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LATINO POLITICAL POWER IN CALIFORNIA:

25 YEARS AFTER
PROPOSITION 187

LATINO
COMMUNITY
FOUNDATION
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“California is America Fast Forward.”

Manuel Pastor

In 1994, California was at a crossroads. The state was experiencing a seismic shift in demographics: the number of non-Latino whites decreased by 20%, while the number of Latinos and Asian/Pacific Islander increased significantly. All the while deindustrialization and a wave of policies cutting taxes for the wealthiest in the 1980s and 1990s began to shake the foundation of the working and middle class. In this context, politicians campaigned by fanning the flames of fear and hate. The scapegoat: people of color and immigrants. This culminated in a series of policies that locked up Black and Latino men and dehumanized—and then demonized—immigrants. The seeds were planted for one of the darkest stains in our nation’s political history: Proposition 187.

Proposition 187 sought to ban undocumented immigrants from schools, hospitals, and access to public assistance. It sought to turn teachers and doctors into immigration officers. It shaped a narrative of immigrants and Latinos as “welfare queens” and “super predator gang members.” Pitting Californians against each other, politicians fearmongered and managed to pass Prop. 187 with 59% of votes in California. It was the epitome of hate-driven public policy rooted in nativism and xenophobia.

But California’s fall from grace was turned back around by a wave of leaders that organized, mobilized, and reinstated a moral code in the state’s political engine. Latino leaders joined forces with Black, Asian, and concerned White leaders to propel the state out of the dark period that had begun to consume it. Students organized walk-outs, health centers filed lawsuits, and community organizations demanded and sought justice. Through the combined efforts of the people, California didn’t just rise from the ashes. The Anti-Prop 187 movement reshaped the political landscape of the state. Today, California is one of the most pro-immigrant states in the Union. And, while we have yet to fully live up to our progressive ideals, California has led the way in becoming the first Sanctuary State, extended drivers licenses to the undocumented and health insurance to their children. All common sense laws that 25 years ago would have been considered criminal.

How California was able to turn the tide and who led the movement to reset the moral compass, matters. It matters to our state—and it especially matters to our nation. As the country experiences goes through its own disorienting demographic shift, and manufacturing industries are being replaced by the more exclusive tech sectors, the middle class erodes and fights for its survival. We are now just beginning to see and hear the rise of the hateful scapegoating yet again. Enemy #1: Latinos and Immigrants.

But there is HOPE for the soul of our Nation. It begins by elevating the voices of our youth that are relentlessly seeking justice and marching in our streets. It begins by investing in community groups grounded in fighting for the rights of people. It begins by promoting shared values and principles of a democracy that states that all people are created equal and deserve an opportunity to thrive.

As we approach one of the most consequential presidential election in 2020 and Constitutionally-mandated decennial census, it begins with each one of us. And, the lessons from California matter to all of us.

With renewed hope and determination,



Jacqueline Garcel Martinez
Chief Executive Officer, Latino Community Foundation

Latino Political Power in California: 25 Years After Proposition 187

On November 9th a 54-year old home care nurse was walking by a high school when a group of teenage boys came out of the school gates and started to chase her. Yelling racial slurs and throwing rocks, the students launched a racist, xenophobic attack against the woman. Her supposed crime: being an immigrant.

On the same day, a cook was being harassed by a group of customers. They demanded to see a green card, and as they told the cook, they now had a responsibility to “kick out all the illegals” since it was “the duty of all citizens to report ‘illegal aliens.’”

The year was 1994. The place was not a small town in the South, but rather, the Golden State of Opportunity: California.

In a progressive state known as the leader of the “Resistance” today, California was an incubator of racist policies and a hateful narrative that pitted Californians against each other just 25 years ago. The underlying factors that stoked the fear and the political rhetoric of the time is all too familiar in 2019. The stories and lessons of the time are of great value to our Nation.

On November 8th, 1994, California voters overwhelmingly passed an anti-immigrant ballot initiative called Proposition 187. Its goal was clear: to keep immigrants out of schools, public health services, and the entire social safety net.

The morning after the proposition was passed, a team of lawyers from the Mexican American Legal Defense and Education Fund (MALDEF) and the American Civil Liberties Union (ACLU), marched to the US District Courthouse in Los Angeles to file a complaint demanding an immediate halt to

the law. Armed with testimonials from Californians that would have been harmed by the law, especially from the Latino community, they tried to convince a federal judge to block the implementation of Prop. 187 until the constitutionality of the law was decided by a court.

The law was ultimately ruled unconstitutional. Yet, its effects changed the course of history in California, and ultimately the nation. So why did a ballot initiative that was never implemented have such a sweeping effect on our state? How were a nativist group of activists defeated by a vocal and mobilized community? What is the status of Latino political power in California 25 years after Prop 187? How do we continue to build this power? What lessons can we learn from the struggle and victories against Prop. 187? How can these lessons prepare us for the 2020 Presidential Election and the 2020 Census in the context of today’s political climate?

Through a series of interviews of key community and student leaders, many of them Latino, and lawyers that led the Anti-Prop 187 movement, this paper sets forth to answer those questions. Documenting those voices and their stories, we can begin to set forth a clearer picture of how California was able to turn the corner from this dark period. It is only through deep reflection and introspection that we can begin to heal from the trauma of 25 years ago. Then we must take those lessons and act.

THE POLITICAL, ECONOMIC AND CULTURAL CONTEXT OF PROP. 187

Prop. 187 was a 1994 voter-led initiative to rewrite California's Constitution to deny social services and education benefits to immigrants. It was championed by then-Republican governor Pete Wilson, who scapegoated immigrants and used the racialized language of exclusion to blame them for many of the economic problems that faced California and the United States in the late 1980s and early 1990s.

During this time, California was suffering from a national recession that caused unemployment to peak in 1992. Everyday Californians were suffering devastating economic losses. Civil unrest in Los Angeles, for example, played out across TV screens nationally. It opened an opportunity for a political narrative to paint immigrant communities as the cause of the woes the state and nation were experiencing.



Source: U.S. Bureau of Labor Statistics, "California Statewide Unemployment, Local Area Unemployment Statistics." Data accessed on January 25, 2019.

The rapid population shifts were also shocking to the state as its economy sputtered amidst the recession of the 1990s. Demographers even predicted that California's share of the Latino population would become the largest ethnic group by 2025. In 2015, Latinos became the largest ethnic group in the state, ten years ahead of that prediction.

SUPPORT FOR PROP. 187 GROWS

In this context, anti-immigrant policies and rhetoric unjustly accused immigrants of draining the state's resources, especially in healthcare and education. Governor Pete Wilson spread fear and expressed frustration at inaction by the federal government to curb unauthorized migration into the United States. At the time, California had more unauthorized border crossings than any other state.

As Prop. 187 was being written, the proposed law included nativist rhetoric that lumped together "immigrant," "Mexicans," and "Mexican-Americans." Seeing a political opportunity, Governor Wilson jumped to support Proposition 187 and became its champion during his 1994 re-election campaign. Dr. Lisa García Bedolla of U.C. Berkeley calls Proposition 187 California's "Trump moment," referring to the use of immigration as a political wedge issue to drive politically conservative voters to the polls. "Governor Pete Wilson in 1994 successfully used Proposition 187 to change the conversation from the economy to immigration... this was California's 'Trump moment.'"

With the economic recession on the minds of California voters in 1994, and an increased visible presence of newcomers to California, immigrants—and specifically Mexican immigrants and their families—became the scapegoats that rallied politically conservative voters to the polls during the 1994 election.

THE SWIFT DEFEAT OF PROP. 187

Voters overwhelmingly approved Prop. 187. But, the challenge to block the law in the courts began immediately. Mark Rosenbaum who was a lead attorney in the case, remembers that exact moment.

"We were ready. The court opened the next morning and we were in line ready to file a challenge to Proposition 187," recalls Rosenbaum. As part of the legal strategy were dozens of testimonials from Latino families accompanying the complaint asking to stop the law from taking into effect.

Meanwhile, communities began to rally. Organizations like Community Coalition and the Coalition for Humane Immigrant Rights organized students, families, and church leaders to speak out. From Los Angeles and the Bay Area to the Central Valley and San Diego, student walkouts and marches became a fixture of California Latino politics. This movement gave rise to Latino leaders like Kevin de León, Maria Elena Durazo and Antonia Hernandez who continue to possess an incredible influence on the state's civic life to this day.

Prop. 187 was eventually ruled unconstitutional in the courts, but it was the persistent outcry, organizing, and protest of Latino communities across the state that made a fundamental difference.



HOW PROP. 187 TRANSFORMED CALIFORNIA

The impact of Prop. 187 went beyond the negative effect of striking fear in Latino and immigrant communities. It served as a rallying point to unify these groups against government-sanctioned xenophobia.

One of the clearest impacts that Prop. 187 had on the Latino community was its mobilization of naturalizations. “No other issue mobilizes Latinos politically—not pro-immigration, but anti-immigration [messaging]. One of the reasons why we see a significant increase in voter registrations is that Proposition 187 passed and the messaging was, ‘Look: we can stop this from ever happening again if we vote’, ” according to Dr. Chris Zepeda-Millán of the U.C.L.A. Luskin School of Public Affairs. In Los Angeles County specifically, naturalization applications soared following the approval of Proposition 187. An April 1995 Los Angeles Times article by Patrick J. McDonnell documented a 500% increase in naturalization applications in Los Angeles County, resulting in an eight-month delay in processing times for those applications.

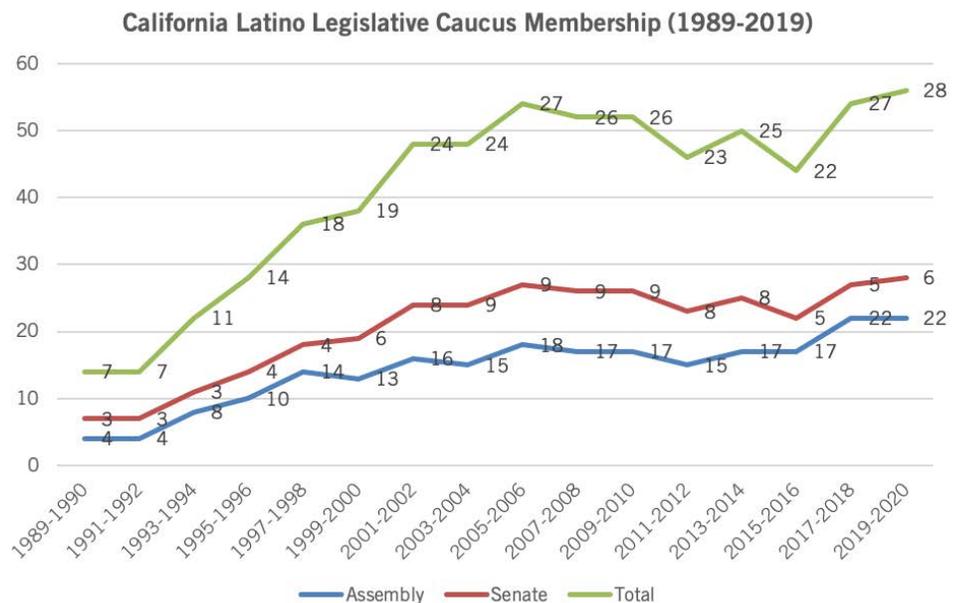
Latinos also turned to running for office to combat the anti-immigrant rhetoric facing the state throughout the 1990s. When the California Latino Legislative Caucus was formed in 1973, it counted five members in its ranks. By 1995, the Caucus counted 14 members, with a steady increase since then. Today, the Latino Caucus boasts its highest membership ever at 28. Dr. Lisa García Bedolla of U.C. Berkeley has documented how Proposition 187

activated a generation: “There is a whole generation of activists who get brought into activism through [Prop 187] mobilization. This was the biggest mobilization that happened among Latinx folks since the Chicano movement here in California. A lot of that mobilization happened on college campuses. Many of the people who cut their teeth politically on Prop 187 are now legislators or community organization leaders, or other things.”

Dr. Zepeda-Millán describes how the organizing against Prop 187 led to the unleashing of a political voting base that was motivated to prevent similar policies from being enacted and, consequently, voted in record numbers of Latinos into office: “You had a coalition of ethnic media, community organizations who hadn’t really participated in politics before, do something non-partisan, which is participate in citizenship drives and voter registration drives, and create an electoral base then that allowed for Latinos to run for office. Before, there was no big push for Latino elected officials until there was a voting base that could put them in office—that came after Prop 187.”

The passing of Prop. 187, however, also showed that democracy is in a fragile state. Despite being overruled in the courts, the backers of this ballot initiative influenced the creation of several policies in the 1990s that criminalize immigration and services to immigrants. For example, in 1998, Proposition 209 ended affirmative action in California. Proposition 227 mandated the use of English in California public schools.

The effects were also felt on the state’s voter rolls. In the 25 years since the passage of Prop. 187, over one million Latinos registered to vote – in large part to the growth of the population but also due to the tremendous community organizing to ensure Latinos are participating in the electoral process.



Source: California Latino Legislative Caucus, “Membership By Year” (2019)

THE LESSONS OF PROP. 187

The campaign in support of Prop. 187 played on false realities of invasion by immigrants. Anti-immigrant sentiments are not new to American history. Prop. 187 provides us with lessons worth taking into 2020 and beyond.

Short-term losses can be turned into long-term wins.

The approval of Prop. 187 came at enormous cost for California's Latino and immigrant communities. It sent a chilling message of exclusion across the state. But organizers fought for their rights at all levels: on the streets, at city halls, the courts and in the California Legislature. Latinos and immigrants may have lost in the short term, but the California we know today that supports sanctuary policies, extends the states' social safety net to immigrants, and welcomes them is a testament to the persistent organizing led by Latinos to transform the face of politics and that of our policymakers of this state.

Broad-based and inclusive coalitions ensure success on all fronts.

The community organizing to defeat the policies championed by Governor Wilson and Prop. 187 was a broad-based community effort that included lawyers, members of the clergy, community organizers in neighborhoods, school teachers and university professors, foundations with funds to support efforts to naturalize and register immigrants to vote, and ethnic media partners who saw it vitally important to communicate facts and engage communities. Organizing by broad coalitions can be difficult, but it is necessary to ensure success.

People Power is Political Power and Who Turns Out to Vote Matters.

Prop. 187 passed with nearly 60% approval by an electorate that did not match the state's demographics. To build a more inclusive electorate with immigrant voices, granting a pathway to legal permanent resident status to immigrants is the first step. Mobilizing the vote is the next step that must follow. After the passage of Prop. 187, philanthropy partnered with churches and civic groups to host naturalization classes and to train eligible immigrants to take the naturalization exam. Once naturalized, these new U.S. citizens were registered to vote. But registering to vote wasn't the same as actually voting. A whole community had to continue engaging new citizens to help them connect and understand the political process that historically excluded immigrants. Making facts available so newly naturalized citizens can exercise their full political rights at the voting booth was critical. We must continually work towards engaging our communities in all areas of the civic engagement process.

Anti-immigrant and nativist rhetoric—ensure that those who employ it, lose.

The nativist rhetoric used by Governor Pete Wilson brought significant losses to his party over decades. For a law that was never enacted, the gamble made by Pete Wilson and the California Republic Party never paid off. Instead Californians rejected and punished the Party beyond just the 1994 election. The doubling-down of anti-immigrant rhetoric during the 2018 Midterm Elections solidified this fact. Young people were energized to show up at the polls and Latinos saw a nearly 20% increase in voter turnout from 2014.



LEARNING FROM PROP. 187

Today, California is in a different place. Our newly elected Governor Gavin Newsom has released budgetary priorities that extend protections and social benefits to California families, including undocumented immigrants. It is almost surreal to believe that 25 years ago the voters of this state decisively said otherwise.

The work continues, however. The dream to unleash the power of Latinos of this state is not yet fully realized, especially in regions like the Central Valley and the Inland Empire. The fight against Prop. 187 was a catalyst for organizing the Latino community, but it was hardly the end. This moment in our Nation's history presents an opportunity for communities of color to unite and further the mantle on civil rights. Our democracy is still young—and fragile. The moral outcry heard loudly in California in 1994 led to movements that brought us closer to our democratic ideals and strengthen the institutions that guard our democracy. The same must be done today.

California's Latino community will have the opportunity to secure their rightful share of political representation and resources in areas like health and education by participating in the 2020 Presidential Election and the 2020 Census. If we are to live up to the legacy of the organizers from the anti-Prop. 187 movement, we must remember this history, adopt these lessons, and continuously build for the future.

We've done it before, and we can do it again.

La lucha sigue.

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