfare, and crime…It is thus clear that

64 Ibid.
65 Ngai, Impossible Subjects, 2.
whatever savings might be achieved by denying these children an education, they are wholly insubstantial in light of the cost involved to these children, the State, and the Nation.\textsuperscript{66}

Going against the legal precedence of the 1982 Supreme Court ruling, Section 7 of Prop 187 would have effectively forced educators and administrative officials at all public schools to deny and report any “suspected” undocumented children to the authorities.\textsuperscript{67} Yet, Prop 187 attempted to deny undocumented children educational opportunities that only twelve years earlier the Supreme Court had affirmed.\textsuperscript{68} Prop 187 placed teachers in charge of surveilling Latina/o pupils and parents.

The language used in Prop 187 made, “illegal aliens ineligible for public social services, public health care services (unless emergency under federal law), and public school education at elementary, secondary, and post-secondary levels.”\textsuperscript{69} Therefore, mixed status families would have been just as vulnerable as families composed of all undocumented children. To this end, the limitation of educational opportunities represented not only a crusade against immigrants, but also lessened the economic mobility of entire families, including U.S. citizens, by preventing public education to their children based on- first the child’s physical appearance- and second their immigration status. Consequently, ‘brownness’ would become the likely indicator for exclusion creating an environment similar to that of de jure segregation in California prior to \textit{Westminster v Mendez} in 1946. As Vicki Ruiz explains, prior to the monumental decision of \textit{Westminster v Mendez}, “the placement of children…was also based on Spanish surnames and phenotypes.” Schools would use the ‘whiteness’ and ‘brownness’ of a child to segregate

\begin{itemize}
\item \textsuperscript{66} Wroe, \textit{The Republican Party and Immigration Politics}, 98.
\item \textsuperscript{67} “Illegal Aliens. Ineligibility for Public Services. Verification and Reporting.”
\item \textsuperscript{68} John A. Garcia, \textit{Latino Politics in America: Community, Culture, and Interests} (Rowman & Littlefield Publishers, 2011).
\item \textsuperscript{69} “Illegal Aliens. Ineligibility for Public Services. Verification and Reporting.,” 50.
\end{itemize}
Mexican and European Americans. In this manner, the racialized ideology surrounding Prop 187 was not new, but rather a historical continuation of the ongoing trend of nativism.

Specifically, studies on immigrant children have underscored the importance of education in providing economic opportunities and decreasing the possibility of poverty. Prop 187 forced teachers and school administrators to surveil their Latina/o student body. Based on the literal interpretation of the Save our State referendum, Latina/o children would be “guilty until proven innocent.” As a result, children often experienced the stress of being susceptible to racial discrimination that infringed upon their ability to learn, reinforcing Samuel Huntington’s assertion that Mexican children performed worse in school than other children. However, Huntington did not take into account the emotional and cognitive factors that adversely affected these children. Huntington followed in the ideological footsteps of David Starr Jordan, an early president of Stanford University, who in 1925 proclaimed that, “the Mexican peon…for the most part can never be fit for citizenship.” This is indicative of the conservative ideology regarding eugenics and pseudoscience. In many cases the strongest supporters of perpetuating fictive racialized stereotypes came from the intellectual community.

Pushing against educational policies that overwhelmingly targeted Latina/o children state education officials estimated a possible drop in enrollment of as many as 300,000 students, as parents would consider preemptively removing their children from public schools due to fear of deportation. This would have also meant a drop in federal funding per student, conceivably

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72 Huntington, “The Hispanic Challenge,” 44.
73 Chavez, *The Latino Threat*, 552.
costing California up to $2.8 billion in federal education aid. In heavily populated Latina/o communities such as Los Angeles County, estimated losses could reach $628 million, with as many as 10,000 teachers possibly losing their jobs. This damage would have widespread and reverberating consequences extending well beyond Latina/o communities. Much of the monetary funding received by school districts from the federal government goes to educational programs that support students with disabilities and English as a second language. The category of ‘English learners’ was not only limited to undocumented students, but also to student-citizens, whose first language was not English.  

Within the environment fostered by Prop 187, Latina/o children reported hearing racist and nativist comments from peers as well as teachers. For example, in midst of the debate over Prop 187, at Fullerton High School in Orange County classmates targeted Latina/o students. Stickers bearing the Nazi swastika were pasted throughout campus with the message “Stop non-white immigration.” The Fullerton Police Department would later investigate this incident as a hate crime. Hate crime such as the one directed at Latina/o students were not uncommon. Prop 187 emboldened racist speech and actions towards Latina/os.; yet at the same time, co-sponsors of Prop 187 regularly denied that the proposition was racially motivated or targeted Latina/os. In this case, the most prominent supporters of Prop 187 would invoke color-blind conservativism, but continued incidents had created an environment where phenotype or ‘brownness’ implied a

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77 Ibid. Los Angeles Times, November 08, 1994.
suspicion of illegality. For example, a Bell Gardens Elementary school teacher questioned students regarding their immigration status and assigned the students homework to research the immigration status of their parents. In another controversial incident, a school security guard in the town of Atherton told Latina students that “We don’t have to let…Mexicans in here anymore.” School’s administrators as well as teachers overwhelmingly rejected Prop 187; but highly publicized xenophobic incidents in public schools throughout California heightened the possibility that Latina/o children were no longer protected at school.

In some cases, teachers believed that undocumented children were a detriment to the public education system of California. Diane Lee, an elementary school teacher in a predominantly Latino community favored Prop 187, according to her, “The children of today that belong here need to be taken care of.” Supporters of Prop 187, like Lee, blamed undocumented immigrants for draining public resources, especially in education. However, passing Prop 187 would place fifteen billion dollars at risk, the amount that California received each year from the federal government for social services including healthcare and public education. When questioned further about her reasons for supporting Prop 187, Lee continued, “How dare they live in this country and not learn English. I don’t know why people are resistant to assimilation.” Lee clearly transitioned from expressing her apprehensions regarding the fiscal impact of undocumented children in public schools to resentment directed at the Latina/o community. A perceived lack of assimilation of the Latina/o community was not an isolated opinion. Studies revealed many Latina/o children experienced heightened scrutiny by teachers in California. More recently, following in the same nativist vein, 2016 conservative presidential candidate Bobby Jindal, during the first Republican primary debate, stated “Immigration without

79 Josepha Producciones, Fear and Learning at Hoover Elementary.
80 Josepha Producciones, Fear and Learning at Hoover Elementary
assimilation is invasion.”81 This speaks to the larger problem of diversity within education and the importance of teachers to accommodate students’ learning needs based on their childhood development.82

Prop 187’s unofficial name was “Save our State.” This moniker implies California was vulnerable to an existential threat and needed saving. To eliminate the threat, the co-authors of Prop 187 effectively constructed a referendum that, by denying access to essential services like education and healthcare, would drive out Latina/os from the state and in the process fostered an environment in which Latina/o families and children lived in constant fear. To this end, the intention of the Save Our State Referendum centered on an environment that would be so hostile that people without papers would flee out of California, and preferably, the country. As U.S. representative Elton Gallengly, a California Republican, angrily stated

“When illegal immigrants sit down in public school classrooms, the desks, textbooks and blackboards in effect become stolen property—stolen from the students rightfully entitled to these resources…. Just because someone has succeeded in breaking into your house, that does not entitle him to a seat by the fireplace, a warm meal and a good night’s sleep. Only in the case of illegal immigration, it seems, is illegality so rewarded, condoned and encouraged.”83

The restrictive authority given to public school officials, medical practitioners and other social service officials had a measurable impact on entire Latina/o communities. Though it targeted the undocumented, Prop 187 reverberated across thousands of mixed-status families. Even though supporters of Prop 187 ignored or minimized the impact on families, they understood its detrimental physical, mental and emotional effects. To reiterate, when asked about the possible devastating consequences of family separation, coauthor of Prop 187, Harold Ezell, responded,

83 Wroe, The Republican Party and Immigration Politics, 122.
“People have to take responsibility for their own illegal acts.” Again, “personal responsibility” exemplifies conservative thought whereby children became collateral damage.

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Four years after Proposition 187, Proposition 227 would restrict bilingual education, affecting the cognitive development of children as well as their emotional wellbeing, and potentially the future socioeconomic mobility of entire families. Although waivers helped to ease the stress placed on Spanish-Speaking students, Prop 227 effectively eliminated bilingual education in all California public schools. Unlike Prop 187, the legal attempts to stop Prop 227 from taking effect proved unsuccessful. Prop 227 won overwhelming support with 60.88 percent voting in favor of the referendum by the Californian electorate. Figure 2 shows the overwhelming number of students whose first language was Spanish that would be affected by the termination of bilingual education in California.

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Figure 2: California Students Language Spoken at Home

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Surprisingly the catalyst of many who supported Prop 227 drew from the concerns of some Latina/o parents regarding their children’s difficulties in learning English. Many parents wanted their children to become fluent in English and blamed bilingual education for holding them back academically. As one Latina parent explained her support of Prop 227, “I want my children to learn English so they won’t have the problems that I’ve had.” However, following the passage of Prop 227, many media outlets had incorrectly stated that Prop 227 had won overwhelming support among the Latina/o community. In actuality, 71 percent of Latina/os had voted against Prop 227. It is also important to note that Prop 227 appeared on a midterm election ballot and historically Latina/os as well as other minorities have a much lower voter participation in non-presidential elections.

Supporters of Prop 227 argued that higher economic mobility depended on a monolithic instructional language. Political operatives supporting Prop 227 pointed to the impoverishment of the Latina/o community as a proof that bilingual education had failed. Indeed the median income for a Latina/os in the U.S in 2005 was $36,000 compared to white median income of $50,000 per year. Yet, for Latina/os born in the United States, presumed to have higher rates of English literacy, median income only increased to $39,000. Interestingly enough those who blamed bilingual education for the income inequality of Latina/os ignored other socioeconomic factors shaping the Latina/o community. However, the increased academic performance promised by supporters of Prop 227 never occurred. Full English immersion education would supposedly bring about a dramatic increase in English proficiency among those students whose

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first language was not English. Figure 3 demonstrates how limited English proficient (LEP) students rose considerably; while students re-designated to English proficient remained the virtually stayed the same.  

![Figure 3: LEP Students Re-designated As Fluent in English, 1998-2003](image)

Unfortunately, bilingual education in California was perennially underfunded, accounting for less than then one-half a percent of the California’s $26.8 billion spent on K-12 education. The shortfalls of bilingual education as a learning method was not in its methodology or practice but rather in the fiscal constraints placed on it. Indeed in 2000 California ranked 47th out 50 states in average money spent per pupil. Moreover, California did not distribute its educational resources equally to all school districts.  

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89 Cathleen Decker, “The Times Poll; Bilingual Education Ban Widely Supported; Overall Backing for Prop 227 Is a Strong 63%, with All Demographic Groups Favoring It. Respondents Also Support Initiatives to Curb School Administration Spending and Restrict Union Donations to Campaigns,” Los Angeles Times, April 13, 1998.  
90 “English Learners In California,” n.d., http://www.languagepolicy.net/archives/castats.htm#RR.  
Furthermore, the discussion strictly focused on a choice between Spanish and English ignoring research that suggested that proficient bilingualism enhances learning performance. Comparatively, in Miami-Dade County, bilingual education in the late 1990s had strong support. As a Miami school board member explained, "We view it here differently than they do in California…We see it as a business opportunity for students." The political and economic power of Cuban Americans in Miami allowed for an educational space for bilingualism and Latina/o culture. However, Latina/os in California at that time did not have the same level of political and economic influence to influence policy. English-only education not only put Spanish speaking Latina/o students at greater risk of falling behind, but also hindered future educational access and economic mobility.

More importantly, many young children found it difficult to make the transition to English only. One of the biggest misnomers of bilingual education holds teachers provide instruction only in Spanish without exposing them to English. However that was not the case, bilingual education involved a process of expanding their language skills with a familiar language and slowly making the transition to English. As one parent explains in regards to her child’s experience an English only program,

“In preschool it was all in English and I liked it because they would tell her like this is a pencil and this is how you say it in English or this is such thing and this is how you say it, but when she entered kinder they started speaking to her as if she already spoke English well and no. She was traumatized! She didn’t want to go to school and she would cry. So I went and asked the teacher if I could stay to see what was happening with her. This I saw that everything was in English and they

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would ask her questions and she wouldn’t say anything, she would stay quiet because she didn’t know what they were telling her.”

Heightened stress factors not only hindered the child’s ability to learn but also made the child insecure. Due to the relatively miniscule resources given to bilingual education, most English language learners did not receive the benefits of bilingual education.

In transitioning to an English only classroom, Martha Franco recalled, “My teacher didn't speak any Spanish, so my most vivid image of that day is my father walking me to class and leaving me alone to fend and learn by myself. That year, which is now a complete blank aside from a few painful memories, was one of the most traumatic periods of my life. I remember constantly being physically sick to my stomach, dreading the next day of school. Everything was very confusing…” Martha’s story alone cannot represent the experiences of all Latina/o children, however, Suárez-Orozco’s study confirmed that many Latina/o children experienced heightened stress levels. “The school, perhaps more than any social institution is an arena in which many of the problems facing Latinos, both first and second generation, are played out.”

Martha’s description provides but one example of emotional harm inflicted on children who were placed in a monolingual environment too early and abruptly. As historian Vicki Ruiz explains, during the early decades of the twentieth century, “Throughout the Southwest, Spanish-speaking children had to sink or swim in an English-only environment.” To this end English only school districts ostracized Latina/o children at a very young age. Often growing up with a

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96 Suárez-Orozco, Transformations, 189.
97 Ruiz, From Out of the Shadows.
shame of Spanish as a first language made it possible to racialize children at young age and perpetuate educational challenges for Spanish-speaking Latina/os.  

When the public debated Prop 227, Latina/o students were ignored, even though they benefited from bilingual education. Protests erupted at schools across the state, reminiscent of the Prop 187 protests that had occurred four-years earlier. Frustrated, yet hopeful, Carmen Gamez explained during one protest, “I’m just trying to get across the point that bilingual education does work.” A student at Channel Island High School, she participated in a sixty student protest against Prop 227, “Without bilingual education I still wouldn’t have learned English… I wouldn’t be in college-preparatory classes.” Carmen was not alone in her sentiments. Student protests were particularly prevalent in Los Angeles. According to the Los Angeles Times: “This is the face of student activism in Los Angeles: often too young to vote, yet too politically aware not to care…They have fasted, debated, marched to the border, protested at City Hall.” Even though proponents of Prop 227 tried to ignore students, the protests that occurred in California show that Latina/o families would not be silenced.  

In some ways, racialized notions of language allowed Spanish to be paired with skin color as a racial marker, (not replace—ahistorical to make such an assertion). Anti-bilingual rhetoric claimed that Spanish was a detrimental for social and economic upward mobility. Much like the racial binary between white and black, English and Spanish has become a new dialectic invoked by color blind conservatives. Traditional racialized notions of race that have been

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98 Suárez-Orozco, Transformations.
100 Green and Johnson, “Students at 3 High Schools Stage Prop. 227 Protests; Language.” Los Angeles Times, June 08, 1998.
prevalent since the nineteenth century did not cease to exist but rather the rhetoric and methods used to invoke racialized discourse expanded. With a growing Latina/o immigrant population the discourse shifted to mark more overtly Spanish as a factor in racialization. With the promise of English as a gateway to upward mobility; bilingualism and specifically Spanish, became understood as an obstacle in education rather than a cognitive tool.103

Those opposing Prop 227 understood the attack on bilingual education as an affront to Latino/a identity and heritage. Spanish provides a connection between two unique cultures that creates and recreates Latina/o identities in the United States. The discourse largely ignored the cultural symbolism that language brings to communities. In particular, Spanish serves as link between family members of generations past and present. In many Latina/o families, grandparents and parents did not have the opportunity to learn English; thus, Spanish served as the only means of intergenerational communication. When Latina/o children cannot maintain their Spanish language skills, they essentially cannot converse with their grandparents. In effect, those who rejected bilingual education as an effective learning modality challenged Latino/a cultural traditions while promoting an assimilationist agenda.104

Those who opposed Prop 227 did not reject English; on the contrary, Latina/os acknowledged its socioeconomic and political importance. In fact, English represents an important aspect of transnational Latina/o bicultural identities. (not a single Latino identity)... According to the 2000 U.S. Census, 85 percent children ages five to seventeen spoke English and Spanish. The socioeconomic problems affecting the Latina/o community is not related to their inability or lack of desire to learn English. However, some Latina/o children experience

104 Trueba and Bartolomé, Immigrant Voices; Suárez-Orozco, Suárez-Orozco, and Todorova, Learning a New Land.
emotional distress in schools where bilingual education was not offered. To ease this stress, in some cases, Latina/o children received waivers for the continuation of bilingual education. 105

Proposition 227, in its targeting of bilingual education, has reinforced structures of educational inequality that continues to mark the socioeconomic disparities. Supporters of Prop 227 might characterize it, at best, as a failed attempt to improve educational performance but they do so based on flawed statistical data as they did not take into account other socioeconomic factors such as the deteriorating quality of public schools. However, the nativist subtext was never far from the surface. Supporters of Prop 227 invoked coded messages of nativism that called for assimilation and English only. Yet, Prop 227 has proven to be ineffective in improving English proficiency, as shown in Figure 3.

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Modern anti-immigration policies and discourse has found a home in the national Republican Party—creating a ‘Domino Effect,’ as other states began implementing legislative agendas targeting Latina/os. Most recently, the controversial passage of SB 1070, the ‘Support Our Law Enforcement and Safe Neighborhoods Act,’ in Arizona was intended to give law enforcement the authority to charge a person during a “stop, detention or arrest” with a misdemeanor crime as long as they had a “reasonable suspicion” that the person was an unauthorized immigrant. 106 Similar, policies have also been implemented in Georgia that racially profile Latina/os. 107 Co-author of Prop 187, Harold Ezell proclaimed that Prop 187, “Had a major impact on the national debate on immigration…It has caused the House and the Senate to
take a serious look at reforming legal and illegal immigration.”³⁰⁸ To this end, Prop 187 reinvigorated a national nativist discourse that has ebbed and flowed over the past two decades.

Throughout the twentieth century and up until present day ‘illegality’ has been socially constructed through policies intended to preserve European American hegemony. Therefore, whether explicitly recognized or not, proponents and supporters of Prop 187 participate in the racial targeting of Latina/o communities.³⁰⁹ This thesis examines the consequences of such policies on Latino/a families, during and since the 1990s. I contend that the immediate effects of anti-immigration discourse propagated by Prop 187 and 227 created a climate of fear and discrimination. I also argue that Props 187 and 227 not only limited Latina/o communities’ access to education and healthcare, it also threatened to fragment families. Racialized rhetoric that emphasizes the illegality of Latina/o bodies, regardless of age, as well as the imagined health, economic and cultural risks they posed to ‘Americans’ is not new, but the heightened virulence of nativism have shaped public policy and public conceptions of Latinos, outcomes that impact the daily lives of Latinos/as, especially the undocumented.

Today, mixed-status families face a greater risk of family separation and deportation than ever before. An estimated 46,000 parents were separated from their U.S.-born children during the first half of 2011. The targeting of Latina/os as a conservative political strategy reflects the fear that demographic changes in the United States will threaten the “American” way of life. The significant growth of Latina/o voters provides a hopeful counterbalance to nativist policies and practices. According to the Hispanic Pew Research Center since the early 1990s Latina/o

voter participation has tripled to 11.2 million in 2014.\textsuperscript{110} During 1994 election year California only had eleven Latina/o law makers; in 2014, California no longer the epicenter of nativist rhetoric, boasts twenty-eight Latino/a law makers elected to the state legislature; some of whom have introduced policies to ease the burden of the undocumented population. California state policies such as the California DREAM loan program have helped undocumented immigrants receive tuition funding at the University of California and California State systems. Equally important, California passed AB60, which grants undocumented immigrants with the ability to apply for California driver’s licenses.\textsuperscript{111}

While nativist rhetoric continues to be a major part of American political discourse with presidential Republican hopeful Donald Trump calling for the deportation of all undocumented immigrants and describing Mexican immigrants as “rapists”; California continues to mend the damage that has been caused by decades of anti-immigrant policies. Specifically, focusing on improving socioeconomic opportunities for all Californians, in 2016 SB1159 will allow immigrants regardless of their immigration status to apply for professional licenses needed for such careers as doctors, lawyers, nurses, pharmacists, accountants and real estate agents. In 1994, California played a leading role in perpetuating nativist policy targeting Latina/os and immigrants, today it has taken a similar leadership role in helping to not only become a state that welcomes immigrants but also helps them achieve greater opportunities to thrive. The question now becomes whether the nation will take the same steps towards equality California?\textsuperscript{112}

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