The Struggle for Civil Rights: The Need for, and Impediments to, Political Coalitions Among and Within Minority Groups

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The ominous title of this conference—"Is Civil Rights Law Dead?"—is in no small part a sign of the times.1 The last few years have seen dire setbacks in civil rights law,2 including but not limited to attacks on affirmative action,3 passage of restrictionist immigration legislation4 and welfare reform,5 imposition of limits on civil rights litigation,6 and the creation of legal roadblocks to remedy the


influence of race on the criminal justice system. Since September 2001, the "war on terror" also has had significant negative civil rights impacts.

The security measures taken by the federal government in response to September 11, although primarily targeting Arabs and Muslims, will likely have civil rights impacts on many minority communities for years to come. One of the most visible products of September 11, the USA PATRIOT Act, which, among other things, expanded the power of government to conduct electronic and other surveillance, clearly will have long term civil rights impacts on citizens as well as noncitizens. It is difficult to divine what impacts the new Department of Homeland Security will have on civil rights in the United States, although immigration matters within the new department might well be handled with a security tilt.

In my mind, the relevant question, however, is not whether civil rights law is dead, but instead whether the political struggle for civil

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8. See infra text accompanying notes 35–36.


rights in the United States is alive and well. Like the national economy, law has a cyclical quality to it, depending on, among many other things, the political composition of the Supreme Court. Political struggle for social justice is particularly necessary when the courts turn a deaf ear to civil rights grievances. Ultimately, the struggle for hearts and minds will determine the fate of civil rights in the United States.

For that reason, my focus on the movement for civil rights, rather than civil rights law, is intentional. It is important, especially for lawyers and law professors immersed in the letter of the law, to recall that civil rights law cannot be relied on exclusively—or even primarily—in the struggle to ensure respect for the rights of all Americans. As the civil rights movement of the 1960s taught, political, as well as legal means, are necessary to move us toward a more racially just nation. As no less an icon than *Brown v. Board of Education*, which outlawed *de jure* segregation but left intractable *de facto* segregation in its wake, exemplifies, law and litigation alone are unlikely to bring about the desired social change. Indeed, as critical theorists have observed, resort to law may in certain circumstances reinforce racial hierarchy. Only sustained political struggle will allow for lasting change of the racial status quo.

Even with civil rights litigation gains in the 1960s and beyond, the status of minorities in the United States has not changed as dramatically as one might expect or hope. Segregation remains at high levels in neighborhoods and schools across the nation, with "hyper-segregation" the norm for African American and Latina/o students. Employment discrimination and wage disparities between

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minority groups and whites remain an enduring social problem that legal rules and regulations have not fully remedied. Employment discrimination has evolved with the racial demographics of workers in the global economy.

As to the question whether the political struggle for civil rights in the United States is "dead," I offer an emphatic "no." Consider events just within a few months of this March 2003 symposium. Civil rights advocates and others participated in a growing anti-war movement as the United States engaged in war to topple the Iraqi government. Nascent political coalitions among Asian American, Latina/o, and other groups protested the treatment of Arab and Muslim noncitizens subject to special registration requirements imposed by the federal government as part of the "war on terror."
The filibuster of the judicial nomination of Miguel Estrada, a Latino nominee prominent in conservative circles but who refused to fully share his legal views with the U.S. Senate, prevented his confirmation.21 Political pressure forced Trent Lott, who waxed fondly before television cameras about how the nation would have avoided its racial "problems" if it had only elected as President a candidate running on a segregationist third party ticket, to relinquish his leadership role in the U.S. Senate.22 Last but not least, a wide array of advocacy groups in early 2003 filed *amicus curiae* briefs supporting affirmative action in the University of Michigan cases23 and rallied on the steps of the Supreme Court during oral argument in the cases to show support for affirmative action. In sum, many signs point to the vitality of the political struggle for civil rights.24

Given that the courts in these times are not likely allies in the quest for racial justice, reinvigorated forms of political action should be investigated. Professor Adrien Katherine Wing's paper "Civil Rights in the Post 9–11 World: Critical Race Praxis, Coalition Building, and the War on Terrorism"25 moves us forward in thinking about the struggle for civil rights in this most challenging era. Known for her influential Critical Race Theory and Critical Race Feminist scholarship,26 Professor Wing brings much to analyzing the
U.S. government’s responses to the tragedy of September 11 and the political opportunities created as a result.

Although the political struggle for civil rights in my view is far from dead, I very much agree with Professor Wing about the need for "a thorough reconceptualization [of civil rights] in the 21st century."27 Changes over recent decades require precisely such a reconceptualization and complete redefinition of the goals of the struggle for civil rights, as well as the desired means to achieve them. The growth of the Latina/o population across the country, including the Midwest and South,28 has shifted the balance of civil rights concerns, adding to longstanding ones. Asian migration, which has increased significantly since 1965, has similarly affected the civil rights agenda.29 Changing racial demographics have expanded the scope of civil rights to include matters not necessarily thought of as traditional civil rights issues, such as immigration, language regulation, and even access to driver’s licenses.30

In addition, old issues have been recognized as having “civil rights” implications because of their impacts on minority communities. For example, the field of environmental justice, which grew from environmental law, is of relatively recent origin as activists and academics have come to appreciate the impacts of environmental hazards on communities of color.31 Immigration law and its

27. Wing, supra note 19, at 717.
enforcement has increasingly been viewed as implicating civil rights concerns.\textsuperscript{32} Similarly, voting rights scholarship has focused on race and its impacts on electoral politics,\textsuperscript{33} with even the racially disparate impacts of campaign finance reform recognized to a certain extent as a civil rights issue.\textsuperscript{34}

As this brief review suggests, "civil rights" are not static and fixed but dynamic and ever-changing. In this vein, the aggressive efforts of the federal government in the "war on terror" have created an entire new set of civil rights challenges,\textsuperscript{35} with the Arab and Muslim communities being most directly and immediately affected. However, immigrants and citizens from a variety of backgrounds also have suffered – and will continue to suffer for the indefinite future – from the various security measures taken in the name of national security.\textsuperscript{36}

In analyzing the political struggle for civil rights in the United States, Professor Wing builds on two fundamental tenets of Critical Race Theory: (1) race is a social construction, a product of our collective minds rather than a biological truth;\textsuperscript{37} and (2) tying critical theory to practice, which often is referred to in Critical Race Theory.

\begin{footnotesize}
\begin{enumerate}
  \item Environmental Justice: Law, Policy, & Regulation (Clifford Rechtschaffen & Eileen Gauna eds., 2002) (collecting foundational readings in area).
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parlance as "critical race praxis." Both Critical Race Theory teachings shed much light on the civil rights controversies of the times in which we live, thus demonstrating Critical Race Theory's theoretical and practical utility.

As has occurred in different forms with other minority groups, society has racialized and demonized Arabs and Muslims as, among other things, religious fanatics bent on terrorism. This racialization, evident in a diverse array of sources ranging from popular culture to special legal rules and regulations, including "secret evidence" hearings in which the government denied Arab and Muslim noncitizens the evidence allegedly justifying their deportation, existed long before September 11. The events of that day, however, strongly reinforced the negative stereotypes already in place and facilitated the nation's aggressive actions toward Arabs and Muslims.

In hopes of tying theory to practice, Professor Wing advocates political coalitions among racialized communities to combat old and new forms of discrimination and civil rights deprivations. Such coalitions, she contends, are necessary to the political struggle for civil rights in the post-September 11 era. This essay focuses on this aspect of Professor Wing's article and analyzes the efficacy of multiracial coalitions in the political struggle for civil rights.

Part I of this essay argues that, despite the growing minority population in the United States, coalitions between communities of color will be necessary to displace white domination of the electoral process in this country. Part II addresses two formidable barriers to coalitions of color, both racism within minority communities toward other minority communities and intra-minority group tensions. These issues, often avoided because of their sensitivity, must be addressed if the hopes of creating multiracial coalitions are to be fully realized.


40. See Akram & Johnson, supra note 35, at 301–27

41. See id. at 327–45; Wing, supra note 19, at 727. Professor Wing further points out that the negative impacts of the civil rights deprivations resulting from the security measures imposed on Arab and Muslim men will indirectly impact Arab and Muslim women. See id. at 730-35.

42. See supra note 19, at 739-757.
I. THE NEED FOR POLITICAL COALITIONS BETWEEN RACIAL MINORITIES

In recent works, prominent commentators, such as Lani Guinier, Gerald Torres, Robert Williams, and Eric Yamamoto, have expressed optimism about the potential for multiracial coalitions. Coalition is a fundamental tenet of the growing body of critical Latina/o theory scholarship. This is a politically pragmatic approach based on the old maxim that "there is power in numbers." Others, including Richard Delgado and Haunani-Kay Trask, are more pessimistic. Fears of coalitions run the gamut from diluting a group's particular message and goals to co-optation, with the bottom line being that the costs of collective action outweigh any benefits.

In my estimation, coalitions are necessary to fully understand and attack racial hierarchy and white supremacy in the United States.


46. See Athena D. Mutua, Shifting Bottoms and Rotating Centers: Reflections on LatCrit III and the Black/White Paradigm, 53 U. Miami L. Rev. 1177, 1178 (1999) ("[T]he problems of building coalitions and developing political agendas bring us face-to-face with the reality that different racial and ethnic groups have distinct histories and interests, some of which collide."); Mary Romero, Afterword: Historicizing and Symbolizing a Racial Ethnic Identity: Lessons for Coalition Building with a Social Justice Agenda, 33 U.C. Davis L. Rev. 1599, 1599 (2000) ("Although groups centering on discrete identities struggled to find a rallying point from which to advocate social justice and coalition building, this has proven to be a difficult project."); Enid Trucios-Haynes, The Legacy of Racially Restrictive Immigration Laws and Policies and the Construction of the American National Identity, 76 Or. L. Rev. 369, 374 (1997) ("Alliances within and among communities of color require an understanding of the situated position of noncitizens of color within this racial hierarchy. Therefore, the hierarchies of race and oppression must be overcome to form effective intra-group and inter-group coalitions.").
Racism against minority groups is related in direct and indirect ways. Indeed, the relationships of many different sorts of subordinations give rise to the potential for coalition. Coalitions between diverse communities, however, require much care and attention. As Angela Harris has emphasized, "solidarity is the product of struggle, not wishful thinking; and struggle means not only political struggle, but moral and ethical struggle as well."

The popular press has paid much attention to the future population projections showing that minorities will comprise a majority of the nation's population later this century. Even with the changing demographics, political coalitions between minority groups will remain important. Alliances between and among minority groups are essential, even in parts of the United States where minorities comprise a high proportion of the population. For example, although the demographics of California, perhaps the most diverse state with one of the highest concentrations of minorities in the country, are rapidly changing, that does not necessarily translate into changing electoral outcomes.

Voter eligibility and low turnout remain significant issues for African Americans, Latina/os, and Asian Americans. Voter turnout traditionally has been lower among minority communities than white communities.


48. See Matsuda, supra note 47, at 1188-91.

49. Angela P. Harris, Foreword: The Jurisprudence of Reconstruction, 82 Cal. L. Rev. 741, 784 (1994); see Charles R. Lawrence III, Forword: Race, Multiculturalism, and the Jurisprudence of Transformation, 47 Stan. L. Rev. 819, 828 (1995) ("The hardest work to be done in the struggle against white supremacy must be done within and among communities of color.").


Intimidation and discouragement of minorities from voting at times continue to occur.\footnote{52} Importantly, a significant number of Latina/os and Asian Americans in California and other states are immigrants who, as noncitizens, are not eligible to vote.\footnote{53} Some academics have embraced extension of the franchise to lawful immigrants.\footnote{54} That, however, has not been seriously advocated in the political arena for decades. The result is that part of the greater community—a significant part in many locales—is denied the right to vote.

The disenfranchisement of convicted felons also has significant impacts on Latina/o and African American voter eligibility because of the disparate impact of the criminal justice system on those communities.\footnote{55} Through felony disenfranchisement, the operation of the criminal justice system effectively diminishes the electoral power of African Americans and Latina/os.\footnote{56} Consequently, race-based law enforcement, which has been the subject of sustained attack in recent years,\footnote{57} is a voting rights as well as a criminal justice issue.

\footnote{53} See generally Jack Citrin & Benjamin Highton, How Race, Ethnicity, and Immigration Shape the California Electorate (2002) (analyzing reasons for relatively low minority proportion of electorate in light of their proportion of California population).
\footnote{56} See, e.g., Hunter v. Underwood, 471 U.S. 222, 105 S. Ct. 1916 (1985) (holding that Alabama law disenfranchising persons convicted of crimes was adopted with intent of discriminating against African Americans and thus violated the Equal Protection Clause of the Fourteenth Amendment); George P. Fletcher, Disenfranchisement as Punishment: Reflections on the Racial Uses of Infamia, 46 UCLA L. Rev. 1895, 1900 (1999) ("The impact of [felony] disenfranchisement is felt primarily in the black community . . . . Fourteen percent of African-American men are ineligible to vote because of criminal convictions. In seven states, one in four black men are permanently barred from voting because of their criminal records.") (footnotes omitted); Developments in the Law: The Law of Prisons, 115 Harv. L. Rev. 1939, 1945 (2002) ("Florida has disqualified 31.2% of its black voting-age population—the second highest rate in the nation [Alabama's rate was 31.5%]" based on felony convictions.) (footnote omitted).
Victor Valle and Rodolfo Torres discuss the formidable impediments to the exercise of political power by Latina/os in Los Angeles, which they dub the “Latino Metropolis,” despite their growing numbers. Latina/os failed to elect a progressive Latino for mayor in 2002 and not until the 1990s was a Latina/o elected to the powerful Los Angeles County Board of Supervisors. Los Angeles did not have a Latina/o mayor the entire twentieth century and elected a Latina to the Los Angeles County Board of Supervisors only after successful voting rights litigation in 1990.

A recent study demonstrates the need for coalition between minorities in racially-diverse California:

By 2040, whites are projected to be little more than one-third of the adult population of California. However, if the citizenship and [voter] turnout rates of Asians and Latinos remain at their 2000 levels, whites will still make up a majority (53 percent) of the voting population.

Thus, in light of the limits on minority electoral power even with increasing numbers, coalitions among minority communities will be essential if the hope of destabilizing white privilege is to be realized.

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60. See Garza v. County of Los Angeles, 918 F.2d 763 (9th Cir. 1990), cert. denied, 498 U.S. 1028, 111 S. Ct. 681 (1991). The court’s finding that the districting scheme violated the Voting Rights Act and the U.S. Constitution was supported by the fact that “no Latino had been elected to the five-member Board since 1874, despite the fact that the population of Los Angeles County in 1990 was 37% Latino.” J. Morgan Kousser, Shaw v. Reno and the Real World of Redistricting and Representation, 26 Rutgers L.J. 625, 707 (1995) (emphasis added). For a history of the redistricting decisions challenged in Garza, see J. Morgan Kousser, Colorblind Justice: Minority Voting Rights and the Undoing of the Second Reconstruction 69–137 (1999).

61. Citrin & Highton, supra note 53, at x (emphasis added).

62. For analysis of the privilege of white identity in the United States, see
The need for coalitions among minorities should not be surprising. In nations around the world, coalition governments, often, but not always, composed of different racial and ethnic groups, are a necessary fact of political life; governments and heads of state fall when coalitions crumble. This dynamic in certain respects may represent the future of the United States. With the end of Anglo numerical superiority will come the need for coalitions for progress and social justice. In fact, coalitions in all likelihood will be necessary to govern at all.

Ultimately, the demographic changes offer both opportunity and danger, for progress and retrenchment, for equality and oppression. Nothing is predetermined.

II. IMPEDIMENTS TO COALITION EFFORTS

Two issues may affect the ability of coalition formation among racial minority groups. First, a reconceptualization of an inclusive notion of "civil rights" is necessary. Times and racial demographics have changed. The conception of civil rights must as well.

Second, racism between and within minority communities must be addressed. Although far easier to sweep under the rug than to attempt to constructively address, racial divides must be bridged or any lasting efforts at political alliances are doomed.

A. The Need for the Reconceptualization of "Civil Rights" for the Twenty-First Century

Serious impediments stand in the way of multiracial coalitions. Importantly, as the nation has become increasingly multiracial over time, civil rights have become more complicated. Perhaps most important, the notion of "civil rights" as an issue pertaining to the treatment of African Americans by whites has changed as the presence of Asian Americans, Latina/os, Native Americans, and other minority groups in the United States has become increasingly evident and acknowledged.\footnote{See Deborah Ramirez, Multicultural Empowerment: It's Not Just Black and White Anymore, 47 Stan. L. Rev. 957, 973–74 (1995).}

Successful multiracial coalitions have worked in the past. For example, Asian Americans and Latina/os worked together to devise

a redistricting scheme in Monterey Park, a Los Angeles suburb. Affirmative action has been an issue in which multiracial coalitions have been effective.

Civil rights issues are changing with the times, a period of high immigration and globalization of the world economy. Coalitions will need to be built around new as well as old civil rights issues.

To this end, abandonment of the traditional view that civil rights are exclusively Black/white issues mediating relations between African Americans and whites will be essential. Along these lines, different minority groups must not see civil rights as a zero-sum game. If viewed in that way, tensions will almost inevitably flare and coalitions likely will crumble. Rather, racial justice for all groups should be viewed as the common goal. Justice is not a scarce resource, but the minimum degree of respect that all communities deserve.

1. Beyond Black and White

One important barrier to inter-group cooperation has been the traditional understanding of civil rights matters as almost exclusively Black and white in nature and scope. It is true that, as Professor Wing mentions, a case can be made for "black exceptionalism," with the brutal legacy of slavery, lynchings, and Jim Crow, all central to the shaping of the African American community as we know it today. But even assuming that claim to be true, other minority


65. See supra text accompanying note 23.

66. For an analysis of the tensions resulting from these changes, see Bill Ong Hing, Beyond the Rhetoric of Assimilation and Cultural Pluralism: Addressing the Tension of Separatism and Conflict in an Immigration-Driven Multiracial Society, 81 Cal. L. Rev. 863 (1993).


69. See Wing, supra note 19.
groups have suffered serious civil rights deprivations and continue to suffer them.

The struggle of African Americans for civil rights is the one most familiar to many Americans. The 1950s and 1960s have forever imprinted on the national psyche the courage and persistence of the efforts to desegregate the Jim Crow South, as well as the violent resistance to those efforts. Such struggles, however, were not the only ones. Chicana/os, Asian Americans, and Native Americans have engaged in their own civil rights struggles for many years.

Most knowledgeable observers today appreciate that the struggle for civil rights is considerably more complicated than Black/white. Burgeoning bodies of scholarship analyzing Latina/o, Asian American, and Native American civil rights issues have grown substantially over the last few decades.

Along with African Americans, Asian Americans, Latina/os, Native Americans, and other groups press for recognition and redress of civil rights grievances. Some of the pressing civil rights issues of these communities differ in important respects from those central to African Americans. Latina/o civil rights issues include such matters as immigration and language policy and rules. Asian Americans share some similar issues. A growing multiracial community also has appeared on the national scene, with the complexities of the mixed race population brought into the public consciousness by the


75. See, e.g., S. James Anaya, Indigenous Peoples in International Law (1996); Robert A. Williams, Jr., The American Indian in Western Legal Thought: The Discourses of Conquest (1990).


77. See supra text accompanying note 29.
The racial classification controversy surrounding Census 2000. The question then becomes how to approach the complexities of the emerging civil rights concerns so that practical action can be taken.

At a minimum, dialogue and discussion will be required in any effort to hash out common ground on the modern conception of civil rights. Immigration has been a dividing line between minority groups at various times in U.S. history, with poor African American, and often white, workers pitted against immigrant labor. Difficult issues of race and class plague the debate. Despite its difficulty, the answer is not to avoid addressing these issues, as has often been the case, but to attempt to discuss them and determine whether common ground can be identified.

As Professor Wing alludes to in her contribution to this symposium, the measures taken in the "war on terror" allow a ready opportunity for political coalitions among different racial minority groups pursuing a civil rights agenda. The focus on the war has been on Arab and Muslim noncitizens, who as presumed terrorists have been subject to surveillance, interviewed and interrogated, detained, required to submit to "special" registration, and have been the focal point of no less than a nationwide dragnet based on racial, national origin, and religious profiles. In the long run, however, the harms caused by the measures enforced in the war on terror will not be limited to Arabs and Muslims. Immigration reform measures will affect communities with large immigrant populations, such as Asian and Latina/o communities. The law has tightened generally on immigrants, not simply "terrorists"; many Mexican immigrants already have suffered and more will in the future, which is precisely what occurred as a result of the 1996 immigration reforms enacted by Congress in the name of fighting

80. See Johnson, Civil Rights and Immigration, supra note 12, at 57–63.
81. See Wing, supra note 19.
82. See Akram & Johnson, supra note 35, at 327–45.
Moreover, citizens of certain national origin ancestries are likely to be affected as well. Racial profiling, which appeared to be on its deathbed at the turn of the century, made a comeback as part of the "war on terror" and will likely influence law enforcement measures affecting African Americans, Latina/os, and Asian Americans, as well as Arabs and Muslims for years to come. These interrelated civil rights injuries create opportunities for coalition if the different groups fully appreciate the convergence of interests. Unfortunately, the interrelationships may not always appear to be self-evident. African Americans, Asian Americans, and Latina/os at first glance may consider it irrelevant that "those" Arabs and Muslims are being profiled, detained, interrogated, and worse. However, the logic of the security measures, based on statistical probabilities that have been used by defenders of racial profiling in criminal and immigration law enforcement, likely will affect all minority groups. Similar reasoning may be used to justify race-based traffic stops and immigration stops.

Given common ground among civil rights issues, possible coalitions exist on a variety of matters. Racial minorities share common cause, for example, in seeking to eliminate racial discrimination in the workplace, public education, and the criminal justice system, and in the pursuit of economic justice. To build coalitions, however, we must recognize that African American, Asian American, and Latina/o communities have interests that at times may diverge. Differences must be discussed candidly and honestly to discern whether coalitions are possible. The need will be to focus on the building of coalitions on specific issues.

83. See Johnson, supra note 36, at 853–55.
86. See Johnson, supra note 36, at 867–70.
87. Id.
88. See Trask, supra note 45, at 1210.
2. Civil Rights Is Not a Zero Sum Game

Related to the Black/white binary view of civil rights is the view that "civil rights" is a zero-sum game, with one minority group losing when another gains. When viewed in that way, tensions will inevitably result between minority groups pursuing the "scarce resource" of civil rights. In recent years, for example, African Americans at times have felt threatened by Latina/o and Asian American electoral gains. In the long run, infighting among, and fragmenting of, minority communities could result in racial minorities failing to satisfy the potential for positive civil rights reform.

In zero sum games, groups fear conflict and betrayal; in that mindset, cooperation, by definition a prerequisite for successful coalitions, is unlikely. Unfortunately, that is how some minorities have viewed civil rights. Not surprisingly, conflict has resulted. Consequently, the struggle for civil rights must work to both expand the conception of civil rights to comport with modern realities facing minority communities and view the struggle for civil rights not as a zero sum game, but an instance in which the civil rights of all groups can be recognized and protected.

This will not be an easy task. Many, perhaps most, of us are conditioned to view the world as one of scarce resources and inherent limits. Such constraints unquestionably exist in certain circumstances. However, we have not – nor should we – view “equality” and “racial justice” as limited resources. No one views First Amendment rights of free expression and religious freedom in that way, for example. Racial equality is no different. Rights of membership in society for all groups should not be viewed as a scarce resource to be allocated among groups.

B. Conflict Among Minorities

Coalition opportunities exist between various minority groups on certain issues. However, such possibilities need sustained commitment to cooperation rather than competition. Coalitions are fragile and require

89. For an example of this kind of thinking, see Orlando Patterson, Race by the Numbers, N.Y. Times, May 8, 2001, at A27 (contending that inclusion of Latina/os and other groups in affirmative action programs had resulted in diminished political support for them, to the detriment of African Americans).
91. See Johnson, supra note 85, at 361 (contending that classic prisoner’s dilemma offers useful insights on need for Latina/o/African American coalition in efforts to eliminate impermissible reliance on race in law enforcement).
92. Compare Angela P. Harris, Race and Essentialism in Feminist Legal Theory, 42 Stan. L. Rev. 581, 606–07 (1990) (contending that gender essentialism by white feminists perpetuates notion that improvements for women’s rights is a zero sum game).
care and attention. In addition, we must begin to address a fundamental division—racial discrimination—between minority groups.

Racism within minority communities is a rarely-discussed barrier to multiracial coalitions. Anti-African American sentiment exists in the Latina/o community, just as it exists among certain segments of the Asian American community. Unfortunately, integration and assimilation of certain immigrants groups into U.S. society with whites has at times meant adoption of racist attitudes toward African Americans.\textsuperscript{93} At the same time, some African Americans have embraced xenophobic views toward Latina/os and Asians.\textsuperscript{94} Although such racism is decried, its roots and impacts have gone largely ignored. Racism within communities of color causes tension that hinders political cooperation, generates suspicion, and flares up in times of social turmoil. Those communities must squarely address such racism or take the risk that it will undermine the struggle for civil rights.

Consider an example. Los Angeles has been said to be the place for development of the progressive politics of the future, in part because the 2001 mayoral election saw a runoff between a white liberal and progressive Latino.\textsuperscript{95} However, the mayoral race also revealed simmering tensions between African Americans and Latina/os. Campaign advertisements of the white candidate supported heavily by African Americans played on racially-charged themes directed at the Latina/o candidate, with bad blood remaining after the election.\textsuperscript{96}

Moreover, conflict within communities of color also exists. Latina/os, African Americans, and Asian Americans are in actuality a diverse community of communities. This is often ignored by whites who essentialize minority groups as well as by minority groups


\textsuperscript{96} See Johnson, supra note 59, at 934.
hoping to provide a united front in hopes of maximizing their political power. Efforts to ignore these tensions, however, may well worsen them, with an eruption of discontent almost inevitable.

1. Conflict Between Groups

There has been much publicized interethnic conflict between minority groups, as well as with the Anglo population. In the wake of the Rodney King violence of May 1992, African American and Korean American conflict grabbed the nation's attention. This is true even though many of the people involved in the violence were Latina/o. Thus, the violence in south central Los Angeles in May 1992 was a complex, multiracial outburst of discontent.

Conflict between minority groups has been sensationalized and arguably has been over-emphasized. In major civil rights litigation, for example, minority activist organizations historically have cooperated. Future cooperation will require work on some major issues, such as discrimination, immigration, employment, criminal justice, and voting rights. Conflict exists, however, even if it simmers just below the surface.

To increase coalition and cooperation, minority groups will need to address racism within their communities toward other minority communities in order to form long-lasting bonds and alliances. To this point, little has been done in this regard, although few deny that racism within minority communities exists to some degree.

Given this and other divides, the future of multiracial coalitions is far from certain. Reminiscent of the Republican Party's current


100. See Johnson, Lawyering for Social Change, supra note 12, at 226–27.

101. See id.; see supra text accompanying note 23 (referring to broad-based support for affirmative action in University of Michigan case pending before the Supreme Court).
efforts to court Latina/o voters, whites can be expected to attempt to forge political alliances with minority groups. At times, blacks and whites have joined forces to support restrictionist immigration measures that have damaged Latina/os and Asian Americans. Occasionally, Latina/os and Asian Americans have identified as "white" and sought to gain the benefits of white privilege.

In light of history and physical difference, coalitions with whites appear more likely for Latina/os than for Asian Americans and African Americans. However, Latina/os have historically been discriminated against in U.S. social life and, consequently, segments of the community have a well-developed racial consciousness. Richard Delgado has suggested that minority groups should bargain with each other rather than try to cut the best deal with whites. Latina/os could serve as a bridge to other groups and assist in the building of multiracial coalitions. That may or may not come to be. Whatever the impetus, work among minority groups will be necessary to bring about change.

2. Conflict Within Groups

In addition to tensions between communities, intraethnic conflict within minority communities is an issue. Although often viewed by whites as monolithic, Asian Americans and Latina/os are extremely
heterogenous populations. National origin, class, and other differences may divide Latina/os and Asian Americans. Similarly, class and other cleavages may divide the African American community; the burgeoning Black middle class may not share the class-based concerns of poor and working class African Americans. Consequently, efforts must be made to build coalitions within as well as among minority communities.

Intragroup conflict to a certain extent already has emerged in the political process. In 1992, two prominent African American politicians (Yvonne Braithwaite Burke and Diane Watson) fought a no-holds-barred campaign to become the first African American on the Los Angeles County Board of Supervisors. One reason for the ferocity of the campaign was that "Watson [saw] herself as a genuine part of the South L.A. community [long a center of the African American community in greater Los Angeles] and Burke as a carpet-bagger." In 2002, a Latino Los Angeles city council candidate accused opponent Antonio Villaraigosa, a progressive Latino politician who had failed in a run for mayor, of being a "pocho," a derogatory term for a person of Mexican ancestry deemed to be too assimilated or too "white." Along these lines, the Asian American community is so heterogenous that building lasting pan-Asian political coalitions has proven difficult.
Intra-group conflict can be seen with respect to high profile federal judicial nominations, such as conservative African American Clarence Thomas’s appointment to the Supreme Court and the nomination of Honduran-born Miguel Estrada to a coveted court of appeals position. Both were opposed by some portions of their communities, which generated considerable national controversy.

Intra-Latina/o tensions erupted in *Cano v. Davis,* in which the Mexican American Legal Defense and Education Fund accused the California Legislature, with a record number of Latina/os, of diluting Latina/o voting power in violation of the Voting Rights Act in the state’s congressional redistricting scheme. This visible conflict within the Mexican American community, which is generally more cohesive than the greater Latina/o community, suggests the possible splintering of Latina/os along political, national origin, and other lines. In the long term, for example, one could envision a voting rights claim by Central Americans, who comprise a significant percentage of the Latina/o population in Los Angeles County, contending that they are being locked out of the electoral process by politicians of Mexican ancestry, who comprise the vast majority of Latina/os in state and local elected offices in California. Similar occurrences might happen among different Latina/o national origin groups in New York and Florida, which have diverse Latina/o populations like California’s.

To this point, intra-community fissures within the Asian American, African American, and Latina/o communities have generally gone ignored. The fault lines are evident among Latina/os who differ socioeconomically and politically along national origin.
Asian Americans also are far from a monolithic community with national origin, political, and class differences. This is true even though Latina/os and Asian Americans often face discrimination as "foreigners."

In sum, intra-group cooperation cannot be assumed in the multiracial politics of tomorrow. Rather, coalition within, as well as between, minority communities must be built carefully and with sensitivity. This will become an increasingly important issue in the years to come, as immigration continues to diversify the U.S. population and internal divides continue to emerge within, as well as between, minority groups.

CONCLUSION

These are difficult times in the struggle for civil rights in the United States. New challenges face minority communities across the nation. Ultimately, political struggle, as well as resort to law and the courts, will be necessary.

As has been well-documented, civil rights law has not been particularly helpful to racial minorities in recent years. Consequently,

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122. See Johnson, supra note 93, at 1290–96.


the time is right to re-examine the strategies for political struggle given the demographic and other changes occurring in the United States. It is unclear, however, whether the predicates exist for the multiracial coalitions necessary for successful political action between communities of color.

To build coalitions, concerted efforts are necessary to reconceptualize civil rights for the twenty-first century in a multiracially diverse America. The antiquated two dimensional view of civil rights must give way to a multidimensional view that comports with the modern demographics of the nation. Importantly, social justice cannot be viewed as a zero-sum game in which one minority group loses when another gains. Such an approach likely will result in tensions, barriers to coalitions, and frustration of efforts to bring about social change.

Moreover, and perhaps most importantly, we must begin to address racism within minority communities directed at other communities of color if we hope to build coalitions among those communities. Unfortunately, racism among minority communities is a social problem that thwarts collective action. Rather than condemn yet ignore it, those committed to social justice must acknowledge the problem and struggle with its solution. In the long run, this likely will prove to be a formidable challenge to the struggle for civil rights.