

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.

MICHIGAN STATE UNIVERSITY

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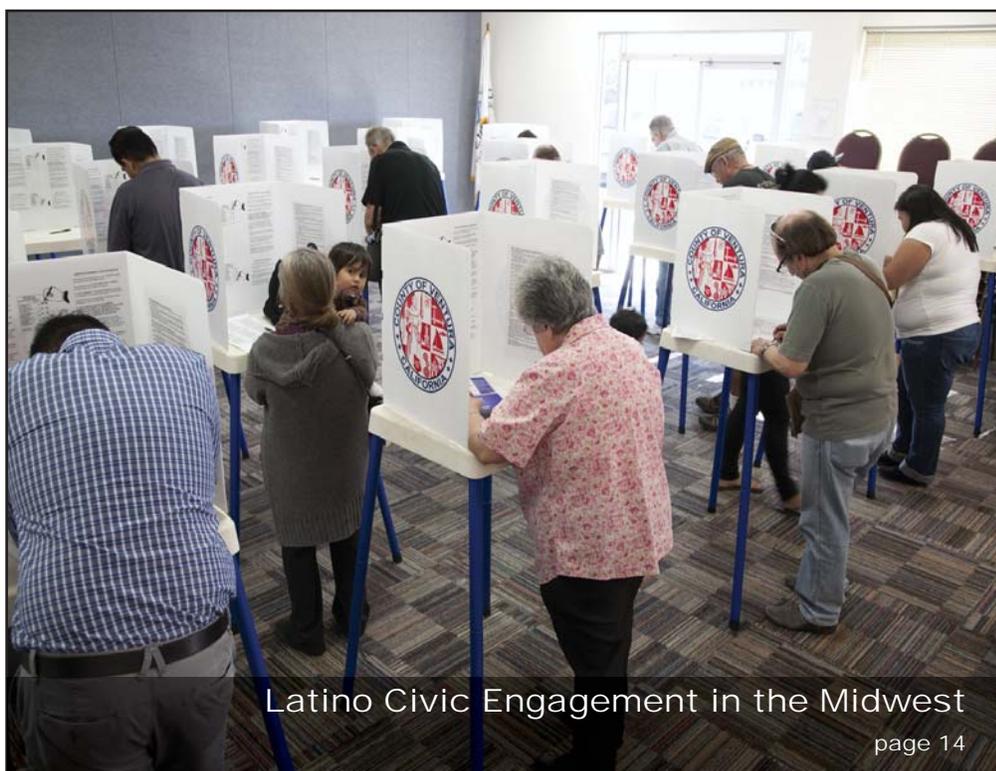
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JSRI at Michigan State University is committed to the generation, transmission, and application of knowledge as it relates to Latinos and Latino communities throughout the Midwest and the nation.

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Understanding the Water Crisis in Flint



Rubén O. Martínez
Director

“Where was government in all this?” was the question asked by talking heads on morning and evening news programs when the water crisis in Flint became national news. I believe it is an excellent question. One that, if addressed, provides insight into the structure of the current social order and how democratic governance is being undermined under the flag of free market fundamentalism, or neoliberalism.

There are several aspects to the governance structure that resulted in the Flint water crisis and the tragic lead poisoning of thousands of the city's residents. A starting point is the establishment of the

emergency manager model in Michigan, the political and ideological context that gave rise to it, and the ineffective and inefficient features of the model.

Michigan's emergency manager model is rooted in the State's Local Government Fiscal Responsibility Act of 1988, which established Michigan's fiscal crisis early warning system and gave the state greater authority to intervene in fiscally troubled municipalities. The legislation was a response to the financial crises in New York City and Cleveland in the 1970s, as well as the numerous auditability problems characterizing many local government units. The statute, however, did not apply to school districts and was repealed and re-enacted in 1990 to include both local units of government and school districts.

While the law was not used extensively over the next 20 years, use of it gained momentum right after the turn of the century, with emergency financial managers appointed in Hamtramck (2000); Highland Park (2001); Flint (2002); the Village of Three Oaks (2008); Ecorse (2009); Pontiac (2009); and Benton Harbor (2010). In addition, a financial manager was appointed for the Detroit Public School District in 2009, and others have followed since then.

In 2011, Governor Snyder signed into law Public Act 4, known as the Local Government and School District Fiscal Accountability Act. Among other things, this Act increased the authority of the emergency manager, giving the position unilateral authority to act in a fiscal emergency; allowing it to revoke labor contracts, suspend collective bargaining for up to five years, suspend the power and authority of city managers and local elected officials, and act as the sole trustee of an underfunded pension system.

This Act, however, was repealed by referendum by the electorate in 2011 only to be resurrected and enacted in modified form by the Michigan legislature as the Local Financial Stability and Choice Act 436 of 2012. This Act gives local units of government, when experiencing financial crisis, the option of choosing an emergency manager, filing Chapter 9 bankruptcy, consenting to mediation or signing a consent agreement. In order to pre-empt the power of the electorate to repeal the law by referendum, it was attached to an appropriations bill, which cannot be overturned by popular vote.

The rise of emergency manager legislation occurred concomitantly with the rise of the ideology of free market fundamentalism, which emphasizes, among other things, small government and the privatization of government functions. Small

government is achieved through the promotion of anti-tax beliefs which support cuts to government revenues and, consequently, government programs. Further, these revenues are reduced even more by the opening of trade markets and the rise of “runaway manufacturing plants.” That is, manufacturing plants moving to foreign countries to lower operating costs, especially through lower-cost labor, leading to loss of jobs domestically and declines in the tax base.

In this context, emergency managers have sought both to stabilize the financial status of the units over which they assumed control by cutting costs (reducing government) and by restructuring and privatizing their functions, especially in units where local elected officials are not supportive of privatization. In the privatization process, there has been an absence of government monitoring of privatized functions, leaving contractors to monitor themselves, leading some critics to raise the issue of crony corruption.

The push for privatization, like the push for free market fundamentalism, is characterized by a robust strain of authoritarianism. The aim is to impose a free market fundamentalist model on government so that it is run like a business. Businesses are, however, by their very nature, hierarchical and authoritarian. This strain is evident in the imposition of an emergency manager law following the rejection and repeal of Public Act 4 by the electorate. Moreover, business is concerned with maximizing profits, not with promoting and securing the Public Good. One way proponents of this ideology seek to maximize profits is by searching for new ways to maximize efficiency. Indeed, the value of efficiency is used to legitimize the privatization of government functions, even as the oversight is lacking to ensure that the Public Good is served.

As with other broad-based, powerful social political movements, free market fundamentalism has its true believers, those followers who whole-heartedly believe that government is bad and that the market is the solution to all of society's problems. Moreover, we are told that there is no alternative to this model. As a result, once in control of government, free market fundamentalists use their power and authority to transform government itself and to impose their model on other sectors of society. Those who resist are denigrated and dismissed as “know-nothing fools” whose views must be ignored as they are brought to heel and free market fundamentalism is imposed on them.

Powerful social movements use coercion to achieve their goals, and free market fundamentalism is no different. Its adherents are absolutely sure that they are right in their views

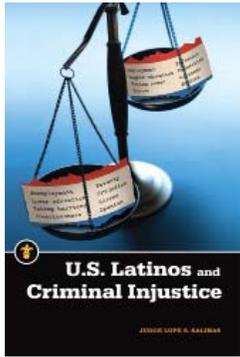
and that they are on the correct path to a better society. Such a view is often attended by authoritarianism, and when grounded in the business model, adopts authoritarianism as its decision-making model. Henry Giroux, who is critical of free market fundamentalism, views the authoritarianism of free market fundamentalism as having turned reason into irrationality and normalized a culture of fear, surveillance, exploitation and war.

A culture of authoritarianism and fear in government leads to “groupthink,” an irrational decision-making process in which members are willing to comply for the sake of harmony. Those who have doubts about the decisions being made are not likely to voice their concerns for fear of being rebuked or suffering repercussions. We saw this very phenomenon in what the Flint Water Advisory Task Force called Michigan DEQ's “regulatory culture of passive technical compliance” and the “dismissive and disrespectful tone of much of the MDEQ's response to public concerns.”

This dogmatic groupthink in Michigan's free market fundamentalist movement has resulted in one of the worst public health catastrophes in the history of the nation. Young and old persons have had their physical health and capacity diminished permanently, and nothing can make that right. Further, the catastrophe will cost Michigan taxpayers billions of dollars into the future, negating all emphases on efficiency.

If there is anything good that can come from this catastrophe, it is the recognition by the public and by the free market fundamentalists themselves that government should not be run like a business, as that model does not keep the Public Good front and center in the decision-making process. Only a democratic government operated on behalf of the people can do that. Further, government is not bad in and of itself, nor is it the problem in our society, as we have been told for nearly half a century. Rather, it is efforts to reduce government and transform it into a business-like entity that are the problem. When we are told that government at all levels failed the people of Flint, we are provided with a distorted view of what really happened. The truth is that a particular political regime sought to move free market fundamentalism further along in Michigan, and in that process, the Public Good was forsaken and thousands of people were poisoned with lead, even as political leaders tried to cover it up once it was widely exposed. 

U.S. Latinos and Criminal Injustice



by Judge Lupe S. Salinas. 2015. East Lansing, MI: Michigan State University Press.

Reviewed by Juan David Coronado

With the growing number of Latinos in the United States and the negative public perception that hovers over them regarding citizenship and nationality, the book by Judge Lupe S. Salinas, *U.S. Latinos and Criminal Injustice*, is timely, especially as it discusses the injustices Latinos suffer in criminal justice. Through the lens of the criminal justice system, former Judge Lupe Salinas recounts the history of Latinos in the U.S. and their struggles dealing with racism and social inequality. Salinas served as judge in the 351st Criminal District Court in Houston, Texas, where he observed the discrepancies in treatment between Latinos and White Americans within the criminal justice system. In a career that spanned over thirty years of service in which Salinas served as an attorney, as district attorney, and finally as a judge, he concludes that the criminal justice system in the U.S. is systemically biased against Latinos.

Salinas earned his law degree at the University of Houston College of Law during the 1970s, where he helped establish the Chicano Law Student Association Society. As a law student Salinas heard a California Judge refer to Mexicans as animals and state that perhaps Hitler had been on the right path in wanting to exterminate a particular people. The insensibility and racism Salinas encountered that day motivated him to dedicate his life to fight for equality in the criminal justice system and in society. Over forty-five years have passed and the same hateful, un-American, and inflammatory rhetoric is pervasive in public relative to Latinos. Today, with the

upcoming presidential election, and as potential Republican presidential nominees have been courting their constituents, similar racist propaganda has been used to obtain the support of voters who hold bigoted and hateful ideologies. Hence, Judge Salinas' book is welcomed as he examines the treatment of Latinos within the American criminal justice system.

According to the 2010 Census, Latinos account for 50.5 million or 16% of the U.S. population with Latinos of Mexican origin making-up the majority (63%). Unfortunately, not all Americans have been open to the growth of the Latino population, as a nativist wave has dominated in recent years. While some Americans perceive Latinos in the workforce as taking jobs from fellow Americans, others are concerned with the bicultural and bilingual features that characterize Latinos. Still, other Americans have been calling for securing the border with Mexico and others have been openly racist in their reaction to the growing Latino population. These factors contribute to the injustices experienced by Latinos, but Judge Salinas also points out that the political-organizational weaknesses of Latinos, including low voting rates, are also to blame for the woes of Latinos.

In eleven riveting chapters, Salinas sheds light on various aspects of the criminal justice system and the Latino community. Topics range from the history of Latinos in the U.S. to the various forms of discrimination faced by Latinos on a daily basis within the judicial system, to the abuses Latinos experienced at all levels of the criminal justice system, including the mass incarceration rates that destabilize and tear apart Latino families. Salinas includes a detailed history of the efforts of significant civic leaders in Texas, such as Alonso S. Perales, José Luz Saenz, and José Tomás Canales, who aspired to create awareness among raza and motivate them to combat discrimination. With the help of other South Texans these three men were instrumental in establishing the League of United Latin American Citizens (LULAC).

There is a long history of discrimination against Mexican Americans in the criminal justice system. According to the Treaty of Guadalupe-Hidalgo that ended the U.S.-

Mexican War in 1848, Mexicans living in the U.S. could obtain citizenship. Regardless of the directness of the treaty, the courts did not always respect the citizenship of these early Latinos. Despite a later court ruling that Latinos were Caucasians, de facto housing and public segregation became prevalent, as the majority were considered brown and not white. The 1954 Supreme Court Case, *Hernandez v. Texas* reaffirmed that the 14th Amendment protected Mexican Americans regardless of being "a class apart." This would be the first time Mexican American attorneys would face the U.S. Supreme Court and is symbolic of the needs for Latinos to stand firm and challenge the social inequalities that debilitate their communities.

With the increasing number of Latinos, anti-immigration and anti-Latino hysterias have inundated the country and given rise to hate crimes and racial profiling. Federal immigration agents have exacerbated the problem and have engaged in numerous killings, including Anastacio Hernández-Rojas in 2010, who was tortured and killed. As an expert of the criminal justice system, Salinas concludes that Hernández-Rojas' death resulted not only from the violation of his civil rights but from the prevailing and demeaning attitude that he was "just another Latino."

In *U.S. Latinos and Criminal Injustice*, Salinas targets both academic and popular audiences while concentrating on a subject that deeply impacts Latinos, yet has received limited attention by scholars. In an articulate and effective manner, Salinas looks at language barriers that often are conducive to curbing the civil rights of Latinos while also exposing the limited knowledge that has led to their exclusion of due process of the law. Salinas, now Professor of Law at Thurgood Marshall School of Law in Houston, has raised key questions and issues that have the potential of leading to serious discussions and hopefully changes in the criminal justice system that can lead to justice for Latinos. The book is critical reading for all persons who are interested in understanding the American criminal justice system vis-à-vis Latinos. 🌟

Behind the White Picket Fence: Power and Privilege in a Multiethnic Neighborhood



by Sarah Mayorga-Gallo. 2014. Chapel Hill, NC: The University of North Carolina Press.

Reviewed by Jean Kayitsinga

This is an excellent book about the “White Picket Fence,” a metaphor about how power, social class, race, and place intersect to reproduce racial inequality within a multiethnic residential space and a critique of the frequently used concept of diversity and its associated ideologies. In this book, Mayorga-Gallo investigates how power operates in “Creekridge Park” neighborhood, a pseudonym for a neighborhood in Durham, North Carolina; how residents in that neighborhood understand and experience race and class privileges; how White homeowners understand their own position and use the resources available to them to maintain their own power; and how Black and Latino/a residents are included and/or marginalized in this multiethnic space.

In terms of theory, Mayorga-Gallo uses Anthony Giddens’ conceptualization of power, agency and structure. Power refers to the “capacity to achieve outcomes” and is “generated in and throughout the reproduction of structure of domination.” Agency occurs within relationships among individuals and is defined by the capacity of individuals to do things. Structure both constrains and enables agency. In addition, Mayorga-Gallo uses Pierre Bourdieu’s concept of habitus, which is “a system of dispositions” that includes the actions and tendencies of an individual. Bourdieu’s conceptualization of habitus underlines the role of the unconscious, which internalizes cultural signals that perpetuate the power and impact of cultural differences that are structured by one’s history and class

position in society. Mayorga-Gallo goes beyond Bourdieu’s homogenizing effects of class on habitus and examines the intersection of class, race, and space relative to common practices among Creekridge Park residents and highlights how the shared White, urban, middle-class habitus, delineates certain behaviors and ways of being as acceptable, and dictates many interactions in Creekridge Park neighborhood. Methodologically, she uses qualitative research methods, specifically narratives and recurring themes that shared by Creekridge Park residents.

Mayorga-Gallo found that White homeowners moved into the Creekridge Park neighborhood partly because of its affordability. They also moved into that neighborhood because of what the neighborhood was like before and how it is now: a White, urban, middle-class habitus, which includes older housing stock, urban living, and diversity. She also found that diversity meant multiple things for White homeowner respondents in her study. On one hand, it meant diverse housing, lawns, sexual orientation, language, age, and skin color, etc. White residents perceived these elements of diversity as positive features of their neighborhood. On the other hand, diversity was seen as an unfortunate downside of their neighborhood. In particular, the presence of non-Whites in this neighborhood was seen as desirable in some spaces and as undesirable, conservative, and sterile in others.

According to Mayorga-Gallo, diversity ideology explains why the presence of non-Whites in Creekridge Park was considered by White residents as a desirable political and social feature. Diversity ideology impacts neighborhood-based norms of inter- and intra-racial contact to preserve White homeowners’ race- and class-privileges. As a result of their social position and the tenets of diversity ideology, Whites in Creekridge Park can maintain their privilege while positively classifying themselves as open-minded and accepting.

Mayorga-Gallo argues that in a multiethnic and mixed-income neighborhood where social life is structured by macro processes of inequality, failure to recognize differential power produces a situation

where truly equitable interracial interactions are not possible. White residents are able to maintain their dominant status within the neighborhood association and the neighborhood without questioning their own social location. She argues that White codes of interracial conduct dictate appropriate neighborhood behavior and help explain why White residents in Creekridge Park had mostly mono-racial social networks despite living in a multiethnic, statistically integrated neighborhood.

Mayorga-Gallo also interviewed Black and Latino/a residents in Creekridge Park. She found that they share some similarities with their White neighbors. Some Black residents appreciated the proximity of their homes to downtown and the multiethnic nature of the neighborhood. Black and Latino/a residents highlighted the quiet aspects of life in Creekridge Park and described the social isolation associated with moving to Creekridge Park. Black residents, in particular, were more likely to identify social isolation as a cost of living in Creekridge Park. Latino/a residents generally characterized their neighbors as friendly. According to Mayorga-Gallo, the distinct experiences of Blacks as well as Latino/as in the same space are intricately tied to their divergent social locations and contexts. The satisfaction of Latino/a residents with greetings such as *hola* or *¿cómo estás?* from their neighbors is likely related to the otherwise unreceptive context of the United States. In contrast, Black residents were less likely to receive greetings due to racialized and class assumptions about them. The friendliness of this neighborhood, as described by White residents, was not experienced by non-White residents. They did not experience the benefits of interacting with and generally did not have reciprocal and close relationships with their White neighbors.

According to Mayorga-Gallo, scholars and policy makers focusing on proximity between racial ethnic groups are fixated on the wrong problem. While studying segregation helps on understanding of an important process by which racial inequality is reproduced contemporarily, it does not mean that statistically integrated multiethnic spaces are equitable.

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Seeking Asylum as a Mexican Victim of Drug Cartel Violence

Crystal B. Figueroa

Mexico has long been plagued by extreme violence generated by the sadistic practices of drug cartels which commonly include mass killings, torture, dismemberment, and car bomb explosions. Consequently, these sadistic practices have led observers and policy analysts to raise concerns regarding Mexico's stability and ability to protect civilians from drug cartel persecution. The Mexican community, as well, is concerned about being persecuted by the cartels, which is why many decide to emigrate to the U.S. to seek asylum relief.

In 2012, more than 9,000 Mexicans applied for asylum and only 126 were accepted, which is less than 2 percent. Such a low percentage is disappointing, given that the increased violence in Mexico has led to numerous deaths, thereby creating a serious concern for public safety. Although the Mexican government does not release statistics regarding the number of people being killed due to drug cartel violence, some estimates include: 28,000 deaths since 2006; over 23,000 deaths since January 2007; 12,600 deaths from January 2008 to March 2009; 45,000 deaths since Mexican President Felipe Calderon launched his effort against the cartels, beginning in early 2007; and, as of January 2013, an astounding total of 60,000 deaths.

PRIMARY REASONS FOR MEXICO'S DRUG WARS

Mexico's extreme surge of violence has been a result of many factors. However, Americans' hunger for drugs, in particular, has long been a central factor in the success and prominence of the cartels. This use of the term hunger is by no means an exaggeration, given that Americans spend between 18 and 39 billion dollars annually on narcotics. With such high demand for drugs, Colombia created a transportation network with Mexico, which helped facilitate the transportation of drugs to this country. Colombia, in many ways, served as a model for Mexico, given that Mexican cartels learned how to lead and manage a sophisticated drug enterprise. The ultimate breaking down of several Colombian organized criminal groups was what allowed Mexican cartels to gain control over the drug market.

While Americans' hunger for drugs remains a primary reason behind the growth of cartels, former Mexican President Felipe Calderon's campaign against organized criminal groups remains the most popular explanation for Mexico's current drug war. Calderon's campaign was successful as key cartel leaders were apprehended or killed. However, drug cartels violently resisted this campaign, which led to increased violence.

Similar to President Calderon's campaign for combating drug cartel violence, Mexico's current president, Enrique Peña Nieto has stated that one of his top priorities is to combat the everyday violence affecting Mexican civilians. In order to meet his priorities, Peña Nieto has focused on strengthening Mexico's security operations. However, despite these efforts, violence generated by cartels continues to rise, thereby suggesting that these efforts are unsuccessful.

Prevalence of Mexican Drug Cartels

While numerous drug cartels are responsible for the violence surging from Mexico, the Sinaloa Cartel and the upstart Cartel Jalisco Nueva Generación (CJNG) are the most prominent cartels remaining in Mexico. A former core component of the Sinaloa Cartel, the Beltran Leyva Organization (BLO), has also become a powerful cartel due to its alliances with Los Zetas, the Knights Templar, and the Juarez Cartel. These alliances have aided BLO in its "war" against the Sinaloa Cartel.

Together, these cartels have exerted dominion over various parts of Mexico. The Sinaloa Cartel, for instance, operates on the Pacific Coast of Mexico, as well as in Southern Mexico. Los Zetas, a cartel founded by ex-Mexican military members as the armed wing of the Gulf Cartel, now operates on its own along the United States-Mexico border in the Nuevo Laredo area and in the Yucatan peninsula. Because of disputed territorial and market boundaries, Mexico has experienced an increase in violence.

With such extreme violence over control exerted by cartels, Mexican immigrants have no option other than to escape and emigrate to the U.S. Escaping this violence, however, is not an easy journey. Among several other burdens, immigrants are required to demonstrate that they meet the refugee definition as described under the 1951 Convention (the Convention) and the 1967 Protocol.

The Convention was initially adopted as a way to provide protection to the hundreds of thousands of refugees displaced by the Second World War. Specifically, the Convention and the 1967 Protocol define a refugee as:

[A person who,] owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his [or her] nationality and is unable, or owing to such fear, is unwilling to avail himself [or herself] of the protection of that country; or who, not having a nationality and being outside the country of his [or her] former habitual residence as a result of such events, is unable or, owing to such fear, is

unwilling to return to it (Buchanan, 2010, p. 35).

With such a narrow and specific definition, many asylum seekers are not seen as meeting the definition of refugee. Thus, it becomes necessary to amend and adjust the definition in a way that will help address the needs of refugees from Mexico. Otherwise, this definition will solely serve as a barrier to several immigrants who are in serious risk of persecution.



Mexican Military forces fighting in the Mexican Drug War in Michoacán, Mexico. Photo courtesy of Wikipedia user, Diego Fernandez.

THE REQUIREMENTS FOR ASYLUM

Mexican immigrants' fleeing drug cartel persecution, asylum is the most desired kind of relief sought. Asylum relief is desirable because it provides refugees with a pathway to citizenship and legal work authorization. Specifically, the applicant must show a well-founded fear of persecution in order to qualify for asylum. This requirement is composed of both a subjective and an objective element. The subjective element, specifically, requires that the applicant's testimony be evaluated to determine whether the applicant has the requisite motive of fear. Courts have held that the threshold for demonstrating a well-founded fear of persecution requires a showing that a reasonable person in the same situation would also fear persecution.

Additionally, the determination of whether an applicant qualifies for refugee status must be made on an individual basis, and the applicant must also show a good cause as to why he/she is living in fear of persecution. The applicant can meet this requirement by proving a personal experience of persecution or by showing that he/she fears persecution as a result of close friends/family members already being persecuted.

Proving a Well-Founded Fear of Persecution

It is very likely that a reasonable person would fear persecution after receiving direct threats of violence and death

from drug cartels. A reasonable person would likely also fear persecution after witnessing the death of a close friend or family member due to similar threats. The common barrier faced by Mexican victims of drug cartel violence, however, is that they often receive solely general threats of violence. This creates a significant burden in applying for asylum because general threats of violence are deemed insufficient for asylum relief. Nonetheless, Mexican civilians may argue that they have an individualized fear as a result of a general threat of violence. While all Mexicans seeking asylum are encouraged to make this argument, this argument may be more viable for certain sectors of society whose identity, in particular, makes them more vulnerable to drug cartel violence.

Additionally, Mexicans can point to the fact that the lack of government protection has been instrumental in their well-founded fear of persecution. That is, while Mexican presidents have attempted to combat Mexico's drug war, the surge of violence has increased, as well as government corruption. This would allow for one to conclude that the government is unable and unwilling to protect victims of drug cartel violence.

Proving Persecution

According to the United Nations High Commissioner for Refugees (UNHCR) Handbook, it may be inferred from Article 33 of the 1951 Convention that a threat to life or freedom for reasons of one of the five enumerated grounds constitutes persecution. A positive aspect of this element of persecution is that asylum seekers may also qualify for refugee status under U.S. law based on past persecution. Specifically, this element provides that, by establishing past persecution, there is a rebuttable presumption of a well-founded fear of future persecution.

Barriers to Proving Persecution

Persecution, with respect to asylum, refers to an act that is either serious and/or severe. From this view, applicants would be barred from asylum if their claims were to solely allege mere harassment by drug cartels. This is problematic because courts may differ in how they define *mere harassment*, which may likely bar many Mexican victims from asylum.

The court's decision in the case of Mexican journalist Jorge Aguirre, however, shows that death threats may meet the level of severity and seriousness implied by the term persecution. In this particular case, Aguirre, a journalist, received death threats by a government official, which, as the court held, rose to the level of a well-founded fear of persecution. Specifically, Aguirre began receiving death threats shortly after the death of a former

journalist who, like Aguirre, published articles regarding the drug wars. Interestingly, the court held that these death threats rose to the level of a well-founded fear of persecution without clearly stating how it arrived to that conclusion.

The court, however, considered the following factors crucial in determining whether this case rose to the level of a well founded fear of persecution: Aguirre's profession as a journalist, the fact that a fellow journalist had recently been killed, and the fact that the persecutor was a government official.

Establishing the Required "Nexus"

As previously mentioned, one of the primary reasons why many Mexicans are not granted asylum is due to their failure to establish the required link between persecution and one of the protected grounds. Proving this nexus is often a significant barrier because much of the drug-related violence by drug trafficking organizations is indiscriminate. That is, it does not always target a particular individual. Consequently, few civilians are able to show that they have been specifically targeted by a cartel, thereby reducing their possibilities to qualify for asylum.

U.S. ASYLUM LAWS ARE INHERENTLY DISCRIMINATORY

America's asylum laws do not address the protection needed by millions of asylum seekers who, due to their low socio-economic standing, are not viewed as targets by drug cartels. That is, the laws are biased and inherently discriminatory. Currently, numerous civilians seek refuge solely on the basis that they are victims of cartel violence. This approach is not an effective way of seeking asylum because it tends to frame all Mexican citizens as potentially being in fear of drug cartel violence, and this definition is too broad. Consequently, arguments for the required nexus are viable solely for specific sectors of society. And, unfortunately, those who may argue that they fit into a specific sector are also not easily granted asylum.

Membership in a Particular Social Group (PSG)

While the meaning of "particular social group" was initially unclear, the Board of Immigration Appeals (BIA) in *Matter of Acosta* held that membership in a PSG can be based either on a shared characteristic that members cannot change or should not be required to change. Among many other shared characteristics, some of the common ones are one's gender or one's profession. This broad definition makes it possible for journalists, law enforcement officers, business people, and other professionals to claim asylum based on common characteristics which have made them an easy target for drug cartels.

Examples and Case Law Regarding PSG

Carlos Gutierrez identified as a successful businessman from Mexico. As a result of this identity, cartel members demanded monthly extortion payments of \$10,000 from Gutierrez. When Gutierrez could no longer pay, cartel members cut off his feet and attempted to kill him. Fortunately, Gutierrez survived this torture and emigrated to the U.S. with his family to seek asylum. Although Gutierrez was permitted to live and work in the U.S., his asylum was neither granted nor denied. Instead, it was administratively closed. This means that although Gutierrez was not deported to Mexico, the judge did not set a date to determine whether Gutierrez could be granted asylum.

The story of Carlos Gutierrez, a successful businessman, displays the advantage of certain sectors of Mexican society, while also displaying the U.S.'s hesitancy in granting asylum to victims of cartel violence. That is, because of Gutierrez' status as a businessman, he was permitted to work and live in the U.S., which would not have been a possibility had Gutierrez not identified as such. This identity, in conjunction with Gutierrez's life-threatening experience, however, did not result in his case being decided with the kind of immediacy that it required.

Despite the inherent discrimination of U.S.'s asylum laws, there is case law that has broadened the definition of PSG, which may provide certain groups of Mexicans with a stronger argument for asylum on the basis of PSG. In *Cece v. Holder* (2013), for example, the court held that an immutable characteristic could include a shared past experience or status that resulted in some knowledge or labeling that cannot be changed (See para.12). Under this broad definition, Mexican asylum seekers may argue that their status as former police officers qualifies as shared past persecution, which consequently makes them more vulnerable to drug cartel violence.

Similarly, in *R.R.D. v. Holder* (2014), the court held that the arguments made regarding shared past persecution were credible. In *R.R.D. v. Holder* (2014), R.R.D was an investigator for Mexico's Federal Agency of Investigation which resulted in numerous drug cartels attempting to kill him. Due to the great danger that R.R.D. was experiencing, he concealed his job as a police officer to avoid detection and applied for asylum in the U.S. R.R.D. contended that he was a member of a particular social group of honest police officers (See pp. 1-2). The court found this argument compelling because being a former police officer was an immutable characteristic that R.R.D could not change (p. 4). Thus, R.R.D's case serves as an example of viable claims for asylum based on shared past persecution. Like R.R.D., former honest Mexican police officers may apply for asylum based on PSG.

Refusal to Partake in Criminal Activities as a *Political Opinion*

Seeking asylum on the basis of political opinion is a particular, viable option for law enforcement personnel. Political opinion, as has been interpreted under the 1951 Convention, includes any opinion on a matter in which the State, government, and policy are involved. Interestingly, the concept of political opinion also includes situations of *imputed political opinion*. This refers to situations where there is persecution because of a political opinion that has been attributed to an applicant, even if the applicant does not actually have that opinion.

Due to this broad definition, honest Mexican police officers could argue that because of their decision to not associate or cooperate with cartels, they fear persecution on the basis of *imputed political opinion*. In other words, due to their refusal to partake in criminal and corrupt activities, criminal organizations are likely to view them as individuals who hold a political opinion contrary to their own. As a result, honest police officers are likely to be persecuted.

Further, honest police officers could also distinguish themselves from corrupt police officers by claiming asylum based on their political opinion to not partake in corrupt and criminal acts, as do corrupt police officers. This would be a viable argument because Mexico's corruption, which often includes police officers carrying out the cartels' violent assignments, is information that is generally known or easily accessible. Thus, courts have no reason to *not* find this argument to be legitimate.

Honest police officers may also benefit from the fact that the asylum seeker's political opinion need not be the persecutor's only motive. In other words, if a drug cartel persecuted an individual due to retaliation for refusal to cooperate and/or not complying with financial demands, including extortion, an asylum seeker may still claim asylum based on political opinion, as long as the reasons underlying the persecution are mixed with political motives. In this case, as has been established, the political motive would be their refusal to engage in corrupt and criminal activities.

Barrier to the Political Opinion Argument

One of the major barriers in arguing political opinion as a basis for asylum is that Mexican asylum seekers do not fall within the scope of the traditional political refugee who is persecuted through oppressive government measures. In this situation, Mexican civilians are fleeing drug-related violence. They flee because they are being targeted by drug cartels and, in many cases, by corrupt government officials as well.

JSRI Faculty Trained as Facilitators on Latino College Preparedness Programs

On October 8-9, 2015, Dr. Rubén Martínez and Dr. Pilar Horner represented the Julian Samora Research Institute at a Facilitator Training on Juntos, a Latino education preparedness program, in Cedar Rapids, Iowa. This program is geared toward improving Latino student educational success with a focus on successfully transitioning to a higher education institution. Dr. Martínez and Dr. Horner were trained, along with 33 other participants, as program facilitators on the Juntos Para Una Mejor Educación (Together for a Better Education), which is a parent/youth workshop series developed specifically for Latinos. Organized by Dr. Martínez and Dr. Kim Greder, Iowa State University, and supported by the North Central Regional Center for Rural Development, the facilitators training program included Extension educators, school board members, teachers, graduate students, community organizers, and outreach personnel from non-profit agencies.

The Juntos curriculum was developed by North Carolina State University Extension. Dr. Andrew Behnke and Cintia Aguilar, co-authors of the Juntos Para Una Mejor Educación curriculum along with Diana Urieta, conducted the training. Extension staff from Iowa shared their own experiences implementing the program. The training was held at the Linn County Extension Office in Cedar Rapids, Iowa. The two days consisted of an overview of the five modules that constitute the core curriculum, an intensive review of the program manual, and role playing various activities that are part of the Juntos curriculum. JSRI members were able to network with other colleagues from Michigan who attended as well as educators and Extension workers from other states in the Midwest.

The program can be offered in English or Spanish and meets

once a week for six weeks. It is geared toward parents and their child(ren) and addresses the barriers to and opportunities for a college education. Youth are encouraged to graduate from high school and apply for admission to higher education institutions. The program works with families on various issues related to the following: communications at home and with school personnel, graduation requirements, financial planning (including applying for the Free Application for Federal Student Aid -- FAFSA), visiting college campuses, and managing the multiple components of the college application process.

As a follow-up to these workshops, the Julian Samora Research Institute hosted a series of meetings with interested Michigan educators, students, community leaders, and Extension workers to begin designing and implementing college preparedness programs for Latino students and their families in Michigan. These meetings will continue to occur throughout the Spring of 2016. 🌐



Interstate NCERA 216 Initiative Sponsors Webinars on Latino Focused Research

Another year of webinars focused on Latino research continues this academic year. These webinars are sponsored by NCERA-216, Latinos and Immigrants in Midwestern Communities, the North Central Region Center for Rural Development (NCRCD), the University of Missouri – Extension, and the Julian Samora Research Institute at Michigan State University. On Wednesday, November 18, 2015, Dr. Rubén Martínez, Director of the Julian Samora Research Institute, kicked off the webinar season with a presentation titled “Latinos 2025: A Needs Assessment of Latino Communities in Southeast

Michigan.” The webinar reported on findings from a year-and-a-half-long needs assessment of Latinos in Southeast Michigan. Martínez identified several areas of need and showed how Michigan Latinos’ well-being compares to other demographic groups. The analysis highlighted findings about the needs that go unmet and recommendations were proposed.

On Wednesday December 9, 2015, Dr. Daniel Vélez Ortiz, an Assistant Professor at the Michigan State University School of Social Work and the Julian Samora Research Institute, presented on “Culture, Gender, and Depression: Puerto Rican

Older Adults' Experiences with Depression." This webinar presented findings from a study that examined Puerto Rican older adults' experiences with depression and its treatment as it related to themselves or other family and friends. The study revealed that overall there is much stigma about depression among Puerto Rican older persons that is co-emergent with experiencing depression. Also, the role of gender emerged as an important difference in how social factors influence behavioral health.

On Wednesday, February 17, 2016, a team of researchers from the University of Missouri presented on "Understanding Acculturation and Integration of Latino Newcomers and Long-term Residents in Rural Communities." The presenters were: Dr. Corinne Valdivia, Associate Professor, Dr. Stephen Jeanetta, Associate Extension Professor, and Dr. Lisa Flores, Professor. Their webinar examined the transformational events currently shaping the future of U.S. agriculture, the processes of demographic and cultural change, especially in communities of the Midwest and the South that until only two decades ago were settled almost exclusively by people of European descent. The prosperity of Midwestern rural communities depends in part on the successful and lasting integration of newcomers into society's fabric as workers, consumers and entrepreneurs. Rural communities have limited access to information that impacts immigrant earnings and well-being. Lack of integration between receiving and immigrant communities result in short-term and long-term social costs to the community. Presenters provided highlights of their framework, findings, and the appreciative inquiry process of a 3-year project, examining the economic and social integration of three rural communities in Missouri from the perspectives of immigrant newcomers and long-term residents. The project focuses on promoting the sustainability of agriculture and rural communities by using an interdisciplinary strengths-based model and developing tools and processes to facilitate the integration between long time members of rural communities and Latino newcomers.

There is one more webinar scheduled for Spring: On May 4, 2016, Dr. Onésimo Sandoval, St. Louis University, will present on "Analytical Resources to Study Latino/a Demographic Patterns in the U.S."

The webinar series is for sharing research results and best practices in serving Latino communities. Persons interested in presenting a webinar for NCERA 216, please contact Pilar Horner at phorner@msu.edu.

All webinars are archived on the Julian Samora Research Institute's website and can be viewed at any time. 🌱

New Faces at JSRI



Eileen Stefansky is a graduate student in veterinary medicine, public health, and food safety at Michigan State University. She holds bachelors degrees in Animal Science and in Spanish from MSU. Her academic background is in production animal husbandry with a focus on dairy, swine, and poultry. She has ten years of Spanish language immersion, and has

spent time in Puerto Rico and Argentina, as well as Japan and Australia. Upon graduation, she intends to pursue a residency in preventive veterinary medicine and plans to focus her career in production animal and zoonotic research and consultation. When not studying or working she enjoys gaming, reading, and traveling. 🌱



Samantha Martin is a junior majoring in Comparative Cultures and Politics with minors in Spanish, Environmental Policy, and Jewish Studies. Samantha is originally from Northampton, Massachusetts although she has lived in Clinton, Michigan for a portion of her life. After obtaining her bachelor's degree Samantha plans to pursue a master's degree in Public Affairs and

eventually a career in diplomacy or advocacy. At JSRI Samantha is a student assistant who assists with clerical work in the office and with research with faculty. In her free time she enjoys going for runs, traveling, and hiking with her dog. 🌱



Rafael Fidencio Martinez is a senior at MSU pursuing a dual degree in Philosophy and Economics. Rafael was born and raised in Grand Rapids, Michigan. At JSRI he is a research assistant investigating Latino businesses in Michigan. He has a personal interest in business ventures after graduation as well as the development of the Latino community

in Grand Rapids. Rafael enjoys walks with his dogs, hikes in national parks, fine dining, live music, and reading philosophy in his "thinking chair." 🌱

Latinos and Michigan's

Rubén Martínez

Education is a major concern in Latino communities, and that is the case in Michigan, yet achievement gains among Latino students remain elusive. Something is terribly wrong with the state's educational systems when it comes to Latinos and other racial minority populations. Today, there is tremendous emphasis on developing a robust labor force in science, technology, engineering and mathematics, otherwise known as STEM fields. Yet, all the indicators point to the absence of a robust pipeline of students finishing high school with proficient or above proficient skills in science and mathematics, the latter being at the core of the skill sets required for success in the other fields.

For example, in 2013, only 26% of 12th graders in Michigan tested at proficient or advanced levels on the National Assessment of Educational Progress tests, a rate similar to that at the national levels. However, in Michigan only 9% of Latino students tested at a proficient level and 0% performed at the advanced level. Among African Americans only 4% performed at the proficient level and 0% performed at the advanced level. In contrast, 30% of Non-Hispanic White students tested at proficient or advanced levels; rates that are alarming even if they are not as low as the rates of Latinos and African Americans. Similar patterns are evident for science on ACT tests. The aim of the STEM initiative is to get more students to go into STEM-related occupations, but how will that occur when such low percentages of students are graduating with the skills to pursue advanced degrees in those fields? How can Michigan's Latino and African American students become part of the nationwide STEM initiative when school districts are failing to adequately educate them?

There is little question that No Child Left Behind (NCLB),

the testing-based initiative launched by President George W. Bush, was a failure when assessed in terms of student educational performance and closure of the academic achievement gap. Aside from showing modest gains in mathematics by Latinos in the early grades, it showed that student performance declines as they "progress" from the elementary school level through high school. Other than a more robust and profitable testing industry, very few educational gains came from NCLB. In December, 2015 NCLB was replaced with the Every Student Succeeds Act (ESSA). ESSA ends some of the worst aspects of NCLB, especially the punitive model (performance-based sanctions) upon which the latter was based, and channels resources to low-performing schools. It also gives states and local decision-makers more flexibility to develop evidence-based systems for school improvement.

Still, it is important to understand how we arrived at the current crisis in education? What factors were at play as education systems declined? There is little question that politics has been the greatest factor in the educational reform efforts of the past four decades. Politics has been a factor in three areas: school choice, revenue cuts, and teacher disempowerment.

School choice has been driven by the public narrative that public schools have been failing students and that privatizing public schools, in the form of charter schools, would increase competition. Competition was seen as leading to innovations that would enhance school performance, and parents could then choose where to send their children for a publicly-funded education. This view transformed the initial idea of charter schools by a Citizen's League Committee of Minneapolis in the 1970s which began considering school choice for low-income students. This idea was taken up in the 1980s by Al Shanker, leader of the American Federation of Teachers, who envisioned "schools within schools" by teachers "used to incubate best practices." However, with the rise of the view of the market as panacea for societal problems came the contemporary view of charter schools – privatized educational models.

Unfortunately, charter schools have not performed any better than the public schools, and continuing support for them gives substance to the view that the real aim has been the privatization of the public school systems. This is especially the case when one considers the fact that, in most cases,



Education Systems



charter schools have been led by and employed personnel who are not adequately trained as educators.

On the public school side we have seen continuing revenue cuts driven by the anti-tax movement, shrinkage of the tax base of local school districts through population out-migration and increasing poverty, and the departure of well-trained teachers to wealthier school districts. At the same time, teachers in general have been disempowered as educators by the policies implemented under the ideology of public choice, which is grounded in market logic and market relations.

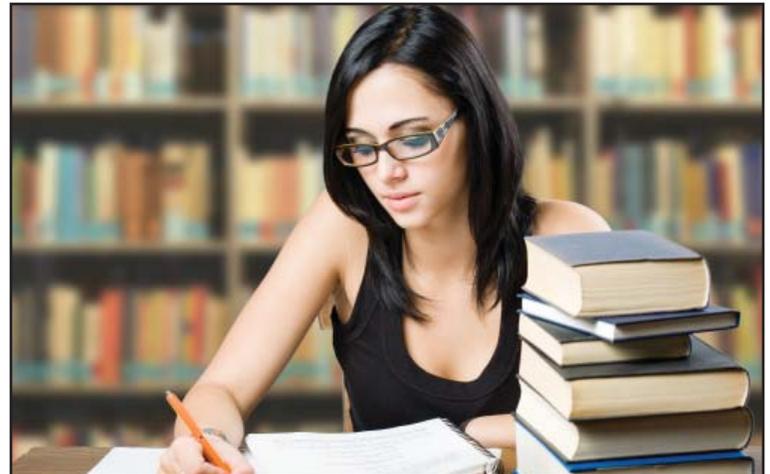
*Something is terribly wrong
with the state's educational systems
when it comes to Latinos and other
racial minority populations.*

Teachers have been disempowered through the testing regime forced upon them by NCLB. Punitive measures imposed on low performing schools focused teachers on "teaching to the test" as critical thinking and other skills (art, music, etc) declined in importance. Teaching to the test diminished the use of the pedagogical skills learned by well-trained teachers, leaving them disempowered as educators. Further, public attacks on teacher tenure under the public narrative that bad teachers held lifetime jobs left teachers feeling like the whipping boys of a politically-driven educational reform movement gone wrong.

What is the end result of this movement? A pressure cooker of structural inequality and discrimination. We have under-funded schools and all that comes with that, a testing culture that undermined pedagogy and effective teaching, and

teachers with low morale who are constantly at the blunt end of the big stick used by ideologically-driven politicians who are relentless in their efforts to impose a failed ideology on the educational sector and the rest of society.

In the end it is the students who become the victims of this failed ideology and its attendant practices. Their potential goes unrealized and society as a whole suffers through the deterioration of its school systems. When it comes to Latinos and other minority populations, their status in society as oppressed groups characterized by increasing poverty is legitimated by low educational performance. It becomes a self-reinforcing cycle, one that cannot be broken until politicians leave education to educational leaders and educators. Every Student Succeeds begins to move educational reform in the right direction, but it is limited in that it does not, nor can it, address the increasing poverty that



undermines the effectiveness of education systems and which is increased by the policies that impose market logic and relations on public institutions. Charter schools have become lucrative business opportunities for corporations, but they are not improving the education systems for students or society.

Every Student Succeeds gives Michigan and local school districts greater flexibility in addressing the problems of low-performing schools. This is an excellent opportunity to actively engage teachers in constructive ways in addressing the many problems facing our education systems. It does require, however, confidence in the knowledge and training that teachers have received and in their commitment to want to better the lives of students no matter the obstacles both encounter in the pursuit of educational excellence. 



Latino Civic Engagement in the Midwest

Daniel Vélez-Ortiz

Civic engagement encapsulates an array of activities that have some purpose or benefit to individuals, families, communities, and society. These activities can range from family interactions to neighborhood organizing and can extend to the societal level. It is through civic engagement that the public can impact the health, education, employment, and many other outcomes that are crucial to partake in opportunities and services in society. Immigrant civic integration can be classified as both a formal and an informal process (Bloemraad, Korteweg, & Yurdakul, 2008). Formal integration can be defined in terms of legal status and political rights that connect the individual to the state hierarchical structures (Bloemraad, Korteweg, & Yurdakul, 2008). In contrast, informal integration can be defined in terms of belonging and “cultural citizenship” where participation is measured through daily exchanges that connect individuals across a community on a leveled plane (Bloemraad, Korteweg, & Yurdakul, 2008; Stephen, 2007). Studies on civic participation have found that civic integration can promote improved health and satisfaction with life but can also bring isolation and antagonism toward civic institutions.

For Latinos, civic engagement is an increasingly important

topic due to the demographic shifts underway in this country. Recent U.S. Census projections show that the population of foreign-born in the United States (currently about 12 percent) is projected to approach 20 percent by 2050. Upon immigration, Latino immigrants experience isolation and discrimination here in the United States, which may influence their expectations about civic participation. Structures of society are such that immigrants or foreign-born Latinos are not integrating despite the demographic changes that are underway.

Latino immigration to the United States has been in place for over one hundred years. During that time, patterns of immigration have shifted to various geographical locations in the United States. Beginning with southwest border-states and continuing inland and eastward. More recently, waves of immigrants are dispersed across “new destination” states that do not have a long history of Latino immigration, such as in the Southeast and Midwest. The Midwest is comprised of 12 States (Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, and Wisconsin). In the Midwest, the Latino population has significantly increased every year since 1980 (Martinez, 2011). In fact, in the last

U.S. Census 2010 there were two counties in Kansas (Ford and Seward) with majority Latino populations. In the Midwest, Latinos account for 14% (over 4 million) of the total U.S. Latino population and about 7% of the Midwest population. According to the 2010 U.S. Census the Midwest Latino population increased by 49% between 2000 and 2010, even as the total population in the same region only increased by about 4% (a decline in population of about 1% since 2000). That is, the Latino population grew 12 times faster than all other groups in the Midwest. Moreover, Latinos increasingly hold key political positions across the nation, and the number of voters in General Election 2012 dramatically influenced the public discourse on immigration reform in the U.S. Congress.

Given the demographic shift underway in the United States, and which will continue into the future, it is important that Latino immigrants become active participants not only in the economy but in the civic and political spheres of the democracy of which they are now part. In the Midwest, Latinos present a profile of scarce political resources. A study using data from the National Latino Survey showed that about 65% of Latino immigrants are not interested in or are unsure about politics and public affairs. As the process of incorporation is intergenerational, lack of political incorporation can have long-term, negative political and economic consequences. In short, the political and economic incorporation of Latinos presents a major challenge to the future of the state and the nation.

CIVIL AND POLITICAL ENGAGEMENT PATTERNS IN THE MIDWEST

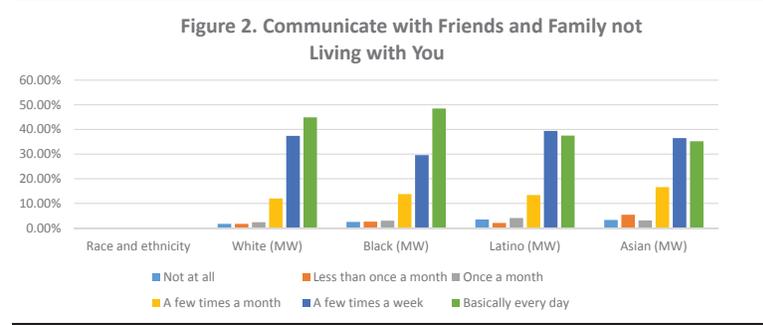
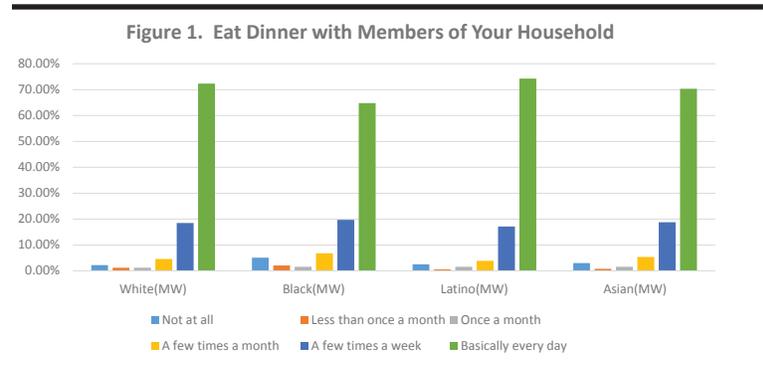
This study analyzed data from the US. Census Bureau Current Population Survey (2011) for adults in the Midwest. The data collected by this survey ranged across several indicators of civic engagement, such as family interaction, neighborhood involvement, community organization involvement, political participation, and service. Following is a profile of Latino civic engagement indicators across all the previously mentioned areas and using three other major racial groups as a point for comparison. The indicators are divided thematically in the general areas of family, neighborhoods, political involvement and communication, community organizations, and service. Each of these thematic areas is discussed in terms of the survey results but also evaluated in terms of some major implications and strategies relevant to strengths and areas for improvement within the Latino communities throughout the Midwest.

Engagement with Family and Friends

Recent literature on civic engagement has focused on

Latino civic engagement at the family level (Wilkin, Katz, & Ball-Rokeach, 2009). The emphasis on family is based on the premise that the practice of civic engagement often starts at the nuclear family and surrounding networks. Because Latinos tend to be family-centered and network oriented, word of mouth can be a powerful agent to ignite and propagate ideas and actions related to various societal issues that are part of everyday life. According to the Communication Infrastructure Theory – CIT (Ball-Rokeach, Kim, & Matei, 2001), there is a system of communication that consists of (a) a storytelling network and (b) a communication action context. The storytelling network consists of persons who interact with each other to stimulate discussion on issues that affect and concern the residents of a neighborhood. Further, the context for action is the set of physical or psychological elements that make it possible for members of a neighborhood to engage each other to form a storytelling network.

Results from this study indicate that Latinos in the Midwest fare quite well in face-to-face interaction with their nuclear family. When asked about how often they have dinner with members of the household, Latinos rated highest (74%) in eating dinner together “basically every day,” in comparison to White, Black, and Asian comparison groups. However, when asked about the frequency of communication with friends and family not living in the same household, Latinos in the Midwest fared second lowest (37.5%) in “basically every day” communication (Figure 1). Conversely, Latinos in the Midwest rated highest (3.5%) in having no communication with family of friends not living with them (Figure 2).



These results point to a profile of the Latino population in the Midwest which is very much centered on face-to-face interactions and having less frequent communication with family and friends. Given the availability of social media platforms and increases in access to mobile phones and the internet, it is clear that Latinos are not using them as much as other groups, especially since many social movements and activist awareness campaigns utilize social media to propagate and activate groups to take action on various issues of interest to communities, including Latinos. It is important to note that these results are only for adults, perhaps children and adolescents are more connected through contemporary information technology. It is consistent, however, with the fact that Latino culture emphasizes personal communications, which tend to be based on face-to-face communications. Using the CIT as a framework, these results are indicative of a community with potential for a strong storytelling network that shares almost daily interactions, but that may have limitations in communicating needs and organizing for action beyond the immediate context. This pattern also may reflect a community that is not utilizing social media platforms for communication with others.

Engagement of Political Views and Community Issues with Family and Friends

This indicator goes beyond spending time together and keeping communication. It is about making known one’s political views and inclinations or opinions about community issues. This indicator shows contrasting results from the previous section about engagement with family and friends. Results show that Midwest Latinos have the highest percentage (46.9%) of all racial groups to not discuss politics with family and friends. Here we can notice civic disengagement about political topics with family and friends (Figure 3). Following the same trend, Latinos reported the second highest percentage (80.2%) of not expressing opinions about political or community issues over the internet. Asians were slightly higher with (81.6%) in this category (Figure 4), although a majority across all groups tend not to express political opinions.

Figure 3. Discuss Politics with Family and Friends

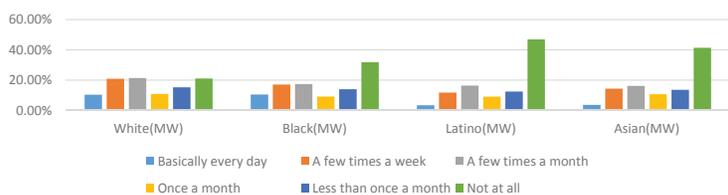
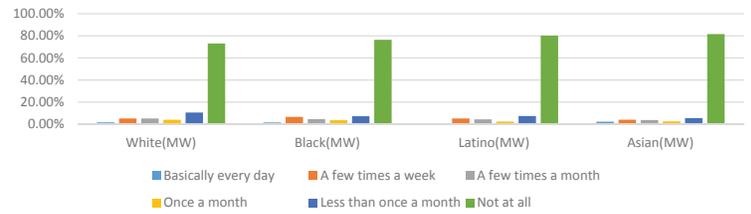


Figure 4. Express Opinions About Political or Community Issues on the Internet



Within the CIT framework, these results show that although Latinos value personal interactions with family and friends, said interactions may not be focused on political or community issues. Again, the storytelling network for Latino adults in the Midwest can have much potential to become a connection between residents and the communities in which they live. However, there may be lack of motivation or interest that is limiting discussion of community issues or politics in these households. Outreach in this area may require intervention to increase literacy on civic engagement topics and benefits.

Engagement within Neighborhoods

Trust has moved to the front seat of many Latino families in the face of a political climate that is increasingly portraying Latinos as a threat to security and as a social problem, especially when the focus is on immigration. For Latinos, this political climate can result in isolation and relative lack of cohesion within neighborhoods, especially when many Latinos have documentation issues themselves or are closely tied to someone who does. Said isolation may become an obstacle to civic engagement and full participation. Further, isolation could result in Latinos becoming a virtually invisible population that is not considered or consulted in many important decisions affecting their families and neighborhoods.

At the neighborhood level, Midwest Latinos responded second lowest (2.7%) of all racial groups with regard to engaging with neighbors in doing favors every day (Figure 5). Further, Latinos were still second highest (22.3%) in exchanging favors with neighbors less than once a month. A similar pattern appears when examining responses to the frequency of having conversations with neighbors. Latinos in the Midwest rated among the lowest (13.8%) of all the other racial groups for having almost daily communication with their neighbors (Figure 6). Consistent with this finding, they were the highest (18.6%) on not talking with their neighbors when compared to other racial groups.

Figure 5. You and Your Neighbors Do Favors for Each Other

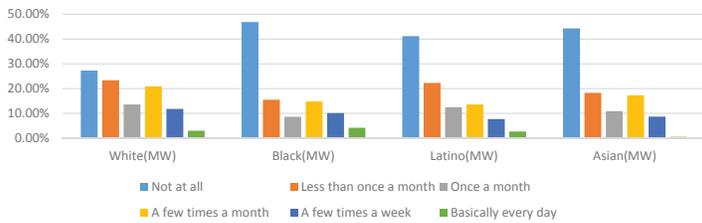
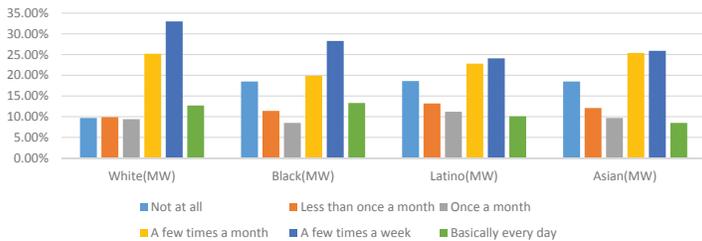
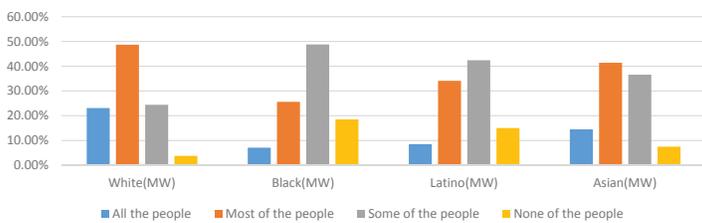


Figure 6. Talk with Any of Your Neighbors



Lastly, when asked about trusting other people in their neighborhood, Latinos were among the highest to report trust in some of the people (42.4%) in their neighborhood when compared to other major racial groups. It is interesting to note that Midwest Latinos were among the lowest (8.5%) in trusting all of the people in their neighborhoods, while Whites responded highest (23.1%) to this same category. This seems to be an indication of a population that is segregated. Further, this could be a reflection of the isolation and fear that many Latino families might experience due to the anti-immigrant political climate that pervades the country.

Figure 7. Trust People in Neighborhood



When considering the CIT framework, these results contribute to the context in which the storytelling occurs. It is readily seen that there might be some difficulty for Latinos to communicate and organize effectively and address issues affecting their families and neighborhoods. Beyond the constraints of time and motivation, Midwest Latinos may be living in neighborhoods where they are isolated or perhaps discouraged from civic engagement within their neighborhoods. In terms of outreach, these results indicate that it would be extremely important to build relationships that support trust with Latinos communities in the Midwest.

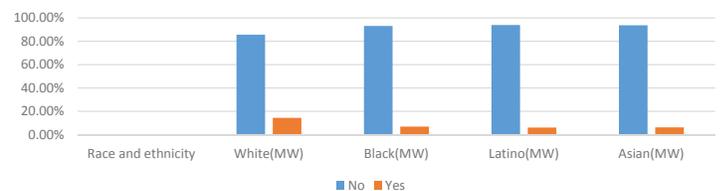


Engagement with Political Activities

Political activity is often placed at the center of civic engagement. This measure of engagement has the most available data and tends to be of immediate interest to public officials. Within the Latino population, there can be many challenges to becoming involved in public decision-making. Building from the previous results presented in this study, it is quite apparent that these challenges are present within Midwest Latinos given the issues of trust and lack of engagement at the neighborhood level.

This study looked at three different indicators of engagement with political activities. The first one asked Latinos to report whether they have bought or boycotted a product or a service for political reasons. This question reflects a level of engagement that is more personal and nested within family and circles of friends because the networks that are activated tend to be connected at a personal level by consumers of a product or service. This factor is one where one has most control and involves the least risk-taking. Latinos in the Midwest reported in the lowest rate (6.1%) of having been involved in buying or boycotting a product or service for political motivations (Figure 8).

Figure 8. Bought or Boycott Product or Service



The next indicator of engagement in political activities asked about contacting a public official at any level of government in

the last 12 months. Results show that Latinos in the Midwest were the second lowest (5.3%) on contacting a public official by visit or otherwise to express an opinion (Figure 9). Asians were the lowest with 3% of responses in the same category. As could be predicted, Whites had the highest percentage of responses (16.9%) in the “yes” category. A similar pattern can be observed for those who answered “no” to this question. Asians and Latinos were highest in “no” responses. The last indicator in this category is the frequency of voting in local elections.

At the national level, Latinos generally tend to have a low voter turnout. Results from this study point out that the same pattern holds for local elections for Latinos in the Midwest. Responses showed Latinos with the highest percentage (67.3%) for those who never vote (Figure 10). Consistent with this finding, Latinos were the group with the lowest percentage (13.8%) that reported voting always. Asians were the lowest with 8.2% of always voting.

Figure 9. Contact or Visit Public Official

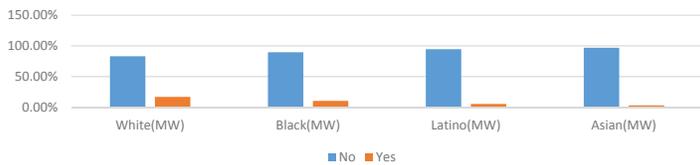
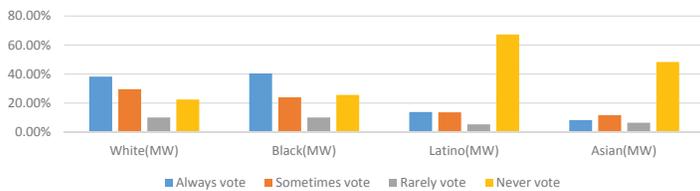


Figure 10. Vote in Local Elections



These results indicate that Latinos are only marginally engaged in political activity. Perhaps due to the issue of trust in combination with citizenship issues, Latinos are lagging behind on this indicator. Intervening with outreach on this area of civic engagement can be challenging, but can involve greater inclusion on public meetings and establishing a clear path of communication with public officials through trusted representatives at various levels of local government.

Engagement in Community Organizations

Community engagement is at the cusp of civic engagement and integration. Skerry (2003) proposed a community-centered approach to civic integration that emphasizes a distinction between civic integration and naturalization because naturalization presents an overly narrow view of civic integration. For instance, naturalization does not account for second

and third generation civic involvement. The study presents an initiative involving 14 Catholic parishes in predominantly Latino neighborhoods of southwest Chicago. This effort began with renovation of housing but soon partnered with social service agencies to address the needs of the community. Through the formation of neighborhood clubs, community residents addressed issues such as financial planning, credit management, saving for college, etc. The author concludes that such a model creates vested interest among the immigrants who will want to become more active in civic and political arenas.

The last indicator for this study examines the level of engagement in civic organizations for Latino adults in the Midwest. This indicator is composed of questions about participation within the past 12 months in organizations across various facets of the community. These include sports or recreation, service or civic, school or neighborhood, church or religious institution, and having an official role or seat on community groups. For sports or recreation, results show that the vast majority (94.5%) of Latinos are not engaged (Figure 11). As such, Latinos have the highest percentage of all other major racial groups in non-engagement for this variable. With regard to school and neighborhood or community association involvement, Latinos rated highest (91.2%) of all groups for not having participated in these kinds of organization (Figure 12). As for participation in church or religious organization (beyond attendance to regular religious services), Latinos reported higher participation rates than any of the other group categories with 16.8% participation rate (Figure 13). Compared to the other major racial groups, Latinos reported the second lowest participation rate. Examining participation in civic or service organizations, again, Latinos have the lowest rate (2.8%) of participation (Figure 14). Lastly, the survey asked about formal participation as an officer or serve as member of a committee or a community organization. Latinos were the most disengaged group with 95.7% not involved (Figure 15).

Figure 11. Sports or Recreation Organization

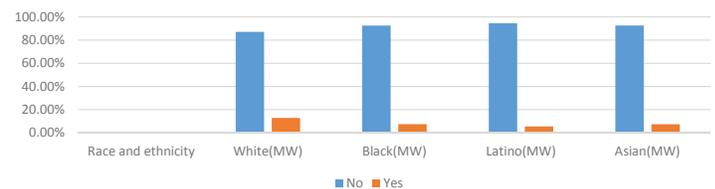
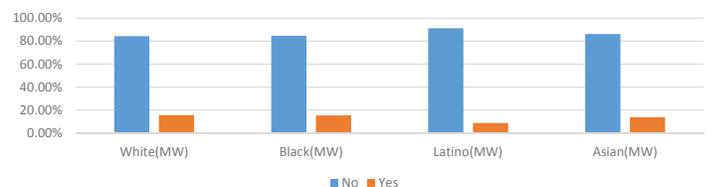


Figure 12. School, Neighborhood or Community Association



With regard to participation in church or religious organization (beyond attendance to regular religious services), Latinos reported higher participation rates than Asians but lower than the other group categories with a 16.8% participation rate (Figure 13). Compared to the other major racial groups, Latinos reported the second lowest participation rate. Examining participation in civic or service organizations, again, Latinos have the lowest rate (2.8%) of participation (Figure 14). Lastly, the survey asked about formal participation as an officer or serve as member of a committee or a community organization. Latinos were the most disengaged group with 95.7% not involved (Figure 15).

Figure 13. Church or Religious Institution – Not including attending services

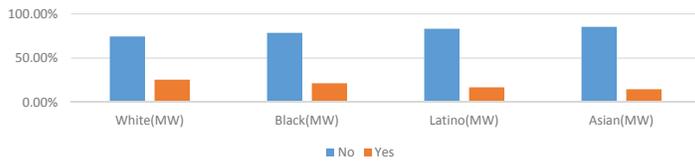


Figure 14. Service or Civic Organization

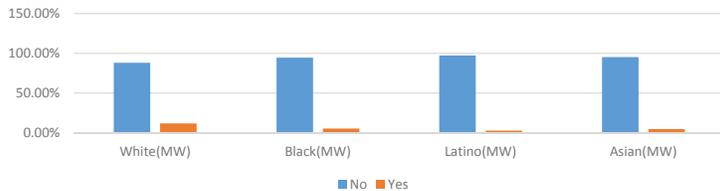


Figure 15. Officer or Service Position on Any Committees or Organization



These results further confirm a relatively disengaged profile for Latino adults in the Midwest. Once again, it is apparent that Latinos have the highest participation in church or religious organizations, which tend to be more trusted institutions and, for many, they are part of their regular activities. It is surprising that Latino adults are not more engaged in sports activities; however, there may be a time factor that prevents active engagement or lack of facilities to engage in sports they would be interested in practicing. The more formalized the participation, as in the case of schools and service in community organizations, the lower the participation rate on the part of Latinos. The reasons for this lack of engagement might be linked to lack of trust and/or systemic

exclusion. To improve this area of civic engagement for Latinos, outreach similar in approach to the one outlined by Skerry (2003) is needed.

CONCLUSION

Civic engagement for Latino adults in the Midwest can be full of challenges and obstacles. This study reveals that this is certainly the case for Latino adults in the Midwest. These obstacles can include structural factors such as isolation, lack of trust, time and work constraints, low use of communication technology, and low participation in community organizations. Social and psychological factors may include fear of government, low literacy levels, language barriers, cultural values, prejudice and discrimination. Given ongoing negative events, such as immigration raids, anti-immigration protests, and a hostile mainstream media, it is understandable that there is some distrust of government on the part of Midwest Latino adults. To actively participate in a democracy, a person or group needs to have motivation, capacity, and means. Motivation is already intrinsic when framed as issues that matter to livelihood and community. With motivation, one can open the door to capacity through outreach initiatives that are focused on seeking practical solutions that are culturally adapted to Latino strengths and constraints. The means to achieve active civic engagement for Latinos is in constructing a culturally grounded definition of networks, as well as, strengthening, connecting, and expanding these networks so that there can be more discussion and thought in the pursuit of solutions to the issues facing Latino communities. 🌐

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Seeking Asylum as a Mexican Victim of Drug Cartel Violence

Continued from Page 9

Given this unique experience, an acceptable solution would be to consider drug cartels a “de facto government,” which is an illegal or illegitimate government that, nonetheless, possesses lawful title.

Considering Mexican drug cartels a de facto government is not an extreme approach given that drug cartels have exerted extensive control over the Mexican government. In particular, cartels have infiltrated both law enforcement departments and government institutions by providing Mexican government officials with proceeds from their drug sales. In exchange for these proceeds, government officials provide cartels with protection and do not punish them for their criminal activities.

In addition, cartels implement strategies to ensure that they maintain control over the government. One particular practice that cartels engage in, for instance, is the manipulation of presidential elections to place individuals they control in office. With this kind of manipulation, as well as with the use of threats and murder, cartels are able to exert and maintain their control.



Mexican peace activist, Javier Sicilia and civilians participating in a march for peace in Mexico City. Photo courtesy of Wikipedia user, Zapata.

The Mexican Government is Unable/Unwilling to Control Drug Cartels

In their pursuit of asylum status, applicants could also argue that the Mexican government is unable and/or unwilling to control the drug cartels. This should not be difficult to establish because there is extensive evidence to prove this point. For instance, while governmental corruption may be a factor to discuss, an innovative discussion would involve *autodefensas* (self defense groups). Self-defense groups were created in

2013 in Michoacán, Mexico, as a way to provide protection to the community. The primary motivation in creating these groups was the impunity drug cartels enjoyed due to their successful infiltration of local police and government. The extent of corruption was so extreme that members of the community decided to provide their own protection. In return, the Mexican government failed to support these groups, thereby demonstrating its unwillingness to control cartels.

FURTHER ISSUES IN U.S. ASYLUM LAWS

Defensive Asylum Proceedings

While the difficulty in seeking asylum lies in the fact that Mexicans cannot prove the required nexus between persecution and qualifying criteria, it is the discriminatory nature of asylum laws which adds to the burden. For instance, a significant issue faced at the border is that Mexicans are placed in defensive proceedings regardless of whether they have a criminal record or not. This is unquestionably problematic because it essentially is labeling all Mexican applicants as criminals.

Interview Procedures

An additional discriminatory aspect of our asylum laws involves the “credible fear interview” procedures for asylum claims. In particular, Customs and Border Protection (CBP) officers, asylum officers in charge of conducting interviews, are inconsiderate of the applicant’s trauma and language barrier, which often affects their ability to communicate. Not only do CBP officers conduct interviews too rapidly, but they also fail to provide clarification regarding asylum claims, which results in them improperly interpreting the applicant’s story. Often, this leads to courts receiving documents with many discrepancies, which, unfortunately, are later used against the asylum applicant in court. Many attorneys, in fact, have stated that they often see identical boilerplate statements in interview reports, and that CBP officers often fail to accurately record asylum applicants’ statements.

CBP’s officers’ lack of consideration during the interview process is problematic because violence resulting from the Mexican drug war induces a sense of fear and insecurity within Mexican civilians, thereby placing them at risk for developing post-traumatic stress disorder (PTSD). PTSD typically develops after an individual lives a terrifying experience involving actual physical harm or a threat of physical harm. Being a victim of extreme drug cartel violence is undoubtedly a traumatic event, which could result in PTSD. Thus, CBP officers need training to be more considerate and understand that when an individual senses fear and insecurity their ability to communicate or recall

traumatic events is impaired.

As Lohmuller (2015) further notes, a study conducted by Meschoulam, *Estudio sobre defectos psicosociales por violencia en Mexico* (Study on Psychological Effects of Violence in Mexico), details the negative effects that drug cartel violence has on Mexican victims. This study was based on a sample of 333 people from 15 of Mexico's 32 states who were each given a questionnaire to complete. The results of this study revealed that 51 percent of the participants in the study said violence affected their work life, 72 percent said violence affected their social life, and 58 percent said that violence affected their family life. The study, in fact, revealed that 10 percent of the participants moved to a different residence out of fear of drug cartel violence.

Mescoulam's study highlights the severity of the negative effects that drug cartel violence have on a victim's well-being. But even more importantly, the results of the study make clear the need for a change in the way CBP officers conduct credible fear interviews. Currently, the manner in which credible fear interviews are conducted is both shameful and disturbing because it is highly discriminatory toward individuals living in fear of persecution. Without providing clarification, properly listening, and correctly interpreting the applicant's story, CBP officers are increasing the likelihood that asylum seekers will fail their interview and be removed from the U.S. Involving such a severe consequence as this one requires that efforts be made to ensure that these interviews are conducted in a serious and nondiscriminatory manner.

In order to ensure that credible fear interviews are conducted properly, CBP officers should be trained to ask both open and closed questions. These two kinds of questions are of great value because open questions, on the one hand, give interviewees an opportunity to expand on their story, while closed questions are more focused and make it less likely that the interviewee will divert from a critical question. Furthermore, it is crucial that CBP officers simplify a question if the interviewee's response indicates that the question was not fully understood. Because full comprehension of the interviewee's story is essential, CBP officers should also summarize the information collected at the end of each interview. This would help confirm that the correct information was obtained, while also demonstrating to the interviewee that the CBP officer was properly listening.

AMERICA'S FEAR OF OPENING THE FLOODGATES

An additional reason why Mexican victims are not easily granted asylum is due to the U.S.'s fear of the floodgates opening. This fear is based on the widespread beliefs that

numerous Mexicans desire to immigrate to the U.S. solely for economic reasons and that the majority of Mexicans enter the U.S. illegally. Unfortunately, these views and their attendant sentiments are held by immigration officials who have the authority to decline requests for asylum despite the existence of a valid claim. While Americans may believe that this is a reasonable fear, the truth is that most Mexican emigrants who come to the U.S. do so because of extreme situations, such as harassment, threats and persecution by drug cartels.

In order to make progress with respect to this issue, the U.S. must change its perception regarding Mexican immigrants. This perception is both discriminatory and destructive because it results in potential refugees being denied asylum. With such a grave consequence at stake, immigration officials should be educated on the many ways in which immigrants help build and fuel the U.S., so that their biases and prejudices are not reflected in their decisions regarding a persecuted immigrant's right to asylum.

Description of Drug Cartel Violence as Criminal

Portraying the violence generated by drug cartels as criminal also may affect the way in which the U.S. treats those individuals who are leaving Mexico. For instance, cartels are often described as engaged in armed conflicts with criminal groups and whose own objectives are also criminal in nature. Inevitably, in the American mind, innocent Mexican civilians become included in this negative connotation which may result in their innocence being questioned. A more appropriate way to describe the violence is as one resulting from an internal war that Mexico, as a whole, is facing. This definition separates victims from the negative connotation, thereby decreasing the possibilities that courts will hesitate when deciding whether or not an applicant qualifies as a refugee.

CONVENTION AGAINST TORTURE (CAT) AS A SECOND OPTION

Given the difficulty in establishing what qualifies for asylum, many immigrants seek relief under the Convention Against Torture (CAT). CAT is a relief that prohibits the removal of an individual who is more likely than not to be tortured upon return to their home country. In particular, CAT may provide relief to Mexican victims who are unable to meet the requirements for asylum because, in contrast to asylum, relief under the Convention Against Torture does not require that torture be based on one of the protected grounds of asylum. However, the limitation of this relief is that not all acts of violence are considered torture. For instance, although the CAT recognizes

both physical and mental torture, CAT does not recognize pain or suffering arising only from, inherent in, or incidental to lawful sanctions.

Argument for Likelihood of Torture if Returned to Home Country

Victims of drug cartel violence are likely to be able to show that they will be tortured if returned to their country of origin because cartels engage in extreme torture techniques, which would likely be considered gruesome enough to constitute the kind of torture required under CAT. Victims can also refer to the danger in Mexico, as a whole, in crafting their arguments. For instance, Mexico now ranks first in the Americas in kidnappings, and there is evidence showing that more than 28,000 Mexicans have been murdered since 2006.

Barrier to CAT Relief

In contrast to asylum, which requires that the persecutor either be the government or an entity that the government is unwilling or unable to control, CAT relief requires that the pain or suffering be inflicted by, at the instigation of, or with the consent or acquiescence of a public official or other person acting in official capacity.

This particular requirement is often the most significant barrier in applying for relief under CAT because it is not an easy task to show acquiescence or consent. That is, many times, due to corruption and secretive collaborations between government officials and cartels, it is difficult for a victim to prove this requirement. Although courts differ in their point of view regarding the acquiescence requirement, numerous circuit courts have interpreted this requirement to mean that the government official who will torture the petitioner, or acquiesce in the torture, will act under color of law. Acting under color of law refers to when an official wrongfully uses his/her authority. Acting under color of law also includes situations in which violence arising from a personal dispute that takes place when the government official had access to the victim as a result of being a government official, or the government official was able to exert violence by the exercise of government authority. Given the extensive corruption characterizing the Mexican government, Mexican asylum seekers should be able to prove the acquiescence requirement for CAT relief.

Arguments for acquiescence

In situations where a petitioner can only demonstrate that they will be tortured by members of drug trafficking organizations, and that there will be no government involvement,



it may be argued that these organizations constitute as the de facto government of the nation. Consequently, any torture committed by those organizations is “government torture” for purposes of CAT. This is a viable option given that the facts that have been previously mentioned showcase drug cartels’ extensive control over the Mexican government.

The Mexican Government Does Not Act Monolithically

Another barrier to CAT relief involves the fact that governments, especially in times of crisis, do not act monolithically. For instance, within the Mexican government, there are officials who supposedly are attempting to prevent torture, while other officials are acquiescing to the torture. As a result, judges, in particular, are unsure of how to address this issue and have often denied CAT relief given that some officials are attempting to prevent torture.

THEORIES AS GUIDING PRINCIPLES

Because of the many burdens in applying for asylum, theories should be used in developing guiding principles in order to amend the rigid requirements of asylum law.

Humanitarian Theory

The humanitarian theory of international refugee law focuses on the asylum seeker’s need for protection, regardless of how that need came about. Essential to this theory is the immediacy and degree of life threatening violence confronting an applicant.

Under this theory, Mexicans may be seen as eligible to be granted asylum because the danger they experience is often immediate and life threatening. In applying this theory, the court’s analysis would likely emphasize the severe harm civilians would experience, such as extreme torture and/or death. Furthermore, despite any evidence of a direct threat, the court may also refer to statistics displaying the violence in Mexico in general. Such statistics would help further highlight the

applicant's immediate need for protection.

Human Rights Theory

Under human rights theory persecution is defined as the continuous or orderly violation of basic human rights, indicative of a failure of state protection. This theory is particularly helpful to asylum seekers escaping cartel violence because, although the Refugee Convention may not specifically address Mexico's current drug war, this theory suggests that adaptations be made in order to provide protection to those persons experiencing unique torture and violence, such as many Mexican civilians. However, while this theory is more accommodating, its major flaw is that it fails to address the nexus between the persecution and one of the protected grounds, which is required for asylum. This is particularly problematic because the Refugee Convention was drafted for the primary purpose of providing protection for certain kinds of harms. The human rights approach should, thus, be used solely as a guiding principle in emphasizing the importance of recognizing other forms of persecution, such as cartel violence. This kind of usage of the theory will hopefully broaden the protected grounds of persecution, so that Mexican civilians can also be able to prove their eligibility for asylum. By only utilizing the human rights approach for this purpose, the nexus requirement, which is essential to the Refugee Convention, will continue to prevail.

CONCLUSION

Statistics and the mass media highlight the atrocious drug wars that Mexico is currently experiencing; thus, this tragedy is by no means unknown to the U.S. The U.S. knows about the threats, murders, and corruption in Mexico, and nonetheless, fails to amend its laws to make asylum an option for Mexican victims of cartel violence. By failing to amend its asylum laws, the U.S. conveys the view that the fear and vulnerability experienced by Mexican victims is of little importance. In other words, this failure is an act of discrimination because it favors some refugees, while denying protection to others. This is highly problematic because the very core of the Convention is to provide protection to the most vulnerable and helpless, without making any distinctions among people.

The Convention was by no means drafted to leave out certain immigrants from the possibility of seeking refuge. It is, thus, the U.S.'s obligation to amend its asylum laws to reflect the drafters' intention, as well as the current realities that many Mexican victims of cartel violence are facing today. 

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Behind the White Picket Fence: Power and Privilege in a Multiethnic Neighborhood

Continued from page 5

She argues that scholars need to fully consider power and the limitations of good intentions in interracial interactions. Otherwise we cannot challenge the inequitable racial contract. She indicates that diversity in its current forms is neither about equity nor justice but, rather, reinforces White privilege. It focuses on the acceptance of difference while simultaneously reinforcing the racial status quo. Her argument is that diversity ideology maintains inequitable racial systems because it focuses on the intentions of privileged persons as opposed to the racialized outcomes of their actions.

This is a great book about diversity and social integration. Mayorga-Gallo offers a critical analysis of the use of diversity, arguing that when we focus on diversity as acceptance rather than as reciprocal engagement and equity, we limit the scope of our conversation and, in turn, our actions. As scholars, she suggests we must take into account measures of power and the distribution of resources across different groups when discussing integration. Scholars must consider social interactions, including measures of reciprocity and closeness. In addition, she asserts we need to challenge the ideological assumptions associated with diversity and make sure we are asking the right questions and addressing the right problem. We must consider not only material outcomes, but also the social, political, and psychological effects of living in multiethnic spaces for all racial-ethnic communities, particularly marginalized ones. 

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