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## **Understanding the voice behind The Latino Gangsters**

**Mauren G. Navarro Castillo\***

### **Abstract:**

There is a story circulating on the Internet and the media about a fictional article from Arnaldo Jabor in which Capo Marcola gives an account of the reasons why he became a drug dealer. This fictional interview is significant because Marcola's statements were taken as true and as it was disseminated by the media it gained strength because it represented the realities of many oppressed groups. The apocryphal story of capo Marcola exemplifies a disenfranchised individual facing extreme hardship who is being forced to make life-changing decisions. Marcola's speech highlights some elements: stratified classes, economic crisis, poor educational system, and government corruption. Many people in Latin America living in similar situations feel identified with Marcola's story (Hoftman, 2009; Filgueira, C., & Peri, A., 2004; Petit, J.M., 2003). Some of these inequalities contribute to the development of "different" values and beliefs in marginalized sectors. Issues that will be discussed in this presentation include an analysis of Marcola's beliefs, his construction of learning, knowledge acquisition, and his street smarts. I will address the multiple forms of stratification of the marginalized in order to understand how Marcola's discourse reinforces class inequality; how marginalized people respond to these inequalities; and the role of the educational system in determining the destiny of such groups. Because education is the gateway to political and economic opportunities, it is important to help the marginalized to extricate themselves from this cycle and provide a system that addresses their real needs.

### **Key Words:**

Critical Race Theory, crisis, counter storytelling, discrimination, drug trafficking differential racialization, favelas, hate message, hidden curriculum, interest convergence, ninis, oppression, poverty, spirit murder.

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*No one is born hating another person because of the color of his skin, or his background, or his religion. People must learn to hate, and if they can learn to hate, they can be taught to love, for love comes more naturally to the human heart than its opposite."*

**Nelson Mandela**

## **Introduction**

Using a Critical Race Theory (CRT) framework, this essay utilizes counter storytelling to examine the culture of the Gangsters. The content of this essay analyzes various theoretical and conceptual issues such as class, Latinos, capitalism, cultural nationalism, civil rights acts, determinism, differential rationalization, discourse, discrimination, and hegemony and how those theoretical concepts interconnect in the daily life of the Gangsters.

There is a story circulating on the Internet and the media about a fictional article from Arnaldo Jabor in which Capo Marcola gives an account of the reasons why he became a drug dealer. The importance of this fictional interview is that Marcola's statements were taken as true and as it was disseminated by the media it gained strength because it represented the realities of many oppressed groups. The apocryphal story of capo Marcola is the example of a disenfranchised individual facing extreme hardship who is being forced to make life-changing decisions. Many people in Latin America living in similar situations feel identified with Marcola's story (Hoftman, 2009; Filgueira, C., & Peri, A., 2004; Petit, J.M., 2003)

Most people believe that these events happen far away and that violence will never catch up to them. How can we better understand the realities of the minority known as the Maras? The lens of Critical Race theory can bring some answers. In this essay I will define what CRT theory is and then deconstruct the Marcola's apocryphal interview under the light of Latin-American perception of inequalities.

Capo Marcola... "I am a sign of the times. I was poor and invisible. You never looked at me for decades and it was once easy to solve the problem of poverty. The diagnosis was obvious: rural migration, income gap, misery, discrete peripheries, the solution never appeared from the governments... What did they do? Nothing! Does the Federal Government ever set aside some budget for us? We were just news in the rubble of villages in the mountains or romantic music on "the beauty of the

mountains at dawn,"those things ... Now we are rich with multinational drug cartels. And you are dying of fear." Marcola's apocryphal<sup>1</sup>

This article will discuss the multiple forms of stratification of the marginalized in order to answer the questions: ***How does Marcola's discourse reinforce class inequality? How did marginalized people respond to these inequalities? What is the role of the educational system in determining the destiny of many marginalized groups?*** In order to bring a voice to Marcola's story, I will use the storytelling method that Delgado & Stefancic (2001) point out when they assert, "Many victims of racial discrimination suffer in silence, or blame themselves for their predicament. Stories can give them voice and reveal that others have similar experiences. Stories can name a type of discrimination; once named, it can be combated" (p.43). Marcola's narration is an apocryphal; however Marcola is the voice of many marginalized people who are tired of being oppressed<sup>2</sup>. For example, the research of Interpeace (2011) highlights, "The causes of youth violence are numerous and operate at different levels. At the macro level, specialized studies in the subject indicate that youth violence is the result of deep structural problems such as social exclusion and inequality experienced by certain groups, and the state's inability to offer any and all citizen, especially children and youth, equal access to basic services such as education, health, employment, security and justice, among others" (p.6). Therefore, some marginalized people turn into a *capo*. For example, the character of Marcola could be my neighbor, the little kid of "los barrios bajos" of Comayaguela in Tegucigalpa. Marcola could also be "La Maria" of the Mejia Godoy who sells her body to the highest bidder; in the world of "nobody" there are many manifestations of disempowerment.

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<sup>1</sup> This article circulates by Internet. This is an interview from newspaper O Globo from Brazil Marcos Williams Herbas Camacho, known in the Brazilian underworld as "Marcola, leader of a criminal organization, who is currently incarcerated in a prison in the state of São Paulo. The harshness with which the capo details the structure and way of working of this organization offers a picture of what marginal groups can become. Being a fiction article by Arnaldo Jabor, he developed a scholarly discourse. Its purpose was to show that the public authorities, in the hands of an incompetent or corrupt leader, destroyed (in Brazil and elsewhere) the basis of social coexistence.

<sup>2</sup> The research of Interpeace (2011) reveals that, "Children and young people are not violent by nature, their violent acts usually respond to an environment that pushes them to act this way. In many cases, youth violence is an expression of discontent or dissatisfaction of children, adolescents and youth" (p.4). This study makes emphasis about the importance of examining the circumstances that lead children, adolescence and youth to act violently. In this sense, one must take into account the background of violence. Central American and Latin American countries have a history of violence: The days of colonization, the founding of the nation state and, more recently, fighting in the seventies and eighties. These historical periods are characterized by intense conflicts of power, control, inequality, discrimination, ideological and other conflicts; where states and groups in conflict use violence. This context has a negative accumulated impact on childhood, adolescence and youth groups traditionally marginalized and socially excluded. Therefore, youth violence can be the result from the absence of social support, inequality and oppression (Interpeace, 2011).

Delgado & Stefancic (2001) highlight the idea that, "Engaging stories can help us understand what life is like for others, and invite the reader into a new and unfamiliar world" (p.41). This counter story could support some theoretical and pedagogical functions: 1) It can create a conscience of what it means to be disempowered. 2) It can challenge the government establishment. 3) It can show the other side of the story to understand how marginalized people live and how painful it is to be unnoticed. 4) It can teach us how a fictional story is more appalling than a real story; therefore it can create an awareness of the issues that need to be addressed.

My approach to Critical Race Method of this counter story will focus on some concepts that borrow from authors like (Marcus, 1972; Delgado & Stefancic, 2001; Matsuda et al, 1993; Bell, 1993; and others). I will explore the *Dialectic Method* to analyze this discourse from six successive moments: ontological, epistemological, inquiry, self- clarification, exposition, praxis (Ollman, 1998, p.341).

### **The story begins here**

**Reporter:** Are you of the PCC?<sup>3</sup>

**Marcola:** I am a sign of the times. I was poor and invisible. You never looked at me for decades and in the past it was easy to solve the problem of poverty. The diagnosis was clear: Rural migration, income gap, few slums, safe suburbs; the solution never appeared.

What did they do? Nothing. Did the Federal Government ever set aside resources for us? We were just news in the rubble of shanties in the mountains or romantic music on "the beauty of the mountains at dawn," those things ... Now we are rich with multinational drug cartels. And you are dying of fear. You are scared to death.

We are the belated beginning of your social consciousness. Did you see it? I am educated. I am reading Dante in prison.

**Reporter:** What is the solution?

**Marcola:** Solution? There is no solution, brother. The very idea of "solution" is a mistake. Have you seen the size of the 560 slums of Rio? Have you ridden in a helicopter to the outskirts of San Pablo? Solution, how? There only could be a solution spending many millions of dollars in an organized fashion, with a highly qualified

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<sup>3</sup> The First Capital Command (PCC) is one of several signs of being in a gang who really controls the prison system in the country. This group emerged in Sao Paulo with the prisoners who survived one of the worst prison massacres in the history of Brazil, in the early nineties, in which state police killed about 111 inmates to quell a riot. Retrieved from [http://news.bbc.co.uk/hi/spanish/latin\\_america/newsid\\_4985000/4985746.stm](http://news.bbc.co.uk/hi/spanish/latin_america/newsid_4985000/4985746.stm)



leader, immense political will, economic growth, education reform, general urbanization and everything should be under the guise of an "enlightened dictatorship" overcoming the secular bureaucratic paralysis, which envelops the Legislative accomplice. Or do you think the bloodsuckers will not act? If you are not cautious, they will steal from the PCC. There should be a radical reform of the judicial process in the country. There should also be communication between police and military intelligence: Municipal, provincial and federal (we make "conference calls" among inmates.) All that would cost billions of dollars and would involve a profound psychological change in the country's political structure.

That is impossible. There is no solution.

**Reporter:** Are you not afraid to die?

**Marcola:** You are the ones who are afraid to die, not me. Rather, here in prison you cannot come and kill me, but I can send out men to kill you. We are man-bombs. In the slums there are a hundred thousand man-bombs. We are at the heart of the insoluble. You are between good and evil, at the edge of death, the only boundary. We are now a new "species," a different type of bug, different from you.

Death for you is a Christian drama on a bed, a heart attack. Death for us is our daily meal, lying in a common grave. Do you intellectuals not talk about class struggle, to be marginalized, to be a hero? Then we came! ha, ha, ha.!

I read a lot! I read 3000 books. I read Dante, but my soldiers are twisted, strange anomalies of development of this country. No more proletarians, or unhappy, or exploited. There is a third thing growing out there, planted in the mud, educated in absolute illiteracy, graduating in prison, like an Alien monster hiding in the corners of the city. Now there is a new language. Don't you listen to the recordings made with "permission" of justice? That's it. It's another language. It is in front of a sort of post-misery. The post-misery generates a new culture-killer, aided by technology, satellites, cellular, Internet, modern weapons. It's all that crap with chips and megabytes. My foot soldiers are a mutation of the social species. They are mushrooms growing out of a big, dirty mistake.

**Reporter:** What changed in the suburbs?

**Marcola:** Mangos (money). Now we have them. Do you think someone like Beira Mar who has \$40 million is not in control? With \$40 million, prison is a hotel. What police would burn that gold mine, get it? We are a modern and rich enterprise. If an officer hesitates he is fired and "placed in the microwave." You are a bankrupt state,

dominated by incompetents. We have agile management methods. You are slow and bureaucratic.

We are fighting on our turf but you are not. We do not fear death. You are scared of death. We are well armed. You have a 38. We are attacking, you are defending. You have the habit of humanism. We are cruel, merciless. You transformed us into “super stars” of crime. You are clowns. We are aided by the people of the slums, out of fear or love. You are hated. You are regional, provincial. Our weapons and products are imported. We are "global." We do not forget you are our "customers." You forget about us after the shock of our violence has passed.

**Reporter:** But what should we do?

**Marcola:** Let me give you an idea, even if it worse against me. Catch "the barons of dust" (cocaine)! There are deputies, senators, generals; there are even former presidents of Paraguay in the middle of the cocaine and weapons. But who is going to do that? The army? With what money? They have no money for food and recruits. The country is bankrupt, sustaining a dead state with 20% interest per year, and Lula is still increasing public spending, employing 40.000 scoundrels.

**Reporter:** Will the army fight the CCP?

**Marcola:** I'm reading Clausewitz about the war. There is no prospect of success. We are devouring ants, hidden in the corners. We even have anti-tank missiles. If you attack us we will use our Stingers. To destroy us, you will need to drop an atomic bomb on the slums. Have you thought about it? A radioactive Ipanema?

**Reporter:** Is there no solution?

**Marcola:** You can only succeed if you cease to defend the "normal". There is no normal any more. You need to become critics of your own incompetence, be honest, moral.

We are all in the center of the unsolvable. Only we are living in it and you have no way out. Only shit. And we are already working within it. Understand me, brother, there is no solution. Do you know why? Because you don't understand the extent of the problem. As Dante wrote in the Divine: "You lose all hope. We are all in hell."

This apocryphal shows the reality of many marginalized communities which express themselves through this painful and strong speech. Delgado (1989) points out the idea that, “stories told by underdogs are frequently ironic or satiric... Spanish tradition uses picaresque novel or story” (p.2). It is clearly evident the sarcastic tone Marcola uses is to describe a very crude reality. The ontological vision of Marcola's reality is based on the collective vision of his beliefs and values (Vander Veldt et al,



2010; Ollman, 1998). We need to think about which elements are coalesced in a social structure and create a reality for many marginalized individuals. Those elements are creating a story that needs to be told and it is the other truth that Marcola wants to tell us. Delgado (1989) points out the idea that there is more than one truth and we need to interpret those truths to find a social justice in us as individuals (Matsuda, 1991). What is Marcola's story and version of the truth? To develop social justice we need to "listen for the story's point, and test it against his or her own version of reality" (Delgado, 1989, p.15).

Marcola's story is a call for attention. He states that no one cares about poor people and their basic needs. He calls for solutions in the moment, solutions that could be possible to bring some answers to their problems: "*I am a sign of the times. I was poor and invisible. You never looked at me for decades and in the past it was easy to solve the problem of poverty.*" But, what is Marcola's problem about? It seems to be a problem of inequality based on social class and racism "*The diagnosis was clear: Rural migration, income gap, few slums, safe suburbs; the solution never appeared.*" Solorzano & Yosso (2001) highlight the idea that, "Race and racism are endemic and permanent and they intersect with other forms of subordination like gender, class discrimination, racial oppression" (p.472). It is in this intersection that we can find some answers to the Marcola's problem.

Bell (1993) helps us better understand these asymmetries when he mentions

"The fact is that, despite what we designate as progress wrought through struggle over many generations, we remain what we were in the beginning: a dark and foreign presence, always the designated 'other.' Tolerated in good times, despised when things go wrong as a people we are scapegoated and sacrificed as distraction or catalysis for compromise to facilitate resolution of political differences or relieve economic adversity" (p.10).

Bell's paragraph makes us reflect on **differential racialization** wherein racial groups are viewed and treated differently by mainstream society (Delgado & Stefancic, 2001, p.145). Marcola's apocryphal is clear about this differential racialization when he mentions:

"Solution? how? There only could be a solution spending many millions of dollars in an organized fashion, with a highly qualified leader, immense political will, economic growth, education reform, general urbanization and everything should be under the guise of an 'enlightened dictatorship' overcoming the secular bureaucratic paralysis, which envelops the Legislative accomplice."

*No advance in wealth, no softening of  
manners,  
no reform or revolution has ever brought human equality a  
millimeter nearer.*  
**George Orwell**

This paragraph of Marcola's speech highlights some elements: *stratified classes, economic crisis, poor educational system, and government corruption*. These are realities present in most of Latin American countries today. These realities are built on a specific context which develops a system that is compatible with multiple "ways of knowing", experience-based gut feelings and how knowledge is acquired (Rasmussen, 1985).

To clarify some of Latin American socioeconomic realities, we need to understand the context in which marginalized people live, their internal relations and understanding of the different problems that invade the Latin American reality: Poverty, class division, inequality, and a poor educational system, among others. (Olafson, L., et al, 2010; Brea, J. A. 2003; Ocampo, J.A. 2004; World Bank, 2006)<sup>4</sup>. For example, the report of Interpeace (2011) reveals that "in Guatemala, the schooling of a total group in extreme poverty (29 percent), almost half do not have any degree of formal education, while half of the higher income strata (3 percent) have higher education. In addition, there is a deep historical process that has been dominated by social contradictions and above all the call for justice, indifference and violence by the state-controlled sectors and excluding powerful" (p.13). Some of these inequalities contribute to the development of "different" values and beliefs in marginalized peoples. What are Marcola's beliefs? What is Marcola's construction of learning? And

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<sup>4</sup> It is important highlight that many authors agree that the "lost decade in LA" has had a great impact in today's LA socio-economic realities. For example \*Ffrench-Davis (2009) points out "Notwithstanding the heterogeneity among Latin American countries (LACs), most of them exhibit both (i) low GDP growth and (ii) increased inequality since the early 1980s. This long period includes the "lost decade", when the outcome in both variables was evidently negative. But, also the subsequent period, since the early 1990s of intense reforms under the Washington Consensus approach, has been negative on both grounds" (p.V). Today some of the problems above mentioned such as poverty and class division are manifested in many statistics. The report of Interpeace (2011) points out that, "Inequality and social exclusion characterized the history of Guatemala and affect most people, especially indigenous peoples. The marginalization of broad sectors of society is reflected in the inequality of income distribution: 40 percent of the poorest population receives 9 percent of revenue, while 20 percent of the more successful receive 64 percent" (p.12). Ffrench-Davis, R. (2000). *Reforming the reforms in Latin America: Macroeconomics, trade, finance*. Macmillan.

where has Marcola acquired knowledge? What is Marcolas' school? These are some questions that will be investigated in the development of this work.

Marcola's apocryphal states:

"There is a third thing growing out there, planted in the mud, educated in absolute illiteracy, graduating in prison, like an Alien monster hiding in the corners of the city. Now there is a new language. Don't you listen to the recordings made with "permission" of justice? That's it. It's another language. It is in front of a sort of post-misery. The post-misery generates a new culture-killer, aided by technology, satellites, cellular, Internet, modern weapons. It's all that crap with chips and megabytes. My foot soldiers are a mutation of the social species. They are mushrooms growing out of a big, dirty mistake."

The elements that interconnect in Marcola's speech are a reality expressed by many authors: Unequal distribution of income, growing unemployment, corruption in the police and governmental institutions, the governance of crime that is rather based on greed and fear; it is expected that organized criminal activities will increase and extend in Latin America and Caribbean States (Hofmann, 2009; Sheridan, 2011; International Crisis Group, 2008; Lin, 2011; Cerezo, 2011). The aforementioned elements and other factors results in the emergence of an **interest convergence** between those relations: Mafias and marginalized. On one hand, it is important to try to understand the difficult realities of the marginalized. The document *Honduras a Sentiency of Poverty* has a beautiful paragraph that makes us think, "But there are few words that serve to explain how people live without food, housing, nothing. The feelings of thousands of people living in one of the world's poorest countries are impossible to understand for those who have never lived a similar situation" (p.1). Kendall (2006) tries to make us understand white privileges "Many of us who are white have little sense of what that means for our lives, and we are not particularly interested in finding out. It doesn't seem relevant. We see ourselves as individuals rather than as members of groups, and we often feel little connection to others in our racial category (p.41). Consequently, the people with privileges assume that life is perfect and they avoid meeting the needs of minority sectors. On the other hand, the researcher *Honduras a Sentiency of Poverty* under the title *384,832 Honduran children Do Not Understand About Games*, the author explains that because marginalized people have not been attended to by the state, and they must cover their basic needs, the only chance to survive is to receive offers by the Mafia about being part of gangster's groups (p.80).<sup>5</sup>

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<sup>5</sup> See Cárdenas, M., De Hoyos, R., & Székely, M. (2011). Idle Youth in Latin America: A Persistent Problem in a Decade of Prosperity. *Latin America Initiative Brookings Institution*.



The relation that should be built between state as a protector of community and people is replaced by cartels. The mafias provide money, food and basic needs that marginalized communities seek. Delgado & Stefancic (2001) highlight the idea of **cultural nationalism**, which is when a group of oppressed people owe a particular allegiance to their own community, even above that of the state (p.145). It could be the case of these marginalized people who prefer to be in allegiance with the mafia rather than with the state and its institutions creating a crisis between the two. Is it not the role of the state to ensure the basic needs of their citizens? The internal relationship between the cartels and the common is the real school of Marcola. This is the education that he is learning.

This is the new-found knowledge that he will use to survive in the *narcotrafic* world. Marcola's points out:

You are a bankrupt state, dominated by incompetents. We have agile management methods. You are slow and bureaucratic. We are fighting on our turf but you are not. We do not fear death. You scared of death. We are well armed. You have a 38. We are attacking, you are defending. You have the habit of humanism. We are cruel, merciless. You transformed us into "super stars" of crime. You are clowns. We are aided by the people of the slums, out of fear or love. You are hated. You are regional, provincial.

For people like Marcola, the educational and curriculum learning will be replete of classes about how to be insensitive, disrespectful to human life, the easiest ways to steal, disregarding social rules and hatred for the state that finally condemned them to this lifestyle. I started by stating that Marcola's reality is the reality of many other marginal lives. This counter storytelling could be narrated for many other voices. Mexico, Brazil, El Salvador, Guatemala, Colombia are just a few countries that are living immersed in the cartels' reality<sup>6</sup> (International Crisis Group, 2008; Interpeace, 2011; Albuja, S., & Umaña, I., (2009). That reality of the criminal world named "ghettos in

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See Van der Gaag, J., & Winkler, D. (1996). Children of the poor in Latino America and the Caribbean. *Human and Social Development Group Latino America and the Caribbean Region*.

See Glüsing, J., (June 24, 2011). *Violence in Latin America The Mafia's Shadow Kingdom*. Spiegel Online.

<sup>6</sup> For example, the Organization of American States, OAS points out that "because of its geographical situation Honduras, El Salvador and Guatemala have gradually become a "natural" corridor for human trafficking, drugs and arms, where gangs have become controllers of large portions of Central American territory (p.3). Casas-Zamora (2011) stresses "The percentage of households that have been victims of crime in the course of the past year is more than 25% in every Central American country, except Panama. To this we have to add several other manifestations of violence whose magnitude we cannot possibly ascertain. Approximately 70,000 young men belong to gangs—locally known as Maras—in Central America" (p.16).

North America, barrios marginales, villas miseria, barrios callampa, pueblos jóvenes or favelas in Latin America (depending on the country) and “garrison communities” in the Caribbean, they tend to be urban, densely populated and underserved” (World Bank, 2007, p.133), is the reality that most people wants to deny. Delgado (1989) states the importance of stories “that allow us to see how the world looks from behind someone else’s spectacles” (p.15) as a vehicle of humanize us because maybe the story told is the story that is oppressing me, or my neighbor or somebody I know. Marcola’s story tells us many truths: the truth is that poor people exist; corruption exists at different levels; it is true that although there is an educational system, it does not fit the reality of many people and their needs. Marcolas’ speech shows another reality. The humanization that Delgado mentions is being lost within the reality of daily existence. For example, Sheridan (2011) highlights, “Mexico is at risk of becoming a nation where killing someone can be seen as a normal or natural act” (p.2). Just look at the news to realize that something very nefarious is happening in our societies and the worst is that people are increasingly insensitive about it: Dehumanization, callousness and hate are parts of marginalized learning, *their school*. Some authors name this phenomenon as *hidden curriculum* (Anyon, 2006).

Apple (2004), points out that hidden curriculum involves various interests, cultural forms, struggles, agreements, and compromise (as cited in Kentli, 2009, p.86). The kids of the favelas in Brazil are a symbolic representation of thousands of kids that are immersed in the same criminal world in many other countries in Latin America. Cardenas, Hoyos & Szekelu (2011) point out, “This is especially sensitive for those in the 15 to 24 age range who are neither in school nor in the labor market. If this situation is not addressed soon, Latin America will not be able to seize the demographic opportunity, which will have devastating development consequences”(p.2) the authors address how the youth of Latin America are becoming a source of potential risks for the society at large in areas such as crime, addiction and insecurity. Trying to combat juvenile crime in Central America some organizations have created *public policy* to combat this problem: ICCPG in Guatemala, FESPAD and CEFO in El Salvador, JHA-JA and CIPRODEH in Honduras; these are just some few examples (Interpeace, 2011, p.2). This is a micro culture in which these kids share their interests, own language, agreements and commitment. It is interesting to analyze that some of these kids end up very well prepared in issues of technology even with a basic scholar education. Organized crime has been adopting mechanisms of the globalized economy to successfully develop their business: Extensive use of technology and communications based on cell phones, cybernetic systems within the prison (International Crisis group, 2008; Hofmann, 2009). Holder, Y. (2006) highlights that, “In fact, drug trafficking has spawned a vibrant industry, namely, guns for hire, a service particularly useful to addicts who need to commit crimes to support their habit and

hence perpetrate more violent crimes. From this another criminal industry has spun off: Contract murders”(as cited in World Bank, 2007, p. 134)<sup>7</sup>. Globalization affects not only capitalism but also the cartels’ need to be current with cutting edge technology in order to stay a step ahead of the authorities. This learning is part of their *found knowledge*.

The experiences and norms that students or youth learn based on their life experiences are going to be reproduced as a cultural cycle. If the realities of those youth or kids are related to misery, hard work, this cycle of reproduction will just maintain the role of material production of the capitalist mode (Giroux, 2001; Willis, 1977; Marcus, 1972). According to Willis, the actions that youth commit in their environment will determine their future as part of this reproductive process. Willis points out an interesting idea when he mentions, “In the first place there is a common educational fallacy that opportunities can be made by education and upward mobility is basically a matter of individual effort, that qualifications make their own openings (p.127). Willis generalized the idea that school does not bring real opportunities to marginalized youth. Schools are more interested in created labor works, robots, and nobody is interested in helping the students with their real problems. Cammarota, J., (2006) describes “He as well as other students, were late, and the teacher –thinking that I was security or something else – leaned over to me and said , This kids are not going anywhere; they ‘re a bunch of monkeys” (p.8). Some other authors highlight that teachers and administrators carrying ideological assumptions of Latinos as racial inferior, turning them [students] into invisibles human beings (Cammarota, 2006; Delgado, 1989; Yosso, 2006<sup>8</sup>). To be successful in life from a school’s perspective, young people need to spend at least 20 years in basic education (primary and high school). During this process, people from places like favelas and slums have many needs that require an immediate response. Based on this, real upward mobility seems to be inaccessible. The educational system does not respond to the necessities

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<sup>7</sup> For example, The International Crisis Group (2008) points out that, “The increasing autonomy of the Mexican organizations was matched by their proliferation and adoption of new structures. Vertically structured groups operating in specific regions, mostly in the northern states and headed by visible strongmen, gradually transformed into criminal entrepreneurial networks, 276 which formed alliances and established hard-to-detect cells across the country” (p.24). Similar information is stressing by the World Bank (2007) that explains how the Crime Institutions are super-organized; in this report the World Bank explains where the Gangsters buy the guns, how they transport the drugs, how they work in stratifications based in responsibilities etc., and all that information and statistics confirms that narcotrafficking is a huge business.

<sup>8</sup> Yosso (2006) points out that “schools provide low per-pupil expenditures, few well –trained teachers, and limited access to a quality, college-bound curriculum” (p.4). The idea that Yosso stresses in her book is that teachers have no interest in Latinos (as) students, they don’t increases any motivations, and the pedagogy they use is mechanic and automatic.

of the marginalized and it is shown in the statistics of desertion<sup>9</sup> (Yosso, 2006). Ollman (1998) stressed, “Capitalism works, shows who gets ‘screwed’ and by how much, offers a moral condemnation of same, prescribes- *faute de mieux*- reformist solutions, and – because these no longer work- lapses into emotional despair and cynicism (p.342). Part of this cynicism has created a whole system that maintains the marginalized in an oppressed position with few options to get out. State laws, law school curricula and legal scholarship are in real life non-functional and maintain discrimination, exclusion, and hostility in marginalized peoples’ lives. Part of this discrimination is the idea that many whites perceive people of color as lazy, of inferior intelligence and therefore with fewer rights, and consequently fewer opportunities in society (Bell, 1992; Bell, 2011; Lawrence, C., Matsuda, M., Delgado, R., & Williams, K., 1993).

Many authors point out that discrimination, oppression, and frustrations, to minorities groups, need to be denounced (Yosso, 2006; Delgado, 1989; Cammarota, 2006; Bell, 1992; W.E.B.DuBois, 1990; Villenas, S., & Deyhle, D.,1999). One of the precursors, about two decades ago stated, “I suggested in print that civil rights lawyers who urge racial balance remedies in all school desegregation case were giving priority to their integration ideals over their clients’ educational needs” (Bell, 1992, p.53). Bell argues that education is indispensable for the success of any individual and the entire world; however education is also structured to deprive people of color of the real opportunity to be successful. One example of education’s role and its importance is presented by Ordaz. Ordaz (2009), in his study *Mexico: The impact of education in rural poverty* highlights the general idea that “primary and secondary education by itself is an important mechanism to help individuals of the rural sector to get out of extreme as moderate poverty” (p.27). Ordaz stressed the idea that educational coverage is important as well as the quality. However, in this study Ordaz points out that, “In 2006 close to 55% of rural population (a little more of 12 millions of people) were in patrimony<sup>10</sup> poverty and in 2005, 72.2% of rural population or has no instruction or only reaches primary as highest level of schooling.” (p.15). Even though education is essential for the development of an individual and their communities, there are many other factors and realities that hinder education as a successful process. Some of the problems that impede the effectiveness of a good educational system are:

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<sup>9</sup> Yosso (2006) stresses “That seems so wrong to me now- that some students can go to high school for four years and not even be close to meeting the basic requirements for college (p.79). She explains that many other actions that the system promotes just the “cooling off” of students’ dreams because their struggles with the system seem to never end (pgs. 100-103).

<sup>10</sup> The study presents three types of poverty: A household is in **alimentary poverty** when households whose monthly income per person is less than necessary to cover the needs of supply; in **poverty of capabilities** when the per capita income is less than needed to cover basic consumption pattern for food, education and health; finally a household is in **patrimony poverty** when the per capita income is less than needed to cover the basic consumption pattern for food, education, health, clothing, footwear, housing and public transport (Ordaz,2009,pags 19-20).

Socioeconomic problems, poor structure of the educational system that does not respond to the needs of the individuals and community, racism, classism, migration, lack of employment, corruption in the system, among others (Yosso, 2006; Cammarota, 2006; Villenas & Deyhle, 1999; Mena, R., 2004).

Insulza (2011) highlights, “The lack of employment and education for many youth named in Spanish “ni-ni” ni estudian ni trabajan (neither study nor work) results in a huge migratory flow to the USA and Europe and is the root of discrimination against native and afro-descendants and many disproportionate number of poor households headed by women (p.2). Núñez (2011) also mentions that “Based on the national youth survey of 2005, Mexico had 7.5 million young people between 12 and 29 years old classified as “ninis”. He says, “How do we talk about democracy when the place of some individuals is relative determinates as in the society of castes; democracy is not compatible with a system which determine the place of people since they were born” (p.3). He stressed the idea that marginalized people need more than education; they need to brake with the stratification that keeps them in an oppressed position. Marcola’s apocryphal stresses the same feeling, “I was poor and invisible. You never looked at me for decades and in the past it was easy to solve the problem of poverty. The diagnosis was clear: Rural migration, income gap, few slums, and safe suburbs; the solution never appeared.” The reality of a stratified system is to maintain some people in a strategic position is an indicator that education is not bringing them any real solutions to get out of poverty and the system of the State work is trying to perpetuate this. Capitalist order reproduces the argument about how education is collaborating in producing inequality while depriving people of *liberal hope*. (Willis,1977).

This reproductive system is part of what Marcolas’ apocryphal wants to highlight. There exists a cycle of reproduction that keeps marginalized people in an oppressed position without the chance of overcoming their struggles <sup>11</sup>(Yosso, 2006; Ladson-Billings, 2009). Willis’ idea is that the capitalist economy system preserves poor people for some specific purpose a like **cheap working class**, among others. Yosso’s study mentioned in chapter two, for example, how teachers exploited Latinos students, “Everyday, the fifth grade teacher excused his Chicano/s from math so they could report for work in the cafeteria while their White peers remained in class,

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<sup>11</sup> Yosso (2006) points out “...folks asserted that Mexicans are biologically incapable of learning abstract thought and culturally unable to prioritize education or plan for tomorrow, So since we supposedly didn’t value education and couldn’t grasp intellectual ideas, Whites did us a ‘favor’ by preparing us for manual labor and domestic service jobs in segregated schools” (p.71). Yosso stresses how people (teachers and administrators) create assumptions that limit the opportunities of minorities. Some of the assumptions are that minorities (Latinos) are genetically and culturally inferior. At the same time, the disinterest of teachers create a reproduction cycle because the students cannot have a good quality of education, therefore, how can students be successful? (Yosso,2006)

learning fractions” (Yosso,2006, p.25.) This definitely is a direct manifestation of segregation; but in many countries the system conceals the intention of segregation. According to Núñez (2011), “Admission exams to move to the next immediate level, rather than assessing students, serve as filters to reduce the total demand for educational services”. (p.4). Latin American countries used this system to keep some people out of the educational structure and have more labor workers for farmers. Young people rejected by universities and other higher educational institutions sought on more than one occasion to access professional or technical studies without ever achieving success. At this point they go to the labor market for employment without finding it, (which also happens to young people with some degrees or technical study) these young become people tired of fighting against the system, eventually end up on the streets committing crimes to survive (Pizarro, 2000; Núñez, 2011).

Another issue that impedes the effectiveness of education is the attitude of some teachers. How do marginalized people prove their abilities if they are sentenced by assumptions the teachers have of them? Some teachers and administrators apply racial inferiority to Latinos student based on assumptions; sometimes they are sarcastic and they build a racial ideology. Teachers often do not care about their students, they already believe that these marginalized people have no choice to succeed in this world; therefore, they don’t make any effort to help their students (Cammarota, 2006; Willis, 1977). The worst thing is that they do not help the students, but build a notion of disempowerment in them. Many teachers make students believe that they are worthless (Yosso, 2006; Cammarota, 2006; Willis, 1977<sup>12</sup>). Teachers develop some actions through verbal or nonverbal expressions that make students feel ridiculed, humiliate or just disregard their needs, lack of attention to the personal problems of students (Matsuda, M., et al, 1993; Cammarota, 2006; Willis, 1977). It is what Williams has called “*Spirit murder*” where the negative effects of *hate message* are real and immediate for the victims affecting them psychologically and emotionally, destroying the victims’ experience (as cited in Matsuda, M.J., et al., 1993, p.24). This racist ideology of inferiority and differentiated stereotypes reduced the potential of any youth, creating invisible human beings and at the same time very resentful people. This racist ideology has its roots between culture and ideology (Yosso, 2006).

The idea that some teachers apply the notion of *meritocracy* to their students is permanent in some systems. They are waiting for some individual actions which show

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<sup>12</sup> Willis (1977) argues “ The stern look of the inquiring teacher; the relentless pursuit of ‘he truth’ set up a value even above good behavior; the common weapon of ridicule; the techniques leaned over time whereby particular troublemakers can ‘always reduce to tears’; the stereotyped deputy head, body, posed, head lowered, finger gabbing the culprit; the head unexpectedly bearing down on a group in the corridor- these are all tactics for teaching cannot tolerate is private reservation, and in the early forms in virtually any school it is plain to see that most kids yield that capacity willingly (p.65).

students' potential for achievement based on their merits (Cammarota, 2006, p.4). The teachers do not take any initiative to motivate their students to be successful. On the contrary, they hardly believe that these kids have any options: "These kids are not going anywhere; they're just a bunch of monkeys" (Cammarota, 2006, p.8). What Cammarota criticizes is not only the racist action of this teacher but also the attitude. The system that involves those teachers and their attitudes creates a structural determinism in which individuals are subjected to this reality; their reality. Their children will have the same experiences, and then their grandchildren, because their race, ethnicity and social class will determine the *reproduction of hierarchy* which reinforces class, race, and gender inequality through legal education (Cammarota, 2006; Willis, 1977).

**Reflections:**

*There is a higher court than courts  
of justice and that is the court of conscience.  
It supercedes all other courts.*

**Mohandas Gandhi**

Since the human being has the power to communicate with others everyone has been telling stories "Many, but by no means all, who have been telling legal stories are members of what could be loosely described as outgroups, groups whose marginality defines the boundaries if the mainstream whose voices and perspective whose consciousness, has been suppressed, devalued, and abnormalized" (Delgado, 1989, p.1). Those stories represent the pain, frustration and impotence of many. The inequality that exists in Latin America is a sign that the cycle of marginalization that our history has endured, has not yet ended. The reality is that mobility is limited: You're rich or poor since birth. In this continent African-American populations are much poorer than the general population, as well as indigenous peoples; also a majority of poor households are single parent homes lead by women. When one tries to separate poverty and inequality and poverty and discrimination the reality is clear: Poverty has race and gender (Delgado, 1989; Insulza, 2011). Marcola's apocryphal is a story that tells us how this process brings some marginalized to a one way street without many options to survive. There are many political, economic and cultural reasons why some cannot obtain certain opportunities. Education is one. It is an important tool to help the marginalized to extricate themselves from this cycle; but education needs to be adequate to resolve the problems and bring real answers to real problems. As far that they feel supported by the system and see hope for their future, they won't have to emigrate, putting their lives at risk. The State needs to make



decisions to modify development policies, generate quality education, and increase employment. The State needs to support and invest in education (Insulza, 2011; Arias, 2011; Bitar, 2011). Teachers need to be well prepared to bring all support the confidence children need. Teachers have the huge mission to return the faith that those abused, oppressed, marginalized and who perceive themselves as lost. Otherwise, the Marxism's idea about how the dialectic of capitalism is creating their own gun; on one hand they created oppression, discrimination, social stratus, poverty; therefore capitalism wants to keep the people oppressed and controlled; on the other hand, oppression will rebel against them (the capitalist) because the marginalized are impotent, unhappy (Marcus, 1972). The system of oppression, marginalization, and class divisions will only continue to perpetuate hate between humans. Kendall (2006) maintains, "If we do not work to change ourselves and our systems, we continue to be complicit in the oppression of others whether we mean to or not (p.23). We need to find real solutions that reduce asymmetries and make the world fairer place. Only then will cease to exist more Marcolas!

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