The Cost of *Flattening* the Difference between Hispanic Origin and Race:

*Erasing* the Color Line Among Latin@s in the 2020 Census/OMB & the Implications for Civil Rights Policy & Practice

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“The problem of the Twentieth Century is the problem of the color line (Du Bois 1900: 5).”

Why didn’t the Census Bureau examine the merits of one question over another in terms of their utility for civil rights use (voting/redistricting, housing, employment)?

*SOCIAL SCIENTIFIC RESEARCH EVIDENCE FOCUSED ON INEQUALITY IS CLEAR*

- Whether in Latin America/Caribbean/Spain or in the U.S. there is a COLOR LINE within Latin@ communities/families; ignoring that reality will not help advance equity in voting, housing, employment, criminal justice, etc.

Proposed Changes to 2020 Census Undermine our Ability to address social inequities for vulnerable Latin@ communities

- REQUEST A MORATORIUM ON ANY CHANGES TO HISPANIC ORIGIN AND RACE QUESTION FORMAT
- Ethical Accountability, Responsibility to Maintain the integrity of Hispanic Origin and race as separate questions; this will help advance ethical accuracy rather than aesthetic accuracy; social scientific research on inequality must be included
Killing Two Birds With One Stone? (López, 2013) Hispanic/Latin@s Within the Same National Origin/Ethnic Group/Biological Families May Occupy VERY Different Racial Master Statuses/”Street Race” (López et al. 2017);
BOTH RACE AND ETHNIC ORIGIN ARE SOCIAL CONSTRUCTIONS, BUT RACE OPERATES AS *MASTER* STATUS

• **Racial Formation Theory**: “... it should be apparent that there is a crucial and non-reducible visual dimension to the definition and understanding of racial categories (Omi & Winant, 2015:111).”

• “Corporeal distinctions are common; they become essentialized. Perceived differences in skin color, physical build, hair texture, the structure of cheekbones, the shape of nose … are understood as the manifestations of more profound differences that are situated within racially identified persons (Omi & Winant, 2015:111)

• “Racialization depends on the meanings and associations that permit [ocular] phenotypic associations (Omi & Winant, 2015:112).”
WHO IS THE "REAL" HISPANIC/LATIN@ RACE???
What is their "STREET RACE" ....
Voting Booth? Catching a cab?
Looking for apartment/applying for a mortgage?
Seeking Employment/Education/Health Care?
Interacting with Police/ICE?
Civil Rights Case?

RACE=/=NATIONAL ORIGIN=/=ETHNICITY=/=ANCESTRY=/=DNA MARKERS/GENETIC BACKGROUND
An Invitation to **Self-Reflexivity** · · · How can we take account of our social location within power relations? What’s your STREET RACE? What’s your **lived** race-gender-class lived **experience**?
Imagine if we used one question for interrogating inequalities along all of these dimensions of inequality? Privilege?

- Tribal Status
- Race
- Ethnicity
- Language
- Nationality
- Ancestry
- Legal Status
- Religion

- Gender
- Sexual Orientation
- Sex Assigned at Birth

- Age
- Disability Status
- Body / Embodiment

- Socioeconomic Status
  (Parents Educational Attainment; Parents Occupation; Parents Income; Parents Wealth; Individual Educational Attainment; Individual Occupation; Individual Income; Individual Wealth; Partner Educational Attainment; Partner Occupation; Partner Income; Partner Wealth; Household Net Worth; Social Networks; Social Honor / Esteem, etc.)
NOTE: Please answer BOTH Question 8 about Hispanic origin and Question 9 about race. For this census, Hispanic origins are not races.

8. Is Person 1 of Hispanic, Latino, or Spanish origin?
   - No, not of Hispanic, Latino, or Spanish origin
   - Yes, Mexican, Mexican Am., Chicano
   - Yes, Puerto Rican
   - Yes, Cuban
   - Yes, another Hispanic, Latino, or Spanish origin — Print origin, for example, Argentinean, Colombian, Dominican, Nicaraguan, Salvadoran, Spaniard, and so on.

9. What is Person 1’s race? Mark ☑ one or more boxes.
   - White
   - Black, African Am., or Negro
   - American Indian or Alaska Native — Print name of enrolled or principal tribe.
   - Asian Indian
   - Japanese
   - Native Hawaiian
   - Chinese
   - Korean
   - Guamanian or Chamorro
   - Filipino
   - Vietnamese
   - Samoan
   - Other Asian — Print race, for example, Hmong, Laotian, Thai, Pakistani, Cambodian, and so on.
   - Other Pacific Islander — Print race, for example, Fijian, Tongan, and so on.
   - Some other race — Print race.

If more people were counted in Question 1, continue with Person 2.
Do all of these subgroups/social locations have similar health physical & mental statues, obesity, life expectancy, experience with law enforcement, when looking for an apartment/mortgage, interacting with health professionals in ER, in schools vis-à-vis tracking/discipline, airport, immigration officials, etc.? See Hogan 2017; Saenz & Morales 2015; Lopez et al. 2017

<table>
<thead>
<tr>
<th>Hispanic Origin in U.S. (* National Average 2010 Census; Source Ennis et al 2011)</th>
<th>White (53%*)</th>
<th>Some Other Race (37%*)</th>
<th>Black (3%*)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mexican, Mex. Am., Chicano</td>
<td>53%</td>
<td>40%</td>
<td>1%</td>
</tr>
<tr>
<td>Puerto Rican</td>
<td>53%</td>
<td>28%</td>
<td>9%</td>
</tr>
<tr>
<td>Cuban</td>
<td>85%</td>
<td>6%</td>
<td>5%</td>
</tr>
<tr>
<td>Dominican</td>
<td>30%</td>
<td>46%</td>
<td>13%</td>
</tr>
<tr>
<td>South American</td>
<td>66%</td>
<td>25%</td>
<td>1%</td>
</tr>
</tbody>
</table>
8. What is Person 1's race or origin? Mark X one or more boxes AND write in the specific race(s) or origin(s).

- [ ] White — Print origin(s), for example, German, Irish, Lebanese, Egyptian, and so on.
- [ ] Black, African Am., or Negro — Print origin(s), for example, African American, Haitian, Nigerian, and so on.
- [ ] Hispanic, Latino, or Spanish origin — Print origin(s), for example, Mexican, Mexican Am., Puerto Rican, Cuban, Argentinean, Colombian, Dominican, Nicaraguan, Salvadoran, Spaniard, and so on.
- [ ] American Indian or Alaska Native — Print name of enrolled or principal tribe(s), for example, Navajo, Mayan, Tlingit, and so on.
- [ ] Asian — Print origin(s), for example, Asian Indian, Chinese, Filipino, Japanese, Korean, Vietnamese, Hmong, Lao, Thai, Pakistani, Cambodian, and so on.
- [ ] Native Hawaiian or Other Pacific Islander — Print origin(s), for example, Native Hawaiian, Guamanian or Chamorro, Samoan, Fijian, Tongan, and so on.
- [ ] Some other race or origin — Print race(s) or origin(s).

→ If more people were counted in Question 1, continue with Person 2.
To Flatten or Not Flatten?
Data for Whom and for What?
Ontological Contests ...

**Proponents**
- Argue that this combination more accurately represents how Hispanic communities in particular self-identify, as they don’t distinguish the difference between origin and race.
- Reduces number that mark “Some other race”
- “Equity” = treat everyone same
- Race or origin = same thing
- Everyone is an Expert! in 2012 one committee for all special populations/minorities; previously focused committed (Climate Change)
- Aesthetic accuracy – OMB Compliance

**Opponents**
-_argue that the difference between origin and race is real
- Race and origin are different; flattening the difference dilutes our ability to examine inequalities for the most vulnerable communities in the U.S.
- Purpose of testing should be anchored in civil rights outcomes for ethical accuracy that does not erase the “color line” –
- Equity =/= sameness is contextualized; different questions may be necessary (e.g., Tribal Status); ancestry question on ACS already
- Need to include social science research on inequality before any decisions are made

- REQUEST MORATORIUM ON CHANGES FOR CENSUS/OMB UNTIL CIVIL RIGHTS OUTCOMES ARE INCLUDED IN TESTING
- Introduce Legislation protecting the data infrastructure for Civil Rights Use
- Request Accountability from the Census for examining question format in terms of social inequalities

WE NEED A MORATORIUM ON ANY CHANGES TO CENSUS/OMB GUIDELINES UNTIL TESTING INCLUDES IMPACT ON CIVIL RIGHTS USE
What is the political context?

*Racism Without Racists: Colorblind Racism in Post Civil Rights Era*  
(Bonilla-Silva 2009)

- Dismantling of Voting Rights Act; Attacks on Data for Housing Discrimination; ACA; Supreme Court cases against k-12 desegregation and race sensitive programs in Higher Education
- Census Conducted two studies re: question format:
  - Alternative Questionnaire Experiment (2010 AQE)
  - National Content Test (2015 NCT)
  The Census Bureau recommended that the Office of Management and Budget (OMB) allow one question on Hispanic origin and race; this would flatten the difference between origin and race and trigger a revision of the OMB Guidelines that apply to all federal data collection

- Why did none of the testing included a single Civil Rights Outcome!!!
  - Are we post racial? Has racial discrimination withered away?
  - Why wasn’t this analysis done? Is the research protocol scientifically and ethnically sound? Where’s the accountability for discounting/ignoring existing rigorous social scientific evidence on social inequalities and the colorline among Latin@s?
*SOCIAL SCIENCE RESEARCH EVIDENCE*

**COLOR LINE EXISTS!!! NEED SEPARATE QUESTIONS**

**Voting Rights Discrimination**
- Tucker 2006
- Estrada 2000
- Gordon and Rosenberg 2015

**Employment & Education**
- Saenz & Morales (2015)
- Rodríguez et al., (2011)
- Telles & Murguia (1996)
- Telles (2014)
- Irizarry (2015)

**Housing Discrimination & Poverty**
- Turner et al., (2013)
- Massey & Denton (1994)
- Hogan (2017)

**Criminal Justice**
- Steffensmeier & Demuth (2000)
- Sampson & Lauritsen (1997)
- Walker et al., (2011)

**Health**

**ACA & Civil Rights**
- LaVeist–Ramos et al., (2012)
- Gravlee & Dressler (2005)
- Jones et al., (2008)
- McIntosh (2013)
- Sue (2014)
- Williams and Mohammed (2013)
- López (2013); López et al. (2017)

- For more bibliography on research evidence pertaining to value-added by two separate questions Email: nlopez@unm.edu
Unintended Consequences of “GOOD INTENTIONS”

“Census Bureau studies have demonstrated over the recent decades that when presented with separate race and Hispanic origin questions, Hispanics have great difficulty responding to the race question. This is one of the main reasons a combined question approach was tested, in order to better understand how Hispanics would self-identify given the option to report “Hispanic” along with a race or races in response to a combined question AQE, 2010).”
“Analytical Rigor & Accuracy”? For Whom & for What?

“The primary research objective was to design and test questionnaires that would increase reporting in the OMB race and ethnicity categories, lower item non-response, increase validity and reliability of the results, and elicit reporting of detailed race and ethnic groups (AQE, 2010).”

The Limits of “Aesthetic Accuracy”: Why We need a paradigm shift at the Census/OMB:

“Ethical Accuracy for Civil Rights and serving the most vulnerable.”
WHAT ABOUT RIGOROUS DATA FOR CIVIL RIGHTS?

• Why isn’t the question format testing conducted by the Census Bureau examining the merits of the separate question format versus the combined question format in terms of their value-added for interrogating inequalities in any civil rights outcomes, such as race-gender profiling in voting rights, law enforcement, employment discrimination, housing discrimination or any other policy of relevance for Civil Rights enforcement?

• Why was the existing interdisciplinary social science evidence base on the color line ignored in the Census reports and review of the relevant literature?

• What was the research protocol?
Comparable data? Compromised Data?

• How would multiple responses be tallied for civil rights? How would we create comparable data under a combined format? How would data that flattens the real differences between Hispanic origin and race impede our ability to document inequalities in the voting booth, housing, employment, education, health and other relevant civil rights policy-making arenas?
  
  
  – **Combined question data will not be comparable** to the previous social locations that we could discern with the two-question format (See Saenz and Morales 2015; Emeka and Vallejo 2011).

  – **HEAR NO EVIL – SEE NO EVIL – WITHER THE STATISTICAL EVIDENCE FOR A COLOR LINE AMONG LATIN@S**
SOCIAL SCIENCE EVIDENCE IS CLEAR...

- Treating country of birth, national origin, geographic origins, genetic ancestry, language, ethnic and or cultural background as equivalent to race (i.e., the social meanings assigned to a conglomeration of individual’s physical appearance, such as skin color, hair texture, and facial feature, etc.) by **asking about “origins” and race-- two concepts in one question is a false equivalency** – a conceptual/ontological flattening of two analytically distinct concepts --that will compromise civil rights monitoring and enforcement and the allocation of resources to the most vulnerable communities.
Colorblindness $\neq$ Antiracism

(*Bonilla-Silva, 2013:15)

Antiracism begins with understanding the **institutional nature** of racial matters and accepting that all actors in a racialized society are affected materially and ideologically by the racial structure.

*President-Elect,
American Sociological Association
Who has the power to will win the ontological contest?
What about vulnerable communities? Will ontological invisibility and color-blindness prevail?

Race or origin (Difference Flattened)

QUALITY DATA?

ACCURATE AND RIGOROUS DATA?

Hispanic Origin (Difference is Real)

Race (Difference is Real)

Will any of the existing and vast evidence based social science research on the existence of a color line within Latino communities in the U.S. and in sending countries be included in the decision making?
Interagency Committee on Sexual Orientation and Gender (SOGI) Took a position against Flattening

**QUALITY DATA?**

**ACURATE AND RIGOROUS DATA?**

**WILL HISPANIC CAUCUS TAKE A POSITION?**

**PLEASE SUPPORT A MORATORIUM ON ANY CHANGES UNTIL FURTHER ANALYSIS INCLUDES SOCIAL OUTCOMES RELATED TO CIVIL RIGHTS USE**
How would data that asks several concepts in one question be tallied for employment discrimination, voting rights abuse, addressing racialized poverty of children & Families?

RACE=/=NATIONAL ORIGIN=/=ETHNICITY=/=ANCESTRY=/=DNA MARKERS/GENETIC BACKGROUND

• If we have two separate questions on Hispanic origin and race today, why are we giving one up particularly when there are active efforts to bar racial data collection?
  – Census is testing questionnaire formats that omit the word “race.”
  – 1997 AAA OMB Memo said that the combined question is necessary to eventual elimination of the term race in the Census and federal data
WHAT CAN HISPANIC CAUCUS DO? PROTECTING DATA FOR THE FUTURE OF CIVIL RIGHTS ...

1. Respectfully request Congressional Hispanic Caucus seek a moratorium on any changes to the current two-part question on Hispanic origin and race as separate questions for the 2020 Census until analysis of existing social science research on social inequalities & civil rights outcomes are included.

2. Strategize and Introduce a new legislation/bill to protect integrity federal civil rights data infrastructure:
   - ROBUST RIGOROUS ETHICALLY ACCURATE CIVIL RIGHTS ENFORCEMENT MUST ENSURE THAT FEDERAL, STATE, MUNICIPAL DATA INFRASTRUCTURE IS BASED ON EXISTING SOCIAL SCIENTIFIC STUDIES DETECTING WHETHER THERE IS A COLOR LINE THAT MAPS ON TO INEQUALITIES AMONG LATINOS
GRACIAS!!!! THANK YOU!!!

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Feedback, Questions, Suggestions and copy of PPT:
Email: nlopez@unm.edu
Website: race.unm.edu

Invitation:
Census Symposium @U of MD-College Park
Nov. 9, 2018, 8-1:30pm
POSTSCRIPT FOR IMPROVING DATA: IDEALLY 3 QUESTIONS ARE NECESSARY

1. Hispanic Origin: Are you of Hispanic, Latino or Spanish origin? (check all that apply)
   No, not of Hispanic or Latino origin
   Yes, Mexican, Mexican American, Chicano
   Yes, Puerto Rican
   Yes, Cuban
   Yes, another Hispanic, Latino or Spanish Group (e.g. Argentinean, Colombian, Dominican, Nicaraguan, Salvadoran, Spaniard, etc.) SPECIFY GROUP (S): ________________________________

2. Race: What is your race? (check all that apply; Note: this question is used to detect if there is discrimination and civil rights violations in voting rights, housing, employment, education, etc. along the color line)
   ____ White (Non Hispanic/Latino/o/x)
   ____ Black, African American, or Negro (Non Hispanic/Latino)
   ____ American Indian or Alaska Native, NAME OF ENROLLED TRIBE: ____________________
   ____ Asian or Asian American, NAME OF NATIONAL ORIGIN: __________________________
   ____ Hispanic/Latino(o) White
   ____ Hispanic/Latino(o) Afro-Latina(o)/Black
   ____ Hispanic/Latino(o) Mestiza(o)/Brown
   ____ Hispanic/Latino(o) Indígena / Indigenous Pueblo of Latin America/Brown
   ____ Middle Eastern / Arab/Brown
   ____ Some other Race: (Please write in: __________________________)

3. Ancestry: What is your ethnicity, national origin (s) or distant ancestry? (Write in:______________ For example: German, Haitian, Italian, Arab, Chinese, Somali, Italian, etc.)
Provides an arsenal of multidisciplinary, conceptual, and methodological tools for studying “race” specifically within the context of health inequalities and beyond.

Ch 12: Contextualizing Lived Race–Gender and the Racialized Gendered Social Determinants of Health (López, 2013)
Conceptual Model for “Race” as Multidimensional

Political Status/Tribal Status

Racial Self-Identity
*GOLD STANDARD

Lived Race-Gender & Life Course Embodiment

Ascribed Racial Status ("Street Race") Visual/ocular component

What part of the social construction are you collecting?

(López, 2013)
Multidimensional Ethnicity

Ethnic identity/national origin/ancestry

Cultural Practices, Food, Beliefs, Religion

Generational Status
Legal Status/Citizenship

Primary Language & Heritage Language

Ethnicity/=Race/=National Origin
/=Ancestry/=Language Background

(López, 2013)
Color – and Power- Evasiveness will not eradicate discrimination...

- France does not collect racial data
- Many Latin American countries are just beginning to collect this type of data because they recognize that colorblind data collection may impede our ability to address inequalities (Telles 2014; Bonilla-Silva 2004).
MATERIAL AND INSTITUTIONAL FETISH
GENEALOGY OF NEOLIBERAL LOGICS:
“STREAMLINING” THE EXPERTS

• mid-1970s, National Advisory Committees (NAC) established

• During the 2010 Census, five separate committees advised the bureau on decennial issues: the African American, American Indian and Alaska Native (AIAN), Asian, Hispanic, and Native Hawaiian and Other Pacific Islander (NHOPI) Advisory Committees.

• In 2012, the Secretary of Commerce re-chartered the NAC as the Census Bureau National Advisory Committee on Racial, Ethnic, and Other Populations. The committee, known as NAC, consists of up to 32 members appointed by the Director of the Census Bureau. NAC is an important channel of communication between the Census Bureau and race, ethnic, and other communities, focusing “on the identification of new strategies for improved census operations, survey and data collection methods, including identifying cost-efficient ways to increase census participation” and reduce the undercount.

• Charge doesn’t include any responsibility related to consulting the existing scientific evidence on social inequalities for vulnerable communities and protecting the integrity of the civil rights data infrastructure!!!!

— What About Civil Rights Use???!!!???
— Is this ethical accountability? Ethical accuracy for civil rights?
ARGUMENT

• **Colorblindness/Ignoring** the fact that indeed Hispanics in the same national origin, ethnic group, and even biological families can be of any race and that this reality may translate into distinct experiences with inequality at the voting booth, applying for a mortgage, seeking employment or interacting with immigration official and other law enforcement, will not help us advance civil rights for the most vulnerable communities. It will set us backwards...

• **Moratorium on Changes to 2020 Census**
Purpose of data collection is civil rights use

Both Race and Ethnicity are Social Constructions, but does this mean that they equivalent concepts?

Can we ask about two different kinds of social constructions in one question?
CONCEPTUALIZING & VISUALIZING INTERSECTIONALITY

- Tribal Status
  - Race
  - Ethnicity
  - Language
  - Nationality
  - Ancestry
  - Legal Status
  - Religion

- Gender
  - Sexual Orientation
  - Sex Assigned at Birth

- Age
  - Disability Status
  - Body / Embodiment

- Socioeconomic Status
  - (Parents Educational Attainment; Parents Occupation; Parents Income; Parents Wealth; Individual Educational Attainment; Individual Occupation; Individual Income; Individual Wealth; Partner Educational Attainment; Partner Occupation; Partner Income; Partner Wealth; Household Net Worth; Social Networks; Social Honor/Esteem, etc.)
REARTICULATION & MINIMIZATION: GOT “EQUITY”?

• Abstract Liberalism: “Combined question approach presents equity as treat everyone the same” – Focus Group Results point

• Colorblind: Some 2010 format tested formats that dropped the word “Race”

• Minimization: 2010 AQE findings less detailed national origin and race data – POSTRACIAL/PANETHNICITY & ERASURE OF DIFFERENCE

• Focus Groups Purposeful Should have been Sampled by Race-not national origin and included questions on every day discrimination faced by visible minorities; instead it was solely limited to cognitive tests devoid of any civil right use
Why did the interagency committee on Sexual Orientation & Gender oppose flattening by Census recommending opposite for Latinos?

• The federal interagency committee on Sexual Orientation and Gender Identity (SOGI) recommends separate questions for these measurements because they recognize that sexual orientation and gender are each are aspects of an individual’s identity they are different and require separate questions.

• Consider political context; racial and ethnic demographic changes may be driving the effort to erase race among Latin@s – largest minority group in the country.