Cartagena, Juan
Reseña de "Latino/a Rights and Justice in the United States: Perspectives and Approaches" de José Luis Morín
The City University of New York
New York, Estados Unidos

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organized topically to explore diversity among Latina/o subgroups, *Latinos in New England* is one of the few delving deeper into a particular region to explore the diversity, complexity, challenges, and exciting possibilities as a result of growing Latina/o communities.

As Torres and other contributors note (introduction as well as chapters 1, 2, and 5 especially), without the influx of Latinos and Latin American immigrants throughout the region, New England would be characterized by a significant population decline with serious socioeconomic consequences. Each of the essays provides a compelling examination into the various ways that Latina/o communities have contributed economic, cultural, social, and political vitality to a region Torres notes is “one of the most tradition-bound” areas in the nation (2). The book is also a powerful reminder that any analysis of Latina/o (or any immigrant) community formation and incorporation needs to take into account the power of place in order to understand completely the range of these experiences (Pacini Hernandez 168).

**Latino/a Rights and Justice in the United States: Perspectives and Approaches**

By José Luis Morín

Durham, NC: Carolina Academic Press, 2005

308 pages; $33.00 [paper]

REVIEWER: JUAN CARTAGENA, Constitutional and Civil Rights Attorney

Few written accounts of the struggle of Latino communities in the United States incorporate how Latinos employ the legal process as a tool for social justice, aggressively, strategically, and successfully. José Luis Morín offers this perspective in an otherwise general overview of Latino struggle covering a wide range of issues that intersect with the law. He does so by looking back at a number of court cases that have earmarked this struggle, and he does so by looking forward to international law norms that continue to reveal U.S. isolationism. In doing so, Morín covers, albeit briefly, numerous issues that merit more discussion, even as the book contributes to a better discourse and understanding of how Latinos have asserted their civil, constitutional, and human rights.

*Plessy v. Ferguson* upheld “separate but equal” segregation in public transportation, *Brown v. Board of Education* outlawed it in public schools, and each case has reached iconic status in the Black community. Clearly, slavery and its legacy are at the center of the narrative of how the constitution must eradicate unlawful discrimination. Morín posits that this narrative was displaced by U.S. foreign policy in Latin America, which racialized and thus subordinated Latinos here at home.

Latinos, on the other hand, have engaged the legal process with vigor. Theirs has been an episode of how race was redefined in the U.S. legal construct. By displacing the narrative, Latinos forced the courts to reassess a jurisprudence previously rooted in the binary of black and white. Admittedly, the task of getting American society to understand this complexity remains undone. But the efforts within the halls of justice were led by Latino families, activists, and lawyers, whose stories are evidenced by a handful of cases that epitomize the contestation for equal rights in this country. Their cases must find a space in the lexicon of that...
struggle: for example, *Mendez v. Westminster School District* outlawed the segregation of Mexican children in California’s public schools eight years before *Brown*. The case was begun by a Mexican father and Puerto Rican mother who questioned why their children were subjected to an inadequate and segregated learning environment. The *Mendez* case established that the *de jure* segregation of Latino—“Spanish surnamed”—children fosters an inferiority inimical to the principles of equality. In another case, *Hernandez v. Texas*, the Supreme Court, for the first time applied the 14th Amendment’s Equal Protection Clause—the touchstone of all American civil rights law—to Latinos. *Hernandez* ushered in the start of Mexican-American lawyering, and his actions created the stage for the first argument in the U.S. Supreme Court by Latino (Mexican-American) attorneys and broke ground for an incredible civil rights activism to come. In this section of the book Morín tackles Latino drug use, including the myth that Latino drug use is disproportionately higher than drug use by whites. He also elaborates on the underrepresentation of Latinos in positions of power in the justice system and the concomitant overrepresentation of Latinos in our prisons. Under the new activism, Morín also focuses on Latinos in law enforcement and highlights the important work of professional associations in law, specifically the Latino Officers Association.

Criminal justice is a continued theme throughout the following portions of the book; profiles and case studies are used to humanize the discourse. Morín highlights the courage of Iris Báez in New York City and Alex Sánchez in Los Angeles to address issues of police brutality and gang-related violence; their stories provide important contributions to the study of Latino/a activism at the street level. Indeed, their work in the Puerto Rican and Salvadorean communities, respectively, provide a snapshot of police/community relations that engendered skills for organizing and nationally. This commonality is not sufficiently developed in the text, however, as the profiles of these individuals are too short to allow for better insights into how their struggles can be used for national advocacy. Indeed, national Latino

Manifest Destiny, and U.S. imperialism are all highlighted as a means to racialize Latinos as “other.” These policies provided the racial justifications for imperialism abroad and discrimination and unequal citizenship at home. In his book, Morín utilizes a number of examples that would inspire excellent classroom discussion. Racial profiling and the prevalence of discriminatory “stops” in the streets of Latino urban America are expertly detailed, paving the way for a fuller discussion of Latinos in the criminal justice system. In this section of the book Morín tackles Latino drug use, including the myth that Latino drug use is disproportionately higher than drug use by whites. He also elaborates on the underrepresentation of Latinos in positions of power in the justice system and the concomitant overrepresentation of Latinos in our prisons. Under the new activism, Morín also focuses on Latinos in law enforcement and highlights the important work of professional associations in law, specifically the Latino Officers Association.

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advocacy groups, with a few exceptions such as the National Council of La Raza, have yet to tackle the issues of Latinos in the criminal justice system, let alone the abysmal overrepresentation of Latinos/as in the “punishment industry”—to coin the term Angela Davis uses to describe the prison industrial complex. The histories of Báez and Sánchez would serve those efforts well. Juvenile justice, delinquency, and student activism are also tackled in the chapter on “Palenque,” a youth-based cultural and educational program in the Dominican community of New York City’s Washington Heights, where Morín is more participant than observer. Relying extensively on anecdotes, Morín paints a positive account of engagements over race, class, violence, and neglect. These situations are successfully negotiated when cultural programs are combined with academic, career, and conflict resolution interventions. The chapter adds a human face to the historical, legal, and sociological themes developed throughout.

The book ends on what is easily its best note. The acceptance of international human rights norms in the United States is a painfully slow and gradual process. Recent developments in the “war on terror,” the invasion of Iraq, the rejuvenation of capital punishment, the disregard of the Geneva Accords in Guantanamo, the abuses at Abu Ghraib, and the Bush administration’s version of interrogation in the Guantánamo (Hamdan v. Rumsfeld), a decision upholding the basic tenets of the Geneva Convention. These are the exceptions, not the norm. Tellingly, Morín would add here, the Senate’s failure to ratify international covenants and treaties in international human rights exacerbates U.S. isolationism. In fact, the United States, along with a few other nations, has yet to ratify the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination on all forms of Discrimination against Women, and the Convention on the Rights of the Child. Additionally, even when the international covenants are ratified, America ignores enforcement, as has happened with the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.

Morín’s significant contribution in this regard is his call for the application of critical international human rights norms to the real experiences of marginalized others in America. He argues convincingly, must be able to seek group minority rights under international law to address subordination at home. Economic, social, and cultural rights stand on equal footing with political and civil rights under international law, and should provide a space for expanding the discourse on the treatment of minorities in the U.S. The inclusion of numerous appendices in the international human rights arena is a welcome addition as well. The book addresses these norms by briefly superimposing them on the conditions of Latina women, children, poor...
communities, and language minorities in the U.S.; there is also a section on capital punishment. But the significant role Latino/as have played in developing shifting language policies in this country merits more analysis than this text gives. Still, Morín has made his point: international human rights norms must be considered as an indispensable element in the discourse concerning the treatment of Latino/a residents, migrants, and citizens in this country. It is a point well taken and an avenue for excellent discussion in any classroom.

**Latinos and the New Immigrant Church**

By David Badillo

Baltimore: The Johns Hopkins University Press, 2006

275 pp; $22.95 [paper]

**REVIEWER:** **SEGUINDO PANTOJA,** The City University of New York—Borough of Manhattan Community College

The introductory reader interested in understanding the background to Latinos’ Catholic roots and their ramifications until the present will benefit from David Badillo’s narrative and concrete illustrations of how Hispanics have become part and parcel of Catholicism in the United States. He travels as far back as medieval Spain and traces the main features of Catholicism’s transplantation to the New World. The chapters are developed chronologically and guide the reader to present-day issues regarding Latinos’ relations to the Catholic Church. The background on antecedents and evolution is essential in understanding some of the reasons why Latino and Anglo Catholicism have areas of incompatibility. Readers can appreciate that Latin American religiosity has adapted considerably to the U.S. context, without being totally assimilated. There are things that change with time, but others seem unalterable. Lay involvement in parish administration illustrates the former, and the overriding centrality of and devotion to Mary proves the latter.

Badillo analyzes the relationship of various nationalities to the institutional church. He examines these interactions as they happened in their countries of origin and follows Mexicans as they moved to the Southwest and Midwest, Puerto Ricans as they moved to New York, and the Cubans as they moved to Miami. Latino Catholicism acquired a different flavor in each locale depending on several factors, principally the timing and the history leading up to the incorporation of the various immigrant groups. Thus, one learns about the historically significant role of San Antonio as the nucleus of Latino Catholicism, whose initiatives have expanded to the entire nation; Catholic New York is marked by the strong links between New York’s archdiocese and Puerto Rico after 1898; and Miami’s context is shaped by the aftermath of the Cuban Revolution. The evidence of more than a century’s worth of Latino Catholicism in the United States demonstrates the dedication of religious men and women to Hispanics’ spiritual and material needs. Throughout the country and over time, the influence of communities, and language minorities in the U.S.; there is also a section on capital punishment. But the significant role Latino/as have played in developing shifting language policies in this country merits more analysis than this text gives. Still, Morín has made his point:

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