



Historical Inquiry Question

*How was Prop 187 resisted
and ultimately defeated?*

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Content Standards

11.10: Students analyze the development of federal civil rights and voting rights.

11.10.2: Examine and analyze the key events, policies, and court cases in the evolution of civil rights, including *Dred Scott v. Sanford*, *Plessy v. Ferguson*, *Brown v. Board of Education*, *Regents of the University of California v. Bakke*, and California Proposition 209.

CCSS Standards:

CCSS.ELA-LITERACY.RH.11-12.1

Cite specific textual evidence to support analysis of primary and secondary sources, connecting insights gained from specific details to an understanding of the text as a whole.

CCSS.ELA-LITERACY.RH.11-12.2

Determine the central ideas or information of a primary or secondary source; provide an accurate summary that makes clear the relationships among the key details and ideas.

CCSS.ELA-LITERACY.RH.11-12.7

Integrate and evaluate multiple sources of information presented in diverse formats and media (e.g., visually, quantitatively, as well as in words) in order to address a question or solve a problem.

CCSS.ELA-LITERACY.RH.11-12.9

Integrate information from diverse sources, both primary and secondary, into a coherent understanding of an idea or event, noting discrepancies among sources.

Develop the topic thoroughly by selecting the most significant and relevant facts, extended definitions, concrete details, quotations, or other information and examples appropriate to the audience's knowledge of the topic.

CCSS.ELA-LITERACY.WHST.11-12.2.E Provide a concluding statement or section that follows from and supports the information or explanation provided (e.g., articulating implications or the significance of the topic).

Write routinely over extended time frames (time for reflection and revision) and shorter time frames (a single sitting or a day or two) for a range of discipline-specific tasks, purposes, and audiences.

Historical Thinking Concepts: “The Big Six” (Seixas & Morton, 2013)

Historical Significance: How do we decide what is important to learn about the past?

Guidepost 1: Events, people, or developments have historical significance if they resulted in change. That is, they had deep consequences, for many people, over a long period of time.

Guidepost 2: Events, people, or developments have historical significance if they are revealing. That is they shed light on enduring or emerging issues in history or contemporary life.

Cause and Consequence: Why do events happen, and what are their impacts?

Guidepost 1: Change is driven by multiple causes, and results in multiple consequences. These create a complex web of interrelated short-term and long-term causes and consequences.

Guidepost 3: Events result from the interplay of two types of factors: (1) Historical actors, who are people (individuals or groups) who take actions that cause historical events, and (2) the social, political, economic, and cultural conditions within which the actors operate.

Historical Perspectives: How can we better understand the people of the past?

Guidepost 5: Different historical actors have diverse perspectives on the events in which they are involved. Exploring these is key to understanding historical events.

The Ethical Dimension: How can history help us live in the present?

Guidepost 5: Our understanding of history can help us make informed judgements about contemporary issues, but only when we recognize the limitations of any direct “lessons’ from the past.

Overview of Lesson

Students will continue their learning on Prop 187, a proposition passed in California in 1994 that aimed to limit access to public services to undocumented immigrants in the state. In this particular lesson, students will examine the different ways activists resisted against Prop 187, which was passed in November 1994 but never implemented. Students will participate in a gallery walk in which they circulate the classroom to read quotes of activists from the time period. Their task will be to complete a graphic organizer as they circulate, writing in the quote and determining what type of resistance is embodied in the quote. At the end of the lesson, students will conduct a “One Pager” in which they create a poster with quotes and illustrations, showing how activists resisted the law.

Sources

- A. Carey, Bob. 1994. Students from Belmont High wave flags and yell from the steps of L.A. City Hall after they walked out of school and marched through downtown to protest Proposition 187 in 1994. Los Angeles Times.
- B. Ogilvie, Jessica P. 2019. Proposition 187: Why a Ballot Initiative That Passed 25 Years Ago (And Never Went Into Law) Still Matters. LAist.
- C. Nuñez, Fabian. 2017. How Anti-Immigrant Rhetoric Drove My Generation Into Politics. Zocalo Public Square.
- D. Galindo, Erick. 2019. How 'An Attack On Us Brown People' 25 Years Ago Created A New Generation Of Activists. LAist.
- E. de Leon, Kevin. 2019. Prop. 187 threatened CA immigrant families – and inspired a new generation of leaders. The Sacramento Bee.
- F. Simon, Richard. 1994. Group Forms to Fight 'Immigrant-Bashing'. Los Angeles Times.
- G. Time Magazine. 1995. Judge Says Prop 187 is Unconstitutional.

Procedures

1. **Warm-Up:** Have the class analyze a photograph of students protesting Prop 187 (**Source A**) and answer this question:
What do you notice about the photo? What stands out to you?
What questions would you ask this group of students?
After about five minutes, ask students to turn and talk with a partner to share their responses and then have a few volunteers share their partner's response with the class. Inform students that the rest of today's lesson will focus on the resistance against Prop 187.
2. Introduce the inquiry question: **How was Prop 187 resisted and ultimately defeated?**
3. Then, provide some historical context for this lesson. There is a Background Essay **Handout** attached to this lesson that you can ask your students to read. Additionally, you can show this short video that provides a great overview of Prop 187, its history, and significance in California. Have students take notes as this information will be helpful to use as reference later:
<https://www.sacbee.com/news/local/history/article237024194.html>
4. Teach students about the different types of resistance that were employed against Prop 187 using the **Handout**. Ask student volunteers to read aloud each type of resistance one by one. As students read each one, ask the class for an example of what that would look like. Track student responses on a document camera or whiteboard to compare the subtle differences and overlaps between each type of resistance. Afterward, have students revisit **Source A** to determine which type of resistance is pictured. This way students will have a concrete example. *(Keep in mind that each source could represent a variety of different resistance strategies.)*
5. Next, have students conduct a gallery walk to analyze quotes of activists who were influential in fighting against Prop 187 (**Sources B-G**). *(Hang up the quotes around the classroom before students arrive, making sure that they are spaced out in different parts of the class.)* Break up the class into six evenly-sized groups and have each group start at one of the sources.
6. As student groups read each source, have them fill in notes in the graphic organizer (**Handout**). They will use the notes from the graphic organizer for their assessment. Act as timekeeper as groups analyze each source, announcing when it is time for them to switch to the next source.

Assessment

Students create a “One Pager” in which they answer the essential question and describe how activists were able to resist Prop 187. The instructions for how to complete a “One Pager” are included at the end of this packet. The One Pager was designed by AVID and is a strategy where students mix text and images, which can result in students remembering more about the topic according to Paivio's “dual coding theory”. For more about One Pagers click here:

<https://www.cultofpedagogy.com/one-pagers/>

Bibliography

Carey, Bob. 1994. Students from Belmont High wave flags and yell from the steps of L.A. City Hall after they walked out of school and marched through downtown to protest Proposition 187 in 1994. Los Angeles Times.

<https://www.latimes.com/california/story/2019-11-05/prop-187-california-gustavo-arellano-newsletter>

de Leon, Kevin. 2019. Prop. 187 threatened CA immigrant families – and inspired a new generation of leaders. The Sacramento Bee.

<https://www.sacbee.com/opinion/california-forum/article237110874.html>

Galindo, Erick. 2019. How 'An Attack On Us Brown People' 25 Years Ago Created A New Generation Of Activists. LAist. <https://laist.com/projects/2019/prop-187/>

Hinojosa, Maria and Varela, Julio R. 2019. In The Thick. Prop 187: Blue State, Red Country. The Futuro Media Group. <https://overcast.fm/+GDLKLEUll>

Kumamoto, Akira Olivia. 2019. The history of California Proposition 187. The Sacramento Bee. <https://www.sacbee.com/news/local/history/article237024194.html>

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Ogilvie, Jessica P. 2019. Proposition 187: Why a Ballot Initiative That Passed 25 Years Ago (And Never Went Into Law) Still Matters. LAist. https://laist.com/2019/11/06/proposition_187_what_you_need_to_know.php

Simon, Richard. 1994. Group Forms to Fight 'Immigrant-Bashing'. Los Angeles Times. <https://www.latimes.com/archives/la-xpm-1994-01-07-me-9368-story.html>

Time Magazine. 1995. Judge Says Prop 187 is Unconstitutional.
<http://content.time.com/time/nation/article/0,8599,5153,00.html>

Source A: "Students from Belmont High wave flags and yell from the steps of L.A. City Hall after they walked out of school and marched through downtown to protest Proposition 187 in 1994". *Los Angeles Times*, Photograph by Bob Carey, 1994



Source B: "Proposition 187: Why a Ballot Initiative That Passed 25 Years Ago (And Never Went Into Law) Still Matters", Jessica P. Ogilvie. *LAist*, 1994

Angel Cervantes, a student activist who organized the walk-outs as a response to Prop 187:

"[We] wanted to get involved and begin to organize mass demonstrations, walkouts, teach-ins. We began to hold meetings for high school students, because... we felt that if they're going to [protest], they should be as informed as they could."

In reference to the 10,000 students who walked out in protest of Prop 187:

"It was the biggest thing I had ever seen, probably one of the most life-changing empowering, moments. To see so many groups, so many organizations, so many banners, so many different Latin Americans... it was very powerful."

Source C: "How Anti-Immigrant Rhetoric Drove My Generation Into Politics", Fabian Nuñez, Zocalo Public Square, 2017

Fabian Nuñez, former Speaker of the California State Assembly, on his activism fighting against Prop 187:

"I was 27 years old in 1994, working at a nonprofit helping immigrants navigate the difficulties of life in Los Angeles, alongside some friends including Gilbert Cedillo and Kevin de León. We immediately saw this for what it was: an attempt to lay the blame for persistent economic uncertainty at the feet of a growing minority—the "Other." So, we did what we were good at: We organized people; we rallied; and we tried to show that the Latino population couldn't be taken for granted.

What surprised Pete Wilson and his Republican colleagues was that their plan to push people to the margins of society achieved the exact opposite. People were so outraged, so motivated, and so galvanized by this blatant attack on their American Dream that they moved out of the shadows and pledged to show the world that they were real people with real hopes and real aspirations.

To prove that, we organized two marches. The first, on February 28, 1994 in Los Angeles, was 20,000 strong; many of the attendees were people who, just a few short months earlier, were nervous about attending parents' night at their child's school for fear of running into authorities who would deport them. But at the march, they were fighting for their rights in front of television cameras.

On October 16, just a couple of weeks before the election, we staged another march, from Boyle Heights to City Hall. And this time, it wasn't just Latinos. It was religious and civic and elected and community leaders, marching in solidarity with us. And this time, we were 100,000 people—standing up for the American Dream and standing up to say that American opportunity isn't just for the few able to get through an arcane, Byzantine, broken immigration system. It's for everyone.

I'll never forget one telling moment: When that march was over, people didn't just go home. They took a few minutes to pick up the trash around them. Just as we were demanding not to be taken for granted, we were not taking our

community and our country for granted. We were demanding respect and dignity and were committed to showing respect and dignity. We wanted to leave our community cleaner than we found it."

Source D: "How 'An Attack On Us Brown People' 25 Years Ago Created A New Generation Of Activists", Erick Galindo, *LAist*, 2019

Antonia Hernandez, an attorney with Mexican American Legal Defense and Educational Fund (MALDEF) in 1994, is interviewed about her thoughts on the legacy of Prop 187:

The day after Prop. 187 passed, opponents filed suit. The measure was blocked by a federal judge shortly afterward. Three years later, a federal judge ruled it unconstitutional. Its controversial provisions were never implemented.

I talk with California Community Foundation President Antonia Hernandez, at the time a lawyer for the Mexican American Legal Defense and Educational Fund (MALDEF). She was among those who went to federal court the very next day after the election to fight the legal battle.

Hernandez is small in stature, and she has the kind of warmth in her eyes that reminds you of your favorite aunt. But tia's eyes kick up flames when you bring up the Prop. 187 battles, and you get the sense of her enormity in the legal world.

"All of those young men and women were activated and mobilized and decided to go into public service so that our voices could be heard," she tells me, when I ask her if it was the legal battle or the activism that won out against Prop. 187. "It was the litigation and the community organizing together that made what California is today."

We talk one recent night inside a giant auditorium at Loyola Marymount University, where she's speaking. There are hundreds of people walking around noisily, but nothing distracts me from this Mexican Ruth Bader Ginsburg.

"Actually, 187 scared the Latino community," Hernandez says. "It made us realize that we needed to become active and to mobilize in order for our voice to be heard. So yes, thank you, Gov. Pete Wilson for scaring the bejeebers out of our community."

I ask her about a well-known photo by noted photographer George Rodriguez.

In the 1990 photo, soon-to-be Gov. Pete Wilson was speaking to a group at the invitation of La Opinión. The photo captures Hernandez shooting some laser beams out of her eyes at the future governor from her table near the podium.

Source E: Prop. 187 threatened CA immigrant families – and inspired a new generation of leaders, Kevin de Leon, *The Sacramento Bee*, 2019

Kevin de Leon, former President pro tempore of the California State Senate, on the effects of Prop 187 on him and his contemporaries:

“It was clear that no one would speak for us. We had to stand up and speak for ourselves. So, 500 miles from the governor’s mansion, we met in Boyle Heights, at Cinco Puntos. We organized. Tens of thousands of families – mothers, fathers, grandparents, and children alike who stood to lose everything in this world to the passage of Prop 187 – came out and marched with us in unison.

For my peers and me, this was our political awakening. What was intended to strangle and starve an entire community turned out to be the inflection point for a generation of Latino leaders – and even turned the state blue.

I can say this without any hesitation: If it were not for Prop 187, most of us would never have thought about running for office. It just wasn’t in our blood – or so we thought. Fabian Nunez, who had never been a candidate in his life, ran for office and became speaker of the California State Assembly. Gil Cedillo, also a first-time candidate, rose through the Assembly and the Senate.

And I, the son of a single, immigrant mother, was elected in 2006 to the State Assembly. Eight years later, I became the first Latino to lead the California Senate in more than 133 years. Three months after that, I passed Senate Bill 396, tearing the last remnants of Prop 187 from our legal code.”

Source F: Group Forms to Fight 'Immigrant-Bashing'. Richard Simon.
Los Angeles Times, 1994

Several prominent elected officials in Los Angeles County, including former Supervisor Gloria Molina and current California Attorney General Xavier Becerra, were a part of this new organization aimed at fighting against xenophobia, a word meaning hate toward immigrants.

...I[PRIDE was] established by Latino organizations and politicians to fight "immigrant-bashing" and to attempt to raise the level and tone of the immigration debate in the upcoming political campaign...

The new group also plans to lead a campaign to defeat proposed state initiatives that would deny illegal immigrants and their children access to public hospitals and schools...

The new group said its efforts will follow four principles:

1. The best way to reduce illegal immigration is "raise the standard of living and improve life opportunities in the sender countries. This requires greater emphasis on economic development, the fostering of democratic movements and foreign assistance to the countries that are the primary sources of migration."
2. The right of citizenship must not be compromised and promoting citizenship among immigrants "must become a national priority."
3. "Human dignity and respect are cornerstones of the American tradition, and all immigrants, including the undocumented, have basic human and civil rights," including access to public hospitals and schools.
4. "As a sovereign nation, the United States is entitled to control and regulate its borders. Border control must be civilian, and guided by the values of efficiency, safety, dignity and humanity."

"It is critical that Californians understand that people do not come to this country to enroll their children in school," said Assemblywoman Martha Escutia (D-Huntington Park). "They come here to work, and as long as there is a demand for poorly paid cooks, gardeners and nannies, they will continue to

come."

"This organization is not here to promote undocumented immigration," Rep. Xavier Becerra (D-Los Angeles) said. "It is here to promote a balanced debate on immigration to lead to some solutions to immigration."

Source G: "Judge Says Prop 187 is Unconstitutional", Time Magazine, 1995

Almost immediately after Prop 187 was passed, many organizations including the Mexican-American Legal Defense and Educational Fund (MALDEF) filed lawsuits challenging the law. Their intention was to show the unconstitutionality of the law and have it struck down by a judge. They were successful.

A federal judge has ruled that much of California's controversial Proposition 187, which denies public services to undocumented immigrants, is unconstitutional. United States District Judge Mariana Pfaelzer ruled that the state proposition is an illegal attempt to regulate immigration.

San Francisco Bureau Chief David Jackson reports: "California has an enormous number of illegal aliens, and 187 was an attempt to slow their influx. But as this judge's ruling illustrates, there are a lot of complex legal questions involved, and this is a long way from being resolved. Prop 187 has never really been implemented. It was virtually frozen in its tracks the day after the elections by lawsuits challenging its legality. This ruling will have little immediate impact not only because of the court challenges, but also because many of the teachers and medical professionals have refused to withhold services to the illegal immigrants.

Handout: Background Essay

The United States has a long and well-documented history of immigration reform efforts. Laws like the 1798 Alien Act, the 1882 Chinese Exclusion Act, and the 1921 Immigration Act are evidence of this. Historians debate the viability of these laws, but what is certain is that most immigration reform efforts are accompanied by xenophobic rhetoric used by politicians and their supporters in advertisements (*"The Chinese Must Go!"*, 1886), demonstrations (The KKK march on Washington D.C., 1928) and speeches.

In 1979 the Federation for American Immigration Reform (FAIR) was created by John Taunton, Otis L. Graham Jr., and Sidney Swensrud. The organization, which has been labeled a hate group due to its connection to several white supremacist organizations¹, is credited with sparking the modern immigration reform movement². FAIR worked hard to convince border states and the Immigration and Naturalization Service (INS) to approach immigration as a national crisis³.

California Proposition 187 appeared as a ballot initiative in the 1994 state election. "Prop187", or the "Save Our State" initiative, was introduced to the California state legislature by Republican Dick Mountjoy of Monrovia. The initiative was supported by FAIR and written by members of the INS. The goal of "Prop 187" was to establish a state-run citizenship screening system targeting undocumented immigrants living in California and making them ineligible for public benefits.

Supporters of "Save Our State" ("SOS"), argued its economic benefits but often these claims were filled with comments that opponents believed to be racist, "the initiative would save the state money and make California so uncomfortable for undocumented immigrants that they would 'go home'".⁴ The key argument made by SOS was that Prop 187 would save California \$200 million annually as a result of stopping undocumented immigrants' access to health, education, and child welfare benefits; this made the initiative appealing to many in California.⁵

Opponents claimed that Prop 187 was wrong politically, economically, and morally. They claimed that the savings were miscalculated and that the denial of

medical services to undocumented would actually result in increased state and local healthcare costs. They also pointed out that the advertisements used by then-Governor Pete Wilson showing footage of large groups of people running across the border from Mexico were racist, "The measure is divisive and demonized folks who were trying to escape poverty and improve the situation for their families..."⁶

The initiative sparked a storm of protest from various groups such as teachers and the ACLU who stated that the Prop was racist because it targeted the Latinx community and would not provide them basic rights. In October 1994, approximately 70,000 protestors marched against Prop 187 including thousands of students, marched in downtown Los Angeles. Despite these efforts, Prop 187 passed with 59% of the vote. However, the opposition mobilized to prevent the bill from becoming law....

Footnotes

1. "Federation for American Immigration Reform, *Southern Poverty Law Center*. <http://bit.ly/2VfMigI>
2. "The Anti-Immigration Crusader", Jason DeParle, *The New York Times*, April 17, 2011. <https://nyti.ms/3c6aW9Ml>
3. "Prop 187 flopped, but it taught the nation's top immigration-control group how to win", Gustavo Arellano, *Los Angeles Time*, November 8, 2019. <https://lat.ms/2TfuqQG>
4. "California's SOS in Immigration", Robert Suro, *The Washington Post*, 1994,
5. "THE TIMES POLL : Anti-Illegal Immigration Prop. 187 Keeps 2-to-1 Edge", by Paul Feldman, *The Los Angeles Times*, 1994
6. "Why California Should Vote 'No' on Proposition 187 : This great state is bigger and better and wiser than this", *The Los Angeles Times* Editorial Board, 1994

Handout: Types of Resistance

1. **Protests:** A general term for resistance in which people make their voice heard in the public space - usually in mass demonstrations where people gather together - through the use of signs, chants, and public speeches.
2. **Walkouts:** The action of walking out of classes on the part of students to protest a social injustice, coalescing into a march to a predetermined location where the protest continues.
3. **Marches:** The organized walking of a large demonstration of people through public streets to a predetermined location where there is a platform for speakers to address the gathered crowd on the social injustice issue.
4. **Organizing:** Could involve either the refocused efforts of an existing organization toward addressing the social injustice, or the formation of a new organization by the community to address the social injustice.
5. **Lawsuits:** A legal recourse by which individuals or organizations sue an entity, such as a local or state government, to prevent an unjust law from taking effect.
6. **Political Campaigns:** Could take on multiple forms, including running for elected office or a voter registration drive to get more people from the community to vote in elections to address a social injustice.
7. **Legislation:** People from the community push for new legislation (laws) to fight against a social injustice.

Handout: Prop 187 Gallery Walk Organizer

Use this graphic organizer to summarize the information presented in the gallery walk. As you reach each quote, fill in the blanks and provide textual evidence to support your answer.

	<i>Which type of resistance was used to fight against Prop 187?</i>
Source	Type(s) of Resistance: _____ Textual Evidence:
Source	Type(s) of Resistance: _____ Textual Evidence:

Source	Type(s) of Resistance: _____ Textual Evidence:
Source	Type(s) of Resistance: _____ Textual Evidence:
Source	Type(s) of Resistance: _____ Textual Evidence:
Source	Type(s) of Resistance: _____ Textual Evidence:

Source	<p>Type(s) of Resistance: _____</p> <p>Textual Evidence:</p>
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Handout: The One-Pager: An AVID Strategy

A One Pager is a single-page response that shows your understanding of a piece of text you have read, be it a primary source, article, biography, or any other type of historical text. It is a way of making a representation of your individual, unique understanding. It is a way to be creative and experimental; it is a way to respond to your reading imaginatively and honestly.

The purpose of a One Pager is to own what you are reading since we read differently when we know we are going to do something with the text that we have read. We learn best when we are able to create our own patterns!

The Rules:

- You may do all or a few of the following activities. It's up to you!
- Use a lot of color and patterns (perhaps even texture!) to illustrate your thoughts and ideas clearly and creatively.

What To Do:

- Be sure to put the inquiry question you're responding to somewhere on the page where the reader will notice it (This is required).
- Pull out one or more "notable quotes" or phrases that jump out at you, make you think or wonder, or remind you of something. Write them down anywhere on your page. Use different colors and/or writing styles to individualize each "quote" or phrase.
- Use a visual image, either drawn or cut out from the lesson, which creates a visual focus- these pictures need to illustrate what pictures you have in your mind from reading.
- Make a personal statement about what you have read--what did it mean to you personally? What is your opinion, final thought, big question or personal connection?
- Ask a question or two and answer it.
- Create it in such a way that your audience will understand something about the literature from your One Pager

What Not To Do:

- Don't merely summarize--you're not retelling the story.
- Use unlined paper only, to keep from being restricted by lines.
- Don't think half a page will do-make it rich with "quotes" and images. FILL THE PAPER UP!