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A Street Without an Exit: Excerpts From the Lives of Latinas in Post-187 California

Tanya Broder and Clara Luz Navarro*

MI DOLOR DE NIÑA
En las noches claras
veo hacia el cielo
y puedo ver las estrellas
libres, sin fronteras
sin el desprecio de los demás
porque creen que estoy en tierra ajena.
Veo la inmensidad del mar
y me parecen las lágrimas
del dolor y sufrimiento humano,
que en la fuerza de sus olas
claman por justicia.
Oigo el aire y a los pájaros
y me parece la esperanza de los niños,
y sin saber porqué estamos viviendo,
discubrimos un mundo de dolor,
hambre y sufrimiento.
Veo las montañas
y crece mi fe en Dios,
creador de lo bueno,
y en el derecho que tenemos
los niños a ser felices.
Veo a los adultos y quisiera ser
siempre niño.
— Adriana Ortiz, 11 años

A CHILD’S SORROW
On clear nights
I look toward the sky
and I can see the stars
free, without borders
without the scorn of others
who think we are on foreign ground.
I view the immensity of the sea
and it appears like tears
of pain and human suffering,
with the force of its waves
clamoring for justice.
I hear the air and the birds
appearing like the hope of children,
and without knowing why we are living,
we discover a world of pain,
hunger and suffering.
I see the mountains
and my faith grows in God,
the creator of good,
and in the rights that we have,
as children, to be happy.
I look at the adults and I wish to be a
child, forever.
— Adriana Ortiz, 11 years old

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I. INTRODUCTION**

A Child’s Sorrow: Demonizing Immigrants Through Proposition 187 and Welfare Reform

Adriana wants to be a lawyer when she grows up, so that she can defend people “who are accused of being guilty, but are not.” An eleven year old immigrant from El Salvador, Adriana wrote “Mi Dolor de Niña” (A Child’s Sorrow) for an assignment on discrimination in her seventh grade class. After just a few years in the United States, she is fully fluent in English and understands a lot about Proposition 187, the current welfare reform debate, and the targeting of immigrants in California. When Proposition 187 passed, she feared that her family would suffer more discrimination and that they would be forced to return to the violence they fled in El Salvador. Adriana thinks that these laws are “really stupid” because “we all fit in this country.”

Juan, a twelve year old immigrant from Mexico, would like to be a doctor, but he is afraid that Proposition 187 “will affect us in the future — we the children, our studies. We will have very little opportunity in this country. They won’t allow us to have opportunities.” He likes to study, especially the natural sciences. “I need to study the sciences for the profession that I have chosen.” Juan is afraid that he will never reach his dream. Already, he has been told to go back to “his country.” His mother says that he has been very anxious and preoccupied in the year since Proposition 187.

** This piece would not have been possible without the leadership, insight and courage of the women who volunteered to share personal details about their lives in the hope that their experiences would influence the welfare “reform” debate; The Mujeres Unidas y Activas, an international model for community organizing, leadership building and promoting the health, education and well-being of immigrant women; the Northern California Coalition for Immigrant Rights, which lent its experience, support and expertise to this Project. We especially thank Anita Wadhwani, who was crucial in shaping this piece; Juana F., Maria J. and Mónica Hernandez, for inspiring it and making it happen; Sara Campos, Deecana Jang and Ted Wang for helpful edits and a lot of personal support; Lina Avidan, Valerie Small Navarro, and Emily Goldfarb for their expertise and encouragement; Susan Drake and Josh Bernstein, who are responsible for most of the background information (and none of the misinformation) in this piece; Adriana Ortiz for inspiring us with her poetry; Zuceli Sedar and Katherina Zulliger for their enthusiasm and for helping to translate the poem; Kris Putnam and Julie Quiroz for useful comments on earlier drafts; and Shirley Chen, Carol Hurtado, Carmen Denis, Rachel Kahn, Angie Wei, Holly Fincke, Karen Musalo and Richard Boswell, who contributed in their own ways. Finally, we would like to thank Sharyn Funamura and Robin Haaland of the Hastings Women’s Law Journal for their respectful edits, patience, and for all of the hard work.
1. Interview with Adriana Ortiz, in San Francisco, CA (Oct. 19, 1995).
2. Interview with Juan, in San Francisco, CA (Oct. 19, 1995). Juan’s last name was not provided to protect his privacy.
187 passed.³

On November 8, 1994, California voters passed Proposition 187, also known as the Save Our State (SOS) initiative, by a margin of 59 to 41 percent.⁴ The Proposition proposed to deny public education, social services, and non-emergency health care to undocumented immigrants.⁵ Sponsors of Proposition 187 introduced the initiative with full knowledge that many, if not all of its provisions, notably those banning undocumented children from public schools,⁶ would be declared unconstitutional.⁷ Governor Pete Wilson and other proponents, however, intended to "send a message" to the federal government, and presumably to the immigrant community, about illegal immigration.⁸

In the two days following the passage of Proposition 187, eight lawsuits were filed challenging the initiative.⁹ Although most provisions of the Proposition were blocked by the courts and have not yet been implement-

³ Interview with Juan's mother, San Francisco, CA (Oct. 19, 1995). The name of Juan's mother was not provided to protect her privacy.
⁵ State of California, Proposition 187, available in LEXIS, Hottop Library, Extra File [hereinafter Proposition 187]. Proposition 187 also contains provisions requiring schools, clinics, social service agencies, and the police to report "suspected" undocumented immigrants to the Immigration and Naturalization Service (INS). All of Proposition 187's provisions were challenged on constitutional and federal statutory grounds. See infra note 9.
⁶ The provision denying elementary and secondary education to undocumented immigrant children directly conflicts with the U.S. Supreme Court's decision in Plyler v. Doe, 457 U.S. 202 (1982).
⁷ Indeed, sponsors of Proposition 187 welcomed the challenge. Alan Nelson, former INS commissioner explained, "[t]he purpose of the initiative is to have the high court revisit and reconsider the Plyler decision." See Steve Albert, Can States Stop Aid to Immigrants? RECORDER, June 2, 1994, at 1, 5. Governor Pete Wilson also viewed Proposition 187 as a way to provoke a legal challenge to the Plyler decision. See Daniel Weintraub & Bill Stall, Wilson Would Expel Illegal Immigrants from Schools, L.A. TIMES, Sept. 16, 1994, at A1.
⁸ See Dick Mountjoy et al., Argument In Favor of Proposition 187, in CALIFORNIA BALLOT PAMPHLET (1994) (stating, "[p]assage of Proposition 187 will send a strong message that California will no longer tolerate the dereliction of the duty of our politicians") [hereinafter CALIFORNIA BALLOT PAMPHLET]; Roberto Suro, California's SOS on Immigration, WASH. POST, Sept. 29, 1994, at A1, A16 (quoting Governor Wilson's description of Proposition 187 as "the two-by-four we need to make them take notice in Washington"). See also Daniel Weintraub, Crime, Immigration Issues Helped Wilson, Poll Finds, L.A. TIMES, Nov. 9, 1994, at A22 (finding that of those who voted for the initiative, 77 percent voted for it because "it sends a message that needs to be sent"; 51 percent of those who supported the measure said they hoped "it will force the federal government to face the issue").
ed, the initiative has had a profound effect on California communities. Touted as an attack only on "illegal immigrants," the initiative's effect has extended far beyond the intended target, giving license to expressions of hatred against Latinos and Asians, including legal residents and United States citizens. The insidious measure aggravated tensions not only between communities, but also within communities and within families, which often include a range of immigration statuses. Attempts to control immigration by restricting access to services fail to take into account the complexity of the relationships that are disturbed by these proposals.

In the aftermath of Proposition 187, the lines between acceptable and unacceptable immigrants have become blurred. On August 22, 1996, President Clinton signed a welfare bill that not only denies benefits to the undocumented, but also severely restricted access to benefits for legal permanent residents. Meanwhile, in the context of immigration reform, legislators have proposed to limit legal immigration based on family relationships and refugee status. As the distinctions between legal and


11. See COALITION FOR HUMANE IMMIGRANT RIGHTS OF LOS ANGELES (CHIRLA), HATE UNLEASHED: LOS ANGELES IN THE AFTERMATH OF 187 16 (1995) (finding that more than 60 percent of the anti-Latino abuses recorded by CHIRLA in the wake of Proposition 187 were directed against citizens or lawful permanent residents); NAT'L ASIAN PACIFIC AM. LEGAL CONSORTIUM, AUDIT OF VIOLENCE AGAINST ASIAN PACIFIC AMERICANS, 1993 19 (1994) (stating that anti-Asian violence is attributed in part to perception that Asian Pacific Americans are "foreigners" or "illegal immigrants"). Proposition 187 targets people "suspected" of being undocumented but provides no guidance on how these suspicions will be raised or evaluated. According to one report, 75 percent of the voters said they believe it is hard to tell the difference between illegal and legal immigrants in California, yet 61 percent of these voters said they would vote for Proposition 187 anyway). See Paul Feldman, The Times Poll: 62% Would Bar Services to Illegal Immigrants, L.A. TIMES, Sept. 14, 1994, at A1, A10.


undocumented immigrants blur, so have the lines between immigration reform and welfare reform. Immigration bills pending before a congressional conference committee contain measures barring or restricting government benefits to both documented and undocumented immigrants, and the new welfare law contains measures affecting immigration policies.

A year after Proposition 187 passed, its proponents were back at work in California, pushing SOS-2, an initiative which attempted to abolish the constitutional guarantee of birthright citizenship for children of undocumented immigrants. Similar proposals have been introduced at the national level. Sponsors of these measures portray them as race- and nationality-neutral. However, the dialogue in the immigration and welfare debate includes those who boldly cite “unwelcome” demographic trends: a decrease in European immigration, and an increase in Latin American and Asian immigration. Nativism and racial fears played a prominent role

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15. The new welfare law contains provisions requiring agencies administering SSI, federal housing, and welfare block grants to report individuals that the agencies “know” are in the United States unlawfully to the INS. See Pub. L. No. 104-193 § 404.


19. See, e.g., Peter Brimelow, ALIEN NATION: COMMON SENSE ABOUT AMERICA’S IMMIGRATION DISASTER (1995). A pro-187 activist declared, “I have no intention of being the object of ‘conquest,’ peaceful or otherwise, by Latinos, Asians, Blacks, Arabs . . . who have claimed my country.” Gebe Martinez and Patrick J. McDonnell, Prop. 187 Backers Counting on Message, Not Strategy, L.A. TIMES, Oct. 30, 1994, at A1 (describing 187 supporters’ discomfort with a changing community, where English is heard less and less, and fears that California is becoming a “Third World” state). These changing demographics result in part from the 1965 Immigration Act’s elimination of discriminatory quotas (favoring European immigrants over those from other parts of the world). See RONALD TAKAKI, STRANGERS FROM A DIFFERENT SHORE: A HISTORY OF ASIAN AMERICANS 419 (1989) (noting that the law won passage only because it was assumed that Asians wouldn’t be
in the Proposition 187 campaign, which was replete with menacing images of Mexicans streaming across the border. "They keep coming!" warned one advertisement.20

Immigrants, along with women, people of color, low-income families, and every intersection of these groups, have been blamed for our country's economic crisis and have been targeted in the budget-cutting process.21 Immigrants are perceived as using public benefits at a high rate,22 despite numerous studies indicating that they contribute more to the economy than they use in services.23 In fact, prior to the passage of Proposition 187 and the federal welfare bill, undocumented immigrants were already ineligible for most federal benefits, and non-refugee legal immigrants were using coming in large numbers). Explaining that pending legislative proposals to reduce family-based and refugee admissions would take U.S. immigration law back to an era in which Asians and Latinos were systematically excluded, Bill Ong Hing, assistant professor of law at Stanford University, has described H.R. 2202 as the "Asian and Latino Exclusion Act of 1995." See Benjamin Pimentel, Immigration Rights Bill Prompts S.F. Protest, S.F. CHRON., Aug. 28, 1995, at A11.


21. For an excellent analysis of the disproportionate impact of benefit restrictions on particular sub-groups of the immigrant community, see Kevin R. Johnson, Public Benefits and Immigration: The Intersection of Immigration Status, Ethnicity, Gender and Class, 42 UCLA L. REV. 1509, 1542 (1995) (explaining that "subordination based on immigration status, ethnicity, gender, and class is not simply the sum of the various components, but... may best be viewed as a multiple of them"). Johnson argues that Mexican immigrant women in particular have been targeted for benefit cuts. The increasing feminization of both immigration and poverty renders low-income Latina women and their children especially vulnerable to restrictions in cash assistance, health care, nutrition, child care, education and job training. Id. at 1551-52.

22. See, e.g., CALIFORNIA BALLOT PAMPHLET, supra note 8.

23. See, e.g., MICHAEL FIX ET AL., supra note 20, at 6 (finding that immigrants pay $25-30 billion more in taxes than they receive in public services); TOMAS RIVERA CENTER, WHY THEY COUNT: IMMIGRANT CONTRIBUTIONS TO THE GOLDEN STATE (1996) (stating that legal and undocumented immigrants pay more to California in taxes than they receive in government services over the course of their lives in the state). In addition to paying taxes, legal immigrants can be drafted to serve in the U.S. military. They also establish businesses, create jobs and contribute innovations. See George Gilder, Geniuses From Abroad, WALL ST. J., Dec. 18, 1995, at A14 (stating that "without immigration over the last 50 years... U.S. real living standards would be at least 40% lower"), reprinted in 141 CONG. REC. S18,914 (daily ed. Dec. 19, 1995) (statement of Sen. Abraham) (stating that "the government spends about one third less per immigrant than it does per native"). See also Carey Goldberg, Asian Immigrants Good for Economy, S.F. EXAMINER, Mar. 31, 1996, at A19.
benefits at a rate comparable to United States citizens.\textsuperscript{24} Legal immigrants will suffer disproportionately from the new federal welfare law. Although immigrants represent only five percent of all welfare recipients, cuts to legal immigrants accounted for more than 40 percent of the federal spending reductions in the welfare bill.\textsuperscript{25} By refusing to consider the contributions of immigrants, proponents of "welfare reform" measures have revealed an animosity toward immigrants that goes beyond simple cost-cutting goals.\textsuperscript{26}

Proponents of welfare and immigration "reform" use theories of regulating "undesirable" behavior to justify new restrictions.\textsuperscript{27} Despite

\begin{itemize}
\item \textsuperscript{24} See Michael Fix & Wendy Zimmerman, \textit{When Should Immigrants Receive Public Benefits?} in \textit{WELFARE REFORM BRIEFS}, at 1-2 (Urban Institute Welfare Reform Briefs No. 3, 1995). Although this conclusion has been challenged (\textit{see, e.g.}, George J. Borjas, Immigration and Welfare: Some New Evidence, Testimony before the U.S. Senate Subcomm. on Immigration of Refugee Affairs of the Senate Judiciary Comm. (1996), \textit{available in WESTLAW}, U.S. Testimony library, File No. 1995 WL 224748 (F.D.C.H)), the Urban Institute has critiqued these studies and found them to be flawed. \textit{See URBAN INSTITUTE, FACTS ABOUT IMMIGRANTS' USE OF WELFARE} (1996); MICHAEL FIX ET AL., supra note 20, at 57-67 (1994).
\item \textsuperscript{25} See \textit{NAT'L IMMIGRATION LAW CENTER, IMMIGRANT PROVISIONS OF THE WELFARE BILL} (H.R. 3734) I (1996). The Congressional Budget Office (CBO) estimates that cuts to immigrants account for more than $23 billion of the $54 billion six year federal savings. H.R. 3734. CONG. BUDGET OFFICE, \textit{FEDERAL BUDGETARY IMPLICATIONS OF H.R. 3734, THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996} app. at Table 4 (1996). While the law addresses a few of the major welfare and nutrition programs for citizens, it bars or restricts legal immigrants from a much broader array of federal and potential state and local programs. \textit{See, e.g.}, Pub. L. No. 104-193 § 401.
\item \textsuperscript{26} In fact, the welfare law and the pending immigration bill will not produce savings, but would \textit{shift} costs to state and local governments, particularly those with high immigrant populations. \textit{See Tim Golden, If Immigrants Lose U.S. Aid, Local Budgets May Feel Pain}, \textit{N.Y. TIMES}, July 29, 1996, at A1, A14. The federal government receives a "reverse block grant" from immigrants who pay federal taxes, but who are cared for by state and local-funded services. \textit{NAT'L IMMIGRATION LAW CENTER, FIVE MAJOR IMMIGRANT PROVISIONS AT ISSUE IN THE HOUSE AND SENATE WELFARE REFORM CONFERENCE} (1995). Governor Wilson embraced Congressional plans to cut benefits for legal immigrants, even though these measures were projected to drain up to $7 billion in federal funds from California over five years. \textit{See Patrick J. McDonnell, Legal Immigrants Fear Federal Assault on Benefits}, \textit{L.A. TIMES}, Dec. 23, 1995, at A1, A24. \textit{See also REBECCA LAVALLY, CAL. LEGIS. SEN. OFFICE OF RESEARCH, IMPACTS OF DENIAL OF FEDERAL BENEFITS TO LEGAL IMMIGRANTS IN CALIFORNIA} (1995). Wilson supported Proposition 187, despite the prediction by California's Legislative Analyst that California could lose $15 billion in federal funds each year if the measure were put into force. \textit{See CALIFORNIA BALLOT Pamphlet, supra note 8}. These figures do not take into account the human and societal costs of denying health care, social services and education, nor do they calculate the increase in emergency health care costs, spread of disease, increase in crime or threats to child development caused by these cuts. \textit{See, e.g.}, Faye Fiore, \textit{Welfare Reform Increases Health Risks, Experts Warn}, \textit{L.A. TIMES}, Aug. 24, 1996, at A12.
\item \textsuperscript{27} For example, welfare "reform" proponents assert that benefits \textit{encourage} unemployment, out-of-wedlock births, truancy, and divorce. Therefore, these proponents reason, cuts in benefits will increase employment, reduce pregnancy, bolster school attendance, and promote family unity. As low-income women, the immigrants interviewed herein are also
\end{itemize}
evidence to the contrary, supporters of Proposition 187 insist that welfare is a “magnet” for immigration to the United States, and that cuts in benefits will encourage immigrants to return to their home countries. As the testimony of the women interviewed for this article will demonstrate, however, immigrants come to this country to work, join their families, create a better life for their children, and flee persecution in their home­lands; they do not move to this country to seek welfare benefits. Claims that denying health care and education will “control” immigration or that cutting benefits will promote family unity and employment ignore the facts about the lives of low-income families, women, and people of color who migrate to this country. Without an examination of the economic, political, and personal relationships that give rise to immigration and poverty, our attempts to address any “problems” will fall flat.

As efforts to implement Proposition 187 and the new federal restrictions on services for immigrants move forward, Californians can contribute crucial information and experience to the national debate on welfare and immigration reform. Proposition 187 serves as an excellent case study to examine the “unintended” side effects of a legislative proposal. With the goal of exposing some of these effects, this article includes the personal stories of Latina women and children from the San Francisco Bay Area regarding their experiences as immigrants and citizens, their reasons for coming to this country, and the challenges they have faced. More specifically, this article focuses on the changes in the lives of these women and children since the passage of Proposition 187 and their reaction to the introduction of more drastic federal proposals. This article is not a formal study but rather a snapshot of a few lives that have been altered profoundly by an initiative which has not yet been in force. It attempts to include some of the voices, opinions and perspectives of these women in a debate the objects of these assumptions. The personal testimonies in this piece challenge some of these claims. However, that debate is beyond the scope of this article. For an examination of the data related to these hypotheses, see generally Urban Institute, Welfare Reform: An Analysis of the Issues (Isabel V. Sawhill ed. 1995).

28. See, e.g., California Ballot Pamphlet, supra note 8 (stating that “welfare, medical and educational benefits are the magnets that draw these ILLEGAL ALIENS across our borders”). See also Tim Golden, California Governor Acts to End State Aid for Illegal Immigrants, N.Y. Times, Aug. 28, 1996, at A1, A16 (quoting Gov. Pete Wilson, calling for rapid implementation of the welfare bill’s restrictions on services to the undocumented, to “end the magnetic lure of public services and benefits that have substantially spawned our national crisis of illegal immigration”).

29. This article will explore these relationships primarily from personal perspectives, within the context of one community. For a comprehensive analysis of the data, theories and assumptions underlying the debate on immigrants and public benefits, see generally Johnson, supra note 21, and the many sources cited therein.
which too often fails to incorporate their views. These personal profiles and excerpts from group discussions illustrate the devastating consequences of policies that target specific groups and highlight some of the fallacies of the rationales driving the welfare proposals. In this article, Clara Luz Navarro, leader and co-founder of a women’s leadership group, “Mujeres Unidas y Activas” (United and Active Women), also shares her perspective on the lives of immigrant women in the Bay Area.

Conversations with immigrant women and children interviewed herein revealed daily conflicts, an ever present fear, and a rise in discrimination and hate crimes on the streets, on public transportation, in restaurants, at public demonstrations, and even at the beach. This anecdotal evidence buttresses the statistical evidence of the post-187 rise in hate crimes against Asians and Latinos. The interviews exposed jarring images — children afraid that they would have to turn in their parents, women afraid to report domestic abuse, and men with fingers cut off by machines at work afraid to seek help at a clinic. More mundanely, the interviews revealed the feeling that no matter what they do to regularize their status in this country and no matter how many become citizens, immigrants and their children will continue to be unwelcome here. These effects are not surprising following a campaign in which a co-sponsor of Proposition 187 told a crowd of supporters, “[y]ou are the posse and SOS is the rope.”

In the face of this psychological war, this article also records stories of how individuals have exposed the misinformation, and have worked to rebuild confidence in themselves and in their communities. The women interviewed for this article shared not only their challenges but their


31. See, e.g., Susan Moffat, Violent Acts Against U.S. Asians Climb, L.A. TIMES, Aug. 1, 1995, at A3 (stating that anti-immigrant sentiment increased racially motivated violence against Asian Americans, with reported incidents up 35 percent in 1994); Kenneth B. Noble, Attacks Against Asian-Americans On the Rise, Especially in California, N.Y. TIMES, Dec. 13, 1995, at B16 (reporting that anti-Asian hate crimes more than doubled in Northern California in 1994 and were attributed to growing nativism and racial intolerance encouraged by Governor Wilson’s promotion of Proposition 187); Errol A. Cockfield Jr., Hate Crimes Against Gays, Latinos Up in L.A. County Violence, L.A. TIMES, Mar. 30, 1995, at B1 (reporting that the 23.5 percent rise in hate crimes against Latinos in Los Angeles County was due in part to anti-immigrant sentiment that gave rise to Proposition 187). See also CHIRLA, supra note 11.

accomplishments in educating, organizing and working with other communities to fight hostile legislative proposals and to improve their own lives.

II. POST-187 CALIFORNIA: THE LIVES OF IMMIGRANT WOMEN

A. Background: Immigrating to the United States

WHY WE CAME: ORIGINS OF IMMIGRATION

Supporters of Proposition 187 asserted that after the measure passed, immigrants would simply "self-deport." Such an assumption ignores the factors which give rise to immigration, as well as the situation of "mixed families," which include a range of immigration statuses. The women interviewed herein came to this country for a variety of personal, political, familial, and economic reasons. Although some of these women briefly considered fleeing the country after Proposition 187 passed, largely due to the discrimination they were experiencing, very few, if any, were in a position to leave.

33. Part II contains excerpts from interviews with Latina women in the Bay Area conducted during the months of September and October 1995. Where necessary for protection or privacy, we have changed names and minor facts. The interviews were conducted in Spanish; the quotes are rough translations. Preceding the testimonies in these sections, this article provides some background on legislative proposals, as well as occasional overviews of immigrants' experiences by Clara Luz Navarro.

34. Sponsors said the measure would result in the deportation of some immigrants, the "self-deportation" of other immigrants who no longer qualify for services, and the "establishment of an environment that would discourage further illegal immigration." See Paul Feldman, supra note 11, at A1, A10; William Safire, Self-Deportation?, N.Y. TIMES, Nov. 22, 1994, at A15 (quoting Gov. Wilson's statement: "[i]f it's clear to you . . . that you and your family are ineligible for services, you will self-deport").

35. For example, a household may include a citizen child, a legal permanent resident father, and an "undocumented" mother who is waiting for her visa petition to be processed. According to the Urban Institute, 67 percent of immigrant-headed households contain a native-born person, and 52 percent contain a native-born child. See URBAN INSTITUTE, FACTS ABOUT IMMIGRANTS' USE OF WELFARE (1996).

36. Not all Proposition 187 supporters expect undocumented immigrants to leave but instead, hope they will remain as a source of cheap labor. Susan Ferriss, Prop. 187: A Clash of Rhetoric, Reality, S.F. EXAMINER, Oct. 30, 1994, at A1 (stating that growers who endorsed Governor Wilson in his bid for reelection admit that California agriculture is still dependent on undocumented immigrants). The periodic cry to expel undocumented (and legal) immigrants contrasts sharply with earlier invitations by Governor Wilson and others who acknowledged the need for such immigrants as an inexpensive supply of labor. Wilson, who received over $600,000 in campaign contributions from agribusiness in the 1980s, championed the Seasonal Agricultural Worker program on behalf of California growers. See Edward Epstein, Behind Wilson's Turnabout on Illegals, S.F. CHRON., Sept. 26, 1994, at A2 (describing contradictions between current opposition and past support for undocumented workers, and quoting Wilson's past statement regarding the undocumented: "they pay taxes like everyone else"); Louis Freedberg, Despite Rhetoric, Agriculture Has Long Relied on
Many immigrant women, especially from Latin America, were persecuted for their direct participation in a political movement, their ideology, or simply because their spouses or family members "disappeared" or were murdered. On top of the persecution or fear for their lives, they have assumed total responsibility for their children—a burden which fell completely onto their shoulders. This is not what the stereotype tells us, that they came because of economic problems. Instead, they came to preserve their lives and their future. They didn't want their children to be killed in those countries as well.

For many Mexican women, family reunification is key. Their husbands come to the United States first, leaving the rest of the family at home. In all cultures, the family consists at least of the father, mother and their children. The ideal is that they can live together, grow, and support each other and the children mutually. It doesn't work to have pairs separated. This is the goal of many women: to come and reunite with their husbands.


38. Throughout the 1980s, civil conflict in El Salvador, Guatemala, and Nicaragua uprooted two million people out of a total population of 18 million. See Patricia Weiss Fagen, Peace in Central America: Transition for the Uprooted, WORLD REFUGEE SURVEY, 1993, at 30. Eighty thousand Salvadorans lost their lives in the war, a large percentage of whom were unarmed civilian victims of state repression. See KEVIN MURRAY & TOM BARRY, INSIDE EL SALVADOR xviii (1995). During the early 1980s alone, from 36,000 to 72,000 Guatemalan adults were killed. Tanya Broder & Bernard D. Lambek, Military Aid to Guatemala: The Failure of U.S. Human Rights Legislation, 13 YALE J. INT’L LAW 111, 112 (1988).

39. See Johnson, supra note 21, at 1549 n.183 (citing increase in female compared to male refugees and asylees from 1986 to 1993 and pointing to critique of human rights law for failing to address the persecution of women). The INS recently adopted "gender guidances" which contain recommendations for working with female asylum applicants and which recognize gender-related persecution as substantive grounds for asylum. Phyllis Coven, INS Office of Int’l Affairs, Considerations for Asylum Officers Adjudicating Asylum Claims From Women, (May 26, 1995). See also Nancy Kelly, Gender-Related Persecution: Assessing the Asylum Claims of Women, 26 CORNELL INT’L L.J. 625 (1993).

VERONICA

I am from Guatemala. My six year old daughter and I have been living here for five years. My husband and I were married in Guatemala, but because we feared that our home would be destroyed, we separated, and he left the country. But my child needed the warmth of her father. He sent money, and when I could save a few cents, I came with her. I had to leave an important part of my life — my parents and my extended family — in Guatemala. I have missed them so much, but I can’t go back to Guatemala. Sometimes I think that if I do go back, a member of my family might “disappear” or be killed. I never want that to happen. I came here to follow my husband, to make a home, and to fight to make a future for my daughter in Guatemala. I want things to stabilize in Guatemala.

NORMA

I am from El Salvador. I have been in the United States for five years. I came here for two major reasons. First, I began to work in the labor movement in El Salvador in 1972, and after some years the revolution came. When the November 1989 offensive hit, I was living in one of the most affected areas. The police thought that we were all giving aid to the injured. I could not live there any more because they captured and took away people near where I lived, and they searched for me at my mother and aunt’s homes as well as other places. The second reason I came to the U.S. was because I was having problems with domestic violence. For years, my daughter and I had to put up with abuse and violence from my husband. He would insult my daughter, hit her and punch her. It was so bad that she could not sleep at night and had to sleep at school. He would arrive at the house, and when we didn’t want to open the door, he would shout in the streets that he would go to the police and accuse me of being a guerrilla. In my country, it is a crime to say that you are a guerrilla. I don’t want to go back, because I know that he will continue doing the same things. He is there, still single. He hasn’t married because he says he is waiting for us.

1994 Current Population Survey, which found that many women came to join their husbands who had acquired legal status under IRCA, the 1986 Immigration Reform and Control Act. See also Maria Blanco, Senate Testimony in Support of SB 1734 to Repeal Employer Sanctions (transcript on file with author) (describing gender bias in IRCA’s legalization program and other factors which made it more difficult for women than men to acquire legal status on their own); HOGELAND & ROSEN, supra note 30, at 10.


"IT'S LIKE BEING BLIND, DEAF, AND DUMB": ADJUSTING TO LIFE IN THE UNITED STATES

Many of the women interviewed faced extreme difficulties when they first came to the United States. In addition to language and cultural barriers, several women were trapped in exploitative working conditions or abusive relationships that prevented them from asserting their rights. In addition, misinformation and fear deterred many of them from adjusting their immigration status or seeking the assistance to which they or their children were entitled. Separated from their extended families and isolated even within the Latino community, some women were afraid to leave their homes. However, with the support of other women, some were able to obtain the services and information they needed to move out of their situations.

NORMA

I am from El Salvador. It was very difficult for me when I came here. I come from a country where at least I speak the language. Here it was like being blind, deaf, and dumb. Dumb, I can speak, but I can’t speak the language. Deaf, because although I can hear people talking, I can’t understand what they are saying. Blind, because I can read and see that people are talking, but I can’t understand them — it is as if I cannot see them. When you are new here, many people try to take advantage of you. And at least, thanks to God, we didn’t come here illegally. We had a visa to come into this country. Nevertheless, we were afraid. Can you imagine the fear of those who come here without documents?

RITA

My life was so difficult when I arrived. I didn’t know anyone, I didn’t have any family. I simply let myself be led around by this man. I didn’t have work, I didn’t have money. I was five months pregnant, and I couldn’t do anything. When I began to learn about the laws, I began to gather strength. And I told myself that one day I needed to disassociate from the father of my children, the man who brought me here. And I did

44. Interviews with Norma, supra note 42.
it. I was successful. But this was only after having spent almost two and a half years without being able to do anything. He would beat me and abuse me sexually. He mistreated me so badly, morally, that I was in pieces.

I couldn't go back to my country. First, because I didn't have any money and because I was ignorant of all things here. He kept me isolated in the house and I couldn't leave. When he went out, he would lock the door with a key from outside, and I couldn't go out to look for help. Later he would leave the door open, but with the threat that he would kill me, that here no one would figure out that I had been murdered. I had so much fear, especially having come from El Salvador, a country of violence and war. I was so traumatized that it was difficult to escape.

B. Proposition 187: The Shock and the Aftershock

On November 8, 1994, after a contentious public campaign which was closely monitored by the Spanish-speaking media, Proposition 187 passed handily, sending a shockwave through immigrant communities. Fear and misinformation throughout these communities became widespread, as women of all immigration statuses wondered whether it was safe to send their children to school, to go to the doctor's office, or to walk on the streets.

VERONICA 46

With regard to 187, I had so much pain in my heart and so much hope that it wouldn't pass. When I learned the margin by which it had passed, I cried and shouted for hours and hours. It worried me so much, because one needs medical care and school above all else, and my daughter had just started the first grade. I had so much fear. I wasn't well informed. I felt a sadness so immense, as if my heart would burst, and I needed to cry and shout all of the time. But the same fear, knowing that this proposition had passed, prevented me from going to the hospital.

After 187 passed, my husband would say, "You are crying so much, stop! There will be other clinics that will take care of immigrants." But what he said to me were simply words. I know, because we are aware — the women who take part in the lives of our children — we are the ones who take them to the dentist, to the eye doctor, to the pediatrician, and to the parent meetings at school.

46. Interviews with Veronica, supra note 41.
**IRMA**

It was very difficult for me when Proposition 187 passed. My husband was watching television and told me that Governor Wilson had won. I felt something hitting me, piercing my body. "What is going on?" my husband asked me. I said, "I don’t know what my son will do if he can’t go to school." Where will we go? We can’t go back to our country. I thought that this was a free country, a democracy. Why are they doing this? And even worse, to the children, the children aren’t guilty of anything.

**TELMA**

I was beginning my pregnancy when Proposition 187 was introduced. My first feeling was that I would have to leave this place, that I can’t stay here because I had heard that only certain people could go to the doctor and that children couldn’t go to school. So I thought, "Well, I’ll go to Mexico." But then my husband asked, "What would happen to you there? If you just show up, you would have no place to go . . . ." We convinced ourselves to stay together. It was very difficult for me. My husband has papers. With the fear of this proposition, I thought that he couldn’t apply for me or arrange to legalize my status. All of that time passed without his having filled out my papers.

I am not getting Medi-Cal. My husband started to work and covered me with his insurance. With this insurance and my sister’s help, I found a doctor. I didn’t miss even one appointment. I thought, in the name of God and the conscience of the doctor, I will not tell them that I don’t have papers, but they never asked me for my papers. The doctor and the secretary were very nice. But when the date of the Proposition vote came close, I heard again that no one would be able to go to the doctor, and that no one would be able to go outside. I imagined that if I left my house, the immigration authorities would be right outside.

Life changed after 187 passed. Now we all live with an internal terror. Although on the outside we look calm, inside we have a lot of fear — of talking to people. There is a lack of confidence about everything. There is a lot of talk, murmurs all the time. Whatever we are talking about, the conversation always returns to 187, the details. Everyone feels bad about it, and the discrimination especially against us, the Latinos.

**The Effects of Proposition 187: Post-187 Discrimination**

After the passage of 187, there was a documented rise in hate crimes

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against Asians and Latinos. Even in the San Francisco Bay Area, where four of the top five counties voting to defeat Proposition 187 are located, life for immigrants changed profoundly.

**JUANA**

There is a lot more discrimination since 187 passed. We are aware of it when we pass people in the street. When we are walking, we see "gringos" who look at us because we are immigrants. Sometimes they don't say anything, but with their very attitude, looks, and gestures, they are saying that because we are immigrants they don't want us here. We feel rejection from them. When they do talk to us, they often ask us to show them our green cards or say, "those wetbacks—we have to send them away" along with a lot of grimaces and gestures that make us feel bad. They say, "those 'welfaros' (welfare bums)—that we came here to take advantage of the system and all that the United States offers.

**IRMA**

There are a lot of women who go out with several children, some of their own and others that they are taking care of. On the street, strangers count their children. For example, a friend of mine has two children and two she takes care of. An American woman began to count them, "1-2-3-4," and stare at her, and I said to her, "No, she has five children; I am the fifth." I knew that she was thinking that my friend was collecting welfare for those children, but I knew that she was working, taking care of the other children. The same thing happens to me when I take care of other peoples' children. According to them, because we are Latinas, we are receiving welfare and they look down on us. They call us "welfaros," and this really bothers me because I have a conscience and I am not receiving anything, not even Medi-Cal. At times, I wish they would cut all benefits, but cut them to everyone—to white people and black people too. They think that

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49. *See CHIRLA, supra* note 11 (documenting abuses, discrimination, hate speech and hate crimes against Latinos, including both legal residents and citizens, by individuals, businesses, and law enforcement officials in the wake of Proposition 187's passage). *See also* Thomas D. Elias, *Prop. 187’s Ugly Impact*, S.F. EXAMINER, Dec. 11, 1994, at C4 (stating that "many working Latinos report that they are being harassed as never before, no matter how long they or their families have lived in California").

50. San Francisco County (70.7 percent voting against Proposition 187), Alameda (59.6 percent), Marin (58.7 percent) and San Mateo (52.6 percent). In Santa Cruz County (also in Northern California), 52.8 percent voted against the measure. *See Johnson, supra* note 20, at 659. For an analysis of the voting patterns on Proposition 187 by race, *see* Bau, *supra* note 30, at 13-21.


52. *Interviews with Irma, supra* note 47.
Latinos don't have any rights, but we are the ones who are working the hardest . . . . Then they would really see who we are.

CLAARA LUZ

About three weeks ago, for a little recreation, my family and I went to a beach, just to look at the sea. It was a beach near San Francisco, where everyone was Anglo-Saxon. When we arrived, they began to observe us, whispering to each other and glaring at us as if we were extra-terrestrial beings. They stared at us — and they were people of all different ages — older women with their spouses, young people, staring at my two children, my husband and me, to the point where my daughter could not stand it any longer. I said, "Why? They are nobody. This is a public place. We are not here to invade them. We are doing absolutely nothing." Nevertheless, I must have taken it to heart, because sincerely, I felt very very bad, rejected. They viewed us in such a disrespectful manner, huddling together whispering to each other, that it was extremely hard on us. They didn't have to say anything — it was to such a degree. They followed us with their burning looks from the time we arrived. We couldn't stay there even ten minutes without feeling very uncomfortable.

MARIA

I was in the Mission with my husband and my children buying a few things that we needed. We were in a Latino store. There was a big line. While we were waiting, we saw a woman, a "gringa," go to the front of the line and say, "Wait on me." The clerk said, "you need to wait in line." She said, "but back there are 'mojados' (wetbacks)." We were all looking at her. The guy told her, "no" — she would have to stand in line just like everyone else. She said, "Why should I have to wait in line behind these 'mojados'? Wait on me first!" She had plantains, cheese, other things, and she thought that she could be served before the 'mojados' because she was in a hurry. She thinks that because she is a gringa, her money is worth more than ours, and that she doesn't have to wait in line. I was furious. She couldn't see that our money is worth the same as hers.

C. Legislative Proposals: The Impact on Immigrant Women's Lives

At the time the interviews for this article were conducted, Congress was still debating some of the welfare proposals which have since become law. The recently signed welfare law not only dismantles the sixty-one year-old

53. Interviews with Clara Luz Navarro, supra note 37.
Aid to Families with Dependent Children (AFDC) program, but also severely restricts a wide range of services for legal and undocumented immigrants.\textsuperscript{55} The new law denies Supplemental Security Income (SSI) and Food Stamps to most legal immigrants, including those already in the country and allows states to deny Medicaid, Title XX social services programs,\textsuperscript{56} Temporary Assistance for Needy Families (AFDC's successor) and state-funded benefits to these immigrants. In addition, the law creates a new category of "unqualified" immigrants, which includes some immigrants legally authorized to live in the country.\textsuperscript{57} Unqualified immigrants are banned from an even broader array of federal programs and will be eligible for state or local public benefits only if the state affirmatively passes a law providing these benefits after August 22, 1996.\textsuperscript{58} Meanwhile, newly entering legal immigrants will be banned from all "federal means-tested" programs during their first five years in the United States.\textsuperscript{59} After their first five years, most future immigrants will continue to be ineligible for these programs until citizenship because of new "deeming" requirements.\textsuperscript{60} In addition, the welfare law requires states receiving welfare grants, SSI and housing agencies to report those known to be undocumented to the INS.\textsuperscript{61}

Shortly after the enactment of the new welfare law, California Governor Pete Wilson issued an executive order requesting that the restrictions on benefits for undocumented immigrants be implemented "as expeditiously as reasonably practicable" and "in accordance with all relevant legal requirements."\textsuperscript{62} The Governor's order requests state agencies to advise him regarding the scope of these prohibitions and to specify which actions would be "appropriate and necessary" in order to implement them. Howev-


\textsuperscript{56} Block grants provided to the states under Title XX of the Social Security Act are used to fund a variety of programs, including child care, in-home care for people with disabilities, programs for abused and neglected children and domestic violence prevention programs. See NAT'L IMMIGRATION LAW CENTER, IMMIGRANT PROVISIONS OF THE WELFARE BILL (H.R. 3734) 3 (1996).

\textsuperscript{57} Unqualified immigrants include all immigrants except lawful permanent residents, refugees, asylees, those granted withholding of deportation and immigrants paroled into the United States for at least one year. Pub. L. No. 104-193 § 431. Thus the category includes immigrants who are legally authorized to live and work in the country, such as asylum applicants or those who have been paroled into the country for less than a year.

\textsuperscript{58} Id. at § 403.

\textsuperscript{59} Id. at § 403.

\textsuperscript{60} Id. at § 421. Under the new "deeming" requirements, the income and resources of an immigrant's sponsor are added to those of the immigrant in determining her eligibility for benefits, disqualifying immigrants from benefits even when they and their sponsors are living at the poverty level.

\textsuperscript{61} Id. at § 404.

er, the Governor's ability to implement the new welfare reform law through an executive order has been questioned and could be challenged either in the context of the Proposition 187 litigation or in new lawsuits.63

At the same time, immigration bills passed by the House and Senate could be reconciled by a Congressional conference committee as early as September 1996. In addition to the immigration-related provisions, the final bill could impose new income requirements for sponsors, allow states to deny public education to undocumented schoolchildren, require hospitals to verify the immigration status of emergency room patients as a condition of receiving reimbursement, prohibit ineligible immigrant parents from securing benefits for their citizen children, deny housing assistance to family members who live with undocumented immigrants, and allow the INS to deport legal immigrants who use benefits during their first five to seven years in the United States.64

Building on the fear and hostility generated by Proposition 187, these federal and state actions have sent new shockwaves through immigrant communities.65 The laws and proposals which purport to "reform" welfare and immigration policies will have a profound impact on the lives of immigrant women, as these measures reach far beyond basic welfare and immigration issues. The recent and upcoming legislation could have a major effect on domestic violence policy, public education, and the health care system.

DOMESTIC VIOLENCE

In 1994, Congress enacted the Violence Against Women Act (VAWA) as part of a comprehensive attempt to address issues of domestic violence. Recognizing that batterers were using their control over the immigration status of their partners or spouses to keep women in abusive relationships, Congress created remedies which allowed victims of domestic violence to adjust their immigration status without depending on the cooperation of their batterers.66 VAWA provides battered immigrants with two forms of

63. See Vincent J. Schodolski, Wilson to Bar Aid to Illegal Immigrants, CHI. TRIB., Aug. 28, 1996, at 3; Tim Golden, California Governor Acts to End State Aid for Illegal Immigrants, N.Y. TIMES, Aug. 28, 1996, at A1. The constitutionality of some of the welfare bill's immigrant provisions have also been questioned. See, e.g., Gregory Memo, infra note 92.

64. See H.R. 2202; S. 1664.


relief: they may "self-petition" for permanent residence status or apply for "suspension of deportation."\textsuperscript{67} Congress acknowledged that fear of deportation prevents some victims of domestic violence from taking steps to protect themselves, such as calling the police or filing for a civil protective order.\textsuperscript{68} This same fear of deportation can also deter immigrant women from seeking shelter or basic assistance which would allow them to flee violent homes and secure safety for themselves and their children.\textsuperscript{69}

The protections afforded to immigrant women under VAWA, however, have already begun to unravel.\textsuperscript{70} Depending on how the laws are interpreted, Proposition 187, the federal welfare law, and immigration bills could require shelters, health care clinics and social service providers to screen for immigration status before providing services. These conditions are likely to force many women to remain with their abusers rather than risk deportation. The welfare law and pending immigration bills either ban assistance altogether or disqualify immigrants from services through "deeming," where the income of an immigrant's sponsor is assumed to be

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\textsuperscript{67} VAWA \textit{supra} note 66, at §§ 1154(a)(1), 1254(a) (1994).


\textsuperscript{69} HOGELAND \& ROSEN, \textit{supra} note 30, at 63 (finding that for 64 percent of the Latina women and 57 percent of the Filipina women interviewed for their study, fear of deportation was the primary barrier to seeking services). AFDC and other services such as temporary shelter, medical care, nutritional assistance, job training or placement, are some of the many needs of women fleeing domestic violence. Cris Sullivan et al., \textit{After the Crisis: A Needs Assessment of Women Leaving a Domestic Violence Shelter}, \textit{7 VIOLENCE AND VICTIMS} 267, 273 (1992). Recent surveys found that as many as 60 to 80 percent of welfare recipients are, or have been, victims of domestic violence as adults. \textit{See} JODY RAPHAEL, \textit{TAYLOR INSTITUTE, DOMESTIC VIOLENCE: TELLING THE UNTOLD WELFARE-TO-WORK STORY} (Jan. 30, 1995) (on file with author) (summarizing studies of welfare recipients in Washington State, Kansas City, Chicago, Denver and other cities); \textit{WASHINGTON STATE INSTITUTE FOR PUBLIC POLICY, OVER HALF OF WOMEN ON PUBLIC ASSISTANCE IN WASHINGTON STATE REPORTED PHYSICAL OR SEXUAL ABUSE AS ADULTS} (Oct. 1993) (on file with author). Fifty percent of all homeless women and children in the United States are fleeing domestic violence. \textit{The Violence Against Women Act of 1990: Hearings on S.2754 Before the Senate Judiciary Comm.}, 101ST CONG. 2D SESS. 37 (1990). Many women lose employment because of on-the-job harassment by their abuser or because they must leave jobs, possessions and a support network behind in order to move to a safer location. Melanie Shepard \& Ellen Pence, \textit{The Effect of Battering on the Employment Status of Women}, \textit{3 AFFILIA} 55 (1988).

\textsuperscript{70} In legislation purportedly aimed at stopping "terrorism," Congress eliminated the "suspension of deportation" remedy, including the special remedy for victims of domestic violence, for all immigrants found by the INS who entered the country without documents, no matter how long they have lived in this country. \textit{Antiterrorism and Effective Death Penalty Act of 1996}, Pub. L. No. 104-132, 110 Stat. 1214 (1996).
available to her in determining her eligibility for services, even if her
sponsor is abusing her.\textsuperscript{71} As the following testimony demonstrates, provi-
sions that require cooperation between the police and the INS or fail to
protect the confidentiality of those who report crimes,\textsuperscript{72} will further
undermine the ability of immigrant women to escape their abusers.

\textit{Maria}\textsuperscript{73}

With regard to domestic violence, people are afraid to ask for help since
187 passed. Women suffer severe blows and strong punches. In couples,
the woman stays silent, even in emergencies, because she is afraid to go to
the hospital, the doctor or the police. This is especially true with the police
because they have contacts with immigration officials and could deport the
woman. This is a big fear. She is afraid that if she reveals that she suffers
from abuse, her spouse will go to the police and report her to immigration
officials. This is a serious problem — the domestic violence that we cannot
control.

\textit{Juanita}\textsuperscript{74}

But even worse, when a woman talks to the police, the police take her
husband away. But he shows them his documents. The one without
documents is the woman — she's the one who is deported. Often, the
children and husband have documents, but she doesn’t.

\textsuperscript{71} Proposals to exempt domestic violence victims from deeming and other benefit
restrictions were included in earlier versions of the welfare bill but were not incorporated
into the final welfare bill, Pub. L. No. 104-193. The House and Senate immigration bills
would exempt victims of domestic violence from certain restrictions for 48 months or more
if they can demonstrate that the public benefits have a “substantial connection” to the battery
or extreme cruelty. \textit{See, e.g.}, H.R. 2202 \S 218.

\textsuperscript{72} Proposition 187 prohibits local governments from limiting cooperation between the
police and the INS, and requires the police to report those suspected of being undocumented
to the Attorney General and the INS. Proposition 187, \textit{supra} note 5, at \S 4. The new
welfare law prohibits state and local government entities from restricting the flow of
information to the INS but does not require that these entities inquire about a person’s
immigration status. Pub. L. No. 104-193 \S 434. Pending immigration bills contain similar
measures. \textit{See, e.g.}, H.R. 2202 \S 177. These provisions could thwart efforts to develop trust
between police departments and immigrant communities in cities such as San Francisco,
which enacted the City of Refuge Ordinance in 1989. SAN FRANCISCO, CA, ADMIN. CODE
ch. 12H (1993) (prohibiting city agencies from engaging in immigration enforcement
activities except in limited situations relating to drug arrests or previous felony convictions).
\textit{See also} Ignatius Bau, \textit{Cities of Refuge: No Federal Preemption of Ordinances Restricting

\textsuperscript{73} Interviews with Maria, \textit{supra} note 54.

\textsuperscript{74} Interviews with Juanita, in San Francisco, CA (Sept. 22, 1995, Oct. 4, 1995, Oct. 18,
1995). Juanita is not the interviewee’s actual name.
We know of two specific cases of the kind that Maria and Juanita were talking about. One woman’s spouse was beating her. She called the police and they arrived and took the man away. But the man informed on the mother and her sisters and now she is facing deportation because the man accused them of not having documents. Another young woman in our group escaped a beating. When she called me, I advised her to call the police, but she said, “No— they will deport me.” She was in the hospital as a result of their fights and suffered a lot, but her main fear was that they would deport her husband. Those who do not belong to our community, who are not immigrants, might assume that we are stupid. “Why don’t you just leave him if he is making you suffer?” they ask. They don’t realize that these women do not have work authorization; they depend on their abusers to pay the rent, give them food to eat and support them economically. How will they support themselves, and what will they do with their children? How can they survive without them? They are subjects of these abusers, and they don’t want them to be deported.

I was living under domestic violence ever since I came here. My abuser brought me to this country. He used me and kept me as a kidnapped person. He isolated me and didn’t let me have any friends. Once when he beat me, I called the police and they put him in prison for three months. During the few months when I was alone, I finally succeeded in leaving the house. I would go out and talk with other women. But I had the same fear because he continued to control me from the jail. I had to do what he said while he was in jail. I had so much fear that I was locked up, even if I knew I wasn’t, but I was scared. But those three months did something for me . . . . Fifteen days after he was released from prison, I left with my two children and I found refuge in a shelter, and from there I didn’t leave. He was sent back to prison, and I went to court and was very strong. He always told me that they would let him out, but I made a declaration in court. I declared that he had threatened me and my child in El Salvador, that he would harm her and my parents, my family. They deported him, took away his papers, his work permit, and all of his rights. And now, I don’t think he can come back to this country any more.

If implemented, Proposition 187 will deny public education to

75. Interviews with Clara Luz Navarro, supra note 37.  
76. Interviews with Rita, supra note 45.
undocumented children,\footnote{This provision directly conflicts with the United States Supreme Court's decision in Plyler v. Doe, 457 U.S. 202 (1982) (striking down Texas statute, which denied free public education to undocumented children, as a violation of the Equal Protection Clause of the 14th Amendment). \textit{See also} League of United Latin American Citizens v. Wilson, 908 F. Supp. 755 (1995) (order, granting in part, plaintiffs' motion for summary judgment). Proposition 187 goes even further than the Texas statute invalidated by the Supreme Court; the proposition will require schools to check the immigration status of children's parents or guardians and will not allow unqualified children to attend school even if they pay a fee. \textit{See} Proposition 187, \textit{supra} note 5, at § 7.} and will require schools to report children and any parents or guardians "suspected" of being undocumented to the INS.\footnote{Proposition 187, \textit{supra} note 5, at § 7. The initiative will also deny post-secondary education to undocumented immigrants. \textit{Id.}}

In the context of federal welfare reform, Congress declined to deny elementary or secondary education to undocumented immigrants.\footnote{Senator Exon proposed an amendment to an earlier welfare bill, S. 1120, 104th Cong. 1st Sess. (1995), which would have barred schools from serving undocumented children with federal education funds. After discussion, this was pulled from the bill. \textit{141 CONG. REC. S1092} (daily ed. Sept. 14, 1995). The new welfare law explicitly declines to address immigrants' eligibility for elementary or secondary education programs. Pub. L. No. 104-193 § 433(a)(2) (citing Plyler v. Doe, 457 U.S. 202 (1982)); H.R. 3734 CONF. REPT., \textit{supra} note 12, at 382-83. However, the law denies post-secondary education benefits funded by the federal government to "unqualified" immigrants, including many who are legally authorized to be in the country. Pub. L. No. 104-193 § 401. Due to political pressure by students and academic institutions, higher education loans, and grants were saved for "qualified" immigrants in the final welfare bill. Pub. L. No. 104-193 §§ 403, 423. \textit{See also} Adam Clymer, \textit{G.O.P. Agrees to College Aid for Immigrants}, \textit{N.Y. TIMES}, Nov. 26, 1995, at A1.} However, by a vote of 257-163, the House passed an amendment to its immigration bill, H.R. 2202, which will allow states to do just that.\footnote{See \textit{142 CONG. REC. H2518} (daily ed. Mar. 20, 1996).} A similar amendment debated in the Senate failed to pass.\footnote{Louis Freedberg, \textit{GOP Senators Ponder Banning Illegals From Public Schools}, S.F. CHRON., April 16, 1996, at A3; Marc Lacey, \textit{GOP Softens Plan to Bar Illegal Immigrants in Public Schools}, L.A. TIMES, July 31, 1996, at A6.} After vocal opposition by elected officials, law enforcement groups, and more than 50 Senators (including at least eight Republicans), Rep. Elton Gallegly, author of the amendment, attempted to broker a "compromise" for the congressional committee to reconcile the immigration bills. The proposed compromise would allow states to charge tuition to undocumented immigrants entering junior high school or changing schools.\footnote{See Eric Schmitt, \textit{Police Scorn Plan to Deny Schooling to Illegal Aliens}, \textit{N.Y. TIMES}, Apr. 9, 1996, at A10; William Branigin, \textit{Education Clause Delays Illegal Immigration Bill}, WASH. POST, August 3, 1996, at A4. President Clinton has vowed to veto the proposed immigration bill if either the original "Gallegly amendment" or the proposed compromise is included in the final version of the bill. \textit{Clinton Vows Veto of Immigration Bill If Gallegly Amendment Is Included}, \textit{73 INTERPRETER RELEASES} 1111 (1996).}

In addition to the education restrictions, the House immigration bill \textit{prohibits} ineligible parents/guardians from seeking benefits for eligible
As a result of these and other provisions, many citizen children in families that include a range of immigration statuses will be barred or deterred from obtaining the services to which they are entitled. After the passage of Proposition 187, there was a reported decrease in school attendance. The women we interviewed described the traumas of their children who were burdened with the knowledge about their own immigration status or those of their family members. Both citizen and immigrant children experienced fear and heightened discrimination at school in light of Proposition 187.

**CLARA LUZ NAVARRO**

What kind of future can the United States expect if the millions of young immigrants and children have a cap placed on their aspirations to progress? It is so painful to observe the dehumanization and mistreatment, not only of adults, but of the children who are victims of adults' errors. The destruction of the wars hits women and children especially — the most vulnerable beings. The woman sees herself as obligated to immigrate here, and children have neither a voice nor a vote. Their feelings aren't taken into account and their opinions aren't respected. They are simply dragged from one place to another.

This psychological war also terrorizes a child's imagination. A child fears that if he goes to school, he might not see his mother again, because his mother or father will be deported. We think that children live in their own world — but for children of color, immigrants, the words "deportation" and "immigration" are a reality. They have a lot of fear. They know exactly what a raid is. They know what it means not to have documents. On top of this, they suffer persecution, discrimination in the schools: "Why are you here? You came to take our work from us! You don't belong here. This is not your country, you have to go back to Mexico."

I know a child who said to his little brother, "Since you weren't born here, they are going to send you away." Or vice versa: the little brother who doesn’t have documents says in anguish, "The problem isn't with you.

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83. H.R. 2202 § 201.

84. B. Drummond Ayres Jr., *In California, Uncertainty Chills Illegal Aliens*, N.Y. Times, Nov. 21, 1994, at A10. School principals predicted that both documented and undocumented children would stop attending school if Proposition 187 were enacted. *See* Deposition transcript of Pilar Mejia at 23, Pedro A. v. Dawson, *supra* note 9 (stating that many students stayed home after 187 passed even if they were documented); Deposition transcript of Maria Guadalupe Arabolos at 14-15, Pedro A. v. Dawson, *supra* note 9 (describing the effect of Proposition 187 on the trust relationship between students and teachers and the pressure on students who have knowledge about the undocumented status of family members). According to these principals, the effect was felt most acutely by Latino children, who perceived that the initiative was directed at them.

I am going away. They will send me away, and I will be separated from you because I wasn’t born here.” And then the recrimination of the mother: “Mama, why was the little one born here and not me?” Even infants ask their mother, “I have papers, right mommy? Nothing will happen to me because I have papers.” But the mother is encountering the same uncertainty because she, too, is waiting for the final resolution of her legal residence. The pain is doubled, both for herself and the pain of not being able to obtain all that is necessary for her children.

_NORMA_86

After 187 passed, it was particularly ugly for me. My younger daughter, especially, is always saying, “Mommy, what am I going to do if immigration picks me up?” (She is almost twelve). I am always telling her, “If immigration takes you, just tell them that you need to talk with your mother. You don’t have to tell them where you came from, how you got here, nothing; the only thing you need to say is your name and that you want to speak with your mother.” But she was afraid to go to school. She is still afraid to go to school because she has also seen the television news about the raids.

_IRMA_87

My son at school feels as if other people of color . . . like him less. They tell him that because he is undocumented, he doesn’t have a right to be here. They say to him, “You’re Hispanic, you need to go back to your country.” I told him not to pay attention to them, that he should continue studying and not to worry about what they say. But because he is a child, he pays attention to what other children say.

_GLORIA_88

We in the community were terrified by this proposition. Mothers didn’t want to send their children to school. They would say, “No, I don’t want to send them because then they will investigate us and I don’t want this to happen because my husband will lose work.” I tried to give them information, to tell them not to be afraid, that they should send their children to school.

At that point, they were going to take away their lunches. I too said, “How can they take away their lunch? It’s not fair to take away lunches because there are children who don’t have the resources, who don’t have

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86. Interviews with Norma, _supra_ note 42.
87. Interviews with Irma, _supra_ note 47.
enough to eat in the morning, or whose mothers need to leave quickly in
the mornings, because they have to go to work or to school and don’t have
time to give their children lunches in the mornings.” I felt very sad. I told
a lot of people that I felt sad about the school lunches and said, “This isn’t
good, we need to fight this, we have to make some progress, we have to do
something. We need to unite, to get together, to support other groups that
are doing something so that this doesn’t come to pass. They are manipulat­
ing us, discriminating against us, just because we are low-income, and this
isn’t good.”

THE FEAR OF SEEKING HEALTH CARE: “DISEASES DON’T KNOW
ABOUT IMMIGRATION STATUS”

If implemented, Proposition 187 will require publicly funded health care
facilities to check the immigration status of all patients seeking non­
emergency care, report patients reasonably suspected of being undocument­
ed to the Director of Health Services, the Attorney General of California,
and the Immigration and Naturalization Service, and notify these patients
that they must either obtain legal status or leave the United States. 89
Similarly, at the federal level, the new welfare law denies non-emergency
health care to “unqualified” immigrants. 90 The law grants states the option
to deny non-emergency Medicaid to immigrants already in the country. 91
Depending on how the law is interpreted, legal immigrants who enter in the
future could be barred from an even broader array of public health
programs, including migrant health clinics, maternal and child health
programs, prenatal care, family planning, HIV, drug, and alcohol treatment
programs. 92 These immigrants remain eligible for emergency health care,

89. Proposition 187, supra note 8, at § 6. Although Proposition 187 proponents claim that
the proposition addresses only “illegal” immigration, the measure could deny services to
some immigrants who are legally authorized to live and work in the United States, such as
asylum applicants, asylees, those granted temporary protected status, withholding of
deportation or suspension of deportation, depending on how the measure is interpreted.
Lawsuits challenging Proposition 187 asserted that its classifications conflict with federal
statutes defining eligibility for public benefits and public health programs. See, e.g.,
Memorandum of Points and Authorities in Support of Application for Temporary Restraining
Order at 3, 44-47, Gregorio T. v. Wilson, supra note 9.
92. Pub. L. No. 104-193 § 403. The welfare law purports to authorize states to
discriminate against legal immigrants in providing certain federal and state-funded benefits.
Pub. L. No. 104-193 §§ 402, 412. The constitutionality of such a provision has been
questioned by California’s Legislative Counsel. See Memorandum from Bion Gregory,
Legislative Counsel of California, to California Senator Mike Thompson, Legal Aliens:
Health and Welfare Services #33267 (Oct. 20, 1995) (on file with author) (concluding that
a state’s restriction of health and welfare benefits to legal immigrants, even if authorized by
Congress, would violate the equal protection clause of the 14th Amendment) [herinafter
Gregory Memo]. See also Graham v. Richardson, 403 U.S. 365 (1971). The welfare law
immunizations, and testing and treatment of symptoms of communicable diseases, whether or not such symptoms are caused by communicable diseases. The new welfare law will also require non-emergency health care providers to check patients' immigration status in verifying eligibility for benefits but will not require them to report patients to the immigration authorities. By contrast, the proposed House immigration bill, H.R. 2202, would require hospitals to verify the immigration status of patients seeking emergency care as a condition of receiving reimbursement for that care.

Opponents of Proposition 187 predicted that those banned from seeking preventive health care would be forced to wait until they needed expensive emergency care. Even without a ban on basic health care at the local level, clinics reported a decrease in visits after the passage of Proposition requires states that wish to provide state-funded services to undocumented immigrants to pass affirmative legislation after the bill is passed. Pub. L. No. 104-193 § 411(d). With limited exceptions, federal immigration bills, H.R. 2202 and S. 1664, would prohibit state and local governments from providing non-emergency care to the undocumented.

93. Pub. L. No. 104-193 § 401(b)(1). The welfare law incorporates the current definition of Medicaid. Id. at § 401(b)(1)(A) (citing the Social Security Act, 42 U.S. C. § 1903(v)(3) (1995)). Although the welfare bill's conference committee stated that these services exclude "prenatal or delivery care assistance that is not strictly of an emergency nature . . ." (see H.R. 3734 CONF. REPT., supra note 12, at 379), the Medicaid definition of emergency services includes emergency labor and delivery. In establishing the coverage in the current Medicaid statute, Congress recognized that without medical attention, the vast majority of deliveries will become an emergency without medical attention. See 132 CONG. REC. H11, 437 (daily ed. Oct. 17, 1986) (statement of Sen. Waxman). Thus, the legislature construed emergency broadly to include labor and delivery, eliminating any incentive to delay hospital admission and risk emergency delivery outside of the hospital.


95. See H.R. 2202 § 211.

96. The Chief of Staff of the Los Angeles Medical Center, the largest public hospital in California, predicted that while Proposition 187 reporting requirements would save California about $9 million annually in denying medical care, the costs for emergency care, as well as for the treatment of U.S. citizens with increased rates of communicable diseases, would rise by $47 million. Raúl Hinojosa & Peter Schey, The Faulty Logic of the Anti-Immigration Rhetoric, NACLA REPORT ON THE AMERICAS, Nov./Dec. 1995, at 22, 22. See also Declaration of Dr. Ralph Ocampo, President of the California Medical Association, paras. 5, 8, 9, Gregorio T. v. Wilson, supra note 9 (stating that the denial of primary care to immigrants would threaten public health, causing those in "desperate need of medical attention" to wait until their condition becomes an emergency, taxing "already overburdened emergency departments and trauma centers," and preventing delivery of care "when treatment is least costly and most effective").

Access to basic care in low-income communities saves hospital costs. See Charles Petit, Savings Seen When Poor See Doctors, S.F. CHRON., July 26, 1995, at A13 (summarizing study, which identified 60,000 hospital admissions in California, at an average cost of $15,000 each, for conditions which could have been treated less expensively and prevented in outpatient clinics — asthma, diabetes, high blood pressure, emphysema, and congestive heart failure).
187. Newspapers recorded deaths and illnesses attributed to the fear of seeking health care after Proposition 187 passed. Similar predictions have been made in light of the recent welfare law.

_Clara Luz Navarro_

Each time the cruelty is worse. Historically, in Europe, dead people were thrown into the streets. Now, the United States is passing into this situation. They claim that immigrants are going to go away, but they aren’t going anywhere. The illnesses will augment. They think that only poor, marginalized, and undocumented people are exposed to communicable diseases. They forget that the air is an excellent mechanism to disseminate microbes, bacteria, and viruses. Unless Anglo Saxon citizens walk around protected in space capsules with their own oxygen, they will not be able to liberate themselves from this contamination. On the contrary, all will participate in this game of transmitting diseases if health care is not provided correctly. . . . Health care and education is not a gift, it is a universal right. And even in the most cruel wars in barbaric countries, they have always allowed fallen enemies who need health care to receive medical attention. And here the undocumented and the permanent residents aren’t enemies. Yet they will turn into dangerous enemies when these proposals pass.

97. See Thomas D. Elias, Prop. 187’s Ugly Impact, S.F. EXAMINER, Dec. 11, 1994, at C4 (stating that Southern California outpatient clinics reported a decline of 10-20 percent in patient visits during the three weeks after the passage of 187); Fearful Aliens in California Staying Away from Clinics, N.Y. TIMES, Nov. 12, 1994, at 9 (stating that clinics serving mostly low-income Latinos reported 50-75 percent decrease in patient load after the election); B. Drummond Ayres Jr., supra note 84. A recent study documents a 26 percent decline in the use of outpatient mental health services by Latinos in the six months after the passage of Proposition 187 and a related increase in crisis episodes and costly emergency treatment. Joshua J. Fenton et al., Effect of Proposition 187 on Mental Health Service Use in California: A Case Study, 15 HEALTH AFFAIRS 182 (1996); Douglas P. Shuit, Prop. 187 Fears Tied to Mental Health Woes, L.A. TIMES, Apr. 17, 1996, at A3.


100. Interviews with Clara Luz Navarro, supra note 37. Ms. Navarro was trained as a nurse at San Salvador’s National Nursing School.
I know women who prefer not to bring their children to the doctor. When they have headaches or appointments at the doctor, they become scared. The clinic staff asks for their social security number, and they tremble to think that their name, addresses, phone number and everything will be kept in the computer.

Yes, there are people who don’t seek health care out of fear. I am also concerned about the cuts in health resources. I don’t know what is going to happen to us if that comes to pass. My daughter and I have been sick, but we have not gone to the hospital because we don’t have the money to pay for it. Can you imagine what will happen when these benefits are cut from everyone? Are we all going to die? Are we going to infect the community with the various diseases that exist? To save themselves money now, they want to cut off all services. But there will be incalculable costs in the future. The fact that someone is an immigrant or an undocumented immigrant, or that it makes a difference whether a person has papers in deciding whether to give immunizations to a child, doesn’t mean that the sickness won’t be transmitted to a citizen. Diseases don’t know about immigration status. If health care is cut in order to harm immigrants, if they use a measure like this, then they will harm the citizens of this county, not only the immigrants.

I tell people who are hurt at work, who don’t want to see the doctor because of 187, “Go! These are work-related injuries. Don’t be afraid, go.” They are afraid that they will be thrown out. This has affected peoples’ health, because they don’t want to go and attend to themselves — out of fear. You see on television that Medi-Cal will report you. The majority of people that I have talked to about health care are men. I have a lot of contact with the community because I do trainings on the streets, passing out condoms, etc. A lot of men, even more than women, are scared to go to the doctor. They ask me, “What am I going to tell my employer if the doctors share this information? I will lose my job with this 187. No, better that I keep going, even though I am in pain.” Even when they lose a finger at work, they are afraid of going to the doctor. The fear is just as bad for men as for women, but because of machismo, they don’t want to talk about it. But if you have a deeper conversation with them, they will
DIVISIONS WITHIN THE COMMUNITY AND WITHIN THE FAMILY

While claiming to address only "illegal" immigration, the rhetoric of Proposition 187 proponents failed to recognize the complexity of the immigration laws and the relationships that are affected by them. Some of the women interviewed believed that politicians are successfully dividing their heterogeneous communities and families even more. Others stated that adversity brought groups closer together. An analysis of the layers of subordination within subgroups, including differences based on race, gender, ethnicity, socio-economic and immigration status must recognize these divisions.104

CLARA LUZ NAVARRO105

It is very important that we have an idea, a concept, of what is happening to our communities — the realities. The proposals are creating more divisions not only within our community as a whole, but also within the context of our families. Our families are "mixed" — we have citizens, permanent residents and undocumented immigrants. Almost no Latino family or any other type of immigrant family can boast that all of its members are citizens, that all are permanent residents. It's not true. Our enemies or those who do not like us are achieving their objective in waging a psychological war. The government is using well measured tactics. As they fill us with fear, they divide our communities even more . . .

MARIANA106

In stores, often in stores owned by Latinos who have documents, they tell us that we shouldn't be speaking Spanish. When I ask them how much something costs they say, "Hey — not in Spanish," and they speak to us in English, even though they can tell by our faces that we speak Spanish. What's going on? Later when someone they know comes into the store, they speak to them in Spanish. I wonder why they are doing this to us. They know who has papers and who doesn't. Often, Latinos will say to me, "You don't have papers, but I do." Because they go back to Mexico one or two times, and come back here, they don't want to talk to us. "Why?" I say. We who are Latinos are eating each other up. This shouldn't separate us this way. It is a simple piece of paper, that is just a

105. Interviews with Clara Luz Navarro, supra note 37.
piece of paper — I could rip it up and then they'd have nothing.

Rosa

Well, there are some divisions, but the majority of Latinos have united more. We are more united and we are ready to unite with those who aren't with us. In the past, Latinos saw each other differently; we discriminated against each other. But since 187 came about, we have been supporting each other. We are seeing each other more as brothers. In the past we would say, "aah, those Salvadorans! aaah, those Mexicans! Always those people, these people." No longer. Now we say our Mexican brothers, our Nicaraguan brothers, our Salvadoran brothers. Because that is what we are, brothers.

D. Beyond the Proposals: Strategies for Change

Moving Forward: Training, Child Care, and Jobs

Many of the women we interviewed were studying or participating in trainings to enable them to become self-sufficient, leave social services if they use them, or improve their futures. However, depending on how the new welfare law is interpreted, many job training and child care programs could be restricted or eliminated for legal immigrants.

Veronica

My hopes? Nothing more than to continue working in this country and to demonstrate to people that we came here to work and to forge a better future. We didn't come here to be a burden on anyone. Thanks to God, we have health, hands, and legs which allow us to work. We Latinos also have a heart and the hope which keeps us moving forward, so that we may excel. With God's help, I think that it will all be possible — to keep moving ahead.

Maya Luna

This has been my life, and I have dreams. The first dream I have, and the most important one, is to see my children succeed. I have dreamed of seeing each one of them with a career — humble ones, or whatever they like. I want to be a nurse and to have good qualifications. We didn't come to this country to throw ourselves away or to lose ourselves. I am always with my children, and I try to talk with them. It has been difficult for me,

108. Interviews with Veronica, supra note 41.
but not impossible. When they see news about the proposals, I say to them, "but there are a lot of people who are helping us, and we have to understand that, while there are many against us, there are many who are with us also. They see us with good eyes."

MARTA

After I left my husband, I wasn't prepared for anything. I didn't have a vocation. I didn't feel that I could do anything. And then I went to school and trained to take my GED. In my country I had only completed the sixth grade. My level of education was very low. And now, I have taken my GED, a training on office procedures, and am enrolled in another training on accounting because I do not feel sufficiently prepared to begin work. I am doing this for myself and for my children, who are all in school. I am training so that I can get off of social services, which have helped me a lot. I am studying to be able to give a good life to my children. The benefits are not sufficient to live on. With four in our family, it is very difficult to survive on what we receive. We need many things.

IRMA

I was planning to study English, but I was afraid of going to class because the professors might report me to immigration. I was scared. Then I found a school near here, but I had to stop because my husband started working and I needed to stay at home to take care of the children. It costs more to pay for child care than I earn when I work, so I can't work or go to school. I am on a waiting list for child care. I would like to get my GED, learn how to use a computer well, and become an accountant.

RITA

Right now, I am on welfare, because I am studying from 8:30 to 3:00 in the afternoon. I am taking typing and a course on the GED. I am trying to prepare myself, but it is not easy because in my country I didn't study much, only 6 years. I practically just began my studies, and if they take away our assistance, I will never be prepared to work in a better job rather than depend on the government. I am moving toward my legalization so that I can advance, have a good job which will allow me to excel with my children, and help other people when they need it. My future, my plans, my goals are to learn a career in accounting, and not be left cleaning houses.

111. Interviews with Irma, supra note 47.
112. Interviews with Rita, supra note 45.
— work that I do out of necessity and because I am capable of it. My goal is to work in an office, but never to forget how to speak Spanish. I always want to help Spanish-speaking people. And maybe people who speak other languages too.

I am acting as a facilitator for domestic violence programs in order to help other women, because domestic violence has been on the rise. With today’s laws, women are afraid to report their husbands. I believe that I am helping them quite a bit. I talk about my case and try to give them strength so that they don’t land in situations that don’t benefit them. I always encourage them to study, to move ahead and advance, so that one day their children will be proud of them.

**Mutual Support Groups**

Most of the women interviewed pointed to the support of other women, along with temporary shelter and basic subsistence income, as crucial in allowing them to escape dangerous living and working situations, not only to survive but to learn, grow, and contribute to others. These stories illustrate the importance of women’s shelters and women’s support groups which allow women to escape the violence in their homes. Welfare and immigration reform proposals could require shelters, churches, and other non-profit agencies to check for immigration status, and would deny women the basic services they need to secure safety.

**Norma**

When I came to this country, the first year, I was very isolated. What helped me a lot was that back in my country, I had been a very active person, working with the community, the workers, and on political and social changes. One opportunity that came to me was that I saw a telephone number on a wall in the Mission District. I wrote down the number and hid it from the woman I lived with. (I was living in the avenues with a woman who gave me food and shelter. Her husband had cancer. In exchange for the food and shelter, I would take care of him, clean the house, cook, and do everything she gave me to do in the house). One day, when the woman wasn’t at home, I called that number . . . it turned out to be Clara Luz who answered. I told her that I wanted my daughter to do something to save herself in time . . . to make sure that she doesn’t get mixed up in violence and everything else at her school. I began to ask her questions, but at that moment, the woman arrived in the house and I could not continue talking. But I called back another day, and I

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113. See also Thomas Huang, *Change in the Works: Support Programs Help Immigrant Women Fight Job Exploitation*, DALLAS MORNING NEWS, May 3, 1995, at 1A.
114. Interviews with Norma, supra note 42.
talked with Maria O., who invited me to come to a women’s leadership group.

I started to go to school to learn English. But one day, instead of going to school, I came to a women’s meeting. Through the group, I also found an agency where I applied for “tps” (temporary protected status).\footnote{Temporary protected status is a legal status granted to people from designated countries where unsafe conditions would make it a hardship for them to return.} I kept this hidden from the woman I lived with, because she didn’t want me to do it. I told her I was going to a meeting at my daughter’s school instead. I started to meet with the group. Later, they helped me get out of my living situation and helped me find a shelter. With the support of these women, I developed myself in many different ways as well.

\textit{GLORIA}^{116}

When I met the “Mujeres,” I was shattered, beaten; my husband was beating me. They were doing a study of the community’s needs and saw that women were suffering from domestic violence. We were suffering from many other things as well — a lack of information and a lack of resources in low income families. The Mujeres saw me. I saw Clara Luz, and I said, “To \textit{this} person, I am going to tell my problems.” I felt that she had come to me from heaven. So I started to tell her that I wanted to commit suicide, that I had nothing to live for. My husband didn’t care about my children, and he cared even less about me. She told me, “No. Look, you are very young. You are worth a lot. You need to move ahead. What are you going to do with your children? When you think you want to kill yourself, think of your children. You are worth a lot. You can have a better future. But don’t think about that.” When I heard these words, it felt like she had given me a fertilizer to make me grow and move forward. I said, “Yes.” I think that my life changed after hearing her words: “You are worth a lot, don’t let anything hold you back. You are a very valuable woman.” She didn’t even know me, but she wanted me to progress. So I said, “Yes it’s true.” This woman gave me a solution. I will demonstrate to the father of my children, that I am worth more than he.

I started to attend all of my children’s school meetings. Because at first, I didn’t know anything about what my children were doing. I didn’t know their teachers. I didn’t know anything about their schools, not even what they had for homework. I didn’t talk to my children, nothing. Now, they all talk to me about what’s going on in school and ask me for help with homework. I am single; I don’t have much time, but whatever time I have, I give to them. The problems aren’t over, but we have to progress. As Clara Luz says, look at yourself in the mirror and think of yourself, look

\footnote{Interviews with Gloria, \textit{supra} note 88.}
at yourself with respect. I have to move forward — for my children.

**JUANA**

I discovered the women’s leadership group one year after I came to San Francisco. I had been very afraid to go out onto the streets. Everyone I knew, my friends, and sister-in-law, told me that I couldn’t go out because we weren’t supposed to speak Spanish outside. We could only speak English, so I was very afraid to leave the house. But when I found out about the group and started to meet with them, I realized that this wasn’t right, everyone outside was speaking Spanish. Even in the store across the street, that I had never gone into before, people would speak Spanish to me! I saw what was going on and began to work with the women’s group. I had a great desire to collaborate because when I came I was very isolated and extremely misinformed. I realized that I had been so misinformed, and this motivated me to inform a lot of others. Those who I met in the street and in the schools were just like me. I would say to them “that’s not true, that’s not right.” I told them about the immigrant assistance line (where you can call and ask confidential questions about your rights), invited them to come to our group, and gave them information. That’s what keeps me going the most, working in the group.

**LINKS WITH OTHER COMMUNITIES**

Despite the obvious dividing effects of the welfare reform proposals at the federal, state, and local level, Bay Area immigrant women’s groups have taken advantage of the opportunity to unite to fight against proposals which target all low-income women. Mujeres Unidas y Activas, a Latina women’s leadership group, has formed alliances with Family Rights and Dignity, a low income women’s group, and women from the Chinese Progressive Association. These groups are working together to promote positive alternatives to welfare reform, job training, leadership, education, and the promotion of mental and physical health in low-income marginalized communities.

**CLARA LUZ NAVARRO**

With regard to the alliances that we Latina women as an immigrant

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118. As the federal welfare system is dismantled and benefits that were once guaranteed to all who qualified are converted to finite block grants to the states, the limited money could pit groups against each other even more.
119. For a description of some of the challenges in forming coalitions, as well as examples of successful coalition-building efforts, see generally Bau, *supra* note 30, at 25-30 (calling for a broad coalition approach to influencing electoral battles and immigration policy).
120. Interviews with Clara Luz Navarro, *supra* note 37.
group are building with African American women and with Chinese women, although it appears crazy because we don’t understand each other’s language, we are trying to communicate about the problems that we have in common. We were talking with African American and Chinese women’s groups about welfare reform and the complaints that we had against Senator Dianne Feinstein. African Americans, as North American citizens, have citizenship documents. They know the language, but they aren’t going to get off of welfare with $5 an hour in a job, when they need to pay $8 or $10 per hour to take “care” of their children. And “care” is in quotes because more than anything it’s leaving their children somewhere because they can’t even find a good place to leave their children. But they pay more than what they are going to earn. We want the development of training and work, dignified work, remunerated, where we can, if not solve our economic problems completely, at least secure an alternative — to make it worth the sacrifice of leaving our children in unknown hands.

Many Asian women find themselves in a similar situation with regard to immigration — they suffer the dismembering of the family. There are many similarities between the Latino and Asian cultures. The family and close friends take charge of watching over the children in our native countries — something that is lost here in this country. We don’t have resources to help each other mutually. Regardless of race or ethnicity, low-income women share many problems. Whether we are immigrants or citizens like African Americans or other minorities, we are at the same disadvantage and the same probability of not being able to subsist.

A MESSAGE TO POLICY MAKERS

NORMA

It seems unjust. The United States doesn’t want us here, but people are here for different reasons. We work and pay taxes. It is unjust because we are also having problems in our countries. The government of this country has placed its hands in the politics of our countries. They went down there to do it. If the United States, instead of giving millions of dollars every day to maintain a war in El Salvador, would give the money to locate sources of work, to provide health care, to improve all of the services in that country, surely, we wouldn’t be here in such large numbers. Because no one would have been persecuted, and the country wouldn’t be in this situation right now either. But unfortunately, aiding others isn’t good for business, and for this reason they don’t do it. But it isn’t our responsibility either that the government of this country maintains our countries in a catastrophic situation, socially, politically, and economically.

121. Interviews with Norma, supra note 42.
With respect to those who support the anti-immigrant proposals, I would like to say to them: Consider the fact that we are human beings. You do not have the right to keep other people in the dirt. The world is large and the borders were invented by politicians. We all fit into this world — black, white, yellow, big, small, little, big, fat, thin — and we all are part of it. We can't treat each other this way, because if we work as a community, we will all be able to understand each other.

*Rosa*\(^{122}\)

I want to give them my message, to tell them that just as North Americans are human beings with blood flowing from their veins, we Latinos, the same blood flows in us. I have seen cases in hospitals where someone has been saved by blood that was donated by a Latino. In this same way, they should give us the opportunity to move forward . . . . It makes me very sad to know that people don’t have feelings, that they see only the material things, believing that we are taking so much from them. But in the end, when we die we won’t have anything. Like the many millionaires who have so much money, all this will be left when they die. Why not be happy now while we are alive and help each other, then we will be more human. This is why there are wars, because we think more of the material and we forget about the spiritual. And I think that the spiritual is worth more than the material.

*Clara Luz Navarro*\(^{123}\)

Yes, we not only have complaints; at the same time we are working with alternatives and in search of solutions. One of the recommendations that I can give, based on my work in the community, is that if welfare reform is so drastic, we should use the money saved to develop training for women, regardless of whether they are documented. This is because welfare or assistance and economic dependence is related directly to the problem of domestic violence. It doesn’t matter that we are developing and creating better programs and laws to prevent or to reduce domestic violence, if we aren’t getting to the roots of this problem at its origin. If we develop job training and then create work for these women, this would be a result. Don’t just cut women off and make life more difficult for the unprotected.

Another major problem is the lack of sufficient child care, accessible to different communities. When I am talking about accessibility, I mean sufficient space. A woman makes the effort to study, graduates from a program or receives training and can then work somewhere, but she can’t always find a place to leave her children. There are long waiting lists —

\(^{122}\) Interviews with Rosa, *supra* note 107.

\(^{123}\) Interviews with Clara Luz Navarro, *supra* note 37.
you can wait for one, up to two years. During these two years, a mother and child could die of hunger or encounter more difficult situations.

Another suggestion is to reduce the time that permanent residents must wait to become citizens. They are attacking immigrants at a time when there are thousands of permanent residents who can’t obtain citizenship . . . they have to wait for so many years. If they were really interested in having us become citizens, they could reduce the waiting time. The truth is that they could feel the power and freedom that we would demonstrate — that we want to participate in the political process and make effective changes.

III. CONCLUSION

Taking The Frying Pan By The Handle: Fighting These Proposals

NORMA124

What I am doing to fight against these proposals? I have involved myself with the community through the work that I am doing with the Mujeres Unidas y Activas and through the schools where my daughters are studying. I am trying to take action against the people who perform these types of abuses. I am trying to raise the consciousness of the community and to increase their participation. I am trying to teach the immigrant community that they have rights, and that just as we have obligations, we have rights. As human beings we have the right to be respected.

RITA125

In this country, it is a rushed life; we have to live day by day. It is difficult to set big goals because the laws change so much that you can’t know the rules from one moment to another. They put us on a street without an exit; there is nothing to do but sit there with your arms crossed. It feels as if you can’t stand it anymore in this country. But if we join together, we can all move forward. And as for 187, I have faith that it won’t be implemented. Up to now it hasn’t been put in force, but it has harmed us a lot. We should join together and work together so that these laws do not pass. Work without having our arms crossed. Because if this government thinks that we will sit around with our arms crossed, they are wrong. All of us will come and will work, we will fight until we reach agreement, and we will never let them conquer us.

124. Interviews with Norma, supra note 42.
125. Interviews with Rita, supra note 45.
Marta\textsuperscript{126}

I don’t feel as if to become a citizen here, I am rejecting my country. No, because I feel that I am here. And if I can give my vote to my community, why shouldn’t I do that? I want to vote when I am a citizen. I think that the vote of each person has force, and is something to give to our community.

Clara Luz Navarro\textsuperscript{127}

In this industrialized country of millionaires, which is by general consensus the primary superpower, the human resource is disposable, equivalent to modern era materials like plastic. It is inconceivable . . . how incredibly ungrateful this country can be, after people have dedicated their entire lives, youth, and health in aggrandizing the wealth of this country, after which they receive no benefits when they are old, when they can no longer earn for themselves. What they are doing to the elderly is unconscionable; they are taking away benefits, retirement, a dignified pension, leaving a person completely abandoned, when her only resource was the miserable charity that they provide for retirement. But on top of this they are tightening the immigration laws, prohibiting siblings and children from coming, children who can be their only source of economic support and allow them to avoid the charity of the government. Children may also be their sole source of emotional support. For them this country brings isolation, a terrible solitude. The elderly need someone’s company to live their last days with dignity.

These policies will not only affect us (those they want to destroy), but they themselves will be prejudiced by it as well. In the history of humanity, it is understood that, in daily life, all that we do against others comes back to us. It is the same physical action that a boomerang has. I throw it and it comes back to me. A citizen with a conscience in this country should not participate in this insanity. But not only not participate, rather they should put an end to it. Because this will include their children, this will include the future.

In these moments, although we feel pessimistic or a little sad, we shouldn’t change course; we will triumph in this struggle because we haven’t lost the war, rather battles. In these moments the most important thing that we can do — because at this point we don’t have political power . . . is to shake up these Senators and the Governor who propose all of these laws. Since we can’t defeat them right now, we need to work in another manner. We need to educate and to raise the consciousness, but in a decisive, strong, and systematic manner until we achieve our goals of

\textsuperscript{126} Interviews with Marta, \textit{supra} note 110.

\textsuperscript{127} Interviews with Clara Luz Navarro, \textit{supra} note 37.
opening the minds and the consciousness of the communities, which up to
now has been in a dormant state, until they become citizens. But beyond
becoming citizens, we must ensure that they exercise their right to vote and
that they are conscious enough to see for whom they are voting so that their
vote isn’t wasted. That we bring up this work and this moment so crucial
in our lives and in the history of this country serves as an incentive for
political participation. Although the laws at this moment are destroying us,
in a future time, we will have the frying pan by the handle, we will have
our own governing officials and they will have to make fair and just laws
that cover all of us, because we will make up a political force that votes.