



NEXO

The Official Newsletter of The Julian Samora Research Institute
The Midwest's Premier Latino Research Center

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JSRI's mission is to generate, disseminate, and apply knowledge to serve the needs of Latino communities in the Midwest and across the nation.



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NEXO

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JSRI at Michigan State University is committed to the generation, transmission, and application of knowledge as it relates to Latinos and Latino communities throughout the Midwest and the nation.

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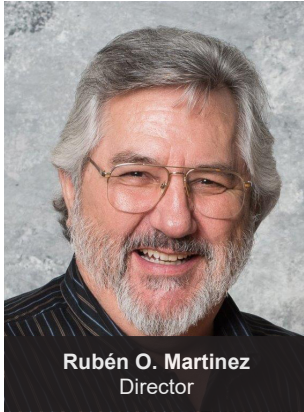
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Playing the Zero-Sum Game



Rubén O. Martínez
Director

In 1948, J. S. Furnivall argued that colonial societies were plural societies. In studying societies in the Far East he recognized that different peoples live side by side but separately within the same nation state, with persons from different groups coming into contact mainly in the marketplace. People are integrated within their own institutions, with institutional diversity occurring across society. They differ on the basis of values, beliefs, and forms of organization. Yet, the society holds together. How does this occur? It was initially thought that these societies were held together by consensus,

but M. G. Smith and L. Kuper later argued that they were held together by force. That is, there exists a dominant cultural group that regulates intersectional relations through the control of government. Rights and privileges are granted by the dominant group.

Since Furnivall, the concept of pluralism has been extended to racial dynamics in which separation by force, whether by law or informal practices, occurs. Structural pluralism and cultural pluralism are deemed important for understanding racial and ethnic dynamics in this country. Milton Gordon developed two models of racial and ethnic pluralistic societies that can be distinguished along the following dimensions: 1) differential treatment by law, 2) individual versus group rewards, 3) structural separation, 4) cultural differences, 5) area exclusivism, and 6) institutional monolingualism versus multilingualism.

In these models are differences in power and authority along racial and ethnic axes. While a degree of consensus exists regarding such values as liberty, equality, privacy, and due process of law, there also exist structurally induced inequalities by race and ethnic differences between groups that are maintained by the dominant group. Historically, government has been the principal instrument used to maintain hierarchical structures that perpetuate the status of the dominant group, whether by outright violence, abuse of the law, or imposition of regulations or policies.

The different subordinate groups have each struggled to make America live up to its values of liberty and equality. As Reverend Martin Luther King Jr. stated in his last public speech, "All we say to America is be true to what you said on paper." The struggles of subordinate groups have a long history in America, and there can be no question that government agencies from police to the military were used to establish and maintain their subordinate status.

Native Americans were the first to suffer the violence perpetrated by European colonists. The earliest wars in what is the U.S. occurred between the Pequot and Dutch colonists (1634) and the Pequot and British colonists (1636-37). The skirmish with the Dutch occurred as a result of smugglers and slavers attempting to kidnap Native women and in retaliation for having killed the Pequot chief. The war with the British colonists followed a series of skirmishes with different tribes in the Connecticut River Valley. The war lasted 11 months and with the defeat of the Pequot the colonists expanded their reach into the area.

The war was formally concluded with the Treaty of Hartford in 1638, which divided up the lands of the Pequot among the colonists and allied tribes. This process

of conquest and displacement would be repeated again and again across the centuries. Further, displacement would lead to reservations, with the first one, the Brotherton Reservation, established on August 29, 1758 in Shamong, New Jersey. Today, more than a million Native Americans live on 310 reservations across the U.S.

While slavery existed in the Spanish colonies for more than a century, it wasn't until 1619 that a pirate ship with "twenty and odd" Africans sailed into Point Comfort on what is today the Virginia peninsula. The Africans were among the 147 survivors of the 350 or so stolen by the Portuguese from what is today present-day Angola. Fifty were stolen from the Portuguese off the coast of Mexico by English pirates, boarded on two ships, one of which docked at Point Comfort, where the 20 or so Africans were traded for food. The Africans became indentured servants. In 1640, an indentured servant, John Punch, was sentenced to a life of slavery in Virginia for having attempted to escape to Maryland. This event set in motion the institution of formal slavery in the British colonies. History has recorded numerous resistance efforts by slaves, and many were able to run away to maroon communities in the South, on small islands in the Caribbean, and in Mexico. Today, there are several million African American descendants of slaves.

As the U.S. sought to fulfill its "Manifest Destiny" after Texans revolted against Mexico, it provoked a war with Mexico in 1846 which ended with the "purchase" of the region known today as the Southwest. With it came new citizens, descendants of Spanish colonists, whose rights were to be preserved and protected per the Treaty of Guadalupe Hidalgo. After a few years of martial law, Californians and New Mexicans quickly began to feel organized processes of land dispossession and proletarianization with self-sustaining communities transformed into wage-earning communities. Integration into an already existing labor system defined by racial divisions meant "doing the dirty work" for low wages. Resistance efforts were quashed with open violence.


As the slave trade declined, the Chinese replaced African slaves as forced laborers in many parts of the Western Hemisphere, including the United States. In San Francisco, California, during the Gold Rush, Chinese women were sold into slavery or indentured servitude, and forced into prostitution. Years later, Chinese workers, many of them indentured servants (basically debt slaves), helped build the first Transcontinental Railroad in the United States. Following the completion of these projects, Americans wanted them to leave the country. In California, anti-Chinese laws were passed, and in 1882, the Chinese Exclusion Act prohibited the immigration of Chinese workers.

Native Americans, African Americans and Latinos have

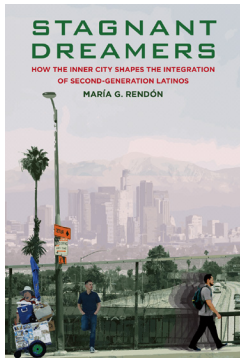
largely remained at the bottom of the socio-economic structure of American society. Institutional forms of group domination and oppression varied across the groups, but all were and remain within the orbit of the same general system that limits their life chances. Efforts to make America live up to its promise as a democratic republic brought about incremental changes, especially through the courts. Achievements by one group benefitted others both directly and indirectly. For example, the decision in the *Mendez v. Westminster* (1947) case contributed to the decision in *Brown v. Board of Education of Topeka* (1954). In the former, Mexican Americans challenged the constitutionality of school segregation and won a favorable decision by the Ninth Circuit Court of Appeals, which set the legal precedent for the *Brown* decision.

The internal logic of court decisions emphasizes precedence and contributes to the positive influences of cases beyond the specific groups that initiate them. Historically, the different subordinate groups have seldom collaborated or worked together to bring about progressive change in society. Barriers to collaboration include the "divide and conquer" tactics used by the dominant group, group-centered interests, and zero-sum perspectives.

These groups, often called "historically disadvantaged groups," entered American society at different points in time and under different conditions. All were brought into the orbit of colonial dynamics by force and violence, and those factors have had long-term consequences. To understand their subordinate statuses through the framework of voluntary immigration and assimilation that is used to understand the experiences of European immigrants is to misinterpret the dynamics set in motion by forced entry. The ideologies that legitimated their domination stemmed from and became embedded in the nation's core institutions and perpetuated their subordinate statuses.

Social movements that have sought to eradicate racial structures have been tempered by the interests and views of the dominant group, and subordinate groups have not generated the level of influence to achieve structural changes. They have struggled alone rather than collectively. The primacy of group interests has tended to blind them to the need for intergroup collaboration, and zero-sum perspectives have perpetuated siloed struggles. Members of the groups, including the dominant group, tend to believe that gains by another group entail losses by their own. As such, they seek to protect their interests and maximize their gains. This perspective hinders progressive movements. Only by working together can the different subordinate groups muster the level of influence to bring about institutional changes that lead to a more just society for all. 

Stagnant Dreamers: How the Inner City Shapes the Integration of Second-Generation Latinos



by María G. Rendón.
2019. New York City,
NY: Russell Sage
Foundation.

Reviewed by
Jean Kayitsinga

In *Stagnant Dreamers*, María Rendón examines how America's poor and segregated urban neighborhoods shape the lives of children of low-skilled Latino immigrants and how these children adapt and integrate into U.S. society. The central finding of Rendón's study is the debunking of fears of "downward assimilation," or the idea that negative acculturation processes limit social mobility among second-generation Latino young men. She contends that a common trope in the national imaginary—and in some scholarship—is that all inner city residents adopt worldviews and behaviors that keep them in poverty. In contrast to this, she notes that the majority of her respondents were attached to the labor market and pursued higher education. Through the eight chapters of the book, she seeks to explain how young Latino men from disadvantaged neighborhoods aspire to better their circumstances yet still face limited social mobility.

Rendón draws from immigration, urban sociology, and social capital frameworks and shows how urban violence and social isolation in segregated contexts shaped the acculturation and integration processes of young Latino men; how the growing presence of immigrants in America's cities has altered these communities; how social capital in terms of family-based social support, community institutions, and social leverage ties help them mitigate the negative impacts of growing up in poor and segregated neighborhoods; and why some young men get ahead while many others sink deep into poverty.

Methodologically, Rendón uses qualitative research and follows forty-two

young adult Latino men from two high-poverty neighborhoods in Los Angeles as they transition into adulthood. She relies on in-depth interviews as well as ethnographic observations of Latino young men and their immigrant parents.

Rendón finds that America's poor and segregated neighborhoods impact second-generation Latino youth and reproduce their working-class background. Second-generation Latinos confront challenges associated with high neighborhood poverty, high incidence of violence and crime, heavy police surveillance, and failing schools; poor physical and mental health, and undesirable life outcomes, including higher odds of becoming a victim of and engaging in crime and violence, being incarcerated, attaining few years of schooling, scoring low on achievement tests, dropping out of school, and earning less over time than those growing up elsewhere. Rendón argues that the American urban context dampens the social mobility prospects of inner-city residents and stalls the successful integration process of second-generation Latino immigrants.

Rendón argues that race matters greatly in America. Although civil rights legislation outlawed blatant forms of racial discrimination, housing discrimination practices and the legacy of segregation persist across cities, sustaining both spatial and racial inequalities. Poverty remains most concentrated in historically segregated neighborhoods, and people of color, including Mexican Americans, are confined to those places. Rendón indicates that the concentration of Latinos in poor and segregated neighborhoods sustains their racialization, as does the flow of and negative rhetoric around Mexican (and Central American) immigration.


The assertion that growing up in America's poorest neighborhoods reproduces poverty and limited social mobility is a given social fact. Poor neighborhoods tend to have weak collective efficacy and are associated with higher rates of violence and crime, poor mental and physical health, and poor educational and income outcomes. Rendón, however, finds, contrary to popular belief, that as immigrants settle in poor and segregated

neighborhoods, violence declines.

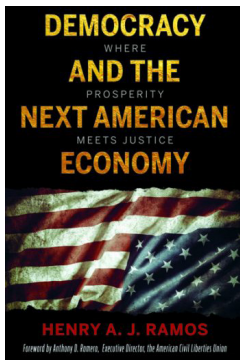
Mexican immigrants rely primarily on social support from family and extended kin. According to Rendón, parents draw on this family-based social capital to buffer their sons' exposure to urban violence. Rendón finds that although bonding ties are necessary they are not enough to help young Latino men move upward on the socioeconomic ladder. Instead, she argues, social leverage ties (or bridging social capital) are critical for them to access and navigate institutions of higher learning.

Stagnant Dreamers is a well-written book that accounts for the ways second-generation Latino immigrants adapt to life in inner-city poor and segregated neighborhoods and how some of them forge ahead to realize their American dream. The concentration of Latino immigrants and their children in disadvantaged neighborhoods profoundly impacts their integration into American society and their chances for upward mobility. Violence in those neighborhoods, in particular, contributes to negative well-being outcomes. Family-based social support and community institutions are protective and buffer against the negative effects of violence and social isolation, but they are not enough.

Social leverage ties are necessary to help second-generation Latinos gain access to institutions of higher education and move up the socioeconomic ladder. Without such ties, young Latino men with promising paths would fall back on family and neighborhood ties and are relegated to low-income segments of the working class. Young Latino immigrants without family-based, neighborhood, and social leverage ties are left further behind and remain in poverty and in impoverished and segregated neighborhoods. Proactive measures by colleges and universities, Rendón argues, are critical for creating opportunities that further their integration.

Stagnant Dreamers will be of interest to scholars working in the areas of immigration, social and spatial inequality, and the influence of neighborhood structural and social processes on the life outcomes of young Latinos and other minority populations, and should be a required text for students in these fields of study. 

Democracy and the Next American Economy: Where Prosperity Meets Justice



by Henry A. J. Ramos.
2019. Houston, TX:
Arte Público Press,
University of Houston.

Reviewed by
Marcelo Siles

This book focuses on three main problems the United States currently faces: prevailing practices in politics such as direct donations from corporations and voter redistricting, income and wealth inequalities produced by the existing economic system, and the current disarticulations within American society that prevent the transmission of the benefits of economic progress from the center to the periphery. Ramos encourages progressive leaders to organize and align ideas and practices to overcome these socioeconomic distortions “as an essential imperative for the survival of our planet and its people” (p. 253). “In doing so,” he continues, “we can collectively bend the trajectory of our national politics and economy in fundamentally more just and sustainable directions over the decades to come” (p. 253).

Situating the book in historical context, Ramos argues, “where once our nation was the envy of the world for its robust democracy and institutional stability, scientific leadership, quality schools, growing egalitarianism and purposeful leadership today we find ourselves in a notable decline on many of these fronts” (p. xxvii). He further contends, “the wealthy and the powerful today have accumulated more for themselves than any generation of past Americans” (p. xxvii). Despite this, he says, “there are exciting emerging alternatives available to us. These include whole new modalities in responsible development and investment, sustainable energy, workplace quality, education, voting, civic participation, and social justice” (p. xxvii).

One of the saddest aspects of contemporary life in America is the growing sense

among many that our democratic institutions and economy are increasingly unresponsive to people’s basic realities and circumstances. In his opening chapter, Ramos states that “a central, if increasingly disturbing reality is the modern economy’s hidden dependence on production externalities to fuel profitability and growth—that is, systematically hiding and passing on to the public the real environmental and societal costs of production” (p. 2). He suggests that among these externalities are “worker discrimination, abuse and injury, as well as associated stress, long term negative health impacts, and family and community disruption” (p. 3).

Ramos also cites some of the important issues that arise due to the prevailing economic model. Among them, he cites increases in wealth and income disparities (especially between White Americans and various minority groups, particularly Latinos and African Americans), and expanding incarceration rates and police violence against people and communities of color. Other important issues are the widespread abridgment or denial of hard-earned worker rights, accelerating disinvestment in the nation’s public education system, the proliferation of modern servitude in the form of growing undocumented immigrant exploitation, and a dramatic reduction in poor people’s access to jobs, housing, legal, and other social services.

Commenting on neoliberal economic policy, Ramos reflects, “conservative politicians have controlled our national and state political apparatus, and been hostile toward government in general. They have cut taxes and deregulated economic activity across the land” (p. 22). Conservatives have championed policies that enshrine the rights and privileges of capital and wealth over humanity and nature at large, and they have imposed increasingly dehumanizing policies on groups ranging from women and workers to immigrants and the incarcerated.


Ramos artfully states, “our nation has lost its way in recent years. The best elements of what defined us (however imperfect) in the past are at risk of being lost” (p. 25). Some of these elements are our expanding national commitments to intergroup tolerance, equal opportunity, human rights, responsible environmental stewardship, and

meaningful bipartisan policymaking.

Ramos seeks to make clear that there are many promising new ideas, visions, models and templates emerging from progressive leaders and grassroots communities all across the country that, properly adopted and scaled, could provide a working roadmap to a more inclusive, successful, and sustainable society. Among them he cites: i) putting people and the planet over privilege and profits, ii) attacking age-old problems in new and different ways, iii) lifting up our voices and vision, and iv) reweaving our tattered social and economic fabric.

To restore our democracy and civic vitality, Ramos states, “it is vital that we join forces to democratize our uneven and over-manipulated election, voting and campaign finance systems” (p. 65). He adds, “these will require us to advance badly needed structural reforms in important areas of current American law and public policy” (p. 65). These include supporting significant changes in our current ways of apportioning civic education and engagement, as well as massive improvements in policy and practice in order to humanize our nation’s badly broken criminal justice and immigration systems.

Perhaps the most important contribution that Ramos makes in his book is a careful analysis of the prevailing socioeconomic conditions in the country. He describes a polarized country where a wealthy minority obtains most of the benefits through an increase in material accumulation and the benefits they receive from the government. On the other hand, the conditions of the majority are continually deteriorating due to the loss of purchasing power of their wages and salaries, the discrimination they face in housing and education, and the lack of access to formal financial markets.

Academicians, community advocates, NGOs, and politicians should be interested in reading this book to contribute to Ramos’ proposal “to build a vision of a better way forward that can genuinely excite a large number of people by promoting more mutually reinforcing actions across the field of progressive change networks” (p. 219). 

Census 2020: Todos Debemos Contar

On April 1st, 2020 the twenty-fourth decennial census of the United States will begin a count of all persons residing in the U.S., including non-citizens. It is highly important that all populations and communities are included, as the results are used to ensure legislative representation and that government resources are distributed fairly. Census data are used to distribute federal resources to states, local governments, and families. The results are also used to guide community decision-making regarding schools, housing, healthcare services, business investment, and more. Populations that are accurately counted are more likely to receive their fair share of government assistance.


It is important that the 2020 Census fairly and accurately take into account the rapidly growing Latino community. Latinos are already the second largest ethno-racial population in the country, yet they are underserved because they are undercounted in the Census. Without having the proper representation and access to essential government resources, entire Latino communities will be negatively affected and overall health rates and access to school programs and health programs will decrease. Many of the benefits that underserved communities receive, whether they be food, educational benefits, or healthcare, may be lost if the Census does not accurately count all persons in hard-to-count communities.

Census data will be collected via the Internet (2020 marks the first year in which data will be collected this way), as well as by phone, by hard-copy questionnaire, and by census takers visiting homes. However, Latinos have historically been undercounted and, as a result, their communities do not receive the political representation or the resources they deserve. In 2020, undercounts of Latino communities may occur because they do not have access to the Internet, members fear having their personal information disclosed to immigration services, or they do not see themselves as members of the household in which they reside. As a result, they are considered “hard-to-count” populations. All efforts must be made to ensure that all Latinos are counted in the upcoming Census, even if they are not citizens. Otherwise, their communities will not receive the representation and funding from federal, state, and local governments that other communities receive.

Vulnerable members of Latino communities may be particularly hesitant to participate in the Census this year as a result of the Trump administration’s harsh immigration policies, as well as the attempt to add a citizenship question to the Census. Though a citizenship question will not appear on the Census, news of the

| WHAT WILL BE SENT IN THE MAIL | |
|-------------------------------|---|
| On or between | You’ll receive: |
| March 12-20 | An invitation to respond online to the 2020 census. (Some households will also receive paper questionnaires.) |
| March 16-24 | A reminder letter. |
| | If you haven’t responded yet: |
| March 26-April 3 | A reminder postcard. |
| April 8-16 | A reminder letter and paper questionnaire. |
| April 20-27 | A final reminder postcard before a follow-up in person. |

administration’s push to include such a question may influence the willingness of certain immigrant populations to participate in the Census. It is crucial that immigrants understand the complete confidentiality of their answers to questions on the census questionnaire. Census information is required by law to be kept absolutely confidential by the Census Bureau. Individual information cannot be released to external agencies or organizations.

In order to achieve an accurate count of Latino communities in the 2020 Census, it is imperative that community leaders, funders, and civic leaders promote the inclusion and participation of Latinos in the Census by making Latino communities aware of the risks all of Michigan is likely to suffer if the Census undercounts them. Due to already limited funding of the Census Bureau, many activities that promote participation by undercounted populations in the census may be reduced, perpetuating the undercount of Latinos. It is crucial that all Latinos are counted in Census 2020. There are many helpful resources in Spanish on the websites of the Julian Samora Research Institute (JSRI; <https://jsri.msu.edu/census-information-center>) and the Inter-University Program for Latino Research (IUPLR; <https://iuplr.org/>). Engagement of the Latino community in Census 2020 will ensure that the Latino population is accurately represented in Congress and in federally funded programs. 

¡Todos debemos contar!

Beyond the Right to Bear Arms: White Supremacy in the Age of Gun Violence

Yoshira Macías Mejía

Each new announcement of a mass shooting in the United States reignites debate over whether or not stricter gun control legislation would encroach on the right to bear arms as laid out in the Second Amendment to the U.S. Constitution. Rightwing media and talking heads from pro-gun groups such as the National Rifle Association (NRA) often frame the debate as polarized between those arguing to ban gun ownership altogether and an essentially absolute Constitutional right to gun ownership. National polls, however, indicate that a large majority of Americans actually favor stricter gun control. Less discussed in the national conversation about gun control is the relationship between White supremacy and gun violence.

The Gun Violence Archive and the FBI define a mass shooting as an incident where four or more individuals were shot or killed. Incidents that constitute a mass shooting according to this definition are too numerous to list. Shootings have targeted people in schools, places of worship, grocery stores, movie theaters, nightclubs, concerts, festivals, and numerous other locations. The range of locations in which mass shootings have taken place demonstrates that any public space could be targeted and this creates a sense of anxiety among the American public. Yet, we witness time and time again the lack of government action regarding gun violence, particularly at the federal level. There are multiple factors that may influence governmental inaction on gun control, but the strong role of the NRA and its ability to lobby public officials is particularly important in understanding the lack of new gun control legislation in the wake of gun violence.

Not only are government entities unwilling to work together, there is a lack of acknowledgement of the importance of race in debates about gun violence in America, especially given the centrality of racial hierarchies in the United States. In recent months, however, there has been a renewed interest on the role of race as a factor in gun violence. For instance, are gun laws the problem, is mental health driving gun violence in America, or is it racial resentment that is behind the violence? An important fact to consider is that gun related deaths impact racial and

ethnic minorities at higher rates than Whites.

In recent years, mass shootings that have been committed by Whites in this country have targeted non-Whites. Among the many mass shootings, the El Paso shooting is highlighted here because of its lasting impact on the entire Latino community. This shooting took the lives of 22 individuals and injured around 24; several were of Latino ancestry and others were Mexican nationals. The assailant, a young White male, wrote a manifesto with White nationalist claims and anti-immigrant/Latino sentiment. This manifesto was posted online on 4chan and 8chan, sites that allow and cultivate White supremacist views, and demonstrated a premeditated motive to attack the Latino community. He drove a long distance from Allen, Texas to El Paso just to open fire on Latinos at a Walmart. This tragedy raises concerns of safety and the impact racial tensions and White supremacy have on Latinos in this country.

Shifting demographics and a xenophobic political and social climate contribute to the increasing amount of hate crimes committed against racial and ethnic minorities in the United States. White Americans are predicted to become a numeric minority within 25 years, and as pundits sow fear of Whites losing political and social power in the United States, more Whites are experiencing a heightened sense of racial resentment toward non-Whites. Politicians such as Donald Trump add fuel to the fire by claiming that racial and ethnic minorities are a threat to the safety and security of White Americans and to “traditional” American values. These factors offer a compelling explanation for heightened White supremacist sentiments that are increasingly being manifested through mass shootings. Yet conservative media, the NRA, and rightwing politicians are framing the issue of gun violence as primarily an issue of mental health, and gun control as an affront to Second Amendment rights. While a majority of Americans support stricter gun control legislation, attacks such as the one in El Paso demonstrate the pressing need for discussion of the increased frequency of racially motivated mass shootings in the United States and how to curtail such acts. 





Labor Concerns on the Modern Dairy Farm

Rubén Martínez & Eileen Thompson

The prevention of bovine mastitis on dairy farms has two key elements: medical and labor practices. Dairy cow mastitis is an infection of the udder that is communicable and costly. The findings presented here are from a multi-year, multi-state, grant-funded project led by Dr. Ronald Erskine, MSU veterinarian. The project included dairy farms in Michigan, Pennsylvania, and Florida. It involved several team members across these states, with researchers at JSRI conducting and leading the evaluation of the project.

Titled “An Integrated Extension and Education Program to Reduce Mastitis and Antimicrobial Use,” the project sought to identify best practices on dairy farms for reducing the incidence of bovine mastitis and the use of antimicrobial treatments. One of the components of the evaluation process was to conduct focus groups with dairy farm employees and managers in each of these states to gain an understanding of their views regarding the prevention and control of mastitis.

The findings presented here focus on labor. We share these findings as a way of contributing to the understanding among Extension dairy specialists and educators of the perspectives of both producers/managers and employees regarding the

prevention of mastitis.

Recent demographic changes in dairy labor in which Latino immigrants have become the majority workforce have produced new labor concerns and magnified old ones. Our research identifies labor concerns from twelve focus groups convened in Michigan, Pennsylvania, and Florida during 2013. Our findings show that producers/managers and employees have common as well as different workplace concerns, and that Spanish-speaking employees (SSE) have concerns different from those of English-speaking employees (ESE). Three overarching areas of concern are described in this article: 1) incentives, 2) communications, and 3) workplace. Our findings indicate that Extension educators and producers/managers should consider the needs and desires of dairy farm employees and find ways to effectively engage them in preventing and controlling mastitis on the farms.

Methods

Participants

On average, five to six individuals participated in each focus group, with at least one conducted with producers/managers, SSEs, and ESEs in each state. In Pennsylvania there was an

additional ESE focus group with producers/managers, and in Michigan there was an additional one with producers/managers and also with SSEs. Overall, 69 individuals participated in the focus groups. Table 1 provides information about the participants by occupational status (producer or employee), sex (male or female), and language (Spanish-speaking or English-speaking).

Table 1. Language of Focus Group Participants by Occupation and Sex (n=69)

| Language | Occupation | | | |
|----------|--------------------|---------|-----------|---------|
| | Producers/Managers | | Employees | |
| | Males | Females | Males | Females |
| Spanish | 5 | 0 | 20 | 1 |
| English | 27 | 0 | 12 | 4 |

Procedures

Participating project veterinarians and Extension dairy specialists assisted in convening focus groups within their respective states. The focus groups were conducted by a research assistant and the lead author; both are bilingual and bicultural. Written consent was obtained using an IRB-approved form. Audio recording devices were used during the focus groups and InScribe was used to transcribe the recordings. ATLAS.ti was used to analyze the transcriptions using keywords. Labor concerns were identified and sorted into three primary categories, and a keyword list was created. ATLAS.ti was again used to contextualize keywords within the transcriptions to ascertain meaning.

Results

Results from the focus groups are provided in Table 2 by producers/managers and employees using the three overarching categories of concerns: Incentives, Communications, and Workplace. Results are ordered from most to least frequently expressed by participants. There are common concerns among employees, as well as concerns that are unique to SSEs; they are presented separately in the table. Readers are encouraged to pay particular attention to the learning needs of employees and how training occurs on the farms.

Producers/managers have numerous concerns in each of the core areas. They are concerned about effectively providing incentives and bonuses to thank and motivate employees. Employees want consistent bonuses, as well as wage increases and opportunities to learn about the operations of the farm. In the area of communications, employers want to provide clear and regular communications to employees and to have more

interactive discussions about farm issues. Employees want the same, including learning about changes on the farm before they occur. They also want regular feedback from managers and producers. It was noted during visits to farms that the pace of activities was demanding, and everyone always seemed to be short on time, making it difficult for substantive meetings to be had between managers and employees.

Workplace issues were numerous among both managers and employees. Both groups want improved teamwork and cow health. Managers want adherence to milking protocols, and employees want written protocols in their native language. Managers want more trust and honesty with employees, and to structure labor to achieve greater efficiency. SSEs want reference materials in their language, better workplace organization and scheduling, equal treatment with their English-speaking counterparts, and more opportunities for overtime pay. Many are immigrants and interested in earning more money.

Interest in learning more about farm operations and practices was a key concern among employees, especially SSEs. For example, in one of the focus groups held in Michigan with SSEs, the following comments were made by respondents when discussing training on the farm:

I think it would be good if there was a school because the boss, when we start to work, tells me, “Look, you will work like this; have to spray, wipe this much time. . .” He was the one who taught us how to do this work. He told us how to do it and to keep doing it the way he taught us, but I think it would be good to take some courses. I think it would be much better.

Why is more structured learning important? A related comment in the same focus group sheds some light:

Sometimes he has told me how to [treat a cow] but I don’t know exactly what he put on because he didn’t provide much opportunity to focus on that. Even if one wants to learn, if they don’t tell us [in detail] . . . how to do it, then how will you learn?

Additionally, when milker training sessions are provided, employees may feel overwhelmed by the material. For example, ESEs at the same dairy farm expressed the following concerns about milker training:

Respondent A: You’re learning everything. You get pumped full of a lot of information on your first five days with two other “milkers.” You know,

Table 2. Major Concerns of Dairy Occupational Groups

| Concerns | Occupational Groups | |
|-----------------------|--|---|
| | Producers/Managers (How to) | Employees (want) |
| Incentives | <ul style="list-style-type: none"> Effectively use worker incentives to reduce Somatic Cell Counts (SCC) Provide adequate bonuses to improve employee satisfaction and retention Boost employee morale and attitudes to improve farm efficiency Find time to thank employees for their work Improve employees' passion for their work | <ul style="list-style-type: none"> To receive consistent bonuses for their work More opportunities for wage increases Increased educational opportunities to better understand farm operations |
| Communications | <ul style="list-style-type: none"> Provide clear and regular communications to employees Meet with employees more frequently Encourage employees to voice questions and express concerns | <ul style="list-style-type: none"> More meetings with managers and producers To learn of major changes on the farm before they occur Have ideas and concerns heard and accepted by producers/managers Receive regular feedback, especially positive feedback, from managers and farm producers |
| Workplace | <ul style="list-style-type: none"> Maintain cow health, especially reducing mastitis through medicine, management, and labor Assess and improve the level of commitment of employees Ensure that farm protocols are routinely followed Improve relations with employees through respect and trust Reduce protocol drift through continual employee training Structure labor to maximize efficiency Improve employee understanding of farm goals Increase teamwork among employees Facilitate honesty between producers/managers and employees | <ul style="list-style-type: none"> Increased teamwork and decreased inter-employee competition To improve cow health, especially reducing mastitis More access to written protocols comprehensible in a native language <p><u>SSE-Specific Concerns</u></p> <ul style="list-style-type: none"> Increased access to reference materials such as SOPs in Spanish Better workplace organization and scheduling Equal treatment when compared to ESEs More opportunities to obtain overtime, and be paid correctly for overtime |

the boss is pumping . . .

Respondent B: People typically go home with a headache.

Respondent A: Yeah, the boss is pumping information in you, and then, you know, your two trainers are pumping information into you, and it's a lot to handle.

Discussion

Incentives

From our results, it became clear that dairy producers/managers and employees see the need for incentives, with producers/managers emphasizing morale issues and employees desiring better earnings and education. Producers/managers view incentives as a means to an end: improved performance, while employees want incentives to be consistent and achievable. Consistency in offering monthly bonuses is more useful for retaining employees and improving morale than are

single-time bonuses. Further, loss of an accustomed monthly bonus is likely to have a negative impact. Employees also want wage raises over time. Some of the participating employees said they had been at the same rate for five years or more.

Having employees aware of farm goals is likely to motivate them, as it allows them to contribute to the achievement of the goals and to feel successful when they are met. If incentives are combined with goal setting, goals are reached faster, and employees are more engaged in their work. Goal achievement can increase profitability, and it makes good sense for producers/managers to use goals to increase farm efficiency.

SSEs are less likely to express to producers or managers their concerns about incentives, increases in monetary gain, overtime pay, and milk quality bonuses. While the desire is there, it may not be as readily voiced by SSEs in comparison to ESEs and improving communications with them is likely to improve morale and workplace processes.

Employees are interested in educational opportunities; they

want to know the “why?” of the practices they are expected to carry out. Knowledge gained through educational programs motivates employees, lends meaning and importance to their work, and makes clear their contributions to the farm. SSEs expressed a desire for educational videos in their native language. Through education, producers/managers inform employees of protocols and new technologies and strategies. They can thereby reduce employee protocol drift and improve employee engagement.

Communications

Producers/managers want to improve communications on their dairy farms, desiring brief daily or weekly meetings combined with longer monthly meetings, but they face many time constraints that seem to prevent them from doing so. Employees also want consistent communications, at least on a monthly basis. Holding weekly meetings allows producers/managers to discuss plans and foster discussion of problems. Regular monthly meetings would give producers/managers and employees the opportunity to discuss workplace issues and discuss upcoming changes.

SSEs want to have their opinions heard without fear of repercussion. Allotting meeting time for employees to speak openly is likely to build trust as well as a sense of belonging on the part of employees. It would also help employees feel that they have some control over their jobs. Indicators of mastitis, such as somatic cell counts (SCCs), can also be discussed during monthly meetings, offering producers and managers the opportunity to present performance trends and goals. Weekly meetings can help reinforce goals and offer time for praise and constructive discussions. In meetings, producers/managers should provide positive feedback, as many employees indicated that they tend to receive more negative than positive feedback. While negative feedback must sometimes be given, it is



important to provide positive feedback to improve morale.

Teamwork is another frequently mentioned communications concern. Producers/managers desire a network of hardworking individuals capable of taking pride in their work. Employees want reliable co-workers and trustworthy managers and producers. Fostering teamwork boosts morale and improves employee performance. Incentives can be used to foster teamwork that is focused on achieving farm goals. Creating teams generates a sense of belonging and shared responsibility among team members, who become stakeholders in the team's success. Furthermore, teams improve communications, with members feeling that together they can voice their views and concerns.

Workplace

Producers/managers hold the greater number of workplace concerns. Cow health, especially by reducing mastitis, is the principal concern. Employees also hold strong views regarding cow health and mastitis-related protocols. Concerns about compliance with mastitis protocols indicate that employees have a sense of the importance of controlling mastitis.

Employees want protocol-related resources to which they can refer to perform their work. When an unfamiliar incident occurs, they can refer to the protocols to take corrective steps. Furthermore, SSEs can revisit procedures in Spanish, and this will reduce the likelihood of miscommunication.

Producers and managers must not lose touch with employees. Having meetings between producers/managers and employees is favored by employees and seen as a helpful practice. Such meetings improve relations between management and labor, providing producers/managers opportunities to get to know their employees better, and vice versa. When this occurs, the barriers to the producer/manager-employee relationship are likely to diminish. Each party not only recognizes the humanity of the other, but employees are more likely to approach producers/

managers with their questions and concerns.

This is what producers and managers would like to see; they want employees to bring concerns to them. But they must first communicate to their employees that they are willing to listen to and address their concerns. Trust and respect are less likely to develop if employees believe that their employers are overworking them and imposing punishments as their principal management tool. Producers and managers lose the respect and trust of their employees, especially SSEs, when exploitation is perceived. Some SSEs voiced concern that they are not given equal access to time off, are not adequately compensated for overtime work, and are not given fair wage increases.

Producers/managers who take the time to identify the labor concerns present on their farms are likely to find their employees are equally concerned about cow health, especially mastitis, and would greatly enjoy the opportunities to better understand such issues.

Employee protocol drift is another workplace issue faced by producers/managers. That is, producers/managers are concerned about employees not following the proper milking procedures. Not to do so increases the incidence of mastitis on the farm. While most producers/managers believe that protocols are followed most of the time, some have had negative past experiences, with lapsed procedures resulting in higher SCCs. This problem highlights the importance of providing written protocols and training employees to follow them. Employees also spoke about following protocols, but some admitted that they did not understand why certain protocols are important. Other employees mentioned learning milking protocols but admitted that once they were working in the parlor and saw the milking techniques of other milkers, they blended techniques. To avoid employee protocol drift, ongoing education and training is essential.


Drift can also be decreased by holding regular staff meetings. Meetings that focus on the organization of labor and the farm's goals allow employees to better understand how they fit within the framework of the farm and how their contributions improve profitability. Among SSEs, protocol drift may be due to language gaps in communicating what needs to be done and why procedures should be followed. To address this problem, many SSEs prefer protocols and reference materials written in Spanish. SSEs also desire tighter workplace organization, with written schedules and plans set out in advance. Given this desire among SSEs, producers and managers need only



to have documents already available in English translated into appropriate Spanish.

Conclusion

Twelve focus groups conducted with producers/managers and employees at dairy farms in Michigan, Pennsylvania, and Florida demonstrate overlapping labor concerns, but from different perspectives. Concerns also vary based upon language and farm position. Overall, three broad categories of concerns emerged among the groups: incentives, communications, and workplace issues. Future investigations of dairy labor should consider using focus groups to deepen understanding of workplace concerns held by dairy producers/managers and employees.

Extension educators and producers/managers should consider the presence of the labor concerns identified by our research on the farms they service or own and ways to address these concerns to improve employee job satisfaction and, in turn, commitment. Producers/managers who take the time to identify the labor concerns present on their farms are likely to find their employees are equally concerned about cow health, especially mastitis, and would greatly enjoy the opportunities to better understand such issues. Similarly, addressing labor concerns and providing incentives are likely to substantially improve communications across the farm, reduce workplace issues, and lead to the overall improvement in employee and farm performance. The results will include improved prevention and control of mastitis by a more closely aligned farm team. 

Acknowledgements

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A Tribute to Ramón “Chunky” Sánchez at the MSU Latinx Film Festival



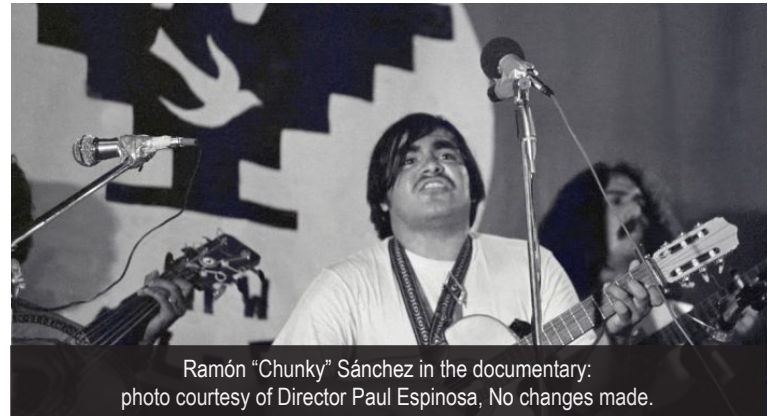
The MSU Latinx Film Festival, initiated by the Department of Romance and Classical Studies and first held in February of 2018, returned for its second iteration in February of this year. The first festival spanned four days and seven venues with seven feature films and one short film, as well as several special events. This year’s festival was greatly expanded with five days of events spread across MSU’s campus and the Capitol area, including feature and short films from across the Americas in a variety of genres, virtual reality and 360° video installations, and several musical events.

The final film of the festival was the documentary, *Singing Our Way to Freedom*, directed by Dr. Paul Espinosa. The film traces the life of the musician and activist, Ramón “Chunky” Sánchez (1951-2016). Sánchez was the son of Mexican immigrants who settled in Blythe, CA. As a child, he worked alongside his parents as a farm laborer, and in a clip from the film he recalls a rancher telling his father that Sánchez would one day make a good foreman. Hearing his future planned out for him, Sánchez chose instead to go to college, majoring in Mexican American Studies at San Diego State University.

Sánchez’s political activism began during his time in college, most notably with the 1970 “Chicano Park Takeover,” in which residents of San Diego’s Barrio Logan reclaimed land under the San Diego-Coronado Bridge, a freeway construction project



Ramón “Chunky” Sánchez poses with Cesar Chavez in 1972:
photo courtesy of Paul Espinosa, *The Daily Wildcat*, No changes made.



Ramón “Chunky” Sánchez in the documentary:
photo courtesy of Director Paul Espinosa, No changes made.

that divided up the largely Mexican American neighborhood of Barrio Logan in the name of “urban renewal.” When the city unexpectedly began construction of a California Highway Patrol substation on the land under the bridge, which had been promised to the community as a site for a park, members of the community—including Sánchez—marched on the land and held it until the city relented.

Sánchez immortalized the takeover in the song, “Chicano Park Samba,” on the 1979 album, *Rolas de Aztlan*, by Los Alacranes Mojados (The Wetback Scorpions), a group Sánchez formed with his brother, Ricardo, along with Marco Antonio Rodríguez and Mario Aguilar. Sánchez’ songs documented the struggles of Chicana/o communities that came to a head during the Chicano Movement of the 1960s and 1970s. His involvement with the United Farm Workers union and his songs about the struggles of farmworkers made him a favorite of César Chávez. In 2013, for his artistic contributions to the Chicano Movement and to Chicana/o communities, Sánchez received the nation’s highest honor in folk and traditional arts when he was awarded a National Endowment for the Arts National Heritage Fellowship.

In the film, Espinosa tells the story of Sánchez’s life through video interviews with Sánchez recorded before his death, interviews with friends and family members, archival footage, sound recordings, photographs, and footage of Sánchez as a child taken from the Sánchez family’s home movies. The film is a moving tribute to an icon of the Chicano Movement and was well-received by the audience at the festival. Espinosa was in attendance for the screening and took questions from the audience after the film. The discussion concluded, appropriately, with Espinosa noting that Sánchez considered his music and art more generally as a way to build community, and that the MSU Latinx Film Festival likewise is a way to bring together and build solidarity within Latina/o communities in Michigan. 🌱

Black/Brown Dialogues Founding Committee

Between November 2017 and September 2019, the Julian Samora Research Institute and African and African American Studies convened a series of three Black/Brown Dialogues summits to address divisions among ethno-racial minority groups that have historically hindered community development and societal progress. With the different groups tending to pursue civil rights separate from each other, they have not generated the scale of influence that could bring about broad progressive social change in society. Despite living within a racialized society in which the dominant group employs similar mechanisms of domination across groups, Latina/os and African Americans—the two largest ethno-racial minority groups in the country—have seldom developed lasting relationships and alliances that enhance their capabilities to promote a non-racialized society through structural and organizational changes at the community level.


In order to address these challenges, the summit series had as its ultimate goal the establishment of a sustainable, innovative advocacy organization or network that moves beyond traditional models of collaborative engagement (e.g., coalitions, alliances, etc.). Traditionally, such organizational frameworks tend to be based on additive or coalition models. Specifically, these models of engagement tend to be single-issue based and short-lived, ending once a specific goal is reached. That is, they tend to be comprised of different organizations in which their representatives engage in limited and secondary forms of advocacy and/or action.

The summits proposed to seek an alternative approach—one based on a unifying vision for a better social order grounded in the premise that this society belongs to all groups—which shapes and informs public policies through collective action and systematic policy input and influence by current subordinate groups. Accordingly, with the goal of shifting public opinion, influencing policy discussions, and shaping the practices of



public organizations, it proposes the pursuit of a better Michigan from the bottom up.

At the third and final summit in the series, the members of the Black/Brown Dialogues Founding Committee were introduced and tasked with transforming the vision laid out in the summit series into a sustainable advocacy organization that will work toward a more just, equitable, and inclusive Michigan. The members of the committee at present are Mark Fancher of the ACLU of Michigan, MSU doctoral student Joy Hannibal, Tedda Hughes of REACH Art Studio of Lansing, Marvin McKinney of University Outreach and Engagement at MSU, Don Weatherspoon (retired), Carlton Evans of McDuffie Evans, Asa Zuccaro of the Latinx Technology & Community Center of Flint, and Angela Reyes of the Detroit Hispanic Development Corporation. Members of the JSRI team remain involved with the committee in an advisory capacity as the group works toward the establishment of an independent organization.

Members of the Founding Committee have chosen as the name of the organization the North Star Alliance for Justice (NSAJ). For centuries, the North Star served as a guiding light for seafarers, and prior to the abolition of slavery in the United States, the North Star guided escaped slaves trying to make their way north toward freedom. Similarly, NSAJ will strive to serve as a guiding light for Michigan’s communities of color in the struggles for justice, equity, and inclusion. The members of the Founding Committee have drafted the following mission statement: “The North Star Alliance for Justice is a collaborative of organizations and individuals committed to the pursuit of freedom, independence, prosperity and equal rights for communities of black and brown people with histories of enslavement, territorial theft, genocide, racial and ethnic victimization, and government repression. We advocate targeted measures to make whole the black and brown communities in the state of Michigan.” 



New Faces



Dr. Francisco A. Villarruel joins JSRI as Interim Director. He is the Faculty Grievance Official at Michigan State University. He is also a Professor of Human Development and Family Studies, and has previously served as the Acting Director of the Julian Samora Research Institute. Villarruel has worked with communities, states, and federal agencies to address the

involvement of Latino youth in juvenile justice systems programs. President Obama appointed Villarruel to the National Coordinating Council for Juvenile Justice in 2016. In addition, he has worked with national philanthropic organizations (Casey Foundation, MacArthur Foundation, Kellogg Foundation) on youth and juvenile justice issues. 🌱



Yoshira D. Macías Mejía began her appointment at JSRI as a postdoctoral scholar in October 2019 and is originally from Southern California. She is a political scientist whose research focuses on racial and ethnic politics and public policy. Specifically, her work focuses on Latino political behavior, identity, and the impact of health and social policies on the Latino community.

Dr. Macías Mejía is very excited about her new role at JSRI and is strongly committed to collaborating with the Latino community in Michigan to promote equity. 🌱



David Figueroa Martin joined JSRI as an Office Assistant in October 2019. He previously worked for JSRI as a student research assistant. He has a bachelor's degree in Human Capital and Society from Michigan State University and is currently pursuing a master's degree in Human Resources and Labor Relations. David is originally from Cuba and resides in Lansing, MI.

During his time at MSU, he has participated in different research projects and volunteer activities involving community improvement, policy change, and financial stability. David loves scuba diving, traveling the world, meeting new people, and experiencing new cultures. 🌱

Martinez on Sabbatical



Dr. Rubén Martínez, who has directed the Institute for nearly 13 years, is on sabbatical leave from January through June 2020. Despite recurring opportunities to take sabbatical leave, he had not taken one since 1990.

During his leave he is focusing his attention on two areas: 1) the needs of Latino farmers, and 2) water issues facing Latino farmers

in northern New Mexico. According to him, the displacement of Northern New Mexico Hispanos from their lands began shortly after the takeover of the region by the U.S. in 1848.

“First the land was taken,” he said, “and now water rights are being taken.” This is occurring through the separation of water rights and land, and by the takeover of water commissions by White newcomers. The separation of land and water is destructive to the agropastoral communities of the region. The clash of cultures continues as American newcomers to the region continue to impose their culture on locals. 🌱

JSRI Takes Third in Annual UOE Chili Cook-Off

Every year in January, Michigan State University Outreach and Engagement holds its annual Chili Cook-Off. In each year of the competition thus far a representative of JSRI has placed in the top three. In previous years former JSRI postdoctoral researcher Juan Coronado clinched first place. This year, First Place went to Jamie Heng-Chieh Wu, Second Place went to Sharon Conley, and Third Place went to JSRI student employee Marcos Martinez for his homemade spicy steak chili. ¡Felicitaciones, Marcos! 🌱



JSRI Celebrates 30th Anniversary with Conference: Latina/os and the Renewal of U.S. Democracy

From October 31st to November 2nd of 2019, the Julian Samora Research Institute marked its 30th anniversary with a national conference on the theme, “Latina/os and the Renewal of U.S. Democracy.” The conference included 22 panels and workshops on a variety of topics related to the conference theme, plenary addresses from Dr. Suzanne Oboler, the Honorable Fernando González Saiffe, and Baldemar Velasquez, a screening of the documentary film *Searching for Sugarman*, a concert by Gustavo Cortiñas Snapshot featuring Juan Daniel Castro, and a *baile* with music by Tejano Sound Band.

The theme of the conference, “Latina/os and the Renewal of U.S. Democracy,” points to a major political crisis currently underway in the United States. Director Rubén Martínez welcomed the conferees and highlighted the current constitutional crisis in America evident by open attacks on the free press, government agencies and representatives, and voting rights. He also pointed to political corruption, violations of human and civil rights, and overt racism. Nationalist neoliberalism, he argued, is our current social order that promotes economic freedom at the expense of intergroup relations, reduces society to market transactions, and promotes inverted totalitarianism through a managed democracy. He concluded by noting that Latinos and other ethno-racial minority groups have historically led struggles for the full realization of the promise of American Democracy.

Dr. Oboler, Professor of Latin American and Latina/o Studies at the John Jay College of the City University of New York, addressed the conference theme in her opening keynote, “Forging the Path as We Go: Latinxs Transforming Democracy.” Concentrating specifically on the idea of renewal, she argued for the transformation of U.S. democracy into a true and active mechanism for inclusion and representation of all members of U.S. society. “Renewal,” she noted, implies that there is a moment in U.S. democracy where progress stalled and to which we might return. She recommended identifying ways of reinforcing solidar-



Suzanne Oboler at the 30th Anniversary Conference

ities and alliances among people of Latinx descent, as well as with African American and Native American communities. She concluded by emphasizing the important role that scholars can and should play in the transformation of U.S. democracy.

The Honorable Fernando González Saiffe, Cónsul Titular at the Consulate of Mexico in Detroit, Michigan spoke on the second day of the conference and described the role of the Consulate and the services it provides to Mexicans in the region. He spoke on current events in Mexico, noting that it is a democracy, and highlighted the direction of the nation under the leadership of President Andrés Manuel López Obrador which includes addressing inequality and fostering prosperity by investing in people. Turning to the U.S., he discussed the benefits of allowing immigrants to have driving privileges. He concluded by providing an overview of trade relations between Michigan and Mexico within the context of economic relations between the two nations.

A key component of the conference was a nationwide Graduate Student Paper Competition. The winner of the award was Jaime Sanchez, a doctoral student in history at Princeton University. He presented his essay, “What Are We?: Latino Politics, Identity, and Memory in the 1983 Chicago Mayoral Election,” on one of the panels at the conference. At the plenary of the second day, he received his award and provided conferees with a brief synopsis of his research interests and activities.

Baldemar Velasquez, President and Founder of the Farm Labor Organizing Committee (FLOC), closed out the conference by speaking on the role of labor unions in the renewal of American democracy. Speaking on FLOC’s previous successes with supply chain organizing on behalf of farmworkers, he argued that this approach could serve as a model within an integrated global economy, as the struggle for worker rights have parallels in other countries. He concluded by challenging scholars to address barriers to worker rights, including the right to collective bargaining. In particular, he pointed to the need to challenge the use of “restraint of trade” as the basis for opposing labor organizing. 🌱



Baldemar Velasquez at the 30th Anniversary Conference

Dr. Robert Aponte, Scholar and Mentor, Passes On

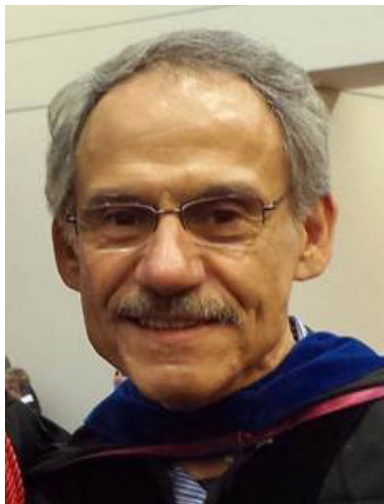
Dr. Robert Aponte died on January 16, 2020 after a battle with pancreatic cancer. He was an Associate Professor of Sociology and Adjunct Professor of Latino Studies at Indiana University-Purdue University Indianapolis (IUPUI). Before that he taught sociology at MSU and was a visiting scholar at the Julian Samora Research Institute. He was active in the establishment of the Institute. Since its inception, he was a member of the Editorial Board of the *Latinos in the United States* book series published by the MSU Press.

Dr. Aponte received his doctoral degree in 1991 from the Department of Sociology at the University of Chicago, where he studied under William Julius Wilson (currently Lewis P. and Linda L. Geyser University Professor at Harvard University) and Richard Taub (currently Professor Emeritus at The University of Chicago). His dissertation was titled *Mexican and Puerto Rican Male Employment Patterns in the Inner City: Mismatch vs Segmentation Explanations*, which reflected what would become career research interests: urban poverty, urban Hispanic poverty, the underclass, employment patterns by race, and Hispanic family poverty. Aponte's research was published in multiple venues, including *Annual Review of Sociology*, *The International Journal of Sociology and Social Policy*, *Social Problems*, *Handbook of Marriage and the Family*, and several other top-tier journals.

A Personal Remembrance

By Marcelo Siles

I met Robert (Robeltico) Aponte in January 1993, when he was just starting his career as Assistant Professor in the James Madison College at Michigan State University. At that time, he had an appointment in the Julian Samora Research Institute as a Research Associate and member of JSRI's Advisory Board. We worked together on many research projects that led to the publication of several papers, among them: "Hispanics in the Midwest: A Growing Presence" with John Fierro (1993), "Michigan's Hispanics: A Socio-Economic Profile" (1993), "A Region's New Look: Latinos Flock to Midwest, Make Their Presence Felt" with Melita Marie Garza (1995), and "Winds of Change: Latinos in the Heartland and The Nation" (1997). In 1996, we forecast several years in advance that Latinos would emerge as the largest minority group in the U.S. in the coming decade.



Robert was a very hard worker, a brilliant lecturer, and an excellent researcher with a focus on Latino-related issues. We were invited for three years to make presentations at Western Illinois University at their summer program, "Learning to Lead," which was designed to prepare disadvantaged high school students for their future enrollment in college. At one of these programs, his excitement during his presentation led him to take up the entire hour, leaving me with no time for my own presentation.

He used to share stories about his career and the "hoops" through which he and other Latinos had to jump through. One such story was when a group of MSU faculty and members of the Latino community in Michigan were working together on the creation of what would become JSRI. At a meeting with MSU authorities, faculty members suggested the institute should be

named for Julian Samora, a well-known Latino scholar who taught at MSU before moving to the University of Notre Dame, where he mentored a new generation of Latino scholars. The MSU Provost told them that according to the university's regulations the institute could not adopt this name since Dr. Samora was still alive, to which Dr. Spielberg, one of the committee members present at the meeting, responded, "No problem, we can shoot him!"

As a professor, Dr. Aponte received excellent marks from students in his classes. The following are some of their comments: "Nice, funny guy! A portion of his class is dedicated to the inaccuracies of our health care system,

which I love," and "Dr. Aponte is one of IUPUI's best professors. He really values the student's character development while considering their academics as well."

I last saw Robert in 2012 while working at Old Dominion University, where I invited him to make a presentation during Hispanic Heritage month. He presented on the socio-economic conditions of Latinos in the country, and was very well received. Attendees at his presentation asked me to invite him back to campus, but unfortunately he was never able to make the trip.

I feel very fortunate to have had him as a colleague and close friend. I will miss his camaraderie, support, and vast knowledge about Latino communities in the U.S. 🌟

¡Robeltico, paz en tu tumba, amigo!



Ten days old Asylum Seekers arrives in Tijuana, Mexico. Photo credit: Daniel Arauz, Flickr.com, <https://creativecommons.org/licenses/by/2.0/>, No changes made.

The International Principle of Non-Refoulement and Human Rights Violations at the U.S./Mexico Border

Victoria Espinoza*

During the early twentieth century, and before an international legal regime for refugees developed, Europe was confronted with two major humanitarian crises: the 1915 Armenian Genocide and the 1917 Russian Revolution. These events drove massive numbers of individuals to flee their homelands. In the early 1920s, the League of Nations recognized that certain categories of individuals required international legal structures of protection to ensure proper safeguard. Accordingly, the League of Nations supported international protection of Armenian refugees in 1924, and of Turkish refugees in 1928. In 1915, protection measures were inadequate, and over 1 million Armenians died as a result of the Armenian Genocide.

Following the Armenian Genocide, World War II reaffirmed the insufficiency of international protection and a global recognition ensued for the adoption of international standards to protect individuals from persecution by their own governments. An estimated six million European Jews lost their lives in the Holocaust—nearly two-thirds of Europe’s entire Jewish population. The Holocaust has been viewed as an event that went “beyond the frontiers of human cruelty and savagery,” and

international bodies recognized that codification of individual rights beyond those already provided was required (Yonover, 1996, pp. 227-28).

In 1939, following visa petitions made to the United States, nearly one hundred thousand Jews fleeing Hitler’s Third Reich fled Europe on the St. Louis Transatlantic Liner. At the time, an international definition of the term “refugee” had not yet been developed, and the United States did not have a legitimate system for evaluating refugee claims. The St. Louis refugees arrived in Cuba where Cuban authorities denied entry to most passengers and cancelled the refugees’ transit visas. By 1939, an estimated 27,370 Jewish refugees had arrived in the United States, which capped the annual quota. Ultimately, the United States refused to admit over 900 Jewish refugees who had sailed on the St. Louis. Due to the inchoate refugee system in the United States, or rather, the non-existence of a legitimate refugee system, the ship was forced to return to Europe. As a result, 532 of those Jewish passengers were trapped in Western Europe when Hitler invaded and almost half perished in the Holocaust. This was not an isolated occurrence; Jewish refugees on the ships Orduña, Flandre, and Orinoco encountered similar

situations.

Refugee arrivals in Latin America increased as the search for refuge intensified, both leading up to and throughout the period of Nazi Germany. About 84,000 Jewish refugees fled to Latin America between 1933 and 1945. After the war, the search for refuge did not cease. Latin America continued to be a primary destination for Holocaust survivors who were able to obtain shelter there as displaced persons. More than 20,000 Jewish displaced persons emigrated to Latin America between 1947 and 1953. Argentina was a primary destination for nearly 4,800 Holocaust survivors, while others settled in Brazil, Paraguay, Uruguay, Panama, and Costa Rica. In addition, nearly 140,000 Holocaust survivors entered Israel after the war, and the United States, although reluctant, admitted 400,000 displaced persons between 1945 and 1952—approximately 96,000 of whom were Holocaust survivors. Other parts of the world also offered aid to Jewish refugees. Tens of thousands of German, Austrian, and Polish Jews emigrated to Shanghai, China, where visas were not required. Shanghai's International Settlements quarter admitted nearly 17,000 Jewish refugees.

The aftermath of World War II undoubtedly left countries across the world with a refugee crisis. Hundreds of thousands of Jewish refugees were displaced all around the world and international chaos continued for years.

The 1951 Convention Relating to the Status of Refugees Genocide and the Development of an International Definition of Refugee

The world recognized in the 1948 Convention on the Prevention and Punishment of the Crime of Genocide that “at all periods of history, genocide has inflicted great losses in humanity; and . . . in order to liberate mankind from such an odious scourge, international co-operation is required” (UN General Assembly, 1948, p. 1). Previously, in December 1946, the United Nations General Assembly declared in its Resolution 96 that “genocide is a crime under international law, contrary to the spirit and aims of the United Nations (UN) and condemned by the civilized world” (UN General Assembly, 1948, p. 1). In 1948, the United Nations General Assembly proclaimed the Universal Declaration of Human Rights (UDHR), establishing that persecuted persons would have the right to seek asylum. The international consensus to prevent further atrocities led to the formation of the Convention Relating to the Status of Refugees—commonly referred to as the 1951 Convention.

The 1951 Convention became the controlling international convention on refugee law and established “foundations of refugee protection by setting baseline principles on which the

international protection of refugees was to be built” (as cited in Drake & Gibson, 2017, p. 99). The 1951 Convention established the definition of a refugee and specified the rights afforded to those granted refugee status. Under Article 1 (A)(2) of the 1951 Convention, a refugee is defined as an individual who is unable or unwilling to return to their country of origin due to a “well-founded fear of being persecuted for reasons of race, religion, nationality, membership in a particular social group or political opinion” (as cited by Drake & Gibson, 2017, p. 7). This definition is commonly relied upon and the definition that is used in current U.S. refugee law is almost verbatim from the 1951 Convention. Under the 1951 Convention, the core principles afforded to those granted refugee status include:

Refugees should not be returned to face persecution or the threat of persecution—the principle of nonrefoulement; Protection must be extended to all refugees without discrimination; The problem of refugees is social and humanitarian in nature, and therefore should not become a cause of tension between states; Persons escaping persecution cannot be expected to leave their country and enter another country in a regular manner, and accordingly should not be penalized for having entered into, or for being illegally in, the country where they seek asylum. (Drake & Gibson, 2017, p. 99)

The 1951 Convention, however, fails to define how States are to determine whether an applicant is a refugee because asylum proceedings and refugee status determinations are to be left to individual States.

Prohibition Against Refoulement

International law scholar James Hathaway states, “the most urgent need of refugees is to secure entry into a territory in which they are sheltered from the risk of being persecuted” (as cited in Drake & Gibson, 2017, p. 97). Article 33 of the 1951 Convention establishes this principle of non-refoulement, which is the foundation and core of international refugee law. Non-refoulement is the obligation of States not to refoule—or return—a “refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership in a particular social group or political opinion” (as cited in UNHCR, 1990, p. 233). Non-refoulement applies to those who have acquired status as a refugee under Article 1 A(2) of the 1951 Convention, and also to those who have not yet acquired official status; asylees are thus protected under the principle of non-

refoulement.

Following World War II, the principle of non-refoulement became one of the first internationally recognized human rights. Non-refoulement is stated in human rights treaties such as in Article 22(8) of the American Convention on Human Rights, Article 3 of the Convention against Torture (CAT), and Article 7 of the 1966 International Covenant on Civil and Political Rights (ICCPR). There were 169 States as signatories of the 1951 Convention, the CAT, and the ICCPR, which represents the “overwhelming majority of the international community . . . [that is] bound by some or other treaty commitment prohibiting refoulement” (International Justice Resource Center, 2018).

A State’s non-refoulement obligation precludes both non-admittance at its frontiers and non-return of those already within its borders. Thus, the question of whether a State is in violation of its non-refoulement obligation depends on whether the “State action presents any chance that a denial of protection will result in the return of the individual to persecution, not whether the individual in question is in the State’s territory, in transit to the State’s territory, or yet determined to meet the Refugee definition through an adjudicatory process” (Drake & Gibson, 2017, p. 101).

Pursuant to Article 33(2) of the 1951 Convention, two restrictions exist to the principle of non-refoulement. The benefits of this principle are not afforded to refugees for “whom there are reasonable grounds for regarding as a danger to the security of the country in which he is, or who, having been convicted by a final judgement of a particularly serious crime, constitutes a danger to the community of that danger” (Art. 33(2), 1951, p. 30). This determination is to be made by the country of asylum that an individual seeks to be admitted into, and the removal of a refugee in application of these exceptions is lawful only if it is both necessary and proportionate.



Brownsville, Texas.

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<https://www.facebook.com/photo.php?fbid=2859432867450528&set=pcb.2859433600783788&type=3&theater>, No changes made.

Prohibition Against Refoulement as an International Customary Law Principle

The principle of non-refoulement is also customary international law, meaning that it is binding on all States, including those that have not yet officially become signatories to the 1951 Convention and/or its 1967 Protocol. Pursuant to a State’s obligations under customary international law, the sending State has a duty to ensure—before taking removal measures—that the territory to which an individual will be returned will not expose them to dangers of serious human rights violations.

In 1946, the UN General Assembly established the International Refugee Organization, which formed as a result of continued and rising concern over refugees (Lauterpacht & Bethlehem, 2003). In 1950, the UN General Assembly formed a High Commissioner’s Office for Refugees and adopted the Statute of the Office of the United Nations High Commissioner for Refugees (UNHCR). Pursuant to Article 22 of the UN’s Charter, the UNHCR became a subsidiary organ of the United Nations General Assembly and functions by providing international protection to refugees. The UNHCR is accorded a “special status as the guardian” of the 1951 Convention and of the 1967 Protocol, and it is not limited in the “exercise of its protective functions to the application” of treaties (Lauterpacht & Bethlehem, 2003, p. 96). Thus, the UNHCR may rely on any applicable principle of international law. For example, the UNHCR—with reliance on non-refoulement as expressed in the 1951 Convention and the 1967 Protocol—may ensure the protection of refugees by reference to non-refoulement as a principle of customary international law.

Non-refoulement is also a *jus cogens* (compelling) obligation according to some scholars; the UN Special Rapporteur on Torture maintains that it “is an inherent part of the overall absolute and imperative nature of the prohibition of torture and other forms of ill-treatment and is non-derogable” (Button, 2007, p. 548). Knowingly returning “individuals to a state sponsor of torture . . . constitutes collaboration in commission of torture, leading to responsibility for breaches of the *jus cogens* prohibition on torture” (Button, 2007, p. 548). Regarding asylum, the Executive Committee of the program of the UN High Commissioner for Refugees has determined that “non-refoulement is not subject to derogation” (Button, 2007, p. 548), that is, providing exemptions or relaxing the prohibition. In *Tapia Paez v. Sweden*, the CAT also implied that State practice and *opinio juris* support a *jus cogen* characterization in the asylum context of non-refoulement. *Opinio juris* refers to the actual practice or custom of States, and it must amount to a settled



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practice and be carried out in a way as to be evidence of a belief that this practice is obligatory despite the lack of a rule of law requiring it. Under treaty law, the prohibition on refoulement is codified in Article 3 of the CAT. The United States signed the CAT on April 18, 1988 and has since implemented Article 3—the principle of non-refoulement. The CAT Committee decision also implied that the principle of non-refoulement is absolute:

Whenever substantial grounds exist for believing that an individual would be in danger of being subjected to torture upon expulsion to another State, the State Party is under obligation not to return the person concerned to that State. The nature of the activities in which the person concerned engaged cannot be a material consideration when making a determination under article 3 of the Convention. (Button, 2007, p. 548)

Arar v. Ashcroft: A Violation of the Principle of Non-Refoulement

In *Arar v. Ashcroft*, plaintiff Maher Arar claimed damages under the Torture Victims Prevention Act (TVPA) for violations of his international human rights (Ryan, 2009). Arar alleged that defendants—United States government officials—rendered him to Syria knowing he would be interrogated and tortured by Syrian officials.

Arar, a dual citizen of Syria and Canada, was detained by authorities at John F. Kennedy Airport in New York on September 26, 2002. Arar was told by U.S. authorities that he was inadmissible because the government had declared him a member of al Qaeda. The Director of the Regional Office of the Immigration and Naturalization Service—J. Scott Blackman—authorized Arar’s removal from the United States without further process. Arar designated Canada as the country to be rendered to, but rather than Canada, U.S. officials sent him to Jordan,

where Arar was then handed off to Syrian officials.

While in Syria, Arar alleged he was held for approximately twelve months in an underground cell that was six feet long and three feet wide, and was physically and psychologically tortured by regular beatings and constant threats of severe physical harm. U.S. officials also allegedly provided Syrian authorities with “information about him, suggested subjects for interrogation, and received ‘all information coerced from [Arar] during interrogations’” (Ryan, 2009, p. 741). Arar alleged that the defendants acted “in concert with Jordanian and Syrian officials, and under color of Syrian law, to conspire and/or aid and abet in violating his right to be free from torture” under the TVPA (Ryan, 2009, p. 741).

Under customary international law, the principle of non-refoulement is absolute and is a “corollary to the *jus cogens* prohibition on torture,” which is why some scholars hold the position that the “customary prohibition on refoulement, like torture, is a *jus cogens* norm of international law” (Ryan, 2009, pp. 743-44). Although Arar did not claim that his right of non-refoulement had been violated under the ATS, the Second Circuit stated that he “should have held that his rendition to Syria with the knowledge or intent that Syrian officials [would] interrogate him under torture, state[d] a prima facie claim of refoulement” (Ryan, 2009, p. 748). The court stressed that the lower court should have “conducted an inquiry into the status of refoulement under international law and found that the C.A.T., state practice, *opinio juris*, domestic and international judicial decisions, establish the prohibition on refoulement as a rule of customary international law, if not a *jus cogens* norm” (Ryan, 2009, p. 748).

International and National Standards of Protecting Refugees and Claiming Asylum

Accession to the 1951 Convention and the 1967 Protocol

When governments are unable or unwilling to protect the rights of its citizens, those individuals are forced to leave their countries to seek safety and protection. When this occurs, another country must intervene, which is known as international protection. Although the 1951 Convention and its 1967 Protocol are the leading texts of the international legal framework regarding refugees, the adjudication of asylum claims is reserved to individual States because international bodies lack the jurisdiction to adjudicate these claims (International Justice Resource Center, 2018). Thus, most States have acceded to both the 1951 Convention and the 1967 Protocol by reaffirming that both treaties are central to not only international refugee protection, but also to individual national systems of refugee law. States around the world have developed regional laws and

standards that closely complement the international refugee protection regime of both the Convention and the Protocol. At the New York Declaration for Refugees and Migrants Resolution 71/1 of 2016, the United Nations General Assembly declared:

We reaffirm the 1951 Convention relating to the Status of Refugees and the 1967 Protocol thereto as the foundation of the international refugee protection regime. We recognize the importance of their full and effective application by States parties and the values they embody . . . We reaffirm respect for the institution of asylum and the right to seek asylum. We reaffirm also respect for and adherence to the fundamental principle of non-refoulement in accordance with international refugee law. (Nicholson & Kumin, 2017, p. 17)

Establishing a national asylum system helps a State manage the arrival of those in need of international protection, which in turn affords asylees and refugees the rights they are entitled to under international law. The most appropriate and common approach States take is to accede to the 1951 Convention and/or the 1967 Protocol, and “then to enact relevant national legislation and build the necessary institutions” (Nicholson & Kumin, 2017, p. 55). Sometimes it is more beneficial for a State to first establish national legislation—by “accompanying institutions for the protection of refugees, grounded in the principle of non-



refoulement and other obligations of international human rights law”—with accession to the 1951 Convention and/or the 1967 Protocol coming last (Nicholson & Kumin, 2017, p. 55).

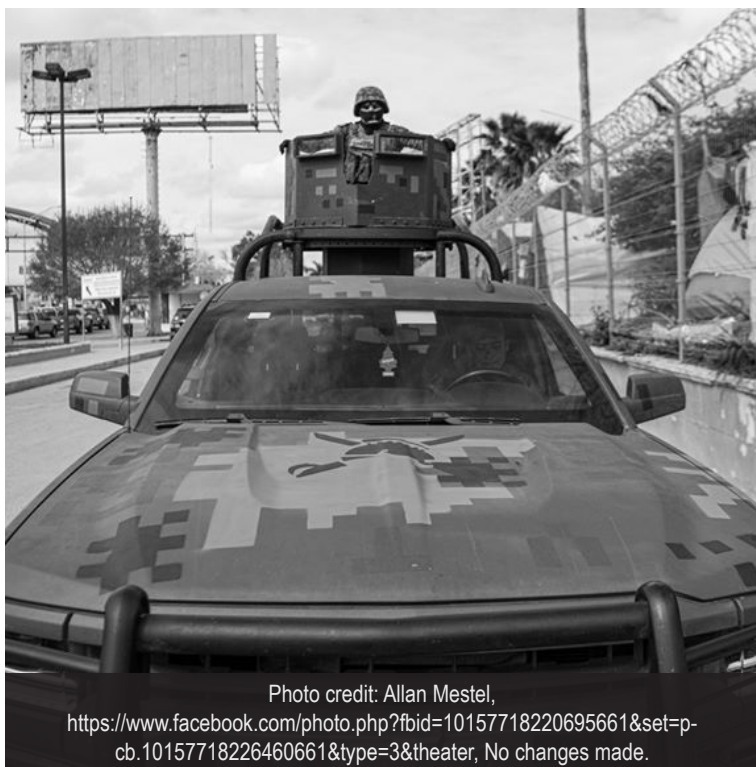
Although the Convention and the Protocol are the leading global instruments addressing refugee protection, a governing and binding set of international standards does not yet exist; international and regional bodies do, however, adjudicate claims asserting violations of the human rights of refugees and asylees. Thus, it is imperative to stress that “international refugee law does not operate in isolation. It is best understood in conjunction with international human rights law” (International Justice Resource Center, 2018).

Asylum in the United States

United States asylum law is governed by the Refugee Act of 1980, which “was intended to bring domestic law into conformity with the 1951 Convention and the 1967 Protocol” (Drake & Gibson, 2017, p. 97). The Refugee Act codified the definition of a refugee from the 1967 Protocol; pursuant to 8 U.S.C. § 1158, a refugee is:

Any alien who is physically present in the United States or who arrives in the United States (whether or not at a designated port of arrival and including an alien who is brought to the United States after having been interdicted in international or United States waters), irrespective of such alien’s status, may apply for asylum. (pp. 102-03)

In the United States, the U.S. Citizenship and Immigration Services (USCIS) is the governing agency under the U.S. Department of Homeland Security that administers the country’s naturalization and immigration systems, including the adjudication process for refugees. Before discussing U.S. asylum law, it is important to distinguish the U.S. classifications



of a “refugee” and an “asylee.” A refugee is someone who has left his/her country and is unable or unwilling to return because of a serious threat to his or her life or freedom. Whereas an asylee is a “general designation for someone who is seeking international protection . . . it is a legal term referring to a person who has applied for refugee status [but] has not yet received a final decision on his or her claim. Not every asylum-seeker will ultimately be recognized as a refugee” (Nicholson & Kumin, 2017). Under U.S. law, the Immigration and Nationality Act of 1965 (INA) defines a refugee as:

any person who is outside any country of such person’s nationality or, in the case of a person having no nationality, is outside any country in which such person last habitually resided, and who is unable or unwilling to return to, and is unable or unwilling to avail himself or herself of the protection of, that country because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion. (§ 101 (a)(42), 8 U.S.C. §1101)

A restriction that will render an applicant ineligible to acquire refugee status under U.S. law is anyone who “ordered, incited, assisted, or otherwise participated in the persecution of any person on account of race, religion, nationality, membership in a particular social group, or political opinion” (U.S. Citizenship & Immigration Services, 2020). There are two primary ways—the affirmative process and the defensive process—by which a person may apply for asylum in the U.S., both of which require the asylum seeker to be physically present in the U.S. The affirmative process applies to individuals who are not in removal proceedings, while the defensive process applies to those who

are in removal proceedings because they have illegally entered the U.S. without inspection, and are therefore applying for asylum as a defense against removal from the country. Asylees who arrive at a U.S. port of entry or enter the United States without inspection must generally apply via the defensive asylum process. The asylum process in the United States takes years to conclude, which has led to a backlog in U.S. immigration courts, with more than 690,000 open deportation cases in March 2018, an all-time high according to the American Immigration Council. On average, these cases have been pending for an average of 718 days and tend to remain unresolved.

The Trump Administration: A Nationalistic, Anti-Immigrant Regime

“Refugee Warehousing”

Refugee warehousing is common in countries that host large refugee populations. Interestingly, these countries are also usually limited in national resources and lack sufficient legal frameworks for protecting refugees. Refugee warehousing “is the practice of keeping refugees in protracted situations of restricted mobility, enforced idleness, and dependency—their lives on indefinite hold—in violation of their basic rights under the 1951 UN Refugee Convention” (Smith, 2004, p. 38). The key feature of warehousing is the denial of fundamental human rights. Violations of human rights is so widespread in refugee camps because it is common for camp administrators to “operate outside the host country judicial system with no checks on powers or legal remedies against abuses and violate refugees’ rights” (Smith, 2004, p. 39).

Trump Immigration Policy

Following the executive order that widely became known as Trump’s 2017 “Muslim ban” were serious policy changes to refugee admissions. Trump has since used the pretext of “national security” to expand these refugee admission policies. The State Department’s annual ceiling for refugees has since plummeted at an alarming rate, decreasing from 110,000 in fiscal year 2016, to 45,000 in 2018, to 30,000 in 2019, and now to a cap of 18,000, a historic low (Chen, 2019). Rather than offering aid to those facing persecution, the Trump administration has chosen to use refugee policy as diplomatic leverage against countries that historically have suffered from U.S. military interventions. This was the case after the Vietnam War, and in the aftermath of what has become known as the war against terror in Iraq, where, under “Trump’s current cap, the administration says 4,000 slots will be reserved for Iraqi refugees who aided, or are otherwise connected to, US personnel” (Chen, 2019). To “dismantle a decades-old [asylum]



Caravana Migrante en la Ciudad de México.

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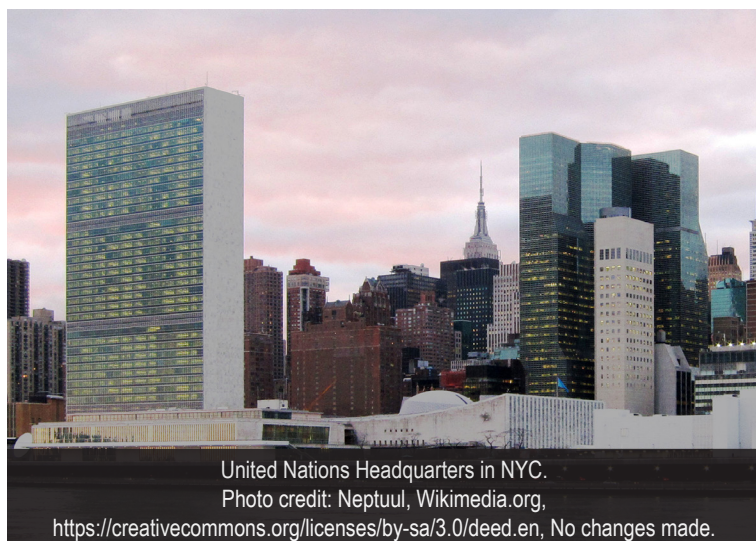
system for safeguarding the most vulnerable communities, basically tells the world we're repudiating that history. And that could be very dangerous for many people around the world," said Melanie Nezer, the senior vice president of public affairs with the humanitarian organization HIAS (Chen, 2019).

El Paso, Texas: A Bordertown as the Home of a Refugee Crisis

The Trump administration has gone further than just framing its immigration policies for the benefit of diplomatic leverage; it has heavily enforced policies that violate human rights protected under international principles. As a second generation Mexican American born and raised in El Paso, Texas—located on the U.S./Mexico border—I have seen this play out in my very own backyard. El Paso recently made both national and international headlines as a refugee destination where human rights violations are being committed. Migrants seeking asylum are held under the international bridges of the city, sleeping on dirt and behind barbed wire. Places such as Annunciation House, a charity shelter, and Las Americas Immigrant Advocacy Center—both located in El Paso—continuously offer basic necessities for these migrants and have enthusiastically offered free legal services. This humanitarian crisis is the result of Trump's policy called the Migrant Protection Protocol, which was implemented in El Paso, and is also commonly referred to as "Remain in Mexico." The policy does just that; it forces migrants to wait in Mexico while their asylum proceedings are initiated. These migrants are forced to wait, without any assurance, without international protection, and without fundamental human rights. They are forced to wait in cities like Ciudad Juárez, which year after year, is ranked as one of the most dangerous cities in the world. Mexico is not able to offer its own citizens or these migrants protection from its own drug wars, which are in most cases, the same circumstances that led these migrants to flee from their home countries in the first place.



Ten days old Asylum Seekers arrives in Tijuana, Mexico.
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United Nations Headquarters in NYC.
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As a country under the influence of organized crime, Mexico is not equipped to shelter these migrants, forcing it to release them into the streets, without guidance, protection, or basic necessities. These migrants have thus fallen victim to kidnappings, robberies, assaults, and murders. San Diego's NBC 7 reported on December 11 of 2019 that after an El Salvadorian asylum seeker went through the legal process in September 2019, he was violently killed, his throat slashed and stabbed in the stomach, in Tijuana while awaiting his next court date. Under customary international law and as a signatory of the Protocol, the United States has an obligation to ensure that the territory where an asylee will be returned to will not expose the asylee to dangers of serious human rights violations; clearly, the United States is in violation of its international obligation of non-refoulement.

Federal law requires that any federal agency with an "unaccompanied alien child" in custody transfer the child to the Department of Health and Human Services "not later than 72 hours after determining that such child is an unaccompanied alien child."

Child separation at the border is also at the forefront of Trump's immigration policies, and although it is no longer frequently headlined, it continues. Considering the government's inadequate tracking system, the American Civil Liberties Union reported that since July 2017, more than 5,400 children have been separated from their parents by U.S. immigration authorities at the Mexico border, including babies and toddlers. The government's tracking system rapidly worsened as the Trump administration enforced its "zero tolerance" policy in 2018. More recently, the administration has initiated a policy to deny

asylees who have not first sought asylum in Mexico, a country known for its organized drug cartels.

Federal law requires that any federal agency with an “unaccompanied alien child” in custody transfer the child to the Department of Health and Human Services “not later than 72 hours after determining that such child is an unaccompanied alien child” (8 U.S.C. § 1232(b)(3)). However, it is no secret that under the orders and policies of the Trump administration, U.S. immigration authorities have abused their discretion and are committing atrocious acts. Clara Long, who testified before the U.S. House Committee on Oversight and Reform regarding the inhumane treatment at the border, interviewed many children being held in inhumane, refugee warehousing conditions. A 14-year-old girl shared:

I was in the first cell for seven days, sleeping with no mattress. It is hard to sleep when you don't have a mattress. I then came down with the flu. I then went into the flu cell for seven days. When you are in the flu cell, you also sleep on the floor, but you have a mattress. There were 21 other kids in that space with the flu. I had a fever in there and I was shaking. Some of the other kids were vomiting. They all had fevers. No one was taking care of the kids with the flu . . . We were not allowed to leave the flu cell, ever. It was very boring. I did nothing to entertain myself, nor was anything offered. It was sad, very sad. I felt locked up and closed in (Long, 2019).

Conclusion

The 1951 Convention Relating to the Status of Refugees is the international legal framework that established the foundations of refugee protection by setting baseline principles



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on which the international protection of refugees was to be built. Its development arose after widespread human rights violations struck the world, and it continues to be the legal framework of modern refugee law. While human rights violations are unfolding at our borders before our very own eyes, it is my recommendation that the integrity of these laws and international human rights standards in current U.S. immigration law be immediately restored if the U.S. is to remain a nation that leads the world in human rights. Minimizing human suffering and enforcing the spirit of humanitarian protection and international law for those fleeing from persecution should be at the forefront of this nation. 🌍

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References

- Chen, M. (2019). “Trump’s assault on refugees is even worse than it looks.” *The Nation*. <https://www.thenation.com/article/refugee-cap/>.
- Drake, S. & Gibson, E. (2017). “Vanishing protection: Access to asylum at the border.” *CUNY Law Review* 21: 91-142.
- International Justice Resource Center. (2018). “Asylum & the rights of refugees.” <https://ijrcenter.org/refugee-law/>.
- Lauterpacht, E., & Bethlehem, D. (2003). “The scope and content of the principle of *non-refoulement*: Opinion.” In E. Feller, V. Türk, & F. Nicholson (Eds.), *Refugee protection in international law: UNHCR’s global consultations on international protection* (pp. 89-177). Cambridge: Cambridge University Press.
- Long, C. (2019). “Written Testimony: ‘Kids in Cages: Inhumane Treatment at the Border.’” *Human Rights Watch*. <https://www.hrw.org/news/2019/07/11/written-testimony-kids-cages-inhumane-treatment-border>.
- Nicholson, F. & Kumin, J. (2017). *A guide to international refugee protection and building state asylum systems: Handbook for parliamentarians No. 27*. Inter-Parliamentary Union and the United Nations High Commissioner for Refugees. <https://www.unhcr.org/3d4aba564.pdf>.
- Ryan, D. (2009). “International law—prohibition on *refoulement*—remedies—*Maher Arar v. John Ashcroft et al*, 532 F.3d 157 (2d Cir. 2008).” *Suffolk Transnational Law Review* 32: 739-750.
- Smith, M. (2004). “Warehousing refugees: A denial of rights, a waste of humanity. In *World refugee survey* (pp.38-56). Washington, DC: U.S. Committee for Refugees.
- U.S. Citizenship & Immigration Services. (2018). Definitions. 8 USC 1101, Title 8-Aliens and Nationality, Chapter 12-Immigration and Nationality, Subchapter I-General Provisions. <https://www.uscis.gov/ilink/docView/SLB/HTML/SLB/0-0-0-1/0-0-0-29/0-0-0-101/0-0-0-195.html>.
- UN High Commissioner for Refugees (UNHCR). (1990). *The Refugee Convention, 1951: The travaux préparatoires analysed with a commentary by Dr. Paul Weis*. <https://www.refworld.org/docid/53e1dd114.html>.
- United Nations General Assembly. (1948). “Convention on the prevention and punishment of the crime of genocide.” https://www.un.org/en/genocideprevention/documents/atrocities-crimes/Doc.1_Convention_on_the_Prevention_and_Punishment_of_the_Crime_of_Genocide.pdf.
- Yonover, G. (1996). “Anti-Semitism and Holocaust denial in the academy: A tort remedy.” *Dickinson Law Review* 101: 72-94.

Climate Change and Wildfires

The wildfires in Australia burned more than 28 million acres, mostly along the coastal areas of New South Wales, where hundreds of bush fires trapped thousands of people along the beaches and forced evacuations from coastal towns. Hundreds of firefighters battled the fires, including volunteers, military members, and firefighters from other countries, including from the U.S. By February of this year, the fires had resulted in 33 deaths, more than \$485 million in insurance claims, had taken more than a billion animal lives, and destroyed 3,000 homes. The causes? Human activity, droughts, and the hottest year on record in Australia's history.

The acres scorched by the fires in Australia were more than 16 times greater than those burned in California in 2018, when that state suffered more than 7,600 fires that took 100 human lives, scorched 1.9 million acres, and damaged or destroyed more than 24,000 structures. It was the deadliest and the most destructive wildfire season in the state's history. The state had already suffered destructive wildfires in 2015 and 2017. The 40,000 fires in the Amazon rainforest in 2019 burned nearly 14,000 square miles across nine Brazilian states. While burning is a common farming practice in the Amazon, drier forests quickly led to out of control wildfires.

The frequency and the size of wildfires have increased public concern, including among scientists who are raising critical questions about the relationship between wildfires and climate change, specifically global warming. At a time when the legitimacy of science is questioned here in the U.S., and the existence of global warming is denied by many Americans, including prominent political leaders, the relationship between



Bush fire at Captain Creek central, Queensland, Australia.

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Greta Thunberg addresses climate strikers at Civic Center Park in Denver.

Photo credit: Andy Bosselman, Streetsblog Denver, No changes made.

fires and climate change probably has not occurred to millions of Americans. There are literally hundreds of popular "explanations" that support the denial of global warming. Science, however, provides the most valid and useful indicators of global warming.

Some of the key indicators that global warming is occurring include the following provided by the Union of Concerned Scientists: 1) decreased extent of sea ice; 2) increasing ocean heat content; 3) increased air temperatures over the oceans; 4) increasing sea surface temperatures; 5) increasing sea levels across the globe; 6) increased humidity (greenhouse gases); 7) increasing lower atmosphere temperature; 8) increasing air temperature over land; 9) reduced snow cover in the Northern Hemisphere; and 10) the melting of ice glaciers. The frequency of droughts is also increasing. Each of these indicators is measurable and provides clear evidence of global warming.

Wildfires are usually caused by humans, but increased heat and drought provide conditions that can lead to infernos that destroy many forms of life, as has happened in New South Wales. Increasing temperatures dry out vegetation, including forests, where mountain pine beetles explode due to the absence of temperatures cold enough to limit them. They then kill trees across millions of acres, providing the fuel for wildfires to increase in intensity and frequency. Additionally, some experts suggest that global warming changes wind conditions, giving rise to winds that fan the fires. These conditions extend the fire season and have long-term impacts on human communities.

Increasing temperatures have broad negative effects on ecosystems across the globe. As the Amazon slowly dries out we can expect that, if nothing is done by humans to curb climate change, a tipping point will be reached and several parts of the Amazon are likely to turn into a savannah. This will have

serious consequences for millions of people, animals, and the atmosphere, further altering climate patterns through the release of billions of tons of carbon dioxide, which is a heat-trapping gas. This feedback loop is part of global warming.

Wildfires, for example, release carbon dioxide, which contributes to warming, which dries the forests, making them vulnerable to large-scale fires, and the cycle continues. The plumes of smoke circle the globe, come in contact with glaciers, and speed up melting. Just recently an island was spotted off the coast of Antarctica that appeared as a result of glacial melt. That glacial melt is changing the circulation of the Atlantic Ocean, leading to the decline of fish stocks in the Gulf of Maine and off the coasts of Greenland.

Wildfires also have a negative impact on health, communities, and local economies. The smoke from the fires contains carbon emissions and toxic pollutants that are dangerous to sensitive populations. It also affects healthy individuals. For example, a player at the recent Australian Open collapsed on the court and quit in the middle of a match due to a coughing fit caused by the poor quality of air. She simply could not breathe well enough to keep playing.

Human-made global warming has negative impacts across many other sectors of society as well. Local economies dependent on agriculture, tourism, and fisheries, for example, are becoming increasingly vulnerable to rising temperatures. Changes in snow and rainfall are resulting in mismatches between the availability of water and needs in some regions. Indigenous populations whose economies, cultural identities, and wellbeing are dependent on local ecological systems are experiencing major disruptions, and populations at large are increasingly put at risk.

There is no question that climate change is real and that it poses serious threats to all forms of life on Planet Earth. If humans do not take aggressive actions to curb global emissions many more catastrophes loom on the horizon. More and more government reports are being released that warn of impending destabilization of nations and human existence. Humans ignore climate change at the peril of all humanity.

In 2018, Greta Thunberg, a Swedish teenager, addressed the United Nations Climate Change Conference, bringing international attention to the problem of climate change. In May 2019, she was featured on the cover of *Time* magazine, and in September she addressed the UN Climate Action Summit. It has taken a teenager and her student followers to focus adults on the problem of climate change. Concerted policy actions are needed across the globe to slow climate change and bring it under control. The future of humanity is in the balance. 🌱

Latina/os in the 2020 Election

On March 3, 2020, “Super Tuesday,” 14 states voted in the Democratic primary elections. Though former Vice President Joe Biden won 10 states to Senator Bernie Sanders’ four states, Sanders won the Latina/o vote in 13 out of 14 states. According to National Public Radio, in California, which went to Sanders by nearly 9 points, Sanders won 49% of the Latina/o vote compared to Biden’s 19%, while in Texas, which went to Biden by a slim margin of 4.5 points, Sanders won 45% of the Latina/o vote compared to Biden’s 24%. Sanders was particularly popular among Latina/os between ages 18 and 44 in California and Texas, receiving 71% of the vote in California from Latina/os between ages 18 and 29 and 61% of Latina/os 30 to 44, and in Texas 66% of the vote from Latina/os between 18 and 29 and 55% of Latina/os ages 30 to 44. In California, Biden only won the Latina/o vote in the 65+ age bracket, and in Texas he won the Latina/o vote in the 65+ bracket as well as the 45-64 bracket.

Results in California and Texas, two of five states that, according to the Pew Research Center, account for two-thirds of all Latina/os living in the United States, demonstrate the growing importance of the Latina/o vote. In both states, Latina/os account for around 30% of eligible voters, suggesting that Biden’s lack of appeal among Latina/o voters was a factor in his loss in California and narrow win in Texas. These results further suggest that Latina/os in these states, especially young Latina/os, favor the more progressive agenda offered by Sanders to Biden’s centrist views. However, whichever candidate ultimately wins the Democratic nomination, they must not take the Latina/o vote for granted. While the Pew Research Center notes that 62% of Latina/o voters lean Democratic, compared to 34% Republican, Geraldo Cadava argues in his forthcoming book, *The Hispanic Republican*, that beginning in the 1960s, Republicans actively courted and have historically had a stronger bond with Latina/o voters. Though the Trump administration’s anti-immigrant policies and rhetoric will undoubtedly alienate many Latina/o voters, the diversity of the Latina/o population complicates assumptions about if and for whom Latina/o voters will turnout to vote in the 2020 election. 🗳️



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