



RICK HESCH

In Lak'ech

Racism and antiracism in the USA

On March 23, 2012, Emelia Hernandez¹ is reading aloud from *Harvesting Hope: The Story of Cesar Chavez* (Harcourt Children's Books, 2003) with her predominantly Chicano/a grade 4 students in a barrio-bordering Phoenix, Arizona elementary school. The still, enraptured students form a crescent at her feet as she reads softly and emotively. The bookshelves behind the children include other fictional and nonfictional student and teacher resources defining a culturally relevant classroom. Several handmade posters adorn walls above the whiteboards, all bearing upbeat peace or justice catchphrases. Emelia asks: "What does it mean to be a migrant worker? Is it like other people who work on farms we have looked at?"

A student responds, "Is it like being a slave?"

Another student asks, "What does 'migrant' mean?"

Still another student turns to her: "It means for a bunch of people to move from one place to another."

Emelia: "Who were the first migrants?"

Several students: "The pilgrims!"

Emelia: "That's right! And how did the pilgrims survive?"

The students respond that they survived because the Native

Americans taught them how to hunt, fish and grow crops like they are doing in the book being read today.

Emelia: “Did this last forever?”

Several students: “No.”

Emelia: “What happened once the pilgrims learned how to do all the stuff they needed to do on that land?”

Students: “They made the Native Americans be slaves.”

When Hernandez senses her students are getting restless she stops reading and they join in a concluding ritual, choral singing of John Mayer’s 2006 hit “Waiting on the World to Change.”

Hernandez, who identifies as Chicana, says, “I always thought it was something that I was supposed to teach the kids...Mexican-American history, or Mexican-Americans in American history, the sense of who they are...” (Hernandez, personal communications, March 23, 2012). Thus, last week, Hernandez and her students read selected vignettes from Chicana novelist Sandra Cisneros’ acclaimed, award-winning *The House on Mango Street*. If she had tried to read from the novel to students in a classroom two hours south in Tucson, as part of the Mexican-American Studies (MAS) program, Hernandez would be subject to administrative discipline for using material officially removed from MAS classrooms. That’s one reason Hernandez has been actively involved with the Arizona Teachers for Justice as part of a national opposition to Arizona’s legalized attack on a model for Latino/a education.

On May 11, 2010, Arizona governor Jan Brewer signed HB 2281 into law, thus enacting Arizona Revised Statutes 15-111 and 15-112 (“A.R.S. § 15-112”). The legislation outlawed any school program in Arizona which:

- Promotes the overthrow of the U.S. government.
- Promotes resentment towards a race or class of people.
- Is designed primarily for pupils of a particular ethnic group.
- Advocates ethnic solidarity instead of the treatment of pupils as individuals.

On December 30, 2010, as his last act in office, Arizona State Superintendent of Public Instruction Tom Horne declared the Tucson Unified School District's (TUSD's) Mexican American Studies program out of compliance with A.R.S. §15- 112. In his statement of Finding, Horne noted that A.R.S. §15- 112 legally gave him grounds to shut down all of TUSD's four ethnic studies programs, but that he was selecting only the MAS program because it was MAS which had been the subject of criticism. Fundamentally, Horne's avowed difficulty with the MAS program was its explicit critical stance, including its devotion to *la Raza* and the program's "basic text" (Horne, 2010, p. 7) *Pedagogy of the Oppressed*, by "a Brazilian Marxist" (Ibid) Paulo Freire, as well as Rodolfo Acuña's *Occupied America: A History of Chicanos*.² While he made claims to justify all four of the legislation's criteria, Horne's ideological problems with the MAS program can be phrased in his own words, largely as uttered on CNN's *ANDERSON COOPER 360* on May 12, 2010:

- "The idea behind the legislation is that students need to treat each other as individuals ... and not what race they were born into"
- "They teach them that this is occupied territory that should be given back"
- "...what I'm opposed is dividing kids up, so they have raza studies for the Chicano kids — raza means 'the race' in Spanish..."
- "(T)hese kids' parents and grandparents came to this country, most of them legally, because this is the land of opportunity ... We should be teaching these kids that this is the land of opportunity, and ... not teach them the downer that they're oppressed."

Elsewhere, Horne has charged that "It's propagandizing and brainwashing that's going on there" (Lacy, 2010). Although his campaign had by this time been turned over to the new State Superintendent of Public Instruction, John Huppenthal, Horne also told Anderson Cooper that he had been "fighting for this law for four years."

The Montreal-born Horne had been fighting for HB 2281 for over four years by the time he spoke with Cooper. In 2006, the Mexican-American Studies program served only 1,400 of 53,000 students in only the Tucson district, which is 60% Latino, so MAS's symbolic meaning is of greater import than its numbers imply. In the spring of 2006, staff and students of the MAS program worked with the Southern Arizona Cesar Chavez Holiday Coalition to host a number of speakers celebrating the traditional Cesar E. Chavez week. On April 3rd, the events culminated with a keynote address by Dolores Huerta, co-founder of the United Farm Workers and life-long labour activist, at Tucson High School. Huerta spoke in the context of a series of bills being passed by the state's Republican-majority Legislature — including earlier versions of the infamously racial profiling SB 1070, border-security bills, a bill requiring employers to use a work-eligibility-verification system, bills to deny in-state tuition and financial aid to noncitizen students and four state ballot proposals that targeted immigrants, including an English-only law, which voters passed. During her speech, Huerta said “Republicans hate Latinos.” It was a watershed moment.



“Sign painted on wall in San Antonio. 1949. Courtesy Center for American History, University of Texas, Russell Lee Photograph Collection, 1935 - 1977.”

Mon-ye Fung, head of the school's Teenage Republicans Club, took offense and went to her elders, like Rep Jonathan Paton, R-Tucson, who led her to Fox News (Sagara, 2006). They would have been supported by Tucsonans United for Sound Districts (TU4SD), which proudly claims to have been "the first organization to call for an independent review of the (MAS) program." Horne reacted to the incident by dispatching his deputy superintendent, Margaret Dugan, to speak with the students. Reports of students' reaction to the Dugan lecture are mixed, but their responses were not deemed appropriate at the state capitol. Horne, supported by his Republican cohort, accused the district's Mexican-American Studies program of using an antiwhite curriculum to foster social activism. Later, Horne's ideological colleague and elected successor, John Huppenthal, would tell a *New York Times* reporter that he was fighting a war. "When we encountered this situation, we did what Hannibal did to the Romans," he said (Winerip, 2012). In 2008, 2009, and 2010, Republicans introduced legislation into the Arizona legislature to abolish the MAS program and, in principle, all other ethnic studies programs from the State's schools. SB1108 died on the Senate floor. In 2009, Senate Bill 1069 was beaten back by a bi-partisan coalition in the Senate. In 2010, House Bill 2281 (HB2281) was introduced in the Arizona State House of Representatives by John Huppenthal and passed.

Context

Speaking to the Sun City West Republican Club on June 4, 2011, Huppenthal said, "This issue has been swelling up for a lotta years." He got that right. Any review of MAS curricula (see, for example, <http://networkedblogs.com/tCWAM>, <http://www.teacheractivistgroups.org/tucson/>, or http://www.tu4sd.com/p/faqs-ethnic-studies_16.html) will make clear that the program correctly recognizes the historical rootedness of many Chicana/os as Indigenous or near-Indigenous to Tucson and Arizona territory. Tom Horne's aforementioned December 30, 2010 "Finding" makes explicit that the program's former name as Mexican American/Raza Studies arose because its founders

aimed to “connect to our indigenous sides.” (as cited in Horne, 2010, p. 3). Further, Arizona has long been a zone of contestation between ruling Euroamerican settlers and migrating toilers from the South. In his book *Pobre Raza* (1999), Latino historian F. Arturo Emeliales informs us that Mexican migrants have received unwelcome police attention for some time. Emeliales argues that since American society valued Mexicans only for their labour, law enforcement sought to assure employers that Mexicans would be maintained within a racialized “web of control.” It was illegal for a Latino/a to marry a white person in Arizona until 1962. Former Arizona State senate majority leader and current civil rights leader Alfredo Guterrez remembers being restricted as a child to public swimming on Sundays only, after which municipal staff would clean the pool.

Today, Arizona is a state where about 30% of its 6.5 million people are of Latino/a descent (McGreal, 2011). More than twice the percentage of Mexican American children live in poverty as white children: 64% to 30% (Editors, 2012). Chicana/os are twice as likely as whites to be incarcerated (Ibid). In the latter half of the past decade, over three million workers in the U.S. were originally from Mexico, responding to both the pull of higher wages and the pull of an economy devastated first by the policies of the IMF, the World Bank, and the U.S. financial sector and then by NAFTA-induced corn dumping and the elimination of price supports. Most recently, spurred even further by the Great Recession (although many newcomers have returned home, jobless), the fevers and fears of the Hornes, Huppenthals, and the TU4SD have risen, fevers for “war” against a feared symbol of Chicana/of success. As Emelia Hernandez observes from Phoenix:

We’re just tired, ya know? We look at how this state feels about people with brown skin and, it’s just hard because you wanna say, ‘No, they’re not doing this based on the colour of our skin’, but it’s not true. They are. (Hernandez, personal communications, March 23, 2012)

In the context of these general historical conditions and social relations, in 1974 Tucson parent Maria Mendoza and other His-

panic community members joined Afro-American Tucsonians to sue the Tucson school district for racial bias in the makeup of its schools, staff, discipline rates and student services. Four years later, a U.S. District Court judge in Tucson oversaw a settlement. The district adopted new hiring practices, tracked suspension and expulsion rates among African-Americans and other groups to ensure they were not disproportionate to their peers, and changed school boundaries and busing to balance the demographic makeup of classes. Mexican-American Studies was introduced to the Tucson Unified School District in 1997 as part of this plan, following the establishment of an African-American Studies program (Gersema, 2012). Augustine F. Romero was appointed as Director (of MAS) in 2002 and charged with the responsibility of responding to No Child Left Behind and designing a program that would close the Latino achievement gap in the school district.

Mexican-American Studies in Tucson, 2006–12

In the 2011-2012 academic year there were 43 MAS sections serving 1500 students in six high schools at TUSD, and similar programs at the middle and elementary school levels. An audit of TUSD's Ethnic Studies Program in 2006 singled out MAS as the District's flagship program, lauding it for its academic outcomes. The Mexican-American Studies program has been remarkably successful by most accounts. Keith Catone (2012), writing for the Annenberg Institute for School Reform, reported that students in the MAS program far outperformed their peers on Arizona's state standardized tests in reading (by 45 percentage points), writing (by 59 percentage points), and math (by 33 percentage points), and they enroll in post-secondary institutions at a rate of 67%, well above the national average. Research findings such as these and others available on the Save Ethnic Studies website (see also Sleeter, 2011) have been disputed both on air and in print by Huppenthal and his supporting scribes and bloggers like Doug MacEachern of Phoenix's *Arizona Republic* and the TU4SD website. However, none of the alleged counter-evidence has withstood scrutiny.

No committed educator would rest with an assessment of educational worth which is reduced to test scores. The staff themselves speak about classes which are culturally relevant, so that students “see themselves” in the curricula and thus are motivated to learn and perform academically. The balance of the staff’s own summary of their pedagogy can be read as a popularizing of Tom Horne’s “well-known communist” Paulo Freire (Transcript, 2012) and can be reviewed here: http://saveethnicstudies.org/meet_us.shtml. Perhaps the following account, by Julianna Leon, a 2011–2012 student of MAS teacher Curtis Acosta, provides some illumination on the capacity of the program to motivate learning:

Leaving Acosta’s classroom was leaving behind a chunk of my beautifully imperfect life. Bitter sweet words from Acosta, saying I humble him? People like him shape who I am. I grew to love like I never thought I would. I grew to use my brain like I never thought I would. Defying stereotypes, adapting and overcoming, and appreciating to the fullest. I will see you around “Curtis”...thanks for being the one teacher in this school that appreciates and understands my Tupac shirt... (Three Sonorans b, 2012)

Yet, MAS was more than sympathetic ears, respect for students and warm hugs, conditions found in many non-controversial but effective classrooms. Tom Horne et al attacked both savagely and rationally in defense of their web of control. The esteemed scholar Christine Sleeter provides a snapshot of the MAS pedagogical approach which hints at cause for state alarm:

The curriculum ... includes a community-based research project in which students gather data about manifestations of racism in their school and community and use social science theory to analyze why patterns in the data exist and how they can be challenged. (2011, p. 14)

In a world outside Horne/Huppenthal chambers, some call this exemplary critical pedagogy and antiracism education.

In the neoliberal era education discourse and practice is saturated with private corporate logic and local Boards have been losing power to more centralized authorities. The Board of the TUSD has thus been predictably weak but contradictory in its stance towards its MAS program. In January 2011 the Board voted not to challenge the constitutionality of HB 2281. The next move by Board president Mark Stegeman was to introduce a resolution at the April 26 board meeting to demote Mexican American Studies courses from being part of the core curricula to the status of electives. The April 26th vote never happened.

The MAS Program had not gone without defense after Horne began his assaults. In 2008, MAS students joined with students from other Tucson ethnic studies programs in a “unity festival,” received good press, and helped stop SB1108. In the summer of 2009, hundreds of community members ran from Tucson to Phoenix in 115-degree heat over two days as a protest meant to raise awareness and ultimately defeat the proposed anti-Mexican American Studies law. Students from Tucson High School also organized a 24-hour vigil at the school to protest the legislature’s vote. They marched to TUSD offices against Horne when he travelled to Tucson the day after the 2009 vote. Immediately after Horne’s 2010 death knell announcement, students formed United Non-Discriminatory Individuals Demanding Our Studies (UNIDOS), to defend ethnic studies, and Mexican-American Studies in particular. Thus it was not surprising that the planned April 26 vote by the TUSD board was stopped by nine UNIDOS members who chained themselves to chairs in an act of civil disobedience while they and their supporters chanted “Our education is under attack! What do we do? Fight back!” Another militant gathering at the May 3rd Board meeting led to students being roughed up by police.

Although the MAS program had been dismantled, UNIDOS has continued its militant confrontations with a Board that has “played Pontius Pilate” (Acosta, personal communications, February 23, 2012). In January, 2012, hundreds of students left multiple high schools in a coordinated march to TUSD administrative offices to protest the January 10th Board decision to shut the program

down. The walk-out was followed by the organization of a one-day “School of Ethnic Studies” organized by UNIDOS which saw 70 students boycott regular classes to listen to community members, college professors and Mexican American Studies alumni in break-out sessions. (Huicochea, 2012). When the Board voted in April 2012 to terminate MAS Director Sean Acre’s contract, protestors lit smoke bombs in the board room and fights erupted with TUSD security (Wallace, 2012). UNIDOS members also remain as plaintiffs in a federal lawsuit against the state of Arizona and have begun linking with aligned groups outside of Tucson. The role of UNIDOS in the MAS defense has been remarkable and also thoughtfully analyzed (Cabrera, Meza, & Rodriguez, 2011; Ginwright & Cammarota, 2011).

HB 2281/A.R.S. §15-112 mandates that a school district can lose 10% of its state funding if its terms are not acknowledged in district policy. John Huppenthal had actively taken up Tom Horne’s cudgel on the MAS case in March, 2011 when he commissioned the private firm Cambium Learning and National Academic Educational Partners out of Dallas to conduct an audit of the program.



Foxnewslatino.com (Arnie Bermudez)

On May 2, 2011, Cambium released a 120-page report concluding that there was no evidence that any MAS classroom or teacher directly violated any aspect of A.R.S. §15-112. Despite the findings from the \$110,000 audit, Huppenthal argued that the MAS program violated three of four criteria, finding no conclusive evidence that the program aimed to overthrow the U.S. government. Consequently, Huppenthal ordered the TUSD to abandon the MAS program or lose \$14–15 million over the fiscal year. To their credit the TUSD Board appealed Huppenthal’s ruling in June 2011. In December 2011, Judge Lewis Kowal affirmed Huppenthal’s decision and the Board’s fateful decision followed.

The consequences of the MAS shutdown were immediate. On January 18, TUSD administration gave MAS teachers a sheet of “Guiding Principles for MAS Teachers” which included such guides as “Assignments cannot direct students to apply MAS perspectives,” “Visitations in class by an administrator will be frequent to insure compliance,” “Student work will be collected by the evaluator when he/she comes into the classroom” and “Teachers can choose to submit student work that would serve as evidence that curriculum is adhered to” (Reese, 2012b). Huppenthal and TUSD superintendent John Pedicone pass the buck over whose responsibility it was that books were cleaned out of MAS classrooms following the program’s death. (Three Sonorans a, 2012; Moyers, 2012). The list of removed books includes the acclaimed 20-year-old resource book compiled by *Rethinking Schools’* Bill Bigelow, *Rethinking Columbus: The Next 500 Years*, which includes an essay by famed Tucson-based Indigenous author Leslie Silko. The TUSD administration continues to insist that the books haven’t been banned, but rather redistributed to libraries or “boxed and stored” (TUSD, 2012). Even by their own account, however, there are now only five copies of *Pedagogy of the Oppressed*, an equal number of *Rethinking Columbus*, and four of Rodolfo Acuña’s classic³ *Occupied America: A History of Chicanos* available through school libraries to 53,000 students (Ibid). Teachers were also instructed to remove their personal copies of the outlawed books. Students were again deeply upset, especially on the at least one occasion when the books were taken while class

was in session. “I feel really disheartened,” said Maria Therese Mejia, a senior at Tucson Magnet High School. “Those are our history, you know?” (Siek, 2012).

The events of January in Tucson, and their background, produced an international groundswell of outrage and mobilization. Only some of the activities: Nationally-recognized bloggers Jeff Biggers and Debbie Reese joined local Tucsonians “Three Sonorans” and the MAS staff who had earlier developed the website Save Ethnic Studies.org, and also Tara Mack (moderator of the listserv EdLiberation) to keep supporters informed and successfully motivate broad press coverage. On January 17, 2012 the Civil Rights Center Inc., an Arizona nonprofit advocacy group filed a racial discrimination complaint with the U.S. Department of Education’s Civil Rights Office against the TUSD. On January 23, the Congressional Hispanic Caucus sent an allied letter to the same Office. *Rethinking Schools*, led by Bill Bigelow on this, in collaboration with the Network of Teacher Activist Groups (TAG) developed a curriculum guide on the MAS story and almost 1500 educators from at least 11 countries pledged to teach from it in February. The guide also promoted the documentary *Precious Knowledge* about the Tucson story and community and education activists organized screenings in cities across the US that served as fundraisers for the legal battle. The Modern Language Association stated that “Although ... HB 2281 was ostensibly passed to ensure that students would be taught as individuals, we see the law as part of an attack on Mexican American citizens and cultures” (Modern, n.d.). Norma Gonzalez from MAS garnered 15,000 signatures on a petition which included representatives of the Association of American Publishers, American Association of University Professors, American Booksellers Foundation for Free Expression, American Library Association, National Coalition Against Censorship, National Council for the Social Studies, National Council of Teachers of English, and the PEN American Center. The Council of the American Educational Research Association wrote to the Arizona State Legislature characterizing the legislation as “educationally indefensible” and calling for a repeal of HB2281. Brown University’s Annenberg Institute for School Reform declared that

MAS “should be reinstated and championed as a national model of best practice.” (Catone, 2012, p.1). In March, Tony Diaz, founder of Nuestra Palabra, an organization that promotes Latino literature, led a caravan of cars carrying “wet-books” (books removed from MAS classrooms and their curriculum) from Houston, Texas, to Tucson in his Librotraficante’ — which translates from Spanish to “BookTrafficker” campaign. Diaz was joined by delegations from Texas, New Mexico, New York, and California. His tactic seems to have been borrowed since, as a number of Tucsonians, led by Occupy Tucson, were planning to distribute outlawed books to the Tucson public on June 9th as this article went to press.

Horne, Huppenthal, Pedicone, and Stegeman do not listen to progressive educators and Latino/a legislators. However, they may be forced to listen to the courts. Alongside the aforementioned students’ court case, families involved in the very settlement which led to the creation of MAS have returned to federal court arguing that reinstatement of the MAS program is essential for ending discrimination against students. In early May, the U.S. Department of Education, Office for Civil Rights announced that it has opened an investigation into the TUSD’s practices on this matter.

If fascism is creeping into the American political culture, it is a healthy toddler in Arizona, thereby maintaining a web of racialized control with boots on. For example, in early February, Arizona’s Supreme Court reaffirmed that an Arizona woman will be barred from running in a local election because she can’t speak English proficiently. At the same time Republican state lawmakers introduced SB 1467, legislation which would require all educators in the state — including in universities — to limit their speech to words that comply with Federal Communications Commission regulations on what can be said on TV or radio. The law would thus block the teaching of such classics as *Ulysses*, *The Canterbury Tales*, and *Catcher in the Rye* (Lukianoff, 2012). After the RCMP, hardly an exemplar of non-racist behaviour (see, for example, Owsiniak, 2012; Proctor, 2012) learned that Maricopa County Sheriff Joe Arpaio, the infamously self-described “toughest sheriff in America” and his department has been charged with wide-ranging civil rights violations against Latinos by the U.S.

Justice Department, they cancelled plans to send hundreds of officers to Arizona for training (MSNBC staff, 2012). As I helped organize resistance to the MAS closure in February, several faculty members at Arizona State University (Tempe) felt it necessary to respond to me on their personal email systems because their employer had threatened them against using public technology for personal political reasons.

However, in conclusion, I agree with Henry Giroux (2012) that this story is about much more than a quaint “Wild West” Arizona or a nutty bunch of Tea Party politicians. The explosive, record-making growth of the radical Right in the U.S. (Southern Poverty Law Center, 2012), the spate of journalist arrests (Karr, 2012), and proposed revisions to the National Defense Authorization Act allowing for indefinite detention without trial (Kane, 2012), are national phenomena, after all. Lest we be tempted to rest on our maple leaves, Stephen Harper’s several attacks on dissident groups in Canada help shed northern illusions. The MAS story is, rather, only a case study of how Althusser’s normally silent school system has become a current and public symbol for the ways in which settler paranoia must depend upon structures of systemic racism and, in Emelia Hernandez’s words, a “whitening of history in America” (Hernandez, personal communications, March 23, 2012). Any attempt to thoughtfully examine MAS curriculum and pedagogy from a standpoint more aligned with the interests of Chicano/s would quickly note that rather than promoting resentment, the foundational MAS principle of a Mayan poem “In Lak Ech”, which begins “You are my other me/If I do harm to you/I do harm to myself,” mobilizes *against* resentment. By forbidding “ethnic” solidarity, the state is not only reproducing its own privatized view of race and its neoliberal fog of colour-blindness, but also preserving the “dominant power structures that produce modes of structural racism” (Giroux, 2012).

It is no simple notion to forbid the production of a sense of solidarity since this also means denying “downer” (Horne, 2010) peoples their own stories and understandings. The route to building a collective alternative future is obscured and thus, for white settlers, the prevailing school system is so much less threatening.

As Randall Amster (2010) sees, Eurocentric notions of individualism over collective traditions of cultural practice are also normalized. We are left with the fact that, as the editors of *Rethinking Schools* sagely observe, “(I)t’s not the failure of the Mexican American Studies program that they fear — it’s the program’s success.” When Emelia Hernandez was a junior in high school she was transformed by her membership in a youth organization, Movimiento Estudiantil Chicano de Aztlán (MEChA). The bones in Tom Horne’s ideological grave might yet be turned to dust by the flowering of UNIDOS.

RICK HESCH spent his career working for social justice, equality, and democracy in education, principally with Aboriginal parents and students. Currently he lives, studies, researches, writes, acts, loves, and plays in Regina Beach, Sask. and Mesa, AZ.

ENDNOTES

- 1 A pseudonym.
- 2 The author notes that “Occupied America does not refer to occupied Mexico; it refers to occupied America... (T)he occupation began in 1492...”
- 3 The book is in its seventh edition and used at universities across the U.S.

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