

MEXICAN-AMERICAN STUDIES IN TUCSON, ARIZONA AND THE *ACOSTA V. HUPPENTHAL* DECISION

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ABSTRACT. *This note examines the political context surrounding the banning of the Mexican American Studies program in Tucson, Arizona and the Acosta v. Huppenthal decision, which leaves the ban largely intact. The convergence of economic crisis and partisan politics contributed to the rise in anxiety over the demographic shifts of the state of Arizona, for which Mexican American Studies became a symbolic target for Republicans. Mexican American Studies was declared in violation of a new law passed by the Republican dominated legislature, A.R.S. § 15-112, by Arizona Superintendent John Huppenthal, despite the conclusion by an independent audit he ordered which concluded otherwise. This left leaders within the Mexican American community and civil rights organizations with the conclusion that the ban on Mexican American Studies was politically motivated. This note explores the motivations by individual political actors, such as the current Attorney General of Arizona Tom Horne, and how he rose to power on a platform centered on the ban against Mexican American Studies.*

KEY WORDS: *Mexican American Studies, ethnic politics, Republican Party, partisanship, Tucson, Arizona.*

RESUMEN. *Esta nota examina el contexto político alrededor del programa de Estudios México-Americanos en Tucson, Arizona y la decisión Acosta v. Huppenthal. La convergencia de la crisis económica y las políticas partidistas contribuyeron al aumento de la ansiedad sobre los cambios demográficos del estado de Arizona, por lo cual el Programa de Estudios México-Americanos se convirtió en un objetivo simbólico de los republicanos. El Programa de Estudios México-Americanos fue declarado violatorio de una nueva ley aprobada por una legislatura dominada por los republicanos, A.R.S. § 15-112, por el superintendente de Arizona John Huppenthal, a pesar de la conclusión de una auditoría independiente que él ordenó y quien concluyó lo contrario. Lo anterior llevó a los*

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líderes de la comunidad México-americana y organizaciones de derechos civiles a concluir que la prohibición del programa de Estudios México Americanos fue por motivos políticos. Esta nota explora las motivaciones de los actores políticos, como el actual fiscal general de Arizona, Tom Horne, y la forma en que llegó al poder en una plataforma centrada en la prohibición de estudios mexicanos.

PALABRAS CLAVE: *Estudios México-Americanos, políticas étnicas, Partido Republicano, Tucson, Arizona.*

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I. INTRODUCTION

The *Acosta v. Huppenthal*¹ decision illustrates the confluence of socio-economic forces and partisan politics in shaping public policy, providing historical context to the banning of the Mexican-American Studies program in Tucson, Arizona. Rooted in political opportunism and a historical proclivity to cultural domination by the majority population in Arizona, A.R.S. § 15-112² is part of a long string of political attempts to leverage cultural anxiety for political gain. As a state covered under Section 5 of the Voting Rights Act,³ designed in large part to address injustices committed against African-Americans in the South, the historical evidence of Arizona's civil rights record is well established and will not be discussed here. It is important, however, that readers are made aware of this historical fact to help them understand the cultural setting that led to the ban on Mexican American Studies in Arizona, as well as why A.R.S. § 15-112 arose when it did. The focus of this paper will center on the contemporary political climate and how that contributed to A.R.S. § 15-112. We then discuss the *Acosta v. Huppenthal* decision, followed by a discussion of the decision's legal implications and its impact on the Mexican-American community.

¹ See *Acosta v. Huppenthal*, CV 10-623-TUC-AWT, 2013 WL 871892, (D. Ariz. Mar. 8, 2013), *judgment entered*, CV 10-623-TUC-AWT, 2013 WL 871948 (D. Ariz. Mar. 8, 2013).

² Ariz. Rev. Stat. Ann. § 15-112 (2011).

³ 42 U.S.C.A. § 1973c (West 2006).

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