

# The Legal Construction of Race: Mexican-Americans and Whiteness

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## ABSTRACT

This essay seeks to examine a number of issues concerning Mexican Americans and Whiteness. In this regard, the essay seeks to examine whether the law constructed Mexican Americans as White and whether they received the benefits traditionally associated with Whiteness. In addition, the author seeks to explain why Mexican Americans were legally classified as White. The essay describes how the courts and other legal actors constructed the race of Mexican Americans. It concludes that for the most part legal actors constructed the race of Mexican Americans as “White.” It also analyzes how dominant-group-controlled institutions may use power over minority group identity to reinforce group oppression. The essay also notes that although Mexican Americans were legally defined as “White,” they did not receive the benefits traditionally associated with Whiteness.

## ABOUT THE AUTHOR

Dr. Martinez is an Associate Professor of Law at Southern Methodist University. He received his Bachelor of Arts in 1976 from Arizona State University, his Master’s degree in philosophy in 1979 from the University of Michigan, and his doctorate of law in 1985 from Harvard Law School.