

**'A failed experiment': the racist legacy of California governor Pete Wilson; Pete Wilson backed efforts to exclude undocumented immigrants from public services and ban affirmative action. California voters will soon reconsider the banJoin us for a live digital event with former attorney general Eric Holder to discuss voter suppression in 2020, Thursday at 5pm ET. Register now**

The Guardian (London)

July 31, 2020 Friday 11:00 AM GMT

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**theguardian**

**Section:** US NEWS; Version:4

**Length:** 1865 words

**Byline:** Mario Koran

**Highlight:** Pete Wilson backed efforts to exclude undocumented immigrants from public services and ban affirmative action. California voters will soon reconsider the banJoin us for a live digital event with former attorney general Eric Holder to discuss voter suppression in 2020, Thursday at 5pm ET. Register now

## **Body**

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Former California governor Pete Wilson left the governor's mansion in 1999, but his legacy lived on in the anti-diversity policies he championed and helped enshrine into California law.

As governor, Wilson used his pulpit to push reforms that were widely viewed as racist - including a ban on affirmative action, a prohibition on bilingual education, and an effort to exclude undocumented immigrants from public services.

But as the state heads toward another election day, and support grows to overturn the ban on affirmative action, one more piece of Wilson's legacy may soon unravel. In late June, state senators voted overwhelmingly to send the proposal to voters, who can repeal the ban at the ballot box in November by voting yes on Proposition 16.

"In the 90s we were sold a bill of goods - that the way to solve inequality was to legislate colorblindness. Twenty-five years later, it's clear it was a failed experiment," said the California assemblywoman Lorena Gonzalez, chair of the state's Latino legislative caucus and co-author of the bill to repeal the ban.

California in 1996 became the first of eight states to ban affirmative action. Previous efforts to undo the ban in California have fallen short, but the conversation is gathering new momentum amid a national reckoning on racial injustice and a pandemic taking the heaviest toll on communities of color.

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### Wilson's legacy tied to Prop 187

In the final stretch of Wilson's 1994 bid for re-election, facing a challenge from the Democrat Kathleen Brown, the governor signed on to a controversial measure, Proposition 187, which sought to exclude undocumented immigrants from public services, including schools.

A now infamous video aired during the re-election campaign includes grainy footage of a group of assumed-to-be migrants running through the port of entry south of San Diego, while a narrator in an ominous tone warns of invasion.

"They keep coming. Two million illegal immigrants in California. The federal government won't stop them, yet requires us to pay billions to take care of them."

The campaign polarized the state, transforming its politics. More than 10,000 teenagers across California walked out of school to protest against the measure - part of a month-long counter-campaign of teach-ins and letter writing - drawing some of the largest crowds of protesters in the state since the Vietnam war.

Voters approved Prop 187 by a wide margin. Though later struck down as unconstitutional, Wilson's legacy would be forever tied to a campaign seen widely as racist.

Wilson did not respond to requests for comment, but he told the Los Angeles Times last year that he believes he has been unfairly maligned.

"Every time I have ever challenged [critics] to find one word that could be construed as racism in the campaign for 187, they have been unable to do so," he said.

But John Pitney, a professor of government at Claremont McKenna College and former staffer for the Republican National Committee, said the message he heard in the 90s was very clear.

"The rhetoric, the imagery, the people crossing the border - from Wilson's perspective, he was talking about undocumented immigrants. Others heard 'they' as referring more broadly to Hispanic people. One can debate what was on Pete Wilson's mind, but in politics, what matters is what people hear, and they very clearly heard a racist appeal," Pitney said.

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John Skrentny, a professor of sociology at the University of California, San Diego, said Republicans at the time were more wary of talking about race explicitly, opting instead for messages with clear racial subtexts or supporting court decisions and ballot measures.

"Using referenda and the courts to do the racial dirty work has long been the Republican strategy to avoid blame," said Skrentny. "We're talking about a referendum that the voters themselves passed. That gives him cover to say, 'See? It wasn't me. The voters decided.'"

In 1997, a federal judge struck down Prop 187 as unconstitutional, ending it before it was fully implemented. Other anti-diversity measures had a much longer run.

Wilson also embraced Proposition 227, a ballot measure that effectively banned bilingual education in California by mandating classes be taught mostly in English.

Its supporters pointed to schools where children struggled for literacy and argued without evidence that "hundreds of thousands of students" were languishing in Spanish-only schools.

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The law effectively created a two-tiered education system in California. English-learners were often sent to separate classrooms to focus on language while their peers took college preparatory courses. Five years after it was adopted, a study commissioned by the state board of education found the ban on bilingual education did not help English-learners catch up to their peers, as supporters argued.

In 2016, nearly 75% of Californians voted to repeal the ban on bilingual education, sending it to the scrapheap of history alongside Prop 187.

#### Affirmative action

In some ways the conversation that California lawmakers are having over affirmative action tracks with the one had 24 years ago.

In an emotional session on the senate floor on 24 June, lawmakers of color recounted personal experiences of discrimination. Steven Bradford, a Democrat from Los Angeles who is Black, challenged his white counterparts to count the times they had entered a room in which they were the only members of their race.

"I know about discrimination. I live it every day. We live it in this building," Bradford said, adding, "Quit lying to yourselves and saying race is not a factor ... the bedrock of who we are in this country is based on race."

"I patently reject the notion that this state is racist, or that this country is racist," responded Melissa Melendez, a Republican senator from Murrieta, where in 2014 protesters blocked buses of unaccompanied immigrant children fleeing humanitarian crises.

But the notion that colorblind policies level opportunities is undercut by a current backdrop of racial unrest and a pandemic that's hit communities of color hardest, said the California assemblywoman Gonzalez.

Latinos in California make up 39% of the population, but 56% of coronavirus cases and 46% of deaths. Whites, in comparison make up almost 37% of the population yet 17% of cases and 30% of deaths, according to California public health data. The disparities are much more pronounced in certain pockets of the state.

"Look at who is contracting and dying from Covid right now. It started in affluent areas, but it quickly, quickly, revealed race-based disparities," Gonzalez said. "It's those in the lowest-paying service positions, those living in cramped living quarters, who are getting Covid at the highest rates."

While affirmative action remains an emotional issue, Republicans have grown surprisingly quiet on it in recent years, Pitney said.

"Even if you have a red meat speech that hits on all the major conservative talking points, they don't mention it," Pitney said. "A lot of Republicans think if they bring it up, they'll lose more than they'll gain by being seen as racist."

Much of the focus has been on admission to colleges, which have failed to diversify along with the state.

As University of California officials worry they could see a drop in fall enrollment, the UC system has offered admission to a record number of Latino students for the fall semesters, marking the first time they have made up the largest ethnic group of admitted students.

Still, a recent analysis from the Urban Institute, a DC thinktank, shows that Black and Latino students have remained underrepresented at nearly all of the state's most selective universities.

"It makes little sense to exclude any consideration of race in admissions when the aim of the University's holistic process is to fully understand and evaluate each applicant through multiple dimensions," said Janet Napolitano, the UC president, in a statement of support for the repeal.

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"The diversity of our university and higher education institutions across California, should - and must - represent the rich diversity of our state," she added.

'Thank you, Pete Wilson'

Years before she became one of the most powerful and effective women in California politics, Lorena Gonzalez, then a graduate student, watched the campaign for Prop 187 unfold in her home state.

"It was so clear that we as a community were being used as scapegoats. It was really personal", Gonzalez said.

"When Prop 187 passed, I remember calling my mom and just crying, 'how do they all see us as the enemy'? My mom was a no-nonsense, working-class woman, and I remember her saying to me, 'Well are you going to sit and cry about it or are you going to do something?'"

Gonzalez went to law school and on to Sacramento, an accomplishment she credits to the former governor. In recognition of the 25th anniversary of the campaign for Prop 187, Gonzalez and other members of the California Legislative Caucus released a video called, "Thank you, Pete Wilson".

In it, Latino lawmakers attribute their rise to influence to the backlash to a campaign that scapegoated their friends and parents. In the wake of the campaign, one million Latino immigrants moved through the process of naturalization and voter registration. The Latino legislative caucus grew to a record 29 members. They helped create Democratic supermajorities in both houses of the legislature.

"You woke a sleeping giant," said the assemblyman Freddie Rodriguez. Assemblyman Todd Gloria, the former interim mayor of San Diego, said Californians now have national "roadmap on how to fight back against racist, xenophobic policies".

UC San Diego professor John Skrentny also ties Wilson and the backlash to his policies to the end of the Republican party's influence in California, though he says it accelerated a demographic and political shift already under way. Nationally, Trump could hasten a similar pattern, he said.

"Wilson stands for the decline of Republican party in California. Those blatantly anti-diversity measures inspired voters and reinvigorated the Democratic party. And frankly I do think he caused that."

Meantime, support for the repeal appears be growing. This week, the California Charter Schools Association, representing schools that are publicly funded but largely independently operated, announced its support for the proposal by saying it could boost diversity within the teacher ranks - putting the group in rare alignment with the state's largest teachers union.

While experts are split on how voters will likely respond to the ban on affirmative action, Gonzalez sees a win in the conversation that led to its passage from the senate.

"We had Republicans in each house vote for this. The success is that people are opening their hearts and minds to the fact that the [ban on affirmative action] failed and we have an opportunity to get it right. It's important to get rid of the vestiges of Pete Wilson."

**Load-Date:** July 31, 2020