

# **LATINX: RESERVING THE RIGHT TO THE POWER OF NAMING**

ED MORALES

## **ABSTRACT**

The label Latinx was originally conceived of by activists and academics to be inclusive of non-binary and LGBTQIA people, but when it came into wider use in the mid-2010s, it generated pushback from both conservatives and moderates. Recently there have been attempts to ban the term by a governor and a state legislature, with even Democratic Arizona Representative Rubén Gallego expressing his disgust for the term. This article examines the political debate, the history of the use of the term, and the underlying arguments that have arisen during this era of racial reckoning.

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## INTRODUCTION

The use of the term “Latinx”<sup>1</sup> has come under increased attack. In the U.S., the term “Latinx” is an identity term, derivative from the term “Latino,” used by a growing number of individuals whose ancestors descend from Latin America to be inclusive of non-binary and LGBTQIA+ individuals.<sup>2</sup>

Several states, like Arkansas, Virginia, and Florida have attacked any form of rhetoric or school instruction that critically analyzes the history of U.S. racism, such as Critical Race Theory, under the premise that such thinking is harmful to their residents. Arkansas and Connecticut have directly singled out the use of the word “Latinx,” in the use of official or government documents as harmful, citing polls that suggest the word is offensive to Latin American descendants living in the U.S. While conservatives are following an established roadmap that demonizes assertive anti-discrimination claims by marginalized groups, some moderates have assented, seemingly out of fear that voters agree such language is out of touch with mainstream attitudes in the U.S. Latino community.

In January 2023, during her first week as Governor of Arkansas, Sarah Huckabee Sanders prohibited the use of the term “Latinx” in official government documents, replacing it instead with “Hispanic,” “Latino,” or “Latina.”<sup>3</sup> The executive order stated that the purpose of the ban was “to respect the Latino community by eliminating culturally insensitive words from official use in government.”<sup>4</sup> This is representative of a thinly disguised ‘anti-woke’ agenda<sup>5</sup> adopted by many conservative Republicans.

Sanders is not alone—Virginia Governor Glenn Youngkin issued an executive order on his first day in office “ending the use of inherently divisive concepts, including Critical Race Theory, and restoring

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<sup>1</sup> This Article uses the term Latinx to refer to individuals of Latin American ancestry who live in the United States.

<sup>2</sup> The “x” in Latinx is a substitute for identifying gender in Spanish words, making it emblematic of non-binary individuals and their allies. See Ana María del-Río González, *To Latinx or Not to Latinx: A Question of Gender Inclusivity Versus Gender Neutrality*, 111 AM. J. OF PUB. HEALTH 1018, 1018-19 (2021).

<sup>3</sup> Ark. Exec. Order No. 23-01 (Jan. 10, 2023), <https://plus.lexis.com/api/permalink/0bcefd03-f276-4bcc-b881-034ab2cd2f31/?context=1530671> [<https://perma.cc/K23F-QF8Q>] [hereinafter Latinx Ban].

<sup>4</sup> *Id.*

<sup>5</sup> Marc Rubio U.S. Senator for Florida, *Press Releases: Rubio Releases Anti-Woke Agenda for the 118th Congress* (Feb. 2, 2023), <https://www.rubio.senate.gov/public/index.cfm/2023/2/rubio-releases-anti-woke-agenda-for-the-118th-congress> [<https://perma.cc/F5K6-V5WM>].

excellence in K-12 public education.”<sup>6</sup> Florida Governor Ron DeSantis has become the ‘anti-woke’ national leader, having successfully championed and signed into law the dystopian “Stop WOKE Act,” prohibiting teaching or instruction that “espouses, promotes, advances, inculcates, or compels” students or employees’ race-based thinking or analysis.<sup>7</sup> The law is already creating uncertainty and anxiety among students and professors in Florida universities.<sup>8</sup>

A few weeks after Huckabee-Sanders’ executive order, Connecticut State Representative Geraldo Reyes, Jr., a Democrat, introduced a measure in his state legislature to bar the use of “Latinx” from government and state education documents,<sup>9</sup> claiming the term is “offensive and unnecessary.”<sup>10</sup> Reyes objected to the gender-neutrality invoked by Latinx as “woke,”<sup>11</sup> insisting that “[t]he Spanish language, which is centuries old, defaults to Latino for everybody.”<sup>12</sup>

## I. THE “LATINX” DEBATE: A TOOL OF COMMUNITY SELF-DETERMINATION OR A SUBVERSIVE MECHANISM AGAINST TRANSFORMATIONAL SOCIAL CHANGE?

The confluence between radical right Republican goals of banning any deviations from white male normativity, ranging from drag-queen shows to the right to abortion to the teaching of the U.S.’s history of slavery and racism, and moderate Democrats who worry capitulation to “wokeism” plays into Republican hands at the ballot box is the latest troubling example of how our country’s political discourse keeps tilting rightward. Rather than moving society forward toward actual progress,

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<sup>6</sup> Va. Exec. Order No. 1 (Jan. 15, 2022), <https://plus.lexis.com/api/permalink/aeb99626-79e8-4f11-a555-11d25e5d7cc5/?context=153067> [<https://perma.cc/N3N9-6F8Y>].

<sup>7</sup> H.R. 7, 2022 Leg., 124th Reg. Sess. (Fla. 2022), <https://plus.lexis.com/api/permalink/89d926cd-ad3c-4ad0-92c9-c51929615990/?context=1530671> [<https://perma.cc/3AU2-AHS8>].

<sup>8</sup> See Daniel Golden, *Muzzled by DeSantis, Critical Race Theory Professors Cancel Courses or Modify Their Teaching*, PROPUBLICA (Jan. 3, 2023, 7:00 AM), <https://www.propublica.org/article/desantis-critical-race-theory-florida-college-professors> [<https://perma.cc/8PLW-CUQD>] (describing university professors’ decision to cancel courses).

<sup>9</sup> See H.R. 6384, 2023 Gen. Assemb., Reg. Sess. (Conn. 2023), <https://www.cga.ct.gov/2023/TOB/H/PDF/2023HB-06384-R00-HB.PDF> [<https://perma.cc/GJ9Y-9YAS>].

<sup>10</sup> Pat Eaton-Robb, *Democratic-Backed Connecticut Bill Would Ban ‘Latinx’ Term*, ASSOCIATED PRESS (Feb. 1, 2023), <https://apnews.com/article/politics-connecticut-state-government-waterbury-arkansas-77817868efdbd4ee7651575acc665c6f> [<https://perma.cc/5CJK-YMFE>].

<sup>11</sup> *Id.*

<sup>12</sup> *Id.*

some view the debate sparked by critiques on inclusive language as an ineffective distraction, arguing that “[progressive] linguistic contortions, however well-meant, aren’t actually addressing our country’s desperate inequities or achieving progressive dreams, but rather are creating fuel for right-wing leaders aiming to take the country in the opposite direction.”<sup>13</sup>

These polarized battles in political discourse are evidence of a growing problem in public life: a false binary between identity politics, which is continually being associated with an agenda of “elite capture,”<sup>14</sup> and class politics, which is exclusively associated with the white working class. The ostentatious displays of support for Black Lives Matter and related movements by large corporations during the height of the George Floyd protests is an example of elite capture.<sup>15</sup> According to Taíwò, the commitment of large corporations to diversity initiatives, while sometimes beneficial to marginalized groups, tends to separate out class politics in a way that assumes addressing issues of racial discrimination without mentioning social class.<sup>16</sup> This process has led to contentiousness within the left between those who focus more on marginalized identities, such as African American, Latinx, women, LGBTQIA+, and those who feel that class conflict is central, creating a false binary, or mutual exclusivity of race and class grievances, when in reality class and race have been tied together since the onset of European colonization of the Americas.<sup>17</sup>

Current discourse does not recognize that women of color originally conceived of identity politics in the 1970s,<sup>18</sup> long before it became institutionalized in university curriculums, evolving into the Black Lives Matter movement. Today, identity politics are a staple of high-end

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<sup>13</sup> Nicholas Kristof, *Inclusive or Alienating? The Language Wars Go On*, N.Y. TIMES (Feb. 1, 2023), <https://www.nytimes.com/2023/02/01/opinion/inclusive-language-vocabulary.html> [<https://perma.cc/22F8-SE49>].

<sup>14</sup> See generally OLÚFÉMI O. TÁÍWÒ, ELITE CAPTURE: HOW THE POWERFUL TOOK OVER IDENTITY POLITICS (AND EVERYTHING ELSE) 9-13 (2022) (describing “elite capture” and the problems arising from its association with identity politics).

<sup>15</sup> See, e.g., Tracy Jan, Jena McGregor, and Meghan Hoyer, *Corporate America’s \$50 Billion Promise*, WASH. POST (Aug. 23, 2021), <https://www.washingtonpost.com/business/interactive/2021/george-floyd-corporate-america-racial-justice/> [<https://perma.cc/C9GL-CTEU>].

<sup>16</sup> See generally TÁÍWÒ, *supra* note 14.

<sup>17</sup> See generally Juliet Hooker, *How Can the Democratic Party Confront Racist Backlash? White Grievance in Hemispheric Perspective*, 52 POLITY 355 (2020).

<sup>18</sup> See generally KEEANGA-YAMAHTTA TAYLOR, HOW WE GET FREE: BLACK FEMINISM AND THE COMBAHEE RIVER COLLECTIVE 70-71 (Keeanga-Yamahtta Taylor ed., 2017) (stating that the term “identity politics” originated with the Combahee River Collective).

consumer advertising and Hollywood entertainment, saturating our collective consciousness differently than originally intended. The neoliberal turn in our socio-political and economic system has created the illusion that identity politics is divorced from class politics and the ‘woke’ coalition consists of elite Ivy League graduates in media-politics, a talented tenth of Black people, elected officials, social media influencers and, at times, Latinx and Asian entertainment stars.

Latinx represents a unique identifier for U.S. Latin American descendants. The term is often associated with elitism and is subversively threatening as an LGBTQIA+-friendly term. Its prevalence fits in nicely with a radical Republican agenda of banning anything that obscures a clear distinction between male and female. The idea that it might encourage Latin American descendants in the U.S. to consider identifying as multiracial and possibly not normatively heterosexual makes the word offensive to the most authoritarian tenets we inherit from our previous colonization as Spanish subjects. The use of the term Latinx represents the continued de-centering of the once unquestioned rule of Western male identity, an identity that conservatives like Donald Trump are desperate to restore and recenter in the process of “Making America Great Again.”<sup>19</sup> The term “Latinx,” and “wokeness” in general, has roots in academia whose tradition of critical thinking has revealed truths incompatible with founding national myths, and has become ground zero for conservative Republican attacks.<sup>20</sup>

## II. REPUBLICANS’ BAN ON “LATINX” MISREPRESENTS AND HARMS OUR COMMUNITY

While the ban on the term Latinx does not explicitly challenge race-based thinking, the underlying rationale that the term harms the community produces insidious and subversive consequences on the ability of racialized communities to self-identify.

For example, the assertion that the term Latinx harms the Latinx community is unfounded for several reasons. First, the Arkansas order

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<sup>19</sup> See Stuart Hall, *The Question of Cultural Identity*, in MODERNITY: AN INTRODUCTION TO MODERN SOCIETIES 595, 595-634 (Stuart Hall, David Held, Don Hubert & Kenneth Thompson eds., 1996).

<sup>20</sup> See Susan Svrluga & Lori Roza, *In Florida, DeSantis’s Plans for Colleges Rattle Some Academics*, WASH. POST (July 1, 2022, 2:26 PM) <https://www.washingtonpost.com/education/2022/07/01/desantis-florida-universities-laws/> [https://perma.cc/85E6-XTNR].

relies on data from a 2020 study<sup>21</sup> to claim that the term's limited use indicates disagreement by the community.<sup>22</sup> It appears to be a cherry-picked example that indicates more about the relative newness of the term. However, more recent studies demonstrate increased use of the term. In March 2021, a U.C. Berkeley study concluded that close to 25 percent of the U.S.-born Californians interviewed identify with the term regularly.<sup>23</sup> In March 2022, an Axios-Ipsos Latino poll found that 53 percent of Mexican Americans, 47 percent of Puerto Ricans, and 42 percent of Cuban Americans, three major Latinx groups in the U.S., approve of the term.<sup>24</sup> According to Google Trends, web searches of "Latinx" over the last five years has increased significantly, peaking in September 2022, likely for Hispanic Heritage Month, with an 88 percent increase in California—the country's most Latino-populated state.<sup>25</sup> Additionally, the 2020 study cited that 42 percent of young people between ages 18-29 have heard of the term and 14 percent of those who are women use it, indicating a growing preference for the next generation to self-identify under the term Latinx.

Second, the ban places undue reliance on the history of settler-colonialism by citing the practices of a European institution to make arguments about domestic communities in the U.S. The order states, "The Real Academia Española, the Madrid-based institution which governs the Spanish language, has officially rejected the use of 'x' as an alternative to 'o' and 'a' in Spanish."<sup>26</sup> The Latinx community in the U.S. has

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<sup>21</sup> See generally LUIS NOE-BUSTAMANTE, LAUREN MORA, & MARK HUGO LOPEZ, PEW RESEARCH CENTER, ABOUT ONE-IN-FOUR U.S. HISPANICS HAVE HEARD OF LATINX, BUT JUST 3% USE IT (2020) (providing data on ethnic label preferences and showing an upward trend for use of the term Latinx).

<sup>22</sup> See Latinx Ban, *supra* note 3 (the report found that 76 percent of U.S. adults who self-identify as Hispanic or Latino had never heard of the term Latinx).

<sup>23</sup> See G. Cristina Mora, Reuben Perez & Nicholas Vargas, *Who Identifies as "Latinx"? The Generational Politics of Ethnoracial Labels*, 100 SOCIAL FORCES 1170, 1171 (2022).

<sup>24</sup> See Russell Contreras, *Poll: Mexican Americans are More Comfortable with "Latinx" Than Other Groups*, AXIOS (Mar. 29, 2022), <https://www.axios.com/2022/03/29/latinx-mexican-americans-poll> [<https://perma.cc/93TU-97UF>].

<sup>25</sup> See GOOGLE TRENDS, <https://trends.google.com/trends/explore?date=today%205-y&geo=US&q=latinx&hl=en> [<https://perma.cc/GD7X-69EV>] (last visited Apr. 5, 2023) (search term "latinx" in "United States" in "past 5 years"); STATISTA, <https://www.statista.com/statistics/259850/hispanic-population-of-the-us-by-state/#:~:text=In%202021%2C%20California%20had%20the,million%20people%20claiming%20Hispanic%20heritage> [<https://perma.cc/GW4B-HENJ>] (last visited Apr. 5, 2023) ("In 2021, California had the highest Hispanic population in the United States, with over 15.75 million people claiming Hispanic heritage.").

<sup>26</sup> See Ark. Exec. Order No. 23-01.

always had a complicated relationship with the colonizing countries of that left their European heritage. While often sharing an appreciation of the Iberian Spanish language and culture, there continues to be a strong need for independence from it. In the 19th century, Spain's colonies in the Americas successfully separated themselves from Spanish rule and created national pride based on local cultures and traditions. Numerous dialects of spoken Spanish have since developed across Latin American countries, some deviating significantly from the Spanish dialect spoken in Spain. Accordingly, misplaced reverence for the European Spanish dialect harms other Spanish-speaking communities by classifying them as unrefined, as is often with Caribbean Spanish, and creates negative assumptions about belonging and ethnic cohesion, for especially the many Latinx in the U.S. who do not speak Spanish fluently or at all.<sup>27</sup>

Third, the development and use of the term Latinx is not an imposition by U.S. white culture on the Spanish language or Latinx identity. There is a growing array of English words that have come into common use in Spanish-speaking Latin America. Latinos download files from the "internet." When Puerto Ricans answer the phone, they say "hello." There is no outrage when Latin Americans use words like "brunch," and "hipster" (pronounced *heepster*). I still remember hearing residents of Buenos Aires, Argentina, referring to their living rooms as "el living" in the early 2000s. The use of the term Latinx represents the mixing of English and Spanish that has historically occurred with U.S. Latinos, and Latin Americans to a lesser extent, through bilingualism and code-switching.<sup>28</sup> A 2017 report suggests that only 6 percent of second-generation Latinos in the U.S. are Spanish-dominant.<sup>29</sup> This is evidence of a process that Latin American immigrants and migrants undergo in the U.S. which gradually shifts to the use of English. Moreover, Latinx individuals often engage in bilingual language use, called Spanglish, which includes code-switching from one language to another in the

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<sup>27</sup> ANA CELIA ZENTELLA, *Dime Con Quién Halbas, y Te Dire Quién Eres: Linguistic (In) security and Latina/o Unity*, in *A COMPANION TO LATINA/O STUDIES* (Juan Flores & Renato Rosaldo eds., 2007)

<sup>28</sup> Almeida Jacqueline Toribio, *Spanish-English Code-Switching Among US Latinos*, 158 *INT'L. J. SOC. LANG.* 89 (2002); Jonathan Rosa, *Racializing Language, Regimenting Latinas/os: Chronotope, Social Tense, and American Raciolinguistic Futures*, 46 *LANGUAGE & COMM'N* 106, 106-17 (2016).

<sup>29</sup> MARK HUGO LOPEZ, ANA GONZALEZ-BARRERA & GUSTAVO LÓPEZ, *PEW RSCH. CTR., HISPANIC IDENTITY FADES ACROSS GENERATIONS AS IMMIGRANT CONNECTIONS FALL AWAY* 15 (2017).

middle of a conversation, or the liberal sprinkling of Spanish words into English sentences.

Most Latin American descendants in the U.S. become English-dominant by the third generation,<sup>30</sup> often retaining some Spanish, and hybrid terms like *Latinx* break strict language rules as part of a hybrid culture that combines elements of both. That *Latinx* does not conform to the rules of Spanish is part of the idea and is part of what gives it power to represent U.S. Latin American descendants. Young *Latinx* linguists offer its use as an example of “translanguaging” that breaks the rules of both English and Spanish languages and intentionally signals a political stance.<sup>31</sup> Bilingual education scholar Ofelia García defines translanguaging as a descriptor of the fluid language practices of multilingual communities.<sup>32</sup> According to García, translanguaging is political because it disrupts the “hierarchy of named languages that were installed by colonial expansion and nation-building,” and liberates “sign-systems that have been constrained by socio-political domination,” giving voice to those caught between the language boundaries and definitions set by nations.<sup>33</sup> *Latinx* breaks a grammatical rule—the fact that all nouns in Spanish must end in “o” or “a” to signify masculine or feminine gender for grammatical purposes. This is a relatively simple break, but the term itself alludes to gender identification(s) that until recently have been taboo in most *Latinx* and Latin American communities, signaling a greater rupture from traditional socio-political norms.

In addition, the term Hispanic offers no respite to such claims of linguistic purity. Hispanic is not a recognizable word in proper Spanish, and, like *Latinx*, can equally be considered an Anglicization of Spanish. Hispanic is often thought to be favored by more conservative sectors of the population.<sup>34</sup> Therefore, the conservative attack on *Latinx*, using the

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<sup>30</sup> See generally Eugenia Casielles-Suarez, *Spanglish: The Hybrid Voice of Latinos in the United States*, 39 ATLANTIS 147 (2017); JENS MANUEL KROGSTAD, RENEE STEPLER & MARK HUGO LOPEZ, PEW RSCH. CTR., ENGLISH PROFICIENCY ON THE RISE AMONG LATINOS (2015).

<sup>31</sup> See Sara Weissman, *A Question of Identity: Examining the Use of Latinx*, DIVERSE ISSUES IN HIGHER EDUC. (Oct. 6, 2020), <https://www.diverseeducation.com/demographics/latinx/article/15107879/a-question-of-identity-examining-use-of-the-term-latinx> [<https://perma.cc/F939-UT8J>] (discussing various perspectives on the use of *Latinx*).

<sup>32</sup> Ofelia García, *Decolonizing Foreign, Second, Heritage, and First Languages, in* DECOLONIZING FOREIGN LANGUAGE EDUCATION: THE MISTEACHING OF ENGLISH AND OTHER COLONIAL LANGUAGES (Donaldo Macedo eds., 2019).

<sup>33</sup> *Id.* at 163.

<sup>34</sup> See generally CRISTINA G. MORA, MAKING HISPANICS: HOW ACTIVISTS, BUREAUCRATS,



justification that Latinx is an imposition by U.S. culture on the Spanish language, is ironic.

Fourth, the order may imply that the community is harmed because Latinx is too difficult to pronounce.<sup>35</sup> But no one in my Spanish-language-dominant family had difficulty with a word like “Kleenex” when I was growing up. There is a growing movement of Spanish speakers who prefer to use the term *Latine*, serving the same gender-neutral function as the term Latinx while dispensing with the apparent visceral charge of “x,” which generates an emotional reaction among so many detractors. The term *Latine* is catching on with many groups that want to express gender neutrality without the controversy that Latinx provokes.

### III. REJECTION OF LATINX BY MODERATES AS MISGUIDED AVOIDANCE OF CONSERVATIVE “WOKE” CRITIQUE

Still, the moderate Democrat rejection of Latinx persists. Long before the recently proposed legislation in Connecticut, the League of United Latin American Citizens (LULAC), a leading civil rights organization, also banned “Latinx” from all communications.<sup>36</sup> Representative Ruben Gallego of Arizona, who is currently running for Senator, went as far as going on HBO’s “Real Time with Bill Maher” to denounce the term as one invented and forced on Latinx by white elites.<sup>37</sup>

Latino Democrats who want to identify “wokeness” as a bogeyman unbefitting of their identity spotlight what many progressives see as a failure of that party: a willingness to shift to the right for fear of losing voters to Republicans.<sup>38</sup> Going back to the Obama administration, and even the 90s Clinton Era, Democrats have supported policies that have led to decreasing SSI and SNAP benefits for the poor, increasing deportations in the hopes that Republicans would take immigration

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AND MEDIA CONSTRUCTED A NEW AMERICAN (2014); David González, *What’s the Problem with Hispanic? Just Ask a Latino*, N.Y. TIMES (Nov. 15, 1992) <https://www.nytimes.com/1992/11/15/weekinreview/ideas-trends-what-s-the-problem-with-hispanic-just-ask-a-latino.html> [<https://perma.cc/R6YZ-39T8>].

<sup>35</sup> Luisita Lopez Torregrosa, *Many Latinos Say ‘Latinx’ Offends or Bothers Them. Here’s Why*, NBC NEWS THINK (Dec. 14, 2021) <https://www.nbcnews.com/think/opinion/many-latinos-say-latinx-offends-or-bothers-them-here-s-ncna1285916> [<https://perma.cc/G78F-JQ2F>].

<sup>36</sup> See Suzanne Gamboa, *Latino Civil Rights Organization Drops “Latinx” From Official Communication*, NBC NEWS (Dec. 9, 2021, 4:28 PM), <https://www.nbcnews.com/news/latino/latino-civil-rights-organization-drops-latinx-official-communication-rcna8203> [<https://perma.cc/4BMQ-2ENE>].

<sup>37</sup> Wajahat Ali, *Don’t Worry Democrats, Be Woke*, THE DAILY BEAST (Aug. 24, 2022).

<sup>38</sup> *Id.*

reform seriously, favoring massive real estate development over investing in poor and working-class communities, and balking at providing universal health insurance. All of these capitulations seem motivated by the Democrats' fear of losing voters, at the cost of providing real benefits from their perceived constituency.

Now, moderate Democrats from Connecticut to Arizona are willing to be on the same side of extremist Republicans who demonize the term Latinx, just as they work to erode women's reproductive rights, threaten same-sex marriage, and destroy trans rights. This strategy—seemingly based on several reports in the major media that Latinx voters are shifting to the right,<sup>39</sup> does not seem to make a huge difference. Latinos overwhelmingly embraced Democratic candidates in the 2022 midterm elections whether they used Latinx or not.<sup>40</sup>

#### IV. THE MAKING OF LATINX: CRITIQUING LATINIDAD'S PERSISTENT PATRIARCHY AND RACISM

While the origin of Latinx is not entirely clear, one thing is certain: it is not the product of white elites. Rather, it emerged from discussions touching on four different and intersectional areas: race, nationality, gender, and sexuality. Though many writers have noted its popular origins in online forums from the mid-1990s, the use of Latinx is the culmination of an old identity politics debate between U.S. Latino academics and activists. The origin of Latinx owes much to the use of "x" among Chicana feminist

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<sup>39</sup> See, e.g., Keith Humphreys, *The Overlooked Reason the Latino Vote Is Turning Right*, NBC NEWS (Nov. 17, 2022, 12:34 PM), <https://www.nbcnews.com/think/opinion/elections-2022-shows-latino-vote-moving-right-rcna57553> [https://perma.cc/N3W3-PPMC]; Scott Simon, *Hispanic and Minority Voters Are Increasingly Shifting to the Right*, NPR (July 23, 2022, 8:03 AM), <https://www.npr.org/2022/07/23/1113166779/hispanic-and-minority-voters-are-increasingly-shifting-to-the-republican-party> [https://perma.cc/A9HE-5M8P]; Ray Suarez, *Democrats Lost Ground With Latino Voters in 2020. Will the Midterms be Worse?*, VOX (Sept. 20, 2022, 5:40 AM) <https://www.vox.com/the-highlight/23327900/latino-hispanic-voters-republican-2020> [https://perma.cc/4ER8-NKQW], Aaron Zitner & Bryan Mena, *Working-Class Latino Voters, Once Solidly Democratic, Are Shifting Toward Republicans*, WALL ST. J. (Oct. 2, 2022) <https://www.wsj.com/story/working-class-latino-voters-once-solidly-democratic-are-shifting-toward-republicans-a7578ecc> [https://perma.cc/GBU6-JNBS].

<sup>40</sup> See, e.g., Christian Paz, *Beware the Post-Midterm Hot Takes About Latino Voters*, VOX (Nov. 10, 2022), <https://www.vox.com/policy-and-politics/2022/11/10/23451639/midterm-latino-vote-takes-2022> [https://perma.cc/369H-FGUA], Natasha Korecki, *Latinos Struggle in the Southwest as Latino Voters Stick With Democrats*, NBC NEWS (Dec. 11, 2022, 4:00 AM), <https://www.nbcnews.com/politics/2022-election/latino-voters-stuck-democrats-southwest-2022-rcna58260> [https://perma.cc/K7AQ-MZPT].

writers like Ana Castillo<sup>41</sup> and Cherrie Moraga,<sup>42</sup> who used “Chicanx” to celebrate the use of the letter “x” in Indigenous languages, like Nahuatl. Still, others see the “x” as a reference to those who have been obscured by the legacy of colonialism, the unknown, and the marginalized, — much like Malcolm X, who used it to symbolize his stolen African identity.<sup>43</sup>

In an essay published in the 1990s, Chicano studies scholar Juan Velasco sees the emergence of the letter “x” in Chicano Studies scholarship as a Mexican American response to or reimagination of the way Mexican writers like José Vasconcelos and Alfonso Reyes<sup>44</sup> saw strength in Mexico’s mixed-race identity.<sup>45</sup> Velasco writes:

Reyes clarifies the real meaning of the ‘x’ as the signifier of cultural identity and race . . . ‘X’ rewrites the problems of representation around new notions of difference by reinterpreting, in historical terms, the categories of ‘Mexicanness’ as well as the double dominant discourses of race and gender.<sup>46</sup>

However, Mexican American scholars thought it was a problem that Mexican identity was seen as a crossroads of Spanish and Indigenous identity because that crossroad would ultimately erase indigenoussness. Velasco wrote about ways to center indigenoussness while the political urgency of the 1960s-1970s Chicano Power era was fading. He wrote that “...Most Chicana critics have questioned ‘essentialized’ notions of the Chicano subject and have reopened the considerations of race and gender at the center of the discussion.”<sup>47</sup>

Velasco cites Ana Castillo’s autobiographical novel, *Massacre of the Dreamers: Essays on Xicanisma*, to illustrate her use of the “x” to

<sup>41</sup> See generally TRANSNATIONAL CHICANX PERSPECTIVES ON ANA CASTILLO (Bernadine Hernández Karen R. Roybal eds., 2021) (“[Ana Castillo’s] contributions to Latinx cultural production and Chicana feminist thought have transcended and contributed to feminist praxis, ethnic literature, and border studies throughout the Americas.”).

<sup>42</sup> See, e.g., Cherrie Moraga, *Teaching as a Xicana with an X*, SAN JOSE ST. U. SCHOLARWORKS (2015) (discussing the history and consciousness of the Chicana indigenous movement); see also Claudia Milian, *Extremely Latin, XOXO, Notes on LatinX*, 29 CULTURAL DYNAMICS 121, (2017) Milian’s essay thoroughly compiles resources for the emerging use of Latinx.

<sup>43</sup> MALCOLM X, THE AUTOBIOGRAPHY OF MALCOLM X: AS TOLD TO ALEX HALEY (1965).

<sup>44</sup> See e.g., JOSÉ VASCONCELOS, LA RAZA CÓSMICA (1925) (arguing that racial mixing in Latin America produced a superior universal race); ALFONSO REYES, LA “X” EN LA FRENTE (1951) (using the letter X as a symbol and metaphor for the intersections of Mexican identity).

<sup>45</sup> Juan Velasco, *The ‘X’ in Race and Gender: Rethinking Chicano/a Cultural Production Through the Paradigms of Xicanisma and Me(x)icanness*, 24 AMS. REV. 218, 218–230 (1996).

<sup>46</sup> *Id.* at 220.

<sup>47</sup> *Id.*

engage in a “post-nationalist” critique of essentialist, macho Chicanismo. She embodied what she called “the Mexic-American woman.” She writes that Xicanisma is inseparable from the concept of “motherbody,” which offers an intersectional paradigm for identity that embodies the experience of Indigenous women by centering Xicanisma feminism in indigenoussness. These revelations demonstrate how the use of “x” in both Xicana and Latinx are far from impositions by a “white elite,” but also very much part of the evolution of a progressive identity politics that radical right Republicans and centrist Democrats alike critique, rather obviously, as “woke.”

The impact of Latinx has been growing through its embrace in educational and institutional organizations. Many academic departments have replaced “Latino” in their names with Latinx.<sup>48</sup> In 2018, the National Latino/a Psychological Association also changed its name to include Latinx.<sup>49</sup> Shortly thereafter, I served as a keynote speaker at their annual conference<sup>50</sup> where I presented my book findings from *Latinx: The New Force in American Politics and Culture*.<sup>51</sup>

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<sup>48</sup> See, e.g., *Latinx Studies Department*, HARVARD U., <https://rll.fas.harvard.edu/latinx-studies> [https://perma.cc/X39C-YJNC] (last visited Apr. 6, 2023); *Department of Latin American and Latinx Studies*, JOHN JAY COLLEGE CRIM. JUST. N.Y., <https://www.jjay.cuny.edu/departament-latin-american-and-latinx-studies> [https://perma.cc/JEJ9-FHTZ] (last visited Apr. 6, 2023); (SUNY Oneonta, UPENN, Vassar College, Amherst College, John Hopkins, Skidmore College, Haverford College, Bates College, Purchase College, Rhodes College, William Patterson University, Lake Forest College, Scripps College, Franklin and Marshall College, Holy Cross College, University of Florida, University of Virginia, Clark University, University of Wisconsin Eau Claire, University of Rhode Island, Cal State Sacramento, Trinity University, UCSD, University of Alabama, University of North Colorado, Georgia Tech, University of San Francisco, Seattle University, University of Kansas, Marquette, Brandeis, St. Joseph’s, University of Colorado Denver, Pacific University, and U.C. Berkeley).

<sup>49</sup> *Name Change Announcement*, NAT’L LATINA/O PSYCH. ASSN., NLPA Renamed the Nat’l Latinx Psych. Assn. (Jul. 2018):

The new name represents our support for sexual orientation and gender diversity by using a term that is not grounded in a gender binary model. In addition, the change continues the organization’s honoring of its social justice mission, accepting its role as a national thought leader, remaining relevant and current in the field and perhaps most importantly, clearly stating that NLPA welcomes and values everyone in our community.

<https://nlpa.memberclicks.net/assets/docs/NLPA%20Name%20Change%20Press%20Release%20.pdf> [https://perma.cc/7GMP-N34A].

<sup>50</sup> Ed Morales, Keynote Address, 2018 National Latina/o Psychological Association (Oct. 2018), [https://static1.squarespace.com/static/55e1f752e4b02a7ba714048a/t/5b50ca27758d46a9890d970f/1532021294680/NLPA2018\\_Sponsorship\\_MediaKit\\_Extension.pdf](https://static1.squarespace.com/static/55e1f752e4b02a7ba714048a/t/5b50ca27758d46a9890d970f/1532021294680/NLPA2018_Sponsorship_MediaKit_Extension.pdf) [https://perma.cc/V43D-E9DM].

<sup>51</sup> See generally ED MORALES, *LATINX: THE NEW FORCE IN AMERICAN POLITICS AND CULTURE*

In my book, I concluded that much of the political power and cultural presence of Latinx lies in their non-binary view of race.<sup>52</sup> I defined a non-binary view of race by comparing the cultural subcategories that Latinx use to self-identify, such as Mexican or Puerto Rican, with the categorical identification they use for other racial groups, such as Black, Indigenous, mixed, or Asian.<sup>53</sup> In essence, I mapped out the ways Latinx identity relies on racial difference and, as Gloria Anzaldúa once famously wrote, “a tolerance for contradictions.”<sup>54</sup>

The original proposed book title was “Raza Matters,” a play on *Race Matters*, the landmark by Cornell West.<sup>55</sup> “Raza” is the Spanish word for race and, early in the book, I write about how the modern idea of race was formed during the period of Iberian colonization of the Americas, long before the Enlightenment and nineteenth-century race science.<sup>56</sup> But my editors felt that the title should be changed to include some variation of “Latino” because it was more recognizable than *raza* as a label used to designate Latin American descendants living in the U.S.<sup>57</sup> The choice reflects a top-down marketing decision, but at the same time points to the possibility of a broad group sharing a common interest, — a strategic essentialism with all its advantages and drawbacks.<sup>58</sup>

We eventually agreed to change the title to Latinx, a term I picked up from my students at Columbia University’s Center for the Study of Ethnicity and Race. My students and I spent various parts of the semester discussing the evolution of fairly interchangeable self-identification terms. These included Hispanic, which is typically favored by conservatives, Latino, its liberal counterpart, Latino/a and Latina/o, meant to expose gender hierarchies, and, finally, the gender-inclusive

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(2018).

<sup>52</sup> *Id.* at 26, 38.

<sup>53</sup> See generally Matthew Wills, *Asian South America*, JSTOR DAILY (Oct. 20, 2022), <https://daily.jstor.org/asian-south-america/> <https://perma.cc/9AWG-96GF>] (explaining the history of Asian migrants in Latin America).

<sup>54</sup> GLORIA ANZALDÚA, *BORDERLANDS* 79 (1987).

<sup>55</sup> CORNELL WEST, *RACE MATTERS* (1993).

<sup>56</sup> See Morales, *supra* note 50.

<sup>57</sup> See, e.g., Jessica Diaz-Huertado, *The Largest U.S. Latino Advocacy Group Changes Its Name*, SPARKING DEBATE NPR (July 21, 2017) <https://www.npr.org/sections/codeswitch/2017/07/21/538381366/the-largest-latino-advocacy-group-changes-their-name-sparking-debate> [<https://perma.cc/H7V4-KXUP>] (explaining that “the name [la raza] has remained controversial”).

<sup>58</sup> GAYATARI CHAKRAVORTY SPIVAK, *THE SPIVAK READER* (Donna Landry & Gerald MacLean Routledge eds., 1996)

term Latin@.<sup>59</sup> Notably, the gender-inclusive iterations that add an “a” at the end were designed to acknowledge that Spanish is a language whose nouns are designated as male and female, recognizing that “Latino” was a male term that alludes to male superiority by including women as an afterthought, just like the word “man” once stood for men and women in English.<sup>60</sup>

For me, Latinx had a futuristic aspect, a way to imagine a world where marginalized people are finally free, much like Afro-futurism’s intersection between science fiction, funk, poetry, and jazz. Latinx’s otherworldly phonetics alludes to an imagined future free of race and gender hierarchies, an escape from a Colonial Planet. The tradition of bilingual poetry that developed in Nuyorican and Chicano communities, which emerged alongside nascent hip-hop forms, was part of this futurist vision, as well as developments in visual arts like murals in various cities in California and the Hernández brothers’ *Love and Rockets* graphic novels.<sup>61</sup> I embraced its playfulness and the idea that, by at least debating the revision of its identifying label, U.S. Latinos were the first racial or ethnic group to include the LGBTQIA+ community. Queer theory sometimes analyzes sexuality on a non-binary spectrum that seemed analogous to me and my students to the way race is often viewed among Latin Americans and US Latinos. Even though the book itself was more focused on racial difference and intersectionality, as originally conceived, I hoped the changed title would spur new conversations, ones that recognized new ideas about alternate sexuality and inclusion, as well as seeing the hybrid culture of US Latinos as distinct from both Latin American and U.S. cultural mainstreams.

For me, the problem with the rush by Republican and Democratic politicians to ban the use of the word *Latinx* is the way such unnecessary political action cuts off a debate that should be held between U.S. Latin American descendants themselves. The African American community

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<sup>59</sup> See generally MORA, *supra* note 34.

<sup>60</sup> Del-Rio González, *supra* note 2.

<sup>61</sup> URAYOAN NOEL, IN VISIBLE MOVEMENT: NUYORICAN POETRY FROM THE SIXTIES TO SLAM (2014); MARK DERY, *Black to the Future*, in FLAME WARS: THE DISCOURSE OF CYBERCULTURE (1994); Micah Donahue, *Sci-Fi Ain’t Nothing but Mojo Misspelled Latinx Futurism in Smoking Mirror Blues*, 5 CHIRICÚ J. 5, 5-22 (2020); Merla-Watson & Cathryn Josefina, *Olguín, B. V. Introduction: ¡Latin@futurism Ahora! Recovering, Remapping, and Recentring the Chican@ and Latin@ Speculative Arts*

40 AZTLAN: A J. OF CHICANO STUDIES (2015).

took its time in the late 1960s through the 1980s to discuss a shift from “Negro” to “Black” and “African American.”<sup>62</sup> It was a debate that reflected the growing desire among African Americans to connect specifically with the homelands they had been violently separated from and was not interfered with by government or ambitious politicians. Can you imagine the outrage now if extreme right Republicans objected to the use of “African” American because, at first, the term was found offensive by some who wanted to hang on to the term “Negro,” and went so far to write executive orders or legislation against its use?

The attacks on the word Latinx are obscuring, and potentially silencing profoundly important debates that need to be had among Latin American descendants. Before Latinx emerged among my Columbia students, there had been understandable criticism from younger people of Latin American descent who felt that the terms Latino and Hispanic served to erase individual national identities like Mexican, Puerto Rican, Colombian, Dominican, and others.<sup>63</sup> More recently, young Afro- and indigenous Latinx, from scholars to activists, are exposing the fallacy of racial democracy among Latin Americans and the diaspora in the U.S. and have been pushing back strongly on the idea that the terms Hispanic and Latino should exist as a category at all.<sup>64</sup> Many find any variation of the term “Latin” part of a colonial project, one that reinforces the largely unrecognized racism that still exists in Latin America.<sup>65</sup>

The objection to the use of any form of “Latino” or “Latin American” is because these words represent the legacy of Spanish or continental European colonialism in this moment of “racial reckoning.”<sup>66</sup> The unof-

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<sup>62</sup> See generally Ben L. Martin, *From Negro to Black to African American: The Power of Names and Naming*, 106 POL. SCI. Q. 83, 83 (1991).

<sup>63</sup> See PAUL TAYLOR, MARK HUGO LOPEZ, JESSICA MARTÍNEZ & GABRIEL VELASCO, PEW RSCH. CTR., *WHEN LABELS DON’T FIT: HISPANICS AND THEIR VIEWS OF IDENTITY* (2012).

<sup>64</sup> See, e.g., Miguel Salazar, *The Problem With Latinidad*, *The Nation* (Sept. 16, 2019) <https://www.thenation.com/article/archive/hispanic-heritage-month-latinidad/> [<https://perma.cc/C4YT-K6YN>]; Tatiana Flores, *Latinidad Is Cancelled: Confronting an Anti-Black Construct*, 3 *Latin Am. & Latinx Visual Culture* 58, 68–69 (2021); Alan Pelaez Lopez, *The X in Latinx Is a Wound, Not a Trend*, *ColorBlok* (Sept. 2018), <https://www.colorblok.org/article/the-x-in-latinx-is-a-wound-not-a-trend> [<https://perma.cc/MW4W-9NLP>]; Tanya Katerí Hernández, *Racial Innocence: Unmasking Latino Anti-Black Bias and the Struggle for Equality* (2022); Tanya Katerí Hernández, *Racial Subordination in Latin America: The Role of the State, Customary Law, and the New Civil Rights Response* (2013).

<sup>65</sup> Flores, *supra* note 64, at 68–69.

<sup>66</sup> Nicole Acevedo, *Latinos Need to Confront Their Own Racism, say Afro-Latinos Pushing for Racial Equity*, *NBC NEWS* (Feb. 24, 2021), <https://www.nbcnews.com/news/latino/>

ficial myths of racial democracy<sup>67</sup> (the belief that since Latin American populations have a high percentage of mixed-race people, racial discrimination does not exist) used in various Latin American countries employ an embrace of racial mixing that serve to erase Black and Indigenous in subservience to European values. The growth of movements demanding recognition of Black and Indigenous people of Latin American descent has led to another term, BIPOC, which refers to Black and Indigenous people of color, allowing for solidarity with non-Spanish speaking Black and Indigenous people in the Americas.<sup>68</sup>

Making a case for broader intersectional group identity is complex, especially during a period of increased economic inequality that makes inequities between races more apparent. But the term Latinx as an internationalist, anti-racist, and anti-colonialist self-identification label that intentionally includes LGBTQIA+ people in the political discussions—can be a crucial step forward.

## V. THE USE OF LATINO AS A BROAD LABEL HAS SOME PROGRESSIVE ROOTS

In my research about the use of the label Latino, I found that it has not always been used to reinforce colonialism and has instead been used to unite people of Latin American descent in the U.S. in progressive activism. The efforts of Mexican American labor organizer Luisa Moreno offer one example. In 1938, Moreno brought over 100 groups together to form the Spanish-Speaking People's Congress, a Popular Front-style organization, established to advocate for fair treatment of Latinx laborers across the U.S., including farmworkers in Texas, Puerto Rican garment workers in New York, and Cuban cigar factory workers in Florida.<sup>69</sup>

Similarly, the Young Lords from the 1960s and 1970s in New York offers a more recent example. Led by Puerto Rican and Black youth, the Young Lords were an activist organization credited with the first public

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afro-latinos-say-ethnicity-doesn-t-shield-latinos-confronting-racism-n1257309 [https://perma.cc/KE42-9NAN].

<sup>67</sup> Kateri Hernández, *supra* note 64.

<sup>68</sup> Constance Grady, *Why the term "BIPOC" is so Complicated, Explained by Linguists*, Vox (June 30, 2020); Sandra E. García, *Where Did BIPOC Come From?* N.Y. TIMES (June 17, 2020).

<sup>69</sup> See generally *The Case of Luisa Moreno*, SMITHSONIAN: NAT'L MUSEUM AM. HIST., <https://americanhistory.si.edu/american-enterprise/new-perspectives/luisa-moreno> [https://perma.cc/2AT4-7X9A] (last visited Apr. 6, 2023); see also BENJAMIN FRANCIS-FALLON, *THE RISE OF THE LATINO VOTE: A HISTORY* 22-23 (2019).



use of the term “Latino.”<sup>70</sup> Their use of Latino was linked to a vision of self-determination, a vision they used to unite people of different nationalities in the context of U.S. intervention in Latin America.<sup>71</sup> For them, Puerto Rico’s fight to become independent from the U.S. was part of a larger struggle that included the rights of Chicano people in the Southwest to control their land, support for the people of the Dominican Republic in their “fight against gringo domination and its puppet generals,” and, more broadly, for the armed liberation struggles in Latin America.<sup>72</sup>

Even during my 2019 visit to London, I saw how Latinos came together and developed a sense of Latinx identity, sometimes citing what they had seen in the U.S. as a model.<sup>73</sup> Yet, there are some who feel that all previous attempts at creating a universal term for Latinx cannot be separated from the violence of colonialism.<sup>74</sup> This is a crucial debate that needs to be had, more important than the one surrounding Latinx at the moment.

While Latinx will have limitations if it fails to center the needs of its Black, Indigenous, and queer members, it can ultimately open a safe space to protect against the increasing intolerance that has invaded our political life. It can be the basis of a politics of marginalization aware of its intersections,<sup>75</sup> what the late scholar José Muñoz described as “feeling together in difference.”<sup>76</sup> But exactly how this difference is to be negotiated to satisfy enough Latin American descendants is still to be decided.

It seems unlikely that the broader Hispanic and Latino labels will disappear since so much of the governmental apparatus, political strategies, and media marketing depends on it.<sup>77</sup> Moreover, for better or worse, the terms are widely in circulation in Latinx communities across the U.S.

<sup>70</sup> See generally Johanna Fernández, *THE YOUNG LORDS: A RADICAL HISTORY* 132 (2020).

<sup>71</sup> *Id.*

<sup>72</sup> See Ed Morales, *The Roots of Organizing*, *THE NATION* (Mar. 24, 2020), <https://www.thenation.com/article/culture/young-lords-radical-history-johanna-fernandez-review/> [<https://perma.cc/E8MD-A9A9>].

<sup>73</sup> See Ed Morales, *A Latinx New Yorker Feels at Home in a Latinx Community Searching for Its Identity in London*, *WASH. POST* (Feb. 7, 2020), <https://www.washingtonpost.com/nation/2020/02/07/new-york-latino-feels-home-latinx-community-searching-its-identity-london/> [<https://perma.cc/WS88-VKGY>].

<sup>74</sup> Flores, *supra* note 64.

<sup>75</sup> GLORIA ANZALDÚA *BORDERLANDS/LA FRONTERA: THE NEW MESTIZA* (4<sup>th</sup> ed., 2007); Cristina Beltrán, *The Trouble with Unity* (2010).

<sup>76</sup> JOSÉ ESTEBAN MUÑOZ, *THE SENSE OF BROWN* 39 (Joshua Chambers-Letson & Tavia Nyong’o eds., 2020).

<sup>77</sup> DÁVILA, ARLENE *LATINOS INC., THE MARKETING OF A PEOPLE*, (2001).

But then there is the matter of how the hate rhetoric does not distinguish among the variations of Latin American-descended people. The spate of attacks on Asian Americans fueled by Donald Trump blaming the Covid-19 pandemic on China and his constant name-calling has not spared non-Chinese Asian peoples,<sup>78</sup> with one of the more recent high-profile incidents in New York involving an immigrant from the Philippines.

Latinos are often targets of discrimination, frequently having their citizenship status questioned because of their appearance or Spanish-accented use of English. In 2019, a white woman in Montgomery County, Pennsylvania, was caught on video harassing a Puerto Rican woman who was speaking Spanish in a department store, saying, “You shouldn’t be in this country . . . I hope Trump deports you,” apparently unaware that all Puerto Ricans have been U.S. citizens since 1917. Perhaps the most compelling reason for the use of a broader Latinx identity is a recognition of how those of Latin American descent have shared histories with feeling the residual impact of political and social interference by the United States, which has further solidified our continued racialization and discrimination.<sup>79</sup>

## VI. CONCLUSION

There is a need for solidarity among people of Latin American descent despite our many racial, ethnic, linguistic, and religious differences. At the same time, we do not want to lose what makes us unique by being Mexican, Puerto Rican, Dominican, Colombian, Salvadoran, Guatemalan, Black, Indigenous, women, or queer. Latinx might do the trick, and, perhaps, Latine might take its place. No matter how many changes and variations, our current historical reality shows that the power of naming should be reserved for those whom history has long ignored.

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<sup>78</sup> Katie Rogers, Lara Jakes & Ana Swanson, *Trump Defends Using ‘Chinese Virus’ Label, Ignoring Growing Criticism*, N.Y. TIMES (Mar. 18, 2020), <https://www.nytimes.com/by/ana-swanson> [<https://perma.cc/F5DJ-ERS4>]; Nicole Hong, Juliana Kim, Ali Watkins & Ashley Southall, *Brutal Attack on Filipino Woman Sparks Outrage: ‘Everybody Is on Edge’* N.Y. TIMES (Mar. 18, 2020), <https://www.nytimes.com/2021/03/30/nyregion/asian-attack-nyc.html> [<https://perma.cc/3WVA-M8HU>].

<sup>79</sup> David E. Hayes-Bautista & Jorge Chapa, *Latino Terminology: Conceptual Bases for Standardized Terminology*, 77 AM. J. PUB. HEALTH 61 (1987); JUAN GONZÁLEZ, *HARVEST OF EMPIRE: A HISTORY OF LATINOS IN AMERICA* (revised ed. 2011).