

UCLA

Chicana/o Latina/o Law Review

Title

Closing

Permalink

<https://escholarship.org/uc/item/5bh8r5fj>

Journal

Chicana/o Latina/o Law Review, 14(1)

ISSN

1061-8899

Author

Hernandez, Antonia

Publication Date

1994

DOI

10.5070/C7141021042

Copyright Information

Copyright 1994 by the author(s). All rights reserved unless otherwise indicated. Contact the author(s) for any necessary permissions. Learn more at <https://escholarship.org/terms>

CLOSING*

ANTONIA HERNANDEZ†

It is an honor to be here with you today to share some of my experiences on being a Latina, on being an attorney, and most importantly, on my involvement in the public interest sector for the last twenty years of my life. I am probably going to say some things that you do not expect to hear from me. People who know me say that I am exceedingly blunt. The reason for this is that I am serious about the concerns of the Latino community in this country. I believe that as students in the formative years of your lives, you are probably interested in the betterment of our community. You need to be challenged because the obstacles ahead of you are formidable ones. Before our culture can begin to achieve standing and proper recognition in this society, it must embrace the idea that diversity is a good thing. Once we change our outlook, we can begin to fight the problems of racism and empower our community to stand up for its rights. Neither the lawyer nor the politician alone can make these changes; the impetus for change must come from within the community, and the first step is education.

My first passion is teaching; it has been ever since I was a little girl growing up in the Maravilla Projects in East L.A. Yes, I am homegrown; *I am East Los*. I received my undergraduate degree from UCLA, and continued my studies at the Graduate School of Education. While at UCLA, I worked as coordinator for Project Upward Bound. It was right after the Roosevelt lock-outs; those were very turbulent times. One Saturday in early February, three of my favorite kids—the most mischievous and most troubled—did not show up because they were in jail. This is when I began to realize that I was not going to be of much help to these kids by completing my teaching credentials, and decided

* A version of this speech was delivered as the closing of the *Chicano-Latino Law Review's* conference, *Latinos & the Law: 20 Years of Legal Advocacy & Lessons for Future Advancement*, held at the UCLA School of Law on Feb. 6, 1993.

† President and General Counsel, Mexican American Legal Defense and Educational Fund (MALDEF); B.A. 1970, J.D. 1974, University of California, Los Angeles.

to go to law school, naively thinking that I could change laws and thereby, improve the quality of life for Latinos.

Law school was relatively easy for me, not because I was brilliant, but because the opportunities were there. I did not get all A's, but I did not strive to get all A's. I did, however, strive to take the difficult courses, to learn all I could because I knew my community needed someone with skills, not a second-hand, get-by kind of student. If I was going to devote my life to public interest law, then I had to be damn good. I took Insurance Law and Commercial Transactions because that is where my community was lacking knowledge.

I started law school in 1971. In the summer of 1972, I worked for the Mexican American Legal Defense and Educational Fund (MALDEF). At that time it was a young organization, barely four years old. I met the great hero of my time, Mario Obledo, who was coming from Texas to visit. I worked with Percy Duran, Joe Ortega, and some of the early pioneers in public interest law here in Los Angeles. In the summer of 1973, I worked for the California Rural Legal Assistance in Santa Maria and I loved it. Nourished by the region's wonderful fresh strawberries and broccoli, I felt at home with that community.

One of the things that has helped me in my work is my sense of pragmatism. When faced with ethical and other dilemmas, I ask myself, "What is it that I want to accomplish? Am I just boosting my ego? Am I working for principle? Or am I helping my community?" I view demagogues from the left no differently than I view demagogues from the right. As advocates we can become so preoccupied with principle that we lose sight of what is going on within our community. I have also found that sometimes we have a vision of what we think our community wants us to do without really understanding the complexity of our community, its views, objectives and perspectives. We need to be honest about the diversity and different perspectives within the Latino community.

I have been with MALDEF for twelve years. Beginning in 1981 when I worked in Washington D.C., I have done just about everything at MALDEF. I have been the fund raiser, the National Director of Employment Programs, and now the President and General Counsel. When I say that I speak on behalf of "millions of Latinos," I feel an awesome sense of responsibility. MALDEF is supported by private, not government, funds and I take the donations we receive very seriously. It is a fiduciary responsibility with which I am entrusted so that I can work to improve the quality of life for Latinos. It is not easy to provide that

leadership and to say honestly that I am spending that money to improve the quality of life for our community.

We have been spending literally millions of dollars in redistricting throughout the country, in states such as Texas, Illinois, California, and Arizona. We are fighting in the courts to give our community a voice. The Voting Rights Act does not protect elected officials or politicians; it protects the right of people in the community to have a voice. However, I find myself frustrated when I try to implement this notion in my practice. We can only do so much within the law; the rest the community must do for itself. We need to focus on increasing voter registration and educating individuals to recognize the value of having the right to vote. In addition, voters must be empowered to exercise their right to hold elected officials accountable. Until these concerns are addressed and remedied, Latinos will not be able to exercise the political influence we have the potential to possess.

Recently, MALDEF was involved in the *Leticia A.* litigation, which involved the exclusion of undocumented people from the university system. I wish that I could say we have had some hopeful signs that we were going to change this situation, but I cannot. This means that we must work through the legislative process—through Congress. We failed in California. The Governor vetoed our bill, but we are going to try again. Are we going to be successful? Probably not today, but maybe tomorrow, or the day after. Change is incremental. I have been at this for twenty years. If thirty years from now I can look back and see small changes, then I will have been successful. Real, meaningful change takes both time and effort.

One of our greatest obstacles is contending with the fact that we are in the middle of a very anti-immigrant era; this sentiment will impact all of us, immigrant or not. A constant and tormenting question is: "How do I represent the interests of my community—those most vulnerable and exploitable—in a way that benefits them and makes their life a little easier?" The answer is not always litigation; we have been quite ineffective in the courts recently and the Supreme Court Justices who once created a narrow, progressive majority are long gone.

The answer is not often legislation; a bill is just about to be introduced in Sacramento to overturn *Plyer v. Doe*.¹ The Governor agrees with the legislation that undocumented children should no longer be eligible to go to elementary and secondary school.

1. 457 U.S. 202 (1982)(holding that the State cannot deny undocumented children a free public education absent a showing of a substantial state interest).

Nor does the answer depend on response from the government. For the last two months, we have been working with the Clinton Administration to facilitate the appointment of Latinas and Latinos to federal positions. I have received numerous requests for input about what should be done and who should get appointed, but, I have yet to see any results consistent with my advice. I do not know which is worse—not being consulted, or being consulted and ignored. Will there be a change? Relatively speaking, I think there is hope; however, our expectations must be tempered because there will not be great change. We must be pragmatic about what we expect the federal government to do in helping us overcome the problems faced by our community today.

Our challenge is to counter this anti-immigrant, anti-Latino, and anti-Spanish society with constructive and creative solutions. I propose one potential solution which I know will help our immigrants compete in our society: naturalization. Not only do we want all Latinos to vote, but naturalization opens job opportunities. It will provide individuals with the stability needed to raise their children and to live a better life. I believe that is the bottom line. In Los Angeles, we could not gain a solid Latino district to add another Latino to the city council because districts, although packed with Latinos, do not contain voting Latinos. We must mount massive naturalization plans because without them, we will not achieve empowerment. One major difficulty lies in trying to identify what holds us back. How many of you have *tías, tíos, mamás y papás que dicen, "Vuelvo a México uno de estos días"*? ("aunts, uncles, mothers and fathers who say, "One of these days I am going back to Mexico.") As it is, we are often perceived as part of the problem rather than part of the solution. If we intend to improve the quality of life for our community, we must commit ourselves to do the hard work necessary to make us viable members of this society. We must learn to deal with the things we can control so that we may *try* collectively to change the things we cannot control.

We must develop our own leadership to ensure that our voice is heard, and we must strengthen our community from within, through education. As a Latina, I have experienced and continue to experience some especially difficult times. Our culture embraces many beautiful characteristics; unfortunately, it also embodies some less attractive attributes. The deeply rooted sexism and machismo within our community continues to burden our growth. It is an issue with which we must contend. We cannot point the finger at racism, if we cannot ourselves deal with the sexism within our community.

In closing, particularly for all the students, I want to say that working in public interest, whether as a teacher or a lawyer, is one of the most rewarding things one can do. I may not earn the kind of money that one does working in the private sector, and sometimes heading MALDEF is a real pain. However, I go to sleep knowing that I like what I do and that (hopefully) I have made some progress toward the achievement of my goals. Take advantage of all that institutions like UCLA have to offer. You must always strive to be the best—the most creative, the most talented—because it is going to take *that* plus hard work to make real changes in this country. It is important *not* to indulge oneself in ideology. While we should know our principles, our opinions, and our values, we must keep the trust of the community paramount.

