The Future of Latinos in the United States: Law. Opportunity and Mobility

A Research Project of the American Bar Foundation Co-Directed by Robert Nelson and Rachel Moran

“The Future of Latinos in the United States: Law, Opportunity and Mobility” is a nation-wide, interdisciplinary research initiative devoted to understanding the current condition of Latinos in the United States, the structural barriers that impede full equality and integration for this emerging population, and the sites of intervention that promise to be most impactful in promoting opportunity and mobility through law and policy. The project is a forward-looking one with a mission of ensuring the flourishing of the Latino population as a means of safeguarding the wellbeing of our communities, the strength of our economy, and the representativeness of our democracy. We are committed to research that will make a difference: Our aim is to generate findings that can be converted into concrete recommendations for reform that can be readily utilized by organizations and individuals to effect change.

The demographic growth of the Latino population is a well-known phenomenon. Projections indicate that nearly 30% of the country’s population will be Latino by 2050. Clearly, the wellbeing of Latinos will be integral to our future prospects, but unfortunately, our understanding of the barriers facing this increasingly important constituency remains rudimentary, in part because of the relative dearth of scholars working in this area. Without a clear picture of this diverse population and the various challenges it faces, policymakers lack the necessary foundation to craft timely and effective interventions. Our project will bring together a critical mass of the best and brightest scholars from different disciplines who are addressing these concerns. We will partner with change agents in the field, ranging from non-profits to government agencies to foundations. The project will seek to build intergenerational teams to ensure that research and reform efforts in this vitally important area remain vibrant and robust in the coming years.

Our project will begin by gathering the relevant scholarship that has been done on the Latino population. To ensure that the effort is a focused one, we will begin by evaluating the structural forces that are potential barriers to full equality and integration. There are different accounts of these barriers. For example, inequality can be attributed to: 1) race and ethnicity; 2) national origin; 3) linguistic and cultural difference; 4) socioeconomic status and isolation; and 5) political disenfranchisement. Another explanation might relate not to characteristics of the Latino population but to the decline of the welfare state, which impedes upward mobility for everyone. In reviewing the research, we will determine whether some theories of inequality already have been explored at some length, while others have received less attention. We can deploy our resources to fill gaps as well as synthesize existing work.

In reviewing the research, we also will be sensitive to how the different theories of inequality affect the relevant sites for intervention. Consider, for instance, a theory that turns on race and ethnicity as factors in limiting opportunity and mobility. Such an account would likely focus on anti-discrimination remedies in a broad array of areas from education to the workplace to the criminal justice system and beyond. An approach that emphasizes national origin might target our immigration system and the
politics of immigrant integration as the sites for reform. Studies that stress the significance of language and culture could lead to a focus on bilingual education, accent discrimination, English only rules in the workplace, and cultural tolerance. A theory that turns on class difference could call for improving education for children and adults, creating a stronger social safety net, and strengthening the salary and benefits of low-wage workers. An approach that focuses on political disenfranchisement will likely seek to promote outreach to voters, education about the political process and political issues, access to the ballot box, voter mobilization, cultivation of candidates for office, and other forms of civic engagement. An explanation that revolves around the decline of the welfare state will likely seek to restore social services and government programs across a wide range of areas.

In building on the research, we may want to emphasize portals of opportunity that implicate multiple theories of inequality. For instance, education, employment, and health care may be sites where race, ethnicity, national origin, language, culture, and poverty all potentially play a significant role. We also may want to look at sites that have cumulative impacts on opportunity and mobility. For example, education may interact with the criminal justice system and inner-city labor markets to constrain upward mobility. In addition, we should look for models of success, for instance, high-performing schools, ethnic and immigrant entrepreneurship, successful job training programs, and effective political mobilizations.

In addition to gathering interdisciplinary research, we will be preparing an inventory of change agents so that we can understand the infrastructure that is available to inform the contemporary debate and effect reforms. Our hope is to include some of the most influential leaders in our deliberations so that we can translate our research into usable law and policy in a dynamic and sustained way. We also will identify the foundations that are committed to supporting work in this area, so that we can partner with their officials early on. Through these partnerships, we will expand our reach and deepen our impact by building on existing community initiatives and philanthropic commitments.

After the preliminary research is complete, we will use the findings to frame the agendas for regional roundtables. These roundtables will serve as focus groups to assist in creating a research agenda and to build a high-quality community of scholars and change agents. Our plan is to host roundtables at Yale, Stanford, the American Bar Foundation, and possibly the University of Texas. We anticipate that the roundtables will take place over the course of approximately twelve to eighteen months.

When we have constructed a strategic plan for our research, we will collaborate with scholars and change agents to generate the necessary funding for specific projects. We anticipate that the research will lead to at least one conference and an edited volume of essays. We hope that our efforts also will stimulate articles, white papers and op-eds as the initiative proceeds. Through these efforts, we will advance the understanding of issues facing the Latino population, raise popular awareness of these concerns, and create the conditions for meaningful change as well as a sustained intergenerational network for research.