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## *Wrapped in the Flag* *Liberal Discourse, Mexican American Studies, and Guns* *on Campus*

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### **Abstract**

*In this article, I direct an anthropological lens to the state's university campuses and to the discursive construction and marketing, as well as the accommodation, negotiation, and contestation of the state's controversial legislation around diversity education and guns. Focusing on tertiary education, I examine both the ways that the rhetoric of liberalism, that of constitutional rights, the nation state, and individualism in particular, has been employed to package and sell the state's anti-Ethnic Studies and pro-gun initiatives, and the discursive struggles in which university communities have been engaged in the attempt to rebut these political incursions. I argue that a liberal discourse has been employed to defend what otherwise might be perceived as discriminatory positions enacted on the state level in Arizona. In this border state, demarcated by ever growing racial and class-based difference, legislation promoting assimilationist pedagogy, and wider gun distribution may be desired, but it is most easily defended when wrapped up in the stars and stripes of liberalism.*



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While many of us working in Arizona have been dismayed at our state's controversial stands on issues ranging from culturally-relevant education to guns on campus, for scholars interested in social justice, the state offers unique opportunities for substantive work. Much has been written on Tucson's Mexican American Studies Program and Arizona Revised Statute 15-112(A) (Cabera, Meza, & Rodriguez, 2011; Lundholm, 2011; Romero 2010; Salinas 2011) and guns on campus and SB 1467 (Lacey, Rodriguez, & Brousseau, 2011; Price & Davenport, 2012). Less attention, however, has been paid to the ways the state's controversial legislation has been discursively packaged both by its advocates and its opposition. My goal in this article is to unwrap that packaging.

The two political initiatives—the ban of Mexican Studies and the legalization of guns on university campuses—differ in several ways. One is personally motivated on the part of a few local officials. The other is part of a larger politically conservative agenda driven by the National Rifle Association (NRA) and carried out on the national level. One is focused on the state's K-12 schools; the other targets college campuses. Despite these differences, talk of the sanctity of the individual and of constitutional and civil rights both advanced and disrupted these agendas. In the border state of Arizona, demarcated by ever growing racial and class-based difference, legislation promoting assimilationist pedagogy and wider gun distribution may be desired, but it appears to be most easily defended when wrapped up in the stars and stripes of liberalism. But the stars and stripes of liberalism also provide rhetoric for the opposition of these legislative initiatives. Liberalism, it appears, affords the vocabulary to both establish and contest political authority in Arizona.

### **The Context and the Conversation**

In Arizona, race and class are complicated and messy both within the state and across national borders. One of four US states that marks the country's border with Mexico, Arizona's land area was part of Mexico until ceded to the US after the Mexican-American War in 1848. This location puts Arizona on the front line of border defense, and both the state government and many of the state's residents take that responsibility seriously: so seriously that the state has been accused of overstepping its bounds. One example of this turf dispute involves private militia groups, the Minutemen being the most notable and controversial. These private militias patrol the border as civilians, and the legality and effectiveness of their civilian status has become highly contentious (Vina, Nunez-Neto, & Weir, 2006). Another example is the state's controversial immigration law, the "show me your papers" SB 1070 (2010). The law, which has been argued all the way up to the Supreme Court, has pitted state power to police the border against that of the federal government (Liptak, 2012).

Demographics play a noteworthy role in the state's politics and policies. Eighty-four percent of Arizona's population identifies as white, 30% identify as Hispanic or Latino (US Census, 2012). The state is also home to twenty-two native tribes. In addition to the significant Hispanic and Native American population, the state also experiences diversity around age. Fourteen and a half percent of the state's population is over 65, with nearly half of those retirees moving to the state post retirement (Gober, 2002). The confluence of race, class, age, and geography has made Arizona a bastion of conservative Republican politics since the end of WWII (Edsall & Edsall, 1991; LaBau, 2010; Lowndes, 2008). In terms of contemporary politics, both the anti-statistism of Barry Goldwater and the evangelical Christianity of the Tea Party movement are well represented in the state.

As historian Patrick Allitt (2009) explained, the state's conservative ideologues "brought together a variety of interests and enthusiasms, of which militant anticommunism, free-market liberalism, social and religious traditionalism, and opposition to statist liberalism were the most important" (p. 159). LaBau (2010) added, "The conservative Republican Party that developed in Phoenix and came to dominate Arizona fit this mold, uniting activists and politicians around a common platform of states' rights, free enterprise, anti-communism, and "traditional" values, recognized as parts of a unified "conservative" political philosophy" (p. 2-3).

Arizona's conservative ideologies may not seem to be an immediate and natural fit with liberalism, Adam Smith's and David Hume's political project of "equality, liberty, and justice" (Smith, 2003). But we can see some overlap in Arizona political proclivities: shared beliefs in a minimal state (Paine, 1776) and a self-regulating market (Ricardo, 1973; Smith, 1995). Other facets of liberalism—the social contract, manifested as adherence to the constitution (i.e. constitutionalism) and belief in the law—are less explicitly represented in LaBau's list. But liberalism remains dominant among political ideologies across the globe. Both center-left and center-right parties find both solace and legitimacy in overtures to the constitution and a free market, as well as with liberalism's individualist, egalitarian, meliorist, and universalist inclinations (Gray, 1995).

## **Methodology**

The study of discourse provides a range of tools for analyzing the use of language, from highly structured methods of transcribing and coding to the search for broader themes in conversation analysis. Focusing those tools on power and privilege has afforded ways to examine language as social practice that is tied to specific historical contexts, social relations, and interests (Fairclough, 1989). For Foucault and other critical theorists, discourse is not so much formal linguistics as it is entrenched and institutionalized ways of knowing that function to construct the social world (McHoul & Grace, 1993).

I drew on on a Foucauldian (1969) discourse analysis of public texts concerning the Mexican American Studies curriculum and guns on university campuses to address the question, "How is discourse employed to shape, advance, negotiate and disrupt legislative initiatives around the prohibition of Mexican-American Studies and the loosening of gun laws?" I examined any and all published text on the two initiatives, including newspaper articles, blogs, policy papers, speeches, and letters from and to political elites, and coded key terms as they appeared in arguments for and against the initiatives. I also coded for terms that were common across the two initiatives (Fairclough, 2003; Phillips & Hardy, 2002; Phillips, Sewell, & Jaynes, 2008).

Cultural theorist Chris Weedon (1997 p. 122) suggested that "in order to develop strategies to contest hegemonic assumptions and the social practices which they guarantee, we need to understand the intricate network of discourses, the sites where they are articulated and the institutionally legitimized forms of knowledge to which they look for their justification." By appropriating the moral authority associated with core liberal values, state politicians have advanced personal vendettas and the country's gun industry has advanced its financial aims. Diversity advocates and anti-gun activists have fought back with language not so dissimilar from their adversaries. As a scholar committed to social justice and an academic concerned about

lawmaking in the state, my hope is to facilitate an awareness of the omnipresence of liberal tropes and their power to regulate discourse and define, validate, and resist public policies.

### **Mexican American Studies Ban: House Bill 2281 (Arizona Revised Statute 15-112(A))**

In Arizona, we have been told that it is not only our border that needs to be secured, but our classrooms as well. More specifically, it was the Tucson Unified School District's much-noted Mexican American Studies (MAS) Program that was the focus of concern. House Bill 2281 (2010), Arizona's ban on the Tucson Program, stated that:

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. Courses provided for Native Americans (required by federal law) are exempted as are courses that deal with "the holocaust or any other instance of genocide, or the historical oppression of a particular group of people based on ethnicity, race, or class."

Any school district found in violation of the law could lose ten percent of its state funding each month. While the House Bill passed in March 2010, the state's criticism of the Tucson's MAS Program began several years earlier. In an open letter to the citizens of Tucson, Tom Horne (2007), at the time the Arizona Superintendent of Public Instruction and now the state's Attorney General, wrote, "A fundamental role of the public schools is to take students of different backgrounds and teach them to treat each other as individuals and not of the race they were born into. Tucson Unified District does it the opposite. ...They divide (students) by race and teach each group about its own background only" (Gordon & Reinhart, 2011). Defending the House Bill two years later, Horne employed similar discursive tactics. "The job of the public schools is to develop the student's identity as Americans and as strong individuals," Horne said. "It's not the job of the public schools to promote ethnic chauvinism" (Kossan, 2009). These themes: national identity, ethnic chauvinism, and individual identity, became Horne's mantra in his attacks on the Program.

Somewhat ironic given Horne's accusations of "ethnic chauvinism," Tucson's Mexican American Studies Program was in fact developed in 1997 as part of a federal court desegregation order. The order was the response to two decades of pressure from Latino/a community activists and families who had sued the district in *Fisher, et al v. Tucson Unified, et al*, alleging segregation and racial inequity across the school system. The resulting program focused on the history and culture of Mexican Americans, and involved 1343 middle and high school students, less than 3% of Tucson's 52,987 students (i.e. 60% of whom are Latino) across 11 schools in Tucson (Nelson, Casteel, Gilzena, & Faulkner, 2011). Horne began his attacks on Tucson's MAS program in 2006 following a protest by immigrant workers against the Sensenbrenner Bill. Incensed by an address by United Farm Workers leader Dolores Huerta at Tucson High School in which she remarked that "Republicans hate Latinos," Horne dispatched his Deputy Superintendent Margaret Dugan to lecture the same high school students about how to "think for themselves" (Teitelbaum, 2011). During Dugan's speech some 200 students walked out of the

auditorium. Horne cited the walkout as evidence “that ethnic studies in the Tucson Unified School District teaches a kind of destructive ethnic chauvinism that the citizens of Tucson should no longer tolerate” (Horne, 2007). The contrast of ethnic chauvinism on one hand and “thinking for themselves” on the other mirrors a classic liberal tension between tribalism and the individual. On one side, the term ethnic chauvinism, popularized by Orlando Patterson’s (1977) *Ethnic Chauvinism: The Reactionary Impulse*, connotes traditionalism, regionalism, and even Balkanization “exercised even against the freedom of the individual” (Greeley, 1997 p. 517). On the other, “thinking for themselves” reflects liberalism’s emphasis on human autonomy, rational thought, and reason. Horne regularly used this “ethnic chauvinism” trope in his public opposition to the Mexican American Studies Program, coding the Program as un-American, hostile, divisive, and dangerous, while visioning schooling as “teaching kids that they’re individuals and not exemplars of racial groups” (Richardson, 2009).

In his last news conference as Arizona State School Superintendent in January 2011, Horne declared that the Tucson Unified School District was in violation of HB 2281 by continuing to offer the Mexican American Studies program (Hing, 2011). Horne’s successor, John Huppenthal, had run his election campaign on a promise to “Stop *La Raza*,” a slogan that echoes Horne’s ethnic chauvinism trope. In an effort to fulfill that campaign pledge, Huppenthal ordered and the Arizona Department of Education commissioned an independent curriculum audit of the MAS program in May 2011. The audit found that the program was in compliance with Arizona’s law, that it fostered respect and ethnic diversity, and successfully graduated students “in the very least at a rate of 5 percent more than their counterparts in 2005, and at the most, a rate of 11 percent more in 2010” (Nelson, Casteel, Gilzena, & Faulkner, 2011 p. 47). Refuting the findings of the auditors, in June 2011 Huppenthal declared the program to be in violation of HB 2281. This time Huppenthal resorted to liberal tropes of rule of law and equality: “I have a legal responsibility to uphold the law and a professional imperative to ensure every student has access to an excellent education” (Huicochea, 2011).

While the board of the Tucson Unified School District appealed the Superintendent’s ruling in June 2011, Horne continued his campaign against the program. He gave press conferences and debated Georgetown sociology professor Michael Eric Dyson on CNN, all the time insisting that the Program “infuse(s) them with ethnic chauvinism about a particular race, and teach(es) them narrowly just about the background and culture of the race that they happened to have been born into” (Hing, 2010).

When teachers and students engaged in vigorous protests against the House Bill in their attempts to prevent the program from being terminated, they also resorted to liberal tropes of constitutionality and equality. Teachers filed a lawsuit against the ban, arguing infringement on free speech and equal protection laws. They embarked on a national “Save Ethnic Studies” campus tour to raise awareness and legal funding. Meanwhile, their students organized a 13-mile march to save the program. Conducting acts of civil obedience reminiscent of civil rights movements, students chained themselves to chairs during a school district board meeting (Ordoñez, 2012). They used social marketing and appeared at public forums and board meetings to raise awareness of the issue. A prominent Tucson blog, *The Three Sonorans*, identified these young activists as future civil rights leaders (Cottrell, 2011).

Events continued to unfold and the opposition continued the protests. In December 2011, a state administrative law judge agreed with Huppenthal that the MAS program violated state law and that 10% of the district’s funding, equal to \$15 million for the year, could be withheld

(Smith, 2011). Concerned about the potential loss of state funding, in January 2012, the Tucson School District's Governing Board voted four to one to eliminate the program, despite "impassioned pleas from program supporters" (Smith, 2012). Seven books were banned, and teachers were told that any units where "race, ethnicity and oppression are central themes," including Shakespeare's *Tempest*, were forbidden. A protest after the district's April 2012 vote not to renew contract of the Program's Director included a smoke bomb and protestors tying themselves together with plastic zip ties while waving signs stating "Stop ethnic cleansing" and chanting "No justice, no peace, no racist TUSD!" (Myers, 2012). Protestors continued to code their actions in terms of civil rights, defaulting again to liberal tropes.

But the tide may have turned. A federal desegregation proposal, negotiated between plaintiffs in the 1974 *Fisher, et al v. Tucson Unified, et al* desegregation case and the Tucson Unified School District, was released in the form of a Unitary Status Plan (USP) in December 2012. The USP called for "culturally relevant" teaching beginning in the 2013-2014 school year in all high school social studies and literature across the District, a pilot for the expansion to sixth through eighth graders in the 2014-2015 school year, with expansions throughout the K-12 curriculum. (US District Court of Arizona, 2012 p. 6a). The USP also calls for the hiring of a Coordinator of Culturally Relevant Pedagogy and Instruction to supervise both pedagogy and personnel, a position not unlike the MAS Director position that had been expunged. The battle is on-going, as is the discourse. In an *amicus* objection to the USP, Horne, as the state's Attorney General, argued that the USP's requirements "will violate Arizona law, promote segregation, and prompt the return of the discredited Mexican-American Studies (MAS) Program" (Horne, 2012).

Two incompatible narratives have emerged around the MAS Program. Both employ the gravitas of liberal rhetoric, one to assert power, the other to resist those in power. According to state officials, the Mexican American Studies Program advances ethnic chauvinism, and thus, is anathema to the liberal sentiments that we as a society hold so dear. Teachers and students counter, asserting that the Program advances civil rights and thus, promotes the liberal agenda. "Discourse, Foucault argues, constructs the topic" (Hall, 2001 p. 72). Liberalism provides language for contradictory constructions of Tucson's Mexican-American Program. Like an optical illusion, the Program as an entity shifts depending upon the liberal trope employed in its depiction.

### **Guns on Campus: SB 1467**

Securing our classrooms in terms of pedagogy is only part of the agenda. We are also told that we need to secure the classroom physically. If law-abiding people can carry guns one step outside the campus to keep criminals at bay, supporters of Arizona's proposed SB 1467 asked, why not allow them to enter a university with their firearms (Lacey, 2011). Arizona law allows colleges or universities to decide whether to permit guns on campus, but none of the campuses do. Gun laws across the nation though, are a moving target, as reactions to school and other spree shootings are split between NRA-generated proposals for arming everyone and gun control advocates' calls for tougher background checks and the resumption of the semi-automatic assault weapons ban (Gillman, 2013). Currently, 22 states prohibit concealed weapons on college campuses and 23 states allow the college or university to set its own concealed weapon policy. Five states, Colorado, Mississippi, Oregon, Utah, and Wisconsin, allow concealed weapons on college campuses. Utah alone has made it illegal to outlaw concealed weapons on campuses (National Conference of State Legislators, 2013).

Section G of Arizona's controversial SB 1467 would have made it illegal for educational institutions to forbid anyone 21 or more years old to carry a gun in a university "right of way." Unlike the Utah law that extends to university classrooms and dormitories, SB 1467 focused specifically on university "right of way." The NRA introduced and strongly supported the bill and made campaign donations to five of its eight co-sponsors (Gottesdiener, 2011).

Once again, advocates for the bill favored a rights-based argument. In a *New York Times* article (Lacy, 2011), former Arizona state senator Russell Pearce argued, "Guns save lives, and it's a constitutional right of our citizens." Specifically, it's the second amendment that is cited in talk about guns. The same *New York Times* article, for example, quoted a student supporter as stating, "I think that every person has the right to bear arms no matter what the circumstance." In point of fact, the National Rifle Association (NRA), which sets both the tone and provides the language for this logic, identifies itself as the "oldest, largest, and strongest Civil Rights Organization in the United States" (Patrick, 2002 p. 193). A page on the NRA's website is devoted to the Second Amendment and provides links to quotes from Founding Fathers on the right to bear arms, updates on legislative action around the country, and references to read more about the Second Amendment.

In statements to the local press, campus police who opposed SB 1467 walked a tightrope stretched between second amendment rights and safety. According to the campus police chief at my home university:

We all think people that are properly trained and have the proper discipline should exercise their Second Amendment rights. We're just overly concerned about the security in the dorms and with people that don't have sufficient training getting themselves into a situation where they're going to hurt themselves or somebody else (Davis, 2011).

Opposition to the bill by others in the university community employed multiple discourses, including that of constitutional rights, safety, and legal clarity. In a letter to the Governor opposing the bill, Michael Crow, President of Arizona State University, argued that the ambiguity of the bill's phrase "public right of way" would put "thousands of children attending programs and events on ASU campuses" in "harm's way" (Crow, 2011 p. 1). Acknowledging the first and second amendment but playing the children card, Crow employed a different language to talk about the bill. His reframing of the issue of guns on campus proved a successful attempt to wrestle discursive power from gun advocates.

SB 1467 passed the state House of Representatives by a 33–24 margin in April 2011, but was vetoed by Jan Brewer, the state's Governor, who has been described as "a strong supporter of the Second Amendment and gun rights" (Rough & Ryman, 2011). Previously, the governor signed bills allowing gun owners to carry concealed weapons without a permit and to bring guns in bars and restaurants that serve alcohol. In Brewer's (2011 p. 1) explanation of her veto, she called the Bill "poorly written." She objected to the lack of clear definition of "public right-of-way," and asserted that the use of the term "educational institution" throughout the Bill conflicted with state and federal statutes that prohibit weapons on K-12 school grounds. Perhaps less surprising, she concluded her explanatory letter with a genuflection to the second amendment. "In conclusion, while I support the thoughtful expansion of where firearms should be allowed, the actual legislation that does so must be both unambiguous and clear to protect the

Second Amendment rights of lawful gun owners. Senate Bill 1467 is neither” (Brewer, 2011 p. 2). President Crow’s discursive attempt was successful. His letter gave the Governor both the vocabulary and excuse she needed to veto the bill.

After the most recent spree shooting in a Newtown CT school left six adults and 20 children dead, gun control has again re-entered our public conversations. In debates about guns on the state’s university campus, the safety of students consistently butts up against deference to the Second Amendment. The Second Amendment has become so sacrosanct in public discourse on guns that even those who advocate for increased gun control pay their respects before offering their rebuttals. They make sure to tell us that they “believe people have the right to arm themselves” (Eichenwald, 2013) and I “generally consider myself a Second Amendment supporter” (Peters, 2013). Former Representative Gaby Gifford, who herself was wounded by a gunman in 2011, and her husband Mark Kelly recently visited Newtown to console the victims’ families. In their talk about the visit, both Gifford and Kelly made it clear that they were “both gun owners and supporters of the 2<sup>nd</sup> Amendment” (Newcomb & Zak, 2013). But this rights-based discourse obscures the economic interests behind gun initiatives. As reported in *Forbes* magazine, “gun ownership is at a near 20-year high, generating \$4 billion in commercial gun and ammunition sales” (Brown, 2012).

### **Wrapping Up**

The banning of Mexican American Studies and the introduction of guns on campuses may appear to be discrete issues, yet they form a discursive web of control in which my state’s educational institutions are dangling. Excavating the language of public texts, including newspaper articles, policy papers, and letters from and to political elites, provides evidence that co-opting liberal discourse appears to be a popular and attractive strategy of both advocates and opposition. Talk of the individual, of rights, and of the constitution advances and disrupts these agendas by appropriating the moral authority associated with core liberal values. Why do liberal tropes hold so much power? To quote Locke (2004), “the power of a discourse relates to its subscription base and the social status of its subscribers” (p. 37). It is not difficult to make the argument that both political initiatives are related to the increase in the size of Arizona’s Hispanic population. Forced assimilation and the use of weapons to protect and terrorize have a long history in the American Southwest. But selling the initiatives to an increasingly brown state requires seductive branding. A rhetoric of liberalism, stressing the individual and the constitution, offers just that. Liberalism also provides a civil rights discourse to push back. I’m not suggesting discursive collusion here, but rather, that in 21<sup>st</sup> century Arizona, liberalism is our system of representation. It acts as what Foucault (1980) called an episteme, bounding the acceptable from the unacceptable, “of what may from what may not be characterized as scientific” (p. 197). As such, its tropes provide credibility to those in power and those contesting the powerful. Both sides of the political continuum, assimilationists and pluralists, pro-gun and anti-gun activists, we all wrap ourselves in the flag.

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