

Latinas/os in the U.S. West

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Latinas/os in the U.S. West today are as diverse as ever. While Mexicans and Mexican Americans dominate in terms of demographics, there are increasing numbers of Central American, South American, and Caribbean descended individuals who call the region home. Latinas/os also vary in terms of race, class, gender, sexuality, religion, and citizenship status, to name some of the most important differences that shape the Latina/o past and present. These dynamics are made even more complex by the fact that “the West” is also incredibly diverse. It is a place that encompasses multiple cultures, environments, geographies, sub-regions, and histories. Historians of the West have debated this region’s defining features and have come to some conclusions, yet differences remain as important as similarities.

The U.S. Census Bureau divides the West into two regions, the Mountain West (Arizona, Colorado, Idaho, New Mexico, Montana, Nevada, Utah, and Wyoming), and the Pacific West (Alaska, California, Hawaii, Oregon, and Washington). Understanding Latina/o history in the West, however, requires an even finer division of this vast area. It is useful to think of the continental U.S. as consisting of four sub-regions: the Pacific Northwest, the Southwest, the Mountain West, and the Midwest. These areas are distinctive for the reasons listed above, but also because they are home to unique histories of Latina/o migration, community formation, labor, education, civic engagement, and civil rights. Smaller Latina/o populations have characterized the Pacific Northwest and Mountain West, while Latinas/os in the Southwest represent the largest population of Latinas/os in the nation. This region was, of course, a part of Mexico until 1848 (the Gadsden Purchase, a part of southern Arizona and southwestern New

Mexico, was completed in 1854). Yet over the course of the twentieth and early-twenty-first centuries, the number of Latinas/os in the other sub-regions has grown continuously. This has been primarily in response to economic factors that enticed individuals and families to areas where jobs were available. The presence of other racialized groups, including African Americans, Asian Americans, and American Indians has also shaped Latina/o experiences. Latina/o life in a city like Los Angeles, with a large population of African Americans, Asian Americans, and various groups indigenous to the Americas differs in important ways from Latina/o life in a place like Costilla County, Colorado, where Latinas/os are the majority of residents and few other nonwhites live.

Differences in national origin and nativity also characterize Latinas/os in the U.S. West. Mexicans and Mexican Americans are, by far, the largest group. But Chileans, Argentinians, Peruvians, Guatemalans, Salvadoreños, Puerto Ricans, Cubans, and others have also made the U.S. West home. Foreign-born Latinas/os tend to congregate in metropolitan areas with larger populations, though there are a few exceptions to this general trend. In many western urban, suburban, and rural areas, the vast majority of Latinas/os are U.S. born, many of the fourth, fifth, sixth or larger generation. This reflects the long presence of Latina/o communities in this region. While the Latinas/o population has grown fastest in southern and midwestern counties that have had historically small Latina/o populations, many of the counties with the largest Latina/o populations are in the West, in places that have historically had larger Latina/o communities. According to the 2020 U.S. Census, six of the top ten counties with the highest Latina/o populations are in Texas, California, and Arizona.¹

¹ Jeffrey S. Passel, Mark Hugo Lopez, and D’Vera Chon, “U.S. Hispanic Population Continued its Geographic Spread in the 2010s,” Pew Research Center, 3 February 2022, <https://www.pewresearch.org/fact-tank/2022/02/03/u-s-hispanic-population-continued-its-geographic-spread-in-the-2010s/>, accessed 31 May 2022.

This paper provides a bird's-eye view of the history of Latinas/os in the U.S. West, with a focus on economic participation and education. I also highlight some important moments of civic engagement and political mobilization and discuss immigration and immigration policy as they intersect with Latina/o economic and education histories. Some topics will receive more attention than others, but I strive to communicate the significance of each of these facets for Latina/o life as well as their interconnectedness. Education effects economic outcomes. Economic factors drive immigration and play an important role in the formation of immigration policy. Immigration and immigration policy, in turn, have helped politicize and mobilize vast numbers of Latinas/os.

Four overarching points provide an important foundation for contextualizing the history that follows. First, race is a driving force in the United States. This is true for everyone, but Latinas/os have distinct histories of racialization that have shaped individual life experiences, group dynamics, social relations, and the structural mechanisms that form the basis of American society. Race has not always operated the way it does today and Latinas/os have not always been racialized in the same ways, but for centuries race has mattered a great deal. Second, race is always tied up with class, gender, sexuality, and citizenship. In this way, intersectionality is a crucial lens through which historians view U.S. history and Latina/o history. To fully comprehend the Latina/o past and present, these different yet intersecting forms of identity and social organization must be critically interrogated.

Third, the history of Latinas/os is inextricably tied to the history of settler colonialism in the Americas. It was the colonization of these lands by the Spanish that wrought the existence of various mestizo peoples we now call Latinas/os and the subsequent colonization of northern Mexico by Euro-Americans that birthed the social, economic, and political structures under

which present day Latinas/os exist. As borderlands historians have taught us, these processes of colonization were not linear. Spanish and then American dominance was not inevitable. Rather, contestations over land, resources, political power, and culture were negotiations between multiple parties and interests that continue to give form to U.S. life today. Settler colonialism, after all, is not simply something in the past, an event with an end point. Under such a system, the colonizers meant to stay, to occupy the land and eliminate indigenous societies. As one of the preeminent scholars of settler colonialism, Patrick Wolfe, argues, “[I]nvasion is a structure, not an event.”²² The United States remains a settler colonial state *today*, a reality that undoubtedly informs all of U.S. history. Because land is central to the settler colonial project, so too is it a prominent part of the Latina/o past.

Finally, once we acknowledge the ways that settler colonialism, race, gender, class, sexuality, and citizenship have structured the Latina/o experience, we can better appreciate the invidious role of violence in shaping the United States and Latinas/os’ place within it. It was primarily through violence that Spanish and American colonists enacted their settler colonial visions. Violence and the threat of violence was always an available tool for settlers intent on elimination, enslavement, enrichment, and occupation. Physical, sexual, and psychic violence, perpetrated by individuals, groups, and the state, has continued to shape the Latina/o experience into the twenty-first century.

Economic Participation

Latinas/os in the U.S. West are a key source of labor in the U.S. economy. They form the backbone of American agriculture and are over-represented in several other industries, including

²² Patrick Wolfe, “Settler Colonialism and the Elimination of the Native,” *Journal of Genocide Research* 8, no. 4 (Dec. 2006): 388.

domestic work, food service, and construction. Historically, they also worked in large numbers in the railroad, mining, and garment industries. During the second half of the nineteenth century, the West underwent a period of significant economic growth and development, as more and more American settlers moved into the region and eastern business interests devoted themselves to transforming the West into a great engine of capitalism. To achieve this, large numbers of workers were needed and many of these workers were ethnic Mexicans (Mexicans or Mexican Americans), especially in the Southwest. Much smaller numbers of Central and South Americans were also present. Many Chilean miners, for example, worked in the mines of the region, digging for gold, silver, copper, and other natural resources. Employers instituted a dual wage system, whereby race and gender became key determinants of compensation rates. White laborers earned more than ethnic Mexican laborers and men were paid more than women for the same work. In many industries, therefore, ethnic Mexicans became the preferred labor source.

U.S. business owners, investors, and politicians have long emphasized their need for unfettered access to a large pool of low wage Latina/o workers, and immigration law has helped them accomplish this.³ Prior to 1965, there were no limitations on the number of Mexican and other Latin American immigrants who could enter the nation, even while the 1924 Immigration Act severely cut off immigration from Europe and completely excluded those from Asia. The Western hemisphere had been kept out of the bill at the behest of western agribusiness, which lobbied hard to maintain the constant flow of Mexican laborers. In times of labor demand, Latina/o immigrants were recruited in high numbers. But once business began to falter, employers had no problem with immigration raids and deportations. Latina/o workers were

³ Kelly Lytle Hernández, *Migra!: A History of the U.S. Border Patrol* (Berkeley: University of California Press, 2010); and Natalia Molina, *How Race Is Made in America: Immigration, Citizenship, and the Historical Power of Racial Scripts* (Oakland: University of California Press, 2014).

expendable and they knew there were many more willing to work when they needed such workers again. During the Great Depression, Mexican immigrants were blamed for the nation's economic troubles and countless ethnic Mexicans, citizen and noncitizen alike, were rounded up through repatriation campaigns or deported en masse.⁴ When a World War II labor shortage threatened business profits, they were once again sought after in large numbers. This pattern, aligning with boom-and-bust cycles in the economy, has continued for decades. "In essence," writes Latina/o labor historian Zaragosa Vargas, immigration law has "institutionalized a revolving door for low-wage workers from Mexico."⁵

The process through which ethnic Mexicans and then other Latinas/os became the primary agricultural labor force of the nation began with the military conquest of Mexico in 1848. In the war's aftermath, most of the Mexican citizens who resided in what is now the Southwest remained there, thus becoming U.S. citizens. Within a matter of decades, Euro-American settlers secured, through legal maneuvering and extralegal means, including violence, most of the land that had been owned by Mexicans. In short, they stole Mexican properties and transformed thousands of acres of land, often held communally, into their own private property.⁶ Once Mexicans lost their land base, discrimination forced most of the descendants of these landowners into the rapidly expanding farm industries of the region. In east and central Texas, they planted, harvested, and processed cotton. In southern and central California, citrus, grapes, lettuce, and other vegetables demanded their labor. Over time, ethnic Mexican farmworkers

⁴ George J Sánchez, *Becoming Mexican American: Ethnicity, Culture and Identity in Chicano Los Angeles, 1900-1945* (New York: Oxford University Press, 1993), 209-226; and Francisco E. Balderrama and Raymond Rodríguez, *Decade of Betrayal: Mexican Repatriation in the 1930s* (Albuquerque, NM: University of New Mexico Press, 1995).

⁵ Zaragosa Vargas, "American Latino Theme Study: Labor," National Park Service, <https://www.nps.gov/articles/latinothemelabor.htm>.

⁶ See María E. Montoya, *Translating Property: The Maxwell Land Grant and the Conflict over Land in the American West, 1840-1900* (Berkeley: University of California Press, 2002).

spread throughout the West. In northeast Colorado, Wyoming, Montana, and Idaho, they filled the sugar beet fields. And in Washington, they worked the apple orchards.

Labor shortages caused by mobilization for World War II encouraged U.S. policymakers to formalize a guest worker program that brought millions of Mexican men into the country. The Emergency Farm Labor Program, known as the Bracero Program, was established by Presidential executive order in 1942 and lasted until 1964. A series of agreements with the Mexican government, the Bracero Program allowed Mexican, male laborers to enter into short-term labor contracts, mostly in agriculture but, from 1942-1945, in the railroad industry as well. While the agreements included provisions for fair wages (according to the local prevailing wage); clean, sanitary housing; meals at affordable prices; health insurance; and transportation to and from the work site, many employers simply ignored the rules. Numerous braceros received pay checks well below what they were owed and conditions inside the bracero camps were dismal, with cramped, unsanitary conditions the norm. Such circumstances forced some braceros to skip out on their contracts, as they saw no benefit to staying in such an exploitative situation. At the same time, many employers quickly found that they preferred undocumented Mexicans; they did not have to deal with the bureaucracy of the official program and they could threaten reporting and deportation for undocumented workers who got out of line. Essentially, the program encouraged the growth of the undocumented population and produced migration patterns that continue to this day. The program was flush with unfulfilled promises, broken rules, and other problems that contributed to the exploitation of Mexican *and* Mexican American farmworkers, as well as others who labored in the fields. Historians have documented the tensions, conflicts, and coalitions between Mexican Braceros and Mexican Americans, revealing

how the program helped divide these two groups even though both were situated at the bottom of the U.S. labor system, historically marginalized and serving the interests of capital.⁷

World War II transformed the American economy and with it, the working lives of millions of Latinas/os. Mobilization for the war expanded opportunities for good-paying jobs in defense manufacturing. All over the West, Latinas/os increased their presence in these workplaces and advanced the economic fortunes of their families. Latinas were hired in large numbers at several southern California airplane production plants. Many Latinos secured positions in shipbuilding. Outside of farm working, Latinas/os and other workers made gains through unionization and winning contracts that raised their wages, instituted more robust safety measures, brought dignity to the workplace, and more.⁸ Latinas were active members of the United Cannery, Agricultural, Packing, and Allied Workers of America (UCAPAWA) in the U.S. West. This multiracial union of food processing workers was an essential part of the Congress of Industrial Organizations (CIO), which organized working class laborers all over the country starting during the Great Depression. Ethnic Mexicans made up about half of union members and Guatemalan-born Luisa Moreno, the first woman and Latina/o elected to the CIO council and CIO vice president, was essential to the successful organization of food processing plants throughout the West. In 1941, she was assigned to southern California, where she organized several UCAPAWA locals, including Local 2 of Fullerton. Local 2 represented

⁷ For more on the Bracero Program, see Kitty Calavita, *Inside the State: The Bracero Program, Immigration, and the I.N.S.* (New York: Routledge, 1992); Deborah Cohen, *Braceros: Migrant Citizens and Transnational Subjects in the Postwar United States and Mexico* (Chapel Hill: University of North Carolina Press, 2011); Ana Elizabeth Rosas, *Abrazando el Espíritu: Bracero Families Confront the US-Mexico Border* (Berkeley: University of California Press, 2014); and Mireya Loza, *Defiant Braceros: How Migrant Workers Fought for Racial, Sexual, and Political Freedom* (Chapel Hill: University of North Carolina Press, 2016).

⁸ Zaragosa Vargas, *Labor Rights Are Civil Rights: Mexican American Workers in Twentieth-Century America* (Princeton: Princeton University Press, 2007), Elizabeth R. Escobedo, *From Coveralls to Zoot Suits: The Lives of Mexican American Women on the World War II Home Front* (Chapel Hill: University of North Carolina Press, 2015).

workers at Val Vita, the largest cannery in California, where three-fourths of the employees were Latinas.⁹ Latina/o workers also made gains in the mining industry through the victories of the International Union of Mine, Mill, and Smelter Workers (Mine Mill) and the International Longshore and Warehouse Union (ILWU). Some of these victories were short lived, as capital held an extreme amount of power in capital-labor relations. Yet they marked a significant moment in U.S. labor history and demonstrate the importance of organized labor to Latina/o efforts at workplace integrity, fair wages, safety, and economic security.

Capital-labor relations in agriculture remained relatively unchanged between the 1940s and 1960s. There were important organization efforts and some victories, but it was not until the 1960s that these efforts resulted in major changes for large numbers of farmworkers. The United Farm Workers (UFW), under leaders César Chávez and Dolores Huerta, secured union recognition and new contracts for thousands of Latina/o farmworkers.¹⁰ In 1975, their advocacy helped ensure passage of the California Agricultural Labor Relations Act, which guarantees collective bargaining rights for California farmworkers. The first law of its kind, this important piece of legislation recently has come under attack from California growers, who argue it impinges on their property rights. A case brought by a nursery in northern California reached the Supreme Court, where in 2021 the conservative majority ruled in favor of the growers. Union organizers, the court wrote, do not have the right to “trespass” on growers’ private property.¹¹

⁹ Vicki L. Ruiz, *Cannery Women, Cannery Lives: Mexican Women, Unionization, and the California Food Processing Industry, 1930-1950* (Albuquerque: University of New Mexico Press 1987).

¹⁰ For more on the UFW, see Matt Garcia, *From the Jaws of Victory: The Triumph and Tragedy of Cesar Chavez and the Farm Worker Movement* (Berkeley: University of California Press, 2012); Lori A. Flores, *Grounds for Dreaming: Mexican Americans, Mexican Immigrants, and the California Farmworker Movement* (New Haven, CT: Yale University Press, 2016).

¹¹ The case was *Cedar Point Nursery, et al. v. Victoria Hassid, et al.* Interestingly, this was an argument rejected by the California Supreme Court in 1976. See *Cedar Point Nursery v. Hassid*, 594 U.S. ____ (2021).

This severely limits the ability of labor organizers to inform farmworkers of their rights and will undoubtedly affect conditions in the fields and wages.

That employers have consistently opposed the presence of union organizers speaks to organized labor's ability to shift the balance of power in favor of Latina/o workers, their families, and their communities. It was within the workplace that many of the most important Latina/o civic and political leaders gained their foothold in organizing for social justice. Unions, in fact, served as important incubators for Latina/o civil rights efforts. During the 1930s and 1940s, as labor leaders like Luisa Moreno, Bert Corona, and others worked to organize Latina/o workers across the Southwest, they gained the experience, knowledge, and political skills necessary to help lead a broader civil rights agenda. In 1939, Moreno and Corona helped organize the first national Latina/o civil rights gathering in the United States, El Congreso de Pueblos de Hablan Española (The Congress of Spanish-Speaking Peoples). Attendees to this Los Angeles gathering articulated a radical agenda for Latina/o civil rights that placed labor at the center. Their platform stated that "the Trade Union Movement provides the most basic agency through which the Mexican and Spanish-speaking people become organized" and they pushed union locals to adopt policies and practices that would appeal to Latinas/os and enable them to participate in union activities.¹² Corona, moreover, went on to be a major player in some of the most important Latina/o civil rights organizations and campaigns in subsequent decades. The skills, connections, and leftist politics he learned and refined as a labor organizer served him well as he helped a new generation build the Chicana/o movement of the 1960s and 1970s.¹³ Many

¹² First National Congress, "Digest of Proceedings," 5, cited in Sánchez, *Becoming Mexican American*, 247.

¹³ Vicki L. Ruiz, "Nuestra América: Latino History as United States History," *Journal of American History* 93, no. 3 (December 2006), 669. See also Ruiz, *Cannery Women, Cannery Lives*, 103-123; and Mario T. García, *Memories of Chicano History: The Life and Narrative of Bert Corona* (Berkeley: University of California Press, 1994).

UFW organizers went on to fight for Latina/o rights in the Justice for Janitors campaigns of the 1990s and 2000s, and immigrant rights struggles of the last four decades.¹⁴

More broadly, historians have demonstrated that labor battles for unionization, collective bargaining power, and fair contracts were key sites of Latina/o politicization, ethnic identity formation, and civic engagement. In short, these battles encouraged the children of Mexican immigrants to invest in their lives *as Americans*. Many second generation, working-class Mexican Americans in the 1930s got their first taste of American civic and political engagement in their workplaces and union locals. As they organized for their rights as workers, they began to identify as Mexican Americans—that is, American citizens of Mexican ancestry, a decisive shift away from the identity formations of their parents, who retained their sense of Mexicanness in both culture and nationality. This helped reorient them toward an American political consciousness that encouraged civic engagement and political mobilization around important civil rights issues. Many union locals, for example, pushed non-citizen members to naturalize so that their rights were better protected, and they urged these new citizens to vote in local, state, and national elections. Such mobilizations helped lead to the election of the first Latina/o on the Los Angeles city council, Edward Roybal, in 1949.¹⁵ Similarly, UFW organizers pioneered a grassroots electoral strategy that nurtured union connections to promote Latina/o voter participation and, ultimately, the election of pro-labor and pro-Latina/o civil rights candidates. It was this voter outreach model that helped enable the 2005 victory of Antonio Villaraigosa, Los Angeles's first Latina/o mayor. This success propelled UFW veteran Eliseo Medina to bring the UFW's strategies to Arizona and Colorado, where in 2006 he spearheaded voter outreach

¹⁴ Randy Shaw, *Beyond the Fields: Cesar Chavez, the UFW, and the Struggle for Justice in the 21st Century* (Berkeley: University of California Press, 2008), 5-8, 193-248.

¹⁵ Sánchez, *Becoming Mexican American*, 229, 250.

campaigns that increased Latina/o voter participation significantly. According to Randy Shaw, such organizing “has the potential to alter the future political landscape of the United States.”¹⁶ In this way, union participation and organizing propelled ethnic Mexican integration into the American political system and fostered the development of civil rights politics.¹⁷

Largescale economic changes in the 1970s and 1980s, as the U.S. transitioned from an industrial to a service economy, diminished the economic positions of many Latinas/os. Companies transferred production to other nations; automation began to replace the labor of factory workers; wages became stagnant; and many jobs in the expanding service sector paid less than manufacturing. As capital once again gained the upper hand, unions and the employees they represented lost many of the gains they had made in the 1930s, 1940s, and 1950s. Combined with Cold War era attacks on unions and labor leaders—Cold War crusaders called them communists, communist sympathizers, or subversive elements—these losses resulted in a major diminishing of labor power.

Simultaneously, the United States economy became even more tightly bound with that of Mexico and other parts of Latin America. For over a century, U.S. business interests in Mexico, the growth of multi-national corporations, and continued U.S. reliance on Mexican labor had created a colonial-type relationship wherein U.S. companies were able to own large parts of critical land and industries (agriculture, oil, railroads, and mining); U.S. policymakers were able to dictate economic policy preferences to Mexican leaders; and U.S. employers were able to draw large numbers of Mexican workers into low-wage work across the border or, later, in the maquiladora zone just south of the border. A similar pattern developed in Central America, where U.S. businesses have long held an over-abundance of power. Two U.S. corporations, the

¹⁶ Shaw, *Beyond the Fields*, 10, 165-192, quote on 10.

¹⁷ For more, see Vargas, *Labor Rights Are Civil Rights*.

United Fruit Company (now Chiquita Brands International) and the Standard Fruit Company (now Dole Food Company), historically have dominated the banana industry in Guatemala, Honduras, and El Salvador. There they owned the best lands, some of which was purposely left uncultivated to decrease competition, and key parts of the transportation sector. To maintain their economic hold over the region, stakeholders for the companies engaged in manipulation, tax evasion, violence, and theft, among other nefarious deeds. Their involvement in the 1954 overthrow of Guatemalan president Jacobo Árbenz Guzmán is perhaps the most well-known example of the kind of brutal economic, political, and military maneuvering U.S. interests have engaged in and promoted in several Latin American nations.¹⁸

The economic integration of the U.S. and Latin America deepened yet again with the North American Free Trade Agreement (NAFTA), which went into effect in 1994, and the Central American-Dominican Republic Free Trade Agreement (CAFTA-DR), which took effect in 2005. Under both agreements, signatories agreed to reduce or eliminate tariffs, customs duties, and other trade barriers on products and services. NAFTA signatories include Canada, Mexico, and the United States. CAFTA-DR signatories include Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, the Dominican Republic, and the United States. Promoters touted each agreement as economically beneficial for all parties, yet U.S. big business has been the clear winner. Many Mexican farmers, unable to compete with American subsidized agricultural imports, have been pushed out of independent ownership and operation and into the migratory circuit of farm labor or unemployment. By 2006, approximately 2 million Mexican farmers had lost their land and much of it subsequently was gobbled up by major U.S. agribusiness firms. Mexico, which before NAFTA was largely self-sufficient, now relies on food imports, mostly

¹⁸ See Juan Gonzalez, *Harvest of Empire: A History of Latinos in America*, Second Revised and Updated Ed. (New York: Penguin Books, 2022).

from the U.S., to feed its citizens.¹⁹ In general, the rural poor in each of these Latin American nations have been disproportionately harmed by free trade agreements, a reality that has contributed to increased migration to the U.S. The U.S. working-class, including Latinas/os, has also suffered, as NAFTA and, to a lesser extent, CAFTA-DR are responsible for job losses in all fifty states and the District of Columbia.²⁰ In short, these trade deals have been a boon for the elite of all parties, and have devastated large portions of the working-class and poor. Combined with deindustrialization in the U.S since the 1970s, globalization over the last several decades, and the growth of the service sector, economic mobility among many Latinas/os has been limited over the last fifty years.

Education

American schools are unequal and they have been for a very long time. Even within the public school system, which often has been touted as a beacon of equality and democracy, schools are prime laboratories for the construction and maintenance of social hierarchies and the promotion of policies and ideologies that celebrate American exceptionalism and empire. Since the late-nineteenth and early-twentieth centuries, public school administrators, teachers, and other school officials have been essential players in the national effort to consolidate American identity and culture. That is, they have used the schools to construct White national unity and to promote a vision of U.S citizenship that is very much premised on race, ethnicity, and national

¹⁹ Laura Carlsen, "Under NAFTA, Mexico Suffered, and the United States Felt Its Pain," *New York Times*, 24 November 2013, <https://www.nytimes.com/roomfordebate/2013/11/24/what-weve-learned-from-nafta/under-nafta-mexico-suffered-and-the-united-states-felt-its-pain>; Kristina Johnson and Samuel Fromartz, "NAFTA's 'Broken Promises': These Farmers Say They Got the Raw End of the Trade Deal," *NPR*, 7 August 2017, <https://www.npr.org/sections/thesalt/2017/08/07/541671747/nafta-s-broken-promises-these-farmers-say-they-got-the-raw-end-of-trade-deal>.

²⁰ Robert E. Scott, "The High Price of 'Free' Trade: NAFTA's Failure Has Cost the United States Jobs Across the Nation," Briefing Paper #147, Economic Policy institute, 17 November 2003, 3-4.

origin. During the first few decades of the twentieth century, staunch nationalism fused with nativism and racism to produce heightened anxieties about a perceived breakdown of social hierarchy and the growth of nonwhite populations through increased birth rates, immigration, and U.S. expansion into the Pacific and Caribbean.²¹ The institutionalization of Jim Crow in the South is one clear manifestation of these anxieties. In the U.S. West, fears over Chinese and Japanese immigration had long fueled anti-Asian nativism and racism, a fact reflected most clearly in the passage of exclusionary immigration laws that targeted first Chinese immigrants and then all Asians, as well as legal decisions that declared Asian Indians and Japanese ineligible for U.S. citizenship based on their nonwhiteness.²² At the same time, nativists began calling for immigration restriction from the “undesirable” nations of southern and eastern Europe. The passage of exclusionary immigration laws in 1917 and 1924 secured these demands and helped construct the “illegal alien” in American culture, society, and law.²³

In the Southwest, increasing migration from Mexico during and after the Mexican Revolution (1910-1920) spawned White fears of Mexican “hordes” arriving to “contaminate” the American (White) populace with their racial impurity (hybridity), social degeneracy, mental inferiority, and criminal behavior. By the 1930s, Whites throughout the West had developed a particular racial discourse about ethnic Mexicans: the “Mexican problem.” According to this discourse, ethnic Mexicans were a social problem that demanded attention. They were

²¹ Cliff Stratton, *Education for Empire: American Schools, Race, and the Paths of Good Citizenship* (Berkeley: University of California Press, 2016).

²² On immigration restriction, see the Chinese Exclusion Act of 1882, the Geary Act of 1892, the Immigration Act of 1917, and the Immigration Act of 1924. On the naturalization cases that deemed Japanese and Asian Indians ineligible for citizenship, see *Ozawa v. United States*, 260 U.S. 178 (1922) and *United States v. Bhagat Singh Thind*, 261 U.S. 204 (1923), respectively. Also see Ian Haney López, *White by Law: The Legal Construction of Race*, 10th anniversary ed. (New York: New York University Press, 2006), 56-77.

²³ Mae M. Ngai, *Impossible Subjects: Illegal Aliens and the Making of Modern America* (Princeton, NJ: Princeton University Press, 2004).

constructed as a problem “race” that polluted the body politic and presented countless physical, sexual, and psychic dangers.²⁴ As such, they were unfit for U.S. citizenship and full belonging.

A central outcome of these ideas was segregated schooling for ethnic Mexican children. Almost all communities with large ethnic Mexican populations created “Mexican schools,” schools that were completely separate from those attended by White children. Within these segregated schools, the following general trends prevailed: teachers had less experience; materials were sub-par (sometimes hand-me-downs from the White schools); classrooms were often overcrowded; and the quality of education was inferior. Funding inequities exacerbated these inequalities, as White schools were almost always better funded. Spanish-speaking students were thrown into English-only classrooms and in many cases were punished for speaking Spanish, even on the playground. Often, particularly in smaller, rural areas, one or two room schoolhouses were hastily built or old barns were re-tooled for schools. In larger cities, segregated housing produced segregated schools and, as recent research has demonstrated, school officials actively participated in the construction of segregated school systems. They gerrymandered school attendance boundaries, selected new school building sites to ensure as much racial separation as possible, manipulated feeder schools, used “optional zones” to allow White children in transitioning areas to attend White schools, and used busing to transport White

²⁴ The process whereby Anglos developed or adopted the “Mexican Problem” discourse looks slightly different in each locale. In Denver, Whites created a similar construct, the “Spanish American problem.” See Carey McWilliams, *North from Mexico: The Spanish-Speaking People of the United States* (Philadelphia: J. B. Lippincott, 1949), 206–226; David Montejano, *Anglos and Mexicans in the Making of Texas, 1836–1986* (Austin: University of Texas Press, 1987), 179–196; Gilbert G. Gonzalez, “The ‘Mexican Problem’: Empire, Public Policy, and the Education of Mexican Immigrants, 1880–1930,” *Aztlán* 26, no. 2 (Fall 2001): 199–207; Robert L. Treviño, “Facing Jim Crow: Catholic Sisters and the ‘Mexican Problem’ in Texas,” *Western Historical Quarterly* 34 (Summer 2003): 139–164; Cynthia Orozco, *No Mexicans, Women, or Dogs Allowed: The Rise of the Mexican American Civil Rights Movement* (Austin: University of Texas Press, 2009), 59; and Joseph L. Locke, “The Heathen at Our Door: Missionaries, Moral Reformers, and the Making of the ‘Mexican Problem,’ ” *Western Historical Quarterly* 49 (Summer 2018): 127–153. On Denver, see Danielle R. Olden, *Racial Uncertainties: Mexican Americans, School Desegregation, and the Making of Race in Post-Civil Rights America* (Oakland: University of California Press, 2022), forthcoming, 68–84.

students in overcrowded White schools to schools that were farther away than necessary. Rather than send them to closer schools with ethnic Mexicans, as well as other students of color, school administrators used district resources to transport them to schools with majority White populations.²⁵ In some places, like Denver, Colorado, school districts erected mobile classroom units at overcrowded Black and ethnic Mexican schools, instead of sending some of those students to White schools with available space.

Educators justified segregation most often by claiming that ethnic Mexican children could not speak English well enough to perform in regular classrooms with White students. They required special attention—most importantly, English-only instruction to ensure they learned English. Other justifications also prevailed, including the argument that ethnic Mexican children were dirty and diseased; keeping them away from White children was a matter of public health and American decency. In most cases, a Spanish surname was enough to slot a student into a Mexican school. But as Carey McWilliams pointed out in 1947, the “common practice has been simply to assign all children with Spanish or Mexican names to a separate school. Occasionally, the school authorities inspect the children so that the offspring of a Mexican mother whose name may be O’Shaugnessy will not slip into the wrong school.”²⁶

²⁵ This is particularly important to acknowledge, given the history of “anti-busing” protests in the 1970s, wherein White parents challenged the use of “busing” to promote racial integration. These same parents saw no problem when the buses were used to advance segregation. See Matthew F. Delmont, *Why Busing Failed: Race, Media, and the National Resistance to School Desegregation* (Berkeley: University of California Press, 2016), and Ansley T. Erickson, *Making the Unequal Metropolis: School Desegregation and Its Limits* (Chicago: University of Chicago Press, 2016). For more on school segregation, see Guadalupe San Miguel Jr., “Let All of Them Take Heed”: *Mexican Americans and the Campaign for Educational Equality in Texas, 1910–1981* (Austin: University of Texas Press, 1987); Gilbert G. Gonzalez, *Chicano Education in the Era of Segregation* (Philadelphia: Balch Institute Press, 1990); and Guadalupe San Miguel, Jr. *Brown, Not White: School Integration and the Chicano Movement in Houston* (College Station, TX: Texas A&M University Press, 2005); and David G. García, *Strategies of Segregation: Race, Residence, and the Struggle for Educational Equality* (Berkeley: University of California Press, 2018).

²⁶ Carey McWilliams, “Is Your Name Gonzales?,” *Nation*, 15 March 1947, 302, cited in Olden, *Racial Uncertainties*, 46.

There were several consequences of these educational inequities. Ethnic Mexicans were truant more frequently than their White peers and they dropped out more often. School officials in many western school districts had an unofficial policy of ignoring when ethnic Mexican students violated compulsory school attendance laws. “Many of the children are too ill-clad and unclean to attend school with other children,” explained one Texas school superintendent when asked why he did not enforce the attendance law. He maintained that it was unfair for White children to have to go to school with the “dirty ‘greaser’ type of Mexican child.”²⁷ Because ethnic Mexican agricultural labor was so essential, moreover, school administrators, employers, and others preferred to discourage school attendance among ethnic Mexican children. Many of these children worked in the fields and local leaders did not wish to give them the tools they needed to escape a life of agricultural labor. Those who remained enrolled faced hostile teachers who had little to no interest in educating them. When they got in trouble, they often were subject to harsher disciplinary action and, in some cases, physical or mental abuse.

Convinced that their teachers cared little for their well-being and educational advancement, a significant number of Mexican Americans left the schools entirely. According to many of these students and community activists, these students did not simply drop out; they were pushed out by a school system stacked against them. If they did not drop out, they often were tracked into vocational courses and steered away from college preparation and application. This helped ensure internal segregation within ostensibly integrated schools, particularly at the secondary level. Others were placed into special education classrooms when they performed poorly on culturally biased, standardized tests or IQ tests. These factors resulted in lower

²⁷ San Miguel Jr., *“Let All of Them Take Heed”*, 49.

academic achievement levels and an overall second-rate educational experience for Mexican Americans, fewer high school graduates, and a low college enrollment rate.

Community activists and lawyers challenged these practices in several ways. They organized public pressure and voting campaigns, protested, and pushed school officials to adopt school reforms they believed would improve the quality of education ethnic Mexicans received. Starting in the 1930s, Mexican American lawyers began to file lawsuits against school districts that segregated ethnic Mexican students. A major milestone was *Mendez v. Westminster* (1947), a case stemming from a Mexican American challenge to segregated “Mexican” schools in southern California. In 1947, Gonzalo and Felicitas Mendez, along with four other Latina/o families, filed a lawsuit against the Westminster, Garden Grove, Santa Ana, and El Modena school districts in Orange County, California for segregating 5000 children of “Mexican or Latin descent or extraction.”²⁸ When district court judge Paul McCormick ruled in their favor, it was a major victory for ethnic Mexicans. This was the first time a federal court had ruled that segregating ethnic Mexican children violated the U.S. Constitution. The school districts appealed the ruling, but the Ninth Circuit Court of Appeals confirmed McCormick’s decision and district officials decided to drop the case. They began to integrate the schools.²⁹ This was not the end of segregated schooling for ethnic Mexicans in California or the West, but it did set an important legal precedent that went on to inform the larger effort to eradicate school segregation in *Brown v. Board of Education of Topeka* (1954).

²⁸ *Mendez v. Westminster School Dist.*, 64 E Supp. 544, 545 (S.D. Cal. 1946).

²⁹ *Westminster School District of Orange County v. Mendez*, 161 F.2d 774 (9th Cir., 1947). For more on *Mendez*, see Vicki L. Ruiz, “South by Southwest: Mexican Americans and Segregated Schooling, 1900–1950,” *OAH Magazine of History* 15, no. 2 (Winter 2001): 23–27; Philippa Strum, *Mendez v. Westminster: School Desegregation and Mexican-American Rights* (Lawrence: University Press of Kansas, 2010); and Mark Brilliant, *The Color of America Has Changed: How Racial Diversity Shaped Civil Rights Reform in California, 1941–1978* (Oxford: Oxford University Press, 2010), 58–88.

By the 1960s, ethnic Mexicans throughout the U.S. West began to organize on a larger scale than ever before. Many of these individuals found their way to the burgeoning Chicana/o movement. Education was one of activists' central concerns. They recognized the ways public schools were failing ethnic Mexican communities and they began to advocate for major changes to administration and instruction. Their demands were consistent across the West. Centrally, they wanted schools to implement bilingual education and culturally relevant curriculum (referred to as bilingual-bicultural education), and they sought more Mexican American teachers, administrators, and counselors. English language immersion was not helping their children succeed; instead, they argued, it was a source of harm that deepened educational inequalities. Bilingual programs, in contrast, held out great potential for improving Mexican American student learning and mental health. Emerging educational research conducted by a new generation of Latina/o scholars confirmed this interpretation.

Besides their emphasis on the language of instruction, Mexican American activists also argued for a major overhaul in social studies and arts education. Traditional curriculums emphasized the greatness of European and Euro-American cultures and histories and celebrated U.S. settler colonialism. If Latinas/os were mentioned at all in American classrooms, it was in a derogatory or dismissive manner. According to many textbooks in the post-World War II period, Mexicans were lazy, most Latin Americans were incapable of self-government and active participation in democracy, and Puerto Ricans *needed* the U.S. to rule over it, lest it be run to the ground through incompetence. Curriculums were full of cultural stereotypes and myths that celebrated American manifest destiny and conquest. The vast majority of Latina/o students never learned accurate histories of their ancestors, nor were they exposed to Latin American or Caribbean music and art. Such omissions contributed to a sense of second-class citizenship, and

social and cultural inferiority. Bicultural education, what today we would call ethnic studies or culturally relevant education, promised to engage Latina/o students and help them stay in school. Finally, ethnic Mexicans pushed school officials to increase the number of ethnic Mexicans they employed. When Mexican American students walked out of their classrooms in protest of the poor-quality education they received there, a trend that began in Los Angeles in 1968 and then spread throughout the U.S. West and the nation, one of their central demands was that school districts hire more teachers *like them*. There were so few ethnic Mexican teachers in American public schools, most ethnic Mexican students never even saw one, let alone had the opportunity to be instructed by one. There were even fewer administrators and counselors.

Important legal efforts on behalf of Latina/o children secured major educational victories in the 1970s and 1980s. The Mexican American Legal Defense and Education Fund (MALDEF), an organization established in 1968 to fight for Mexican American civil rights in the courts, led the way. MALDEF litigated several challenges to school segregation, including cases in Texas, Arizona, California, and Colorado. In 1973, the U.S. Supreme Court ruled in *Wilfred Keyes, et al. v. School District No. 1, et al.* that the Denver school district was guilty of segregating Black and Mexican American students. This case set a major precedent that school districts without histories of state-mandated segregation could still be in violation of *Brown v. Board of Education* (1954), thus setting into motion multiple school segregation lawsuits in the North and West. While *Keyes* is most well-known for this reason, it also established that Mexican Americans were “minority” for purposes under the Fourteenth Amendment. Before, school district officials could claim Mexican Americans were White and assign them to schools with Black students, while Anglo students attended their own schools. This allowed segregation to continue long after 1954 in places like Houston, where district officials claimed they were in compliance with

Brown, even though they operated a dual system. In *Keyes*, the Supreme Court determined that “Hispanos and Negroes have a great many things in common,” a fact that supported the plaintiffs’ strategy of grouping Mexican American and Black students together into one “minority” category to prove illegal segregation.³⁰ Thus, Mexican Americans were a protected class whose Fourteenth Amendment rights had been violated by the Denver Public Schools. Winning this argument was necessary for Latina/o civil rights efforts to move forward in the courts after the mid-1960s.

Back in Denver, the *Keyes* case took on new dimensions as all parties turned their attention to the desegregation remedy that would be implemented. It was at this point that a local teacher’s organization, the Congress of Hispanic Educators, joined forces with MALDEF to intervene on behalf of Mexican American children. Their goal was to ensure that the interests of these youth, particularly bilingual-bicultural education programs in predominantly Mexican America schools, were protected in whatever plan the court ordered. The Appeals Court for the Tenth Circuit rejected MALDEF’s argument, maintaining that bilingual-bicultural education was not a substitute for desegregation. With district-wide desegregation moving forward, the parties agreed to a plan that provided language instruction for linguistic minorities. This instruction was not the bilingual-bicultural program Mexican American advocates had sought, but it did promise to provide a base level of language curriculum that would help non-English-speaking students adapt to the Denver public schools.³¹

³⁰ *Keyes v. School Dist. No. 1*, 413 U.S. 189, 197 (1973). In Denver and other parts of Colorado and New Mexico, Mexican Americans were most often referred to as Hispanos.

³¹ The court’s order for this agreement was in effect long after the desegregation order was terminated. See Rachel F. Moran, “Strange Bedfellows: The *Keyes* Case and the Politics of Bilingual Education,” in *Power Divided: Essays on the Theory and Practice of Federalism*, ed. Harry N. and Malcolm M. Feeley (Berkeley: Institute of Governmental Studies, University of California at Berkeley, 1989), 89-104; and Rachel F. Moran, “Getting a Foot In the Door: The Hispanic Push for Equal Educational Opportunity in Denver,” *Kansas Journal of Law and Public Policy* 2, no. 2 (Summer 1992): 35-48. For more on the *Keyes* case, see Tom I. Romero II, “Our Selma Is Here: The Political and Legal Struggle for Educational Equality in Denver, Colorado, and Multiracial Conundrums in

A second crucial area of litigation was in education for immigrant children. By the 1970s, many school districts in the Southwest had attempted to exclude the children of undocumented immigrants. Some achieved this by prohibiting their enrollment, while others implemented measures that made it unlikely these children would enroll. In Texas, state lawmakers in 1975 passed legislation that denied local school districts state funding if they enrolled undocumented students. This left school officials with few choices, particularly in border districts and urban districts that were already underfunded and resource strapped. Officials in Tyler, Texas ultimately determined in 1977 to require the families of undocumented students to pay tuition up to \$1000 per child. Because undocumented immigrants have almost always made poverty wages, they were unable to pay the tuition, thus ensuring they were kept out of the public schools. MALDEF filed a lawsuit alleging that the Tyler Independent School District was violating the constitutional rights of undocumented students. After years of litigation, the Supreme Court ruled in *Plyler v. Doe* (1982) that all children had a constitutional right to a K-12 public education. The court established that this right was inviolable, regardless of immigration status.³² There have been many challenges to *Plyler*, most notably Californians' attempt to ban undocumented immigrants from accessing public social services, including public education. Proposition 187, the "Save Our State" initiative, was approved by 59 percent of California voters in 1994.³³ Building on a wave of anti-immigrant hysteria and an economic downturn, advocates of the measure promoted it as a way to take their state back from "hordes" of "illegal aliens." Most of

American Jurisprudence," *Seattle Journal for Social Justice* 3, no. 1 (Fall/Winter 2004): 73-142; Tom I. Romero II, "¿La Raza Latina?: Multiracial Ambivalence, Color Denial, and the Emergence of a Tri-Ethnic Jurisprudence at the End of the Twentieth Century," *New Mexico Law Review* 37, no. 2 (Spring 2007): 245-306; and Olden, *Racial Uncertainties*.

³² For more on *Plyler*, see *Plyler v. Doe*, 457 U.S. 202 (1982); and Michael A. Olivas, "Plyler v. Doe, the Education of Undocumented Children, and the Polity," in *Immigration Stories*, ed. David A. Martin and Peter H. Schuck (New York: Foundation Press, 2005), 197-220.

³³ Daniel Martinez HoSang, *Racial Propositions: Ballot Initiatives and the Making of Postwar California* (Berkeley: University of California Press, 2010), 196.

Prop 187 was ruled unconstitutional in subsequent legal challenges—clearly, it was in violation of *Plyler*—but it significantly altered the political landscape surrounding immigration policy and deepened a sense of fear and exclusion among undocumented immigrants that has continued to this day. Recently, Texas Governor Greg Abbott has called for a legal challenge to *Plyler* so that the state can institute a law similar to the draconian 1975 law that banned state funding for school districts that admitted undocumented children.³⁴ Such threats only embolden those with anti-Latina/o, racist views, and force undocumented families further into the shadows.

Since the 1990s, when many school desegregation cases ended, racial segregation has only intensified. This re-segregation has been partly fueled by a major shift in the composition of the nation's school children. White student enrollment has fallen by 30 percent, while the Latina/o student population has grown to about four times what it was in the 1960s.³⁵ But is also fueled by legal limitations on the definition of a segregated school system. Courts have long recognized two forms of segregation: *de facto* and *de jure*. *De facto* segregation, the argument goes, is the result of housing patterns, class dynamics, demographics, and individual choice, while *de jure* segregation is the consequence of state action. During the late 1960s and 1970s, when most northern and western school desegregation cases were litigated, no court took up the question of whether this was, in fact, a meaningful distinction. They continued to recognize as unconstitutional only segregation that met the very narrow definition of *de jure*, segregation

³⁴ Edward McKinley, "Gov. Abbott Wants to Ban Unauthorized Immigrants from Texas Schools," *Houston Chronicle*, 5 May 2022, <https://www.houstonchronicle.com/politics/texas/article/Gov-Greg-Abbott-eying-lawsuit-to-end-public-17150729.php>, accessed 6 September 2022; and J. David Goodman, "Texas Governor Ready to Challenge Schooling of Migrant Children," *New York Times*, 5 May 2022, <https://www.nytimes.com/2022/05/05/us/texas-schools-undocumented-immigrants-supreme-court.html>, accessed 6 September 2022.

³⁵ Gary Orfield and Erica Frankenberg, with Jongyeon Ee and John Kuscera, *Brown at 60: Great Progress, a Long Retreat and an Uncertain Future*, The Civil Rights Project/Proyecto Derechos Civiles, 15 May 2014, 2.

created and/or maintained by state action.³⁶ Thus, the mere existence of segregated schools today is not enough to win a school segregation lawsuit. Lawyers must be able to prove that school officials manufactured segregation with discriminatory intent, a high bar in a society that has done a very good job of hiding the structural mechanisms of discrimination.

The problem of school segregation is particularly acute for Latinas/os in the U.S. West, where they are the largest K-12 student population (41.4 percent).³⁷ By 2011, approximately 45 percent of Latina/o students in this region attended schools that were 90-100 percent minority. This is in marked contrast to 1968, when about 11.7 percent of Latina/o students were enrolled in such schools. This is a 282.9 percent increase over a 43-year period. In some western states, the situation is even more dire. In California (55.4 percent) and Texas (53.5 percent), over half of all Latina/o students go to schools that are 90-100 percent minority.³⁸ Many others attend schools that are not as starkly segregated but are still racially imbalanced. In many western cities, moreover, Black and Latina/o students are increasingly attending schools together. This is a pattern the plaintiffs in the *Keyes* case had pointed to as evidence of unconstitutional segregation. There are no signs that racial segregation in western school districts will abate anytime soon.

³⁶ Historians and other scholars have demonstrated that the distinction between *de jure* and *de facto* segregation is ahistorical; it does not accurately describe the way segregation historically operated. As Matthew Lassiter argues, “The label of *de facto* segregation is so historically loaded—so wrapped up in artificial binaries between South and North, between the educational and residential areas, between deliberate state action and private market forces, between White culpability and White innocence—that historians should discard it as an analytical and descriptive category and evaluate it instead as a cultural and political construct.” Matthew D. Lassiter, “De Jure/De Facto Segregation: The Long Shadow of a National Myth,” in *The Myth of Southern Exceptionalism*, ed. Matthew D. Lassiter and Joseph Crespino (Oxford: Oxford University Press, 2009), 28. See also John A. Powell, “Living and Learning: Linking Housing and Education,” in *In Pursuit of a Dream Deferred: Linking Housing and Education Policy*, ed. John A. Powell, Gavin Kearney, and Vina Kay (New York: Peter Lang Publishing, 2001), 15–48; and Drew S. Days III, “The Current State of School Desegregation Law: Why Isn’t Anybody Laughing?,” in *In Pursuit of a Dream Deferred*, 159–182; Brett Gadsden, *Between North and South: Delaware, Desegregation, and the Myth of American Sectionalism* (Philadelphia: University of Pennsylvania Press, 2012); Delmont, *Why Busing Failed*; Erickson, *Making the Unequal Metropolis*; and García, *Strategies of Segregation*.

³⁷ Orfield and Frankenberg, *Great Progress*, 9.

³⁸ Orfield and Frankenberg, *Great Progress*, 23–25.

Instead, demographic trends point to a rapidly rising Latina/o student population and increasing racial isolation.

Conclusion

Latina/o history is central to U.S. history. There is simply no way of understanding the complex social, economic, and political histories of the nation without accounting for Latina/o experiences and contributions. As historian Vicki Ruiz so eloquently remarked in 2006, “*Nuestra América es historia americana. Our America is American history.*”³⁹ In the same vein, there is no comprehending the present-day United States without serious consideration for the largest minority group in the nation. Latina/o economic and educational realities profoundly influence the economic and educational health of the nation. As a significant part of the working-class and a growing segment of the middle-class, Latinas/os represent a rapidly increasing percentage of the American populace. The brief historical overview sketched here illuminates some of the major themes and moments in Latina/o history in the U.S. West and, hopefully, points toward particular pathways for improving Latina/o economic security and educational attainment. One of the major difficulties will be in overcoming differences among Latinas/os, differences in race, nationality, class, gender, sexuality, religion, and citizenship status. But if history has taught us anything, it is that these divides are not inevitable. Difference is constructed and as such, can be deconstructed. The future of Latinas/os in the United States will undoubtedly be shaped by our ability to do so.

³⁹ Vicki L. Ruiz, “*Nuestra América: Latino History as United States History,*” *Journal of American History* 93, no. 3 (December 2006): 672.