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The legacy of affirmative action

Laura E. gomez | April 11, 2006

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Few leaders in any field can claim to have made their mark before turning 40. As a politician and civil rights leader, Marco Firebaugh did so in the short span of 39 years.

When the former head of the Latino caucus in the California legislature died last month, my mind was flooded with memories of his years at UCLA. Marco graduated from UC Berkeley and began his legal education at UCLA during the heyday of affirmative action. He enrolled at UCLA in 1994 — as part of the first-ever majority-minority entering class. That is, the majority of the law school's Class of 1997 was nonwhite, and thus more representative of the state than any prior law school class at any public law school in California.

Sadly, Marco's class also was the last majority-minority class at UCLA. With the passage of Proposition 209 in 1996, Californians ended affirmative action, and the numbers of black, Latino and American Indian students at UC campuses plummeted. Marco and my generation — third-generation beneficiaries of affirmative action — became the last affirmative action babies.

In 1993, I interviewed for teaching jobs at eight law schools, six of which were ranked higher than UCLA. But UCLA was my first choice because it was the only campus that had a multi-racial student body positioned to confront third-generation diversity issues.

I never had any illusions that race was irrelevant to my being hired by UCLA; and I don't think Marco had any doubt that race was a factor in his admission to two UC schools. Our generation embraced affirmative action as a necessary remedy to decades of discrimination and to further educational diversity in light of the continuing shortfalls of public education at majority-minority schools.

Marco was among 75 students in the first class I taught, on criminal law, at UCLA. Characteristically, he was articulate and at ease, speaking out about issues on which he had an uncommon perspective. His presence, as well as that of his cohort of Latino and black law students, enriched our discussions on such topics as just punishment, the death penalty and the social context of homicide.

Though I was Marco's teacher, I was only two years older than him. He always called me *profe*, Spanish slang for *professor*, which I interpreted as his way of signaling our shared ethnic pride as

well as his respect for my position as a young woman of color who hardly fit the academic stereotype of an older, white and male professor imparting wisdom to his subordinates.

Marco justifiably felt entitled to be at UC Berkeley and UCLA. But more than entitlement, the overwhelming feeling he had at these elite institutions was that he owed back to those less fortunate than himself. Marco always remembered his roots and fought for policies that improved the position of the most vulnerable in society because that was what he owed as a beneficiary of affirmative action.

A decade has passed since Californians voted out affirmative action — 10 years in which we have lost the opportunity to cultivate more leaders like Marco Fire-baugh.

Gómez, now a professor at the University of New Mexico, taught at UCLA for 11 years.

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