In May of 2010, Arizona Governor Jan Brewer signed H.B. 2281, a law that mandates the removal from public schools courses that “promote the overthrow of the United States government, promote resentment toward a race or class of people, are designed primarily for pupils of a particular ethnic group, or advocate ethnic solidarity instead of the treatment of pupils as individuals.” In response to this victory for anti-immigration Arizonans, the state’s former superintendent of schools, Tom Horne, said, “We should be teaching these kids that this is the land of opportunity, and, if they work hard, they can achieve their dreams, and not teach them that they're oppressed.” The legislation had been designed with the Mexican-American Raza Studies Program in the Tucson Unified School District (TUSD) in mind. However, to students, educators, and members of Tucson’s Mexican-American community, the ethnic studies courses do not challenge the status quo, nor do they promote racism. As the students expressed in the video clip, these courses help Mexican-American students to claim a place in American society and in U.S. history. Not only that, they give students from many backgrounds a forum in which to examine cultural forces and government policies that historically have marginalized immigrants and people of color. Arizona’s decision to eliminate ethnic studies courses negates decades of effort to create a curriculum that encourages empowerment of students from many cultures and to recognize that “Americanness” is a complicated and fluid concept. These issues make H.B. 2281 an excellent case study for use in college classrooms in order to engage students in a critical analysis of how political bodies have

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2 [http://www.commondreams.org/view/2010/05/24-7](http://www.commondreams.org/view/2010/05/24-7).
used the public school system to protect Americanness in times of unchecked immigration, and to support study of the nation’s multifaceted cultural heritage during others.

A century ago, when the nation was experiencing an unprecedented influx of immigrants from countries many Americans deemed to be inferior, they reacted in a number of ways. First, they demanded and succeeded in passing restrictive immigration policies targeted specifically at immigrants from Southern and Eastern European countries. Second, as World War I intensified in Europe, Americans called for 100 percent Americanism and programs to accelerate assimilation and “Americanization”. Both Presidents Theodore Roosevelt and Woodrow Wilson decried immigrants who maintained a hyphenated identity, a concept that would be both celebrated and challenged at various times though the twentieth century and into the present. Immigration restrictions that went into effect in the 1920s drastically reduced replenishment of ethnic communities and encouraged assimilation. To many historians and sociologists, by the 1950s the melting pot process popularized by Jewish immigrant playwright Israel Zangwill in 1908 had left only vestiges of immigrants’ ethnic cultures.

However, interest in cultural differences and exposure of discrimination moved to the forefront of American attention as a result of the African American civil rights movement. In the decades after passage of the 1965 immigration act, renewed immigration created a school-age population of non-native speakers. This issue spurred Congress to mandate bilingual education in public schools. In addition, attention to minority cultures triggered white Americans to seek out their European roots. The growing interest among ethnic and racialized groups to locate a heritage outside of the dominant culture compelled Congress to authorized an ethnic studies initiative. The 1972 initiative responded to demands made by European heritage Americans to have educational programs to “counterbalance” attention and funds for minority studies. Federal money was set aside to fund ethnic studies courses. While at the college level the majority of new courses examined European cultures, public school districts began to add African American and Native American studies courses. In the West and Southwest, although the Mexican

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American Chicano civil rights movement strongly advocated Chicano studies, the introduction of courses occurred at a slower rate.

Ethnic studies courses entered the TUSD curriculum in 1974, when a federal district court judge ordered the district to create them. The district added African American studies courses, part of whose stated purpose was to empower students through academics and community outreach. It was another two decades before TUSD introduced Mexican-American studies courses, even though Mexican-Americans had participated with African Americans in the 1974 anti-discrimination lawsuit. The Mexican American Raza Studies program targeted by Tom Horne was established in 2006, and received support for its enhancement in 2009. One impetus for that decision was to convince the federal district court to release TUSD from 31 years of supervision to ensure that the district was in compliance with the desegregation and anti-discrimination ruling of 1974.4

In Arizona the issue of multicultural education was more complicated than nostalgic roots-seeking. Traditionally, government at many levels saw the public school system as the great assimilating force for the children of European immigrants. Education was the path to assimilation and socioeconomic advancement. However, in the Southwest race, poverty, and labor needs shaped a divided community in which Mexican-American children experienced schooling more similar to that of African American children. Mexican-heritage children tended to be in segregated schools where they were forbidden from using Spanish, and had a limited curriculum that was designed to perpetuate a low-skilled labor force. In the late nineteenth century Americans had also used children as a way to dissimilate Native American tribal cultures in the infamous boarding house movement. There, reformers practiced the philosophy of de-ethnicization and Americanization, what Mexican Americans in the 1970s would describe as “forced Americanization”. In all three cases, government’s partial solution to the problem of controlling resident foreign populations and reducing the perpetuation of their cultures in ethnic communities was to isolate the children from their heritage.

Zangwill’s melting pot, which worked so well for European immigrants during the period of restricted immigration between the 1920s and 1960s has been thwarted by the reality of life in borderland states. There, immigration, transnationalism and maintenance of cultural relevance offer significant challenges to traditional ideas about public school and Americanization. While, early twentieth century immigrants who wanted their children to learn about native cultures established after school programs, the issue of school recognition of and respect for biculturalism has been a key part of Mexican-American parents’ advocacy regarding their children’s education.

To Horne and like-minded Arizonans, biculturalism and ethnic studies courses promote special interest group unity, generate anti-white sentiments, undermine pride in U.S. history, and create divisiveness among students and in the wider community. The language of the legislation is indicative of a widespread sentiment in the state regarding the perceived -- or real -- influence of Mexican American culture and its threat to the American way of life. Taken in tandem with Arizona’s 2010 law S.B. 1070, restrictive immigration legislation whose intent is to empower law enforcement personnel to protect the state from illegal immigrants, the message in Arizona is clear. According to restrictionists, immigration and a permanent and growing Mexican population are perpetuating a bicultural state and thus undermining Americansness. Following patterns established in the early twentieth century, Americans responded to this situation by seeking to effect change in a place that has had a significant long-term impact on assimilation: the public schools. To many Arizonans, H.B. 2281 is a tool politicians have given educators in order to reclaim a social studies curriculum that has been undermined and distorted by special interests.

To opponents of the bill, ethnic studies courses are a necessary tool for providing minority students with esteem-building information about their own histories that tend to be minimally addressed or absent from standard curricula. The courses are open to all interested students and encourage cultural sensitivity and a cross-cultural critical analysis of American history. Educators and researchers argue that a culturally inclusive curriculum and access to minority teachers improves student learning, self-esteem and also
contributes significantly to success rates. These are the same arguments used by advocates of African American studies courses since the Civil Rights era. In 2010 Sean Arce, TUSD’s director of the Mexican American Raza Studies Program reported that while the national graduation rate for Mexican Americans is 44 percent, students in his program have a 98 percent graduation rate. The program also boasts college matriculation rates of nearly 80 percent for Latino students, which is a striking contrast to the national average of 25 percent. Data tells just one part of the story. The courses have significant and profound meaning for students as well as adults, and, as seen in the video clip, Latinos as well as non-Latinos. "With H.B. 2281, they are trying to take away from us the only program that has shown to have unprecedented success with reaching Latino students," said civil rights attorney Ricardo Martinez. "They want to gut us. They want to take away our souls, our heart, our history and our culture. They say we have no right to teach that in our classrooms, that we're un-American." Any addition or deletion from a public school curriculum is a complicated and often contentious process. As we have seen recently in Texas, state social studies standards are typically the result of politicized discussions of what constitutes the “master narrative” of the nation’s and the state’s historical journey. In Arizona, the social studies standards do not reflect the extent of Mexican-Americans’ roles in the state’s heritage and history. Taken in tandem with H.B. 2281, the issue of including ethnic studies in public school curriculum provides a challenging project within which to engage undergraduates, nearly all of whom are required to take a multicultural course to fulfill general education requirements. In Shadows at Dawn: A Borderlands Massacre and the Violence of History, Karl Jacoby articulates the issue to be put to students. He writes, “If this process of conquest and commemoration silenced other communities


altogether, it frequently relegated their stories of the past to obscurity or even called into question these other tales’ historical validity.”

On March 13, 2011 The Arizona Daily Star reported that TUSD is transferring oversight of the Mexican American Raza Studies Program to Lupita Cavazos-Garcia, the Assistant Superintendent of Schools of Government Programs and Community Outreach, who also supervises African American, Native American and Pan-Asian studies programs.

H.B. 2281
Signed by Governor Jan Brewer of Arizona in May 2010


**15-111. Declaration of policy**

The legislature finds and declares that public school pupils should be taught to treat and value each other as individuals and not be taught to resent or hate other races or classes of people.

**15-112. Prohibited courses and classes; enforcement**

A. A school district or charter school in this state shall not include in its program of instruction any courses or classes that include any of the following:

1. Promote the overthrow of the United States government.
2. Promote resentment toward a race or class of people.
3. Are designed primarily for pupils of a particular ethnic group.
4. Advocate ethnic solidarity instead of the treatment of pupils as individuals.

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